

TABLE OF CHANGES – INSTRUCTIONS
Form I-526, Immigrant Petition by Standalone Investor
OMB Number: 1615-0026
06/12/2026

Reason for Revision: EB-5 Reform NPRM

Legend for Proposed Text:

- Black font = Current text
- Red font = Changes

Expires 03/31/2027

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Current Page Number and Section	Current Text	Proposed Text
<p>Page 1, Who May File Form I-526?</p>	<p>[Page 1]</p> <p>Who May File Form I-526?</p> <p>You may file this petition for yourself if you have invested or are actively in the process of investing the required investment amount in a new commercial enterprise (NCE) that will benefit the U.S. economy by creating full-time employment in the United States for at least 10 U.S. citizens, U.S. nationals, lawful permanent residents, or other immigrants lawfully authorized to be employed in the United States, other than yourself, your spouse, or your sons or daughters.</p> <p>An NCE may be established by:</p> <ol style="list-style-type: none"> 1. The formation of a business after November 29, 1990; 2. The purchase of a business formed on or before November 29, 1990, and simultaneous or subsequent restructuring or reorganization resulting in an NCE; or 3. The expansion of a business formed on or before November 29, 1990, through investment of the amount required so that a substantial change (at least 40 percent increase) in either the net worth or number of employees results. 	<p>Who May File Form I-526?</p> <p>You may file this petition for yourself if you have invested or are actively in the process of investing the required investment amount in a new commercial enterprise (NCE) that will benefit the U.S. economy by creating full-time employment in the United States for at least 10 U.S. citizens, U.S. nationals, lawful permanent residents, or other immigrants lawfully authorized to be employed in the United States, other than yourself, your spouse, or your sons or daughters.</p> <p>[deleted]</p>

	<p>The required investment amount is set by statute. You may obtain additional information about the EB-5 program and investment amount on the USCIS website at www.uscis.gov/working-in-the-united-states/permanent-workers/eb-5-immigrant-investor-program, or a U.S. Embassy or U.S. Consulate abroad.</p>	<p>The required investment amount is set by statute and updated in the Federal Register every five years. You may obtain additional information about the EB-5 program and investment amount on the USCIS website at www.uscis.gov/working-in-the-united-states/permanent-workers/eb-5-immigrant-investor-program, or a U.S. Embassy or U.S. Consulate abroad.</p>
<p>Pages 1-3, General Instructions</p>	<p>[Page 1]</p> <p>General Instructions</p> <p>...</p> <p>Evidence. When you file your petition you must submit all evidence and supporting documents listed in the What Evidence Must You Submit and Specific Instructions sections of these Instructions.</p> <p>...</p> <p>2. If you need extra space to complete any item within this petition, use the space provided in Part 10. 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>General Instructions</p> <p>...</p> <p>Evidence. When you file your petition, you must submit all evidence and supporting documents listed in the What Evidence Must You Submit and Specific Instructions sections of these Instructions.</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>Pages 3-8, Specific Instructions</p>	<p>[Page 3]</p> <p>Specific Instructions</p> <p>[new]</p>	<p>Specific Instructions</p> <p>Part 1. Petition Type.</p> <p>Item Numbers 1. Indicate if your submission is an initial petition or if you are amending a previously submitted petition because of a material change affecting eligibility. If you are filing an amendment to a previously filed Form I-526, provide the prior petition's receipt number. If you are filing an amendment, complete all parts of this form with information related to the modification of your business plan, your request to extend</p>

