

TABLE OF CHANGES – INSTRUCTIONS
Instructions for Form I-526, Immigrant Petition by Alien Entrepreneur
OMB Number: 1615-0026
05/18/2020

Reason for Revision: Biometrics Rule
 Project Phase: NPRM

Legend for Proposed Text:

- Black font = Current text
- **Red font** = Changes

Expires 04/30/2021

Edition Date 04/15/2019

Current Page Number and Section	Current Text	Proposed Text
Pages 1-2, General Instructions	<p>[page 2]</p> <p>Biometric Services Appointment. USCIS may require that you appear for an interview or provide fingerprints, photograph, and/or signature at any time to verify your identity, obtain additional information, and conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), before making a decision on your application, petition, or request. After USCIS receives your petition and ensures it is complete, we will inform you in writing, if you need to attend a biometric services appointment. If an appointment is necessary, the notice will provide you the location of your local or designated USCIS Application Support Center (ASC) and the date and time of your appointment or, if you are currently overseas, instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to set up an appointment.</p>	<p>[page 2]</p> <p>Biometric Services Appointment. Every individual who is an applicant, petitioner, derivative, beneficiary, or sponsor of an immigration benefit request or other request submitted to USCIS is required to submit biometrics unless USCIS waives or exempts the requirement. You and your beneficiaries will be notified of the time and place of your appointment if you or they must appear and you will each be provided requirements for rescheduling if necessary. If you or your beneficiaries fail to submit any biometrics as required, USCIS may deny your application, petition, or request.</p> <p>DHS may store the biometrics submitted by an individual and use or reuse biometrics to conduct background and security checks, including a check of criminal history records maintained by the Federal Bureau of Investigation (FBI), verify identity, produce documents, determine eligibility for immigration and naturalization benefits, or to perform any other functions necessary for administering and enforcing immigration and naturalization laws, and any other law within DHS authority.</p> <p>If you are required to provide biometrics, at your appointment you must sign an oath reaffirming that:</p> <p>1. You provided or authorized all</p>

	<p>[new]</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p>...</p> <p>2. If you need extra space to complete any item within this petition, use the space provided in Part 11. Additional Information or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.</p> <p>...</p>	<p>information in the petition;</p> <p>2. You reviewed and understood all of the information contained in, and submitted with, your petition; and</p> <p>3. All of this information was complete, true, and correct at the time of filing.</p> <p>Copies. You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application, petition, or request. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.</p> <p>...</p> <p>2. If you need extra space to complete any item within this petition, use the space provided in Part 12. Additional Information or attach a separate sheet of paper; type or print your name and Alien Registration Number (A-Number) (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.</p> <p>...</p>
<p>Pages 2-9, Specific Instructions</p>	<p>[page 3]</p> <p>...</p> <p>Item Numbers 24. Country of Citizenship or Nationality. Provide the name of the country where you are a citizen and/or national. If you are a citizen of more than one country or your nationality differs from your citizenship, provide the information in Part 11. Additional Information. Indicate whether you are a citizen or national of each country you list. This is not necessarily the country where you were born. If you do not have citizenship in any country, write “stateless” and provide an explanation in Part 11. Additional Information.</p> <p>...</p>	<p>[page 3]</p> <p>...</p> <p>Item Numbers 24. Country of Citizenship or Nationality. Provide the name of the country where you are a citizen and/or national. If you are a citizen of more than one country or your nationality differs from your citizenship, provide the information in Part 12. Additional Information. Indicate whether you are a citizen or national of each country you list. This is not necessarily the country where you were born. If you do not have citizenship in any country, write “stateless” and provide an explanation in Part 12. Additional Information.</p> <p>...</p>