		<p>or modify a designation of a high unemployment area, and/or your investment of additional capital, as applicable. In addition, describe the circumstances of any material change affecting eligibility in Part 11. Additional Information.</p> <p>Item Number 2. You may file an amendment to your previously filed petition where the change does not affect eligibility at time of filing, such as where business circumstances require you to modify a particular aspect of your business plan, provided the business plan was credible when filed. Identify if your amendment is to modify the business plan of your NCE, to modify the designation of a high unemployment area, or because you invested additional capital for any reason to maintain your eligibility. You may select more than one reason for your amendment. USCIS will deny any amendment to modify or change the source of your original capital.</p> <p>Item Number 3. You must submit an amendment to your previously filed petition if you seek to extend a designation of a high unemployment area because the new commercial enterprise is principally doing business in a new location. While USCIS automatically extends the designation for two years when it approves a petition, you must file an amendment to your approved petition if, two years after approval, you are still actively in the process of investing the required amount capital.</p> <p>Item Number 4. You must select one of these options for the submission of required initial evidence. If you select to submit evidence through a myUSCIS account within 30 days of filing your Form I-526 petition, you will receive instructions with your receipt notice. We strongly encourage you to submit the evidence as soon as practicable after receiving the instructions. USCIS will deny your petition if the evidence is not submitted within 30 days of your Form I-526 filing.</p> <p>Item Number 5. If this is an initial petition, provide the receipt number of any</p>
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	<p>Part 3. Information About the New Commercial Enterprise (NCE)</p> <p>Provide all requested information about the new commercial enterprise (NCE). If the NCE is a holding company and its wholly owned subsidiaries, provide information about the top-level holding company in Item Numbers 1. - 12. and all wholly-owned subsidiaries, including names, and dates and jurisdiction of formation in Item B. in Item Number 2.</p> <p>Type of NCE</p> <p>Item Number 13. Select only one of the options.</p> <p>Select Item A. in Item Number 13. to indicate that the NCE was formed after November 29, 1990.</p> <p>[Page 5]</p> <p>Select Item B. in Item Number 13. to indicate that the NCE resulted from the purchase of a business formed on or before November 29, 1990, that is restructured or reorganized.</p> <p>Select Item C. in Item Number 13. to indicate that the NCE resulted from a capital investment in and substantial expansion of a business formed on or before November 29, 1990.</p> <p>Item Number 14. Troubled Business. Indicate whether you have invested or are actively in the process of investing in a troubled business and, if yes, provide an explanation of how the NCE qualifies as a troubled business. Troubled business means a business that has been in existence for at least two years, has incurred a net loss for accounting purposes (determined on the basis of generally accepted accounting principles) during the 12- or 24-month period prior to the priority date on the alien investor’s Form I-526, and the loss for such period is at least equal to twenty percent of the troubled business’s net worth prior to such loss. For purposes of determining whether or not the troubled business has been in existence for two</p>	<p>Part 4. Information About the New Commercial Enterprise (NCE)</p> <p>Provide all requested information about the new commercial enterprise (NCE). If the NCE is a holding company and its wholly owned subsidiaries, provide information about the top-level holding company in Item Numbers 1. - 12. and all wholly-owned subsidiaries, including names, and dates and jurisdiction of formation in Item B. in Item Number 2.</p> <p>[deleted]</p>
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	<p>years, successors in interest to the troubled business will be deemed to have been in existence for the same period of time as the business they succeeded.</p> <p>Part 4. Information About Your Investment</p> <p>Submission of Required Initial Evidence</p> <p>You must select one of these options for the submission of required initial evidence. If you select to submit evidence through a myUSCIS account, you will receive instructions with your receipt notice. We strongly encourage you to submit the evidence as soon as practicable after receiving the instructions.</p> <p>Investment Type and Required Capital Investment</p> <p>You must select at least one of the following options, and provide the requested information. If your investment meets more than one of these categories, select all that apply.</p> <p>Item Number 1. Rural Area. Select this box if your investment is in a rural area. A rural area is an area outside a metropolitan statistical area (MSA) (as designated by the Director of the Office of Management and Budget) and outside the outer boundary of a city or town with a population of 20,000 or more (based on the most recent decennial census of the United States).</p> <p>Item Number 2. High Unemployment Area. Select this box if your investment is in a high unemployment area. A high unemployment area is an area comprised of the census tract or contiguous census tracts where the NCE is principally doing business and may include any directly adjacent census tracts if the weighted unemployment average of the area identified is at least 150% of national average rate.</p> <p>...</p>	<p>Part 5. Information About Your Investment</p> <p>[deleted]</p> <p>Investment Type and Required Capital Investment</p> <p>You must select at least one of the following options, and provide the requested information. If your investment meets more than one of these categories, select all that apply.</p> <p>Item Number 1. Rural Area. Select this box if your investment is in an NCE that is principally doing business in a rural area. A rural area is an area outside a metropolitan statistical area (MSA) (as designated by the Director of the Office of Management and Budget) and outside the outer boundary of a city or town with a population of 20,000 or more (based on the most recent decennial census of the United States).</p> <p>Item Number 2. High Unemployment Area. Select this box if your investment is in an NCE that is principally doing business in a high unemployment area. A high unemployment area is an area comprised of the census tract or contiguous census tracts where the NCE is principally doing business and may include any directly adjacent census tracts if the weighted unemployment average of the area identified is at least 150% of national average rate.</p> <p>...</p>
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	<p>the donor or lender and describe the documentation provided with the petition to demonstrate the lawful source of funds. Any gifted or loaned funds invested in the NCE must have been gifted or loaned in good faith to the investor and were not gifted or loaned to circumvent limitations on permissible sources of capital, including proceeds from illegal activity.</p> <p>[new]</p>	<p>any administrative costs or fees were gifted or loaned to you, identify the donor or lender and include the documentation with this petition to demonstrate that such funds were obtained through lawful means. Any gifted or loaned funds invested in the NCE must have been gifted or loaned in good faith to the investor and were not gifted or loaned to circumvent limitations on permissible sources of capital, including proceeds from illegal activity.</p> <p>Item Number 17. Trace the Complete Path of Funds. Complete the table with account information for every account included in the complete path of your investment capital and administrative fees from your account to the NCE's account or escrow account. The complete path of funds begins on the first row with the initial source account or accounts from which you initially received the invested capital and administrative fees, then include any intermediate accounts used to transfer the funds to the NCE or NCE escrow account sequentially, and ends in the final row with the NCE or NCE escrow account. Dates should be the dates the funds were transferred into each intermediate account and the NCE or NCE escrow account (no date is needed for the initial source account or accounts). Amounts should be stated in the currency held in the accounts (such as CNY/RMB/¥, INR/₹, VND/₫, EUR/€ or USD/\$).</p> <p>Item Number 18. Currency Exchanges or Swaps. Complete the table with account information for any account used for a currency exchange or currency swap involving your investment capital or administrative fees. Amounts should be stated in the currency held in the accounts (such as CNY/RMB/¥, INR/₹, VND/₫, EUR/€ or USD/\$).</p> <p>Item Number 19. Breaks in the Path of Funds. Identify any breaks in the path of funds of your investment capital and administrative fees from your account or accounts to the NCE or NCE escrow account. A break in the path of funds means that some or all of the funds were transferred to an account not listed in the stated path of funds or otherwise removed</p>
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	<p>Item Number 17. Provide the identity of any third-party you used to transfer capital into the United States on your behalf. This may include any money-service business or third-party exchanger, such as a hawala. For businesses, you should include the name and address of the entity, a copy of the business license or registration information, and any other information that confirms the identity of the business. For individuals, you should include the person’s full name, date of birth, country of birth, country of citizenship, and a copy of the person’s state-issued identification document, passport, birth certificate, or other documents to confirm the identity of the person.</p> <p>Part 5. Employment Creation Information</p> <p>...</p> <p>Part 6. Visa Processing and Immigration Proceedings</p> <p>...</p> <p>Item Numbers 7. - 10. Immigration Proceedings. Indicate whether you are or have you ever been in removal, exclusion or deportation proceedings before the 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. Indicate whether you ever been unlawfully present or overstayed a visa and if you ever been denied a visa or deported. Provide an explanation for why you are in proceedings in Part 10. Additional Information and under what grounds you were denied a visa</p>	<p>from an account in a manner not accounted for in the stated path of funds. If there are any breaks in the path of funds, identify the bank accounts immediately prior to and immediately following each break in the path of funds.</p> <p>Item Number 20. Provide the identity of any third-party you used to transfer capital into the United States on your behalf, including any licensing information for that third-party, the bank account used to transfer the capital to the NCE or its escrow account, and the relationship you have to that third-party, if any. This may include any money-service business or third-party exchanger, such as a hawala. For businesses, you should include the name and address of the entity, a copy of the business license or registration information, and any other information that confirms the identity of the business. For individuals, you should include the person’s full name, date of birth, country of birth, country of citizenship, and a copy of the person’s state-issued identification document, passport, birth certificate, or other documents to confirm the identity of the person.</p> <p>Part 6. Employment Creation Information</p> <p>...</p> <p>Part 7. Visa Processing and Immigration Proceedings</p> <p>...</p> <p>Item Numbers 7. - 10. Immigration Proceedings. Indicate whether you are or have you ever been in removal, exclusion or deportation proceedings before the 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. Indicate whether you ever been unlawfully present or overstayed a visa and if you ever been denied a visa or deported. Provide an explanation for why you are in proceedings in Part 11. Additional Information and under what grounds you were denied a visa</p>
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	<p>or deported. 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 11. - 12. Employment in the United States. 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 in the space provided and, if necessary, in Part 10. Additional Information.</p> <p>Part 10. Additional Information</p> <p>If you need extra space to provide any additional information within this petition, use the space provided in Part 10. Additional Information. If you need more space than what is provided in Part 10., you may make copies of Part 10. 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>or deported. 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 11. - 12. Employment in the United States. 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 in the space provided and, if necessary, in Part 11. Additional Information.</p> <p>Part 11. Additional Information</p> <p>If you need extra space to provide any additional 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>Pages 8-9, What Evidence Must You Submit?</p>	<p>[Page 8]</p> <p>What Evidence Must You Submit?</p> <p>You must submit all evidence requested in these Instructions with your petition or through your myUSCIS account shortly after submitting your petition. If you select to submit evidence through a myUSCIS account, you will receive instructions with your receipt notice. If you fail to submit required evidence, USCIS may reject or deny your petition for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions.</p> <p>Evidence to Accompany Petition</p> <p>The following evidence must, when applicable, be filed with your petition or</p>	<p>What Evidence Must You Submit?</p> <p>You must submit all evidence requested in these Instructions with your petition or through your myUSCIS account shortly after submitting your petition. If you select to submit evidence through a myUSCIS account within 30 days of your Form I-526 filing, you will receive instructions with your receipt notice. If you fail to submit required evidence, USCIS may reject or deny your petition for failure to submit requested evidence or supporting documents in accordance with 8 CFR 103.2(b)(1) and these Instructions.</p> <p>Evidence to Accompany Petition</p> <p>The following evidence must, when applicable, be filed with your petition or</p>