	<p>[new]</p>	<p>Part 2. Your Biographic Information</p> <p>Provide the biographic information requested in Part 2., Item Numbers 1. - 6. Providing this information as part of your application may reduce the time you spend at your USCIS ASC appointment as described in the Biometric Services Appointment section of these Instructions.</p> <p>Item Numbers 1. - 2. Ethnicity and Race. Select the boxes that best describe your ethnicity and race.</p> <p>Categories and Definitions for Ethnicity and Race</p> <p>1. Hispanic or Latino. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race. (NOTE: This category is only included under Ethnicity in Part 2., Item Number 1.)</p> <p>2. White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>3. Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.</p> <p>4. Black or African American. A person having origins in any of the black racial groups of Africa.</p> <p>5. American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.</p> <p>6. White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.</p> <p>Item Number 3. Height. Select the values that best match your height in feet and inches. For example, if you are five feet and nine inches, select “5” for feet and “09” for inches. Do not enter your height</p>
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	<p>Part 3. Information About the New Commercial Enterprise (NCE)</p> <p>...</p> <p>Part 4. Information About The Job-Creating Entity (JCE) (if different from the NCE)</p> <p>...</p> <p>[page 7]</p> <p>Part 5. Employment Creation Information</p> <p>...</p> <p>Item Number 9. Indirect Job Creation. If the NCE is associated with a regional center, indicate whether the petition relies on indirect job creation demonstrated by an economic model and, if yes, indicate the economic model used in Part 11. Additional Information.</p> <p>...</p> <p>Part 6. Processing Information</p> <p>...</p> <p>Item Numbers 6. - 9. Immigration Proceedings. Indicate whether you are in removal, exclusion or deportation proceedings before the Department of Homeland Security (DHS) or the Department of Justice’s Executive Office for Immigration Review (EOIR) Immigration Court or the Board of Immigration Appeals, and, if so, the location of the proceedings. Also, provide an explanation for why you are in proceedings in Part 11. Additional Information. Also indicate whether you are currently subject to a final order of exclusion, deportation, or removal, or subject to reinstatement of such an order.</p> <p>Item Numbers 10. - 11. Unauthorized Employment. Indicate whether you have ever worked without proper work authorization while in the United States. Also, provide an explanation for why you worked without proper work authorization</p>	<p>Part 4. Information About the New Commercial Enterprise (NCE)</p> <p>...</p> <p>Part 5. Information About The Job-Creating Entity (JCE) (if different from the NCE)</p> <p>...</p> <p>[page 7]</p> <p>Part 6. Employment Creation Information</p> <p>...</p> <p>Item Number 9. Indirect Job Creation. If the NCE is associated with a regional center, indicate whether the petition relies on indirect job creation demonstrated by an economic model and, if yes, indicate the economic model used in Part 12. Additional Information.</p> <p>...</p> <p>Part 7. Processing Information</p> <p>...</p> <p>Item Numbers 6. - 9. Immigration Proceedings. Indicate whether you are in removal, exclusion or deportation proceedings before the Department of Homeland Security (DHS) or the Department of Justice’s Executive Office for Immigration Review (EOIR) Immigration Court or the Board of Immigration Appeals, and, if so, the location of the proceedings. Also, provide an explanation for why you are in proceedings in Part 12. Additional Information. Also indicate whether you are currently subject to a final order of exclusion, deportation, or removal, or subject to reinstatement of such an order.</p> <p>Item Numbers 10. - 11. Unauthorized Employment. Indicate whether you have ever worked without proper work authorization while in the United States. Also, provide an explanation for why you worked without proper work authorization</p>
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	<p>in the space provided and, if necessary, in Part 11. Additional Information.</p> <p>[Page 8]</p> <p>Part 7. Information on Petitioner’s Spouse and Children.</p> <p>...</p> <p>Part 8. Statement, Contact Information, Declaration, Certification, and Signature of the Petitioner or Authorized Signatory</p> <p>...</p> <p>Part 9. Interpreter’s Contact Information, Certification, and Signature</p> <p>...</p> <p>Part 10. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner</p> <p>Item Numbers 1. - 8.b. This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter and your preparer, that person should complete both Part 9. and Part 10. If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this petition MUST sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your petition is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.</p> <p>[Page 9]</p> <p>Part 11. Additional Information</p> <p>Item Numbers 1.a. – 7.d. If you need extra space to provide any additional</p>	<p>in the space provided and, if necessary, in Part 12. Additional Information.</p> <p>[Page 8]</p> <p>Part 8. Information on Petitioner’s Spouse and Children.</p> <p>...</p> <p>Part 9. Statement, Contact Information, Declaration, Certification, and Signature of the Petitioner or Authorized Signatory</p> <p>...</p> <p>Part 10. Interpreter’s Contact Information, Certification, and Signature</p> <p>...</p> <p>Part 11. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner</p> <p>Item Numbers 1. - 8.b. This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter and your preparer, that person should complete both Part 10. and Part 11. If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this petition MUST sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your petition is an attorney or accredited representative, he or she may be obliged to also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your petition.</p> <p>[Page 9]</p> <p>Part 12. Additional Information</p> <p>Item Numbers 1.a. – 7.d. If you need extra space to provide any additional</p>
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	<p>information within this petition, use the space provided in Part 11. Additional Information. If you need more space than what is provided in Part 11., you may make copies of Part 11. to complete and file with your petition, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.</p> <p>...</p>	<p>information within this petition, use the space provided in Part 12. Additional Information. If you need more space than what is provided in Part 12., you may make copies of Part 12. to complete and file with your petition, or attach a separate sheet of paper. Type or print your name and A-Number (if any) at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.</p> <p>...</p>
<p>Pages 10-11, What Is the Filing Fee?</p>	<p>[page 10]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-526 is \$3,675.</p> <p>...</p>	<p>[page 10]</p> <p>What Is the Filing Fee?</p> <p>The filing fee for Form I-526 is \$3,675. A biometric services fee of \$85 is also required for the petitioner and each beneficiary.</p> <p>...</p>
<p>Page 12, Processing Information</p>	<p>[page 12]</p> <p>...</p> <p>Requests for Interview. We may request that you appear at a USCIS office for an interview based on your petition. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, photograph, and/or signature to verify your identity and/or update background and security checks.</p> <p>...</p>	<p>[page 12]</p> <p>...</p> <p>Requests for Interview. We may request that you appear at a USCIS office for an interview based on your petition. At the time of any interview or other appearance at a USCIS office, we may require that you provide your biometrics to verify your identity and/or update background and security checks.</p> <p>...</p>
<p>Page 13, DHS Privacy Notice</p>	<p>[Page 13]</p> <p>DHS Privacy Notice</p> <p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under Immigration and Nationality Act (INA) sections 103 and 203(b)(5) and Title 8 of the Code of Federal Regulations parts 103 and 204.6.</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition, and the associated evidence, is to</p>	<p>[Page 13]</p> <p>DHS Privacy Notice</p> <p>AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under Immigration and Nationality Act (INA) sections 103 and 203(b)(5) and 8 CFR parts 103 and 204.6.</p> <p>PURPOSE: The primary purpose for providing the requested information on this petition, and the associated evidence, is to</p>