	<p>through your myUSCIS account shortly after submitting your petition:</p> <p>1. Lawful Business Entity. Evidence that you have invested in, or are actively in the process of investing in, a lawful business entity validly formed after November 29, 1990 and validly operating under the laws of the jurisdiction in the United States in which it is located. If you made an investment in a business formed on or before November 29, 1990, you must submit evidence that your investment resulted in a restructuring or reorganization of the business or has caused a substantial (at least 40 percent) increase in the net worth of the business, the number of employees, or both.</p> <p>Such evidence shall, as applicable, consist of:</p> <p>A. Copies of articles of incorporation, certificate of merger or consolidation, partnership agreement, certificate of limited partnership, joint venture agreement, business trust agreement, or other similar organizational document;</p> <p>[new]</p> <p>B. A certificate evidencing authority to do business in a state or municipality, or if such is not required or issued, a statement to that effect; or</p> <p>C. Evidence that, as of a date after November 29, 1990, the required amount of capital was transferred to an existing business resulting in a substantial increase in the net worth or number of employees. This evidence must be in the form of stock purchase agreements, investment agreements, certified financial reports,</p>	<p>through your myUSCIS account within 30 days after submitting your petition:</p> <p>1. Lawful Business Entity. Evidence that you have invested in, or are actively in the process of investing in, a lawful business entity authorized to do business in the United States.</p> <p>Such evidence shall, as applicable, consist of:</p> <p>A. Complete formation documents, such as copies of articles of incorporation, organization, association, certificate of merger or consolidation, or other similar formation documents, together with all amendments to such documents;</p> <p>[Page 8]</p> <p>B. Complete copies of all other organization documents, such as partnership agreement, operating agreement, bylaws, or other similar organizational documents for the new commercial enterprise, together with all amendments to such documents; and</p> <p>C. A certificate evidencing authority to do business in the state, municipality, or other applicable jurisdiction of the United States in which the new commercial enterprise is principally doing business.</p> <p>[deleted]</p>
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	<p>payroll records, or other similar instruments, agreements, or documents evidencing the investment and the resulting substantial change.</p> <p>2. Targeted Employment Area. Evidence, if applicable, that your enterprise has created or will create employment in a targeted employment area. A targeted employment area is defined as an area which, at the time of investment, is a rural area or high unemployment area. A rural area is an area not within a metropolitan statistical area and not within the outer boundary of any city or town having a population of 20,000 or more. An area of high unemployment includes the census tract(s) where the NCE is principally doing business and may include any directly adjacent census tracts, if the weighted unemployment average of the area is at least 150 percent of the national average rate. In the case of a high unemployment area, a petitioner must submit a listing of the census tract or contiguous census tracts as well as any directly adjacent census tracts used in the calculation to determine the area is experiencing a weighted unemployment average rate of at least 150% of the national average rate. The calculation should use reliable and verifiable data that is internally consistent to calculate the unemployment rate. For example, if you used data from the U.S. Census Bureau’s American Community Survey (ACS) to determine the unemployment rate for the requested area, you should also rely on ACS data to determine the national unemployment rate to which the area identified is compared.</p>	<p>2. Targeted Employment Area. Evidence, if applicable, that your new commercial enterprise is principally doing business in a targeted employment area. A targeted employment area is defined as an area which, at the time of investment, is a rural area or high unemployment area. A rural area is an area not within a metropolitan statistical area and not within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States available at the time of filing). In the case of a rural area, a petitioner must submit a map of the proposed area with the population counts of that area that establish the NCE is principally doing business outside a metropolitan statistical area and outside the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States available at the time of filing). A high unemployment area includes the census tract(s) where the NCE is principally doing business and may include any directly adjacent census tracts, if the weighted unemployment average of the area is at least 150 percent of the national average rate. In the case of a high unemployment area, a petitioner must submit a list of the census tract or contiguous census tracts as well as any directly adjacent census tracts used in the calculation to determine the area is experiencing a weighted unemployment average rate of at least 150% of the national average rate and the method or methods by which the unemployment statistics were obtained, as well as the national unemployment rate used to calculate whether the area meets the definition of a high unemployment area. The labor force employment measure used for each census tract in the calculation must be the same labor force employment measure used for the national average unemployment rate. For example, if you used data from the U.S. Census Bureau’s American Community Survey (ACS) to determine the</p>
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	<p>3. Investment. Evidence that you have invested or are actively in the process of investing the required amount of capital.</p> <p>[Page 9]</p> <p>Such evidence may include, but need not be limited to, copies of bank statements showing amounts deposited into the U.S. business accounts for the NCE, evidence of assets that have been purchased for use in the NCE, evidence of property transferred from abroad for use in the NCE, evidence of monies transferred or committed to be transferred to the NCE in exchange for shares of stock that cannot be redeemed at the holder's request, or any loan or mortgage agreement, promissory note, security agreement, or other evidence of borrowing that is secured by assets owned by the petitioner (other than those of the NCE) and for which the petitioner is personally and primarily liable.</p>	<p>unemployment rate for the requested area, you should also rely on ACS data to determine the national unemployment rate to which the area identified is compared.</p> <p>The labor force employment measure used to perform the calculation must:</p> <ol style="list-style-type: none"> 1. Be statistically valid for the identified census tracts; 2. Use unbiased estimates calculated at the census tract level; 3. Be updated periodically; 4. Be provided by a Federal agency. If Federal estimates are not available or are not updated periodically, estimates from the State, territory, or other local agency responsible for estimating unemployment, such as the State's Department of Labor, are acceptable; and 5. The survey methodology must use publicly available data along with a description of the applicable weights and the estimation of error and bias in the estimates. <p>3. Investment. Evidence that you have invested or are actively in the process of investing the required amount of capital.</p> <p>Such evidence must include:</p> <ol style="list-style-type: none"> 1. Evidence that the investment remains invested in the NCE on the date the EB-5 immigrant visa petition is filed; 2. For all investments into an NCE other than a sole proprietorship: <ol style="list-style-type: none"> a. Executed investment, organizational, and other offering agreements including executed subscription agreements and