	<p>demonstrate that you have invested, or are actively in the process of investing, lawfully obtained capital in a new commercial enterprise in the United States that will create full-time jobs for not fewer than ten qualifying employees. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records and DHS/USCIS-007 - Benefits Information System] and the published privacy impact assessments [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems and DHS/USCIS/PIA-056 USCIS Electronic Immigration System], which can be found at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>demonstrate that you have invested, or are actively in the process of investing, lawfully obtained capital in a new commercial enterprise in the United States that will create full-time jobs for not fewer than ten qualifying employees. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p>DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your petition.</p> <p>ROUTINE USES: DHS may share the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and the published privacy impact assessments [DHS/USCIS/PIA-003 Integrated Digitization Document Management Program and DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems] which can be found at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>
<p>Page 13, Paperwork Reduction Act</p>	<p>[page 13]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 50 minutes per response, including the time</p>	<p>[page 14]</p> <p>Paperwork Reduction Act</p> <p>An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 1 hour and 50 minutes per response, including the time</p>

	<p>for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue NW, Washington, DC 20529-2140; OMB No. 1615-0026. Do not mail your completed Form I-526 to this address.</p>	<p>for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. The collection of biometrics is estimated to require 3 hours and 40 minutes. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Avenue NW, Washington, DC 20529-2140; OMB No. 1615-0026. Do not mail your completed Form I-526 to this address.</p>
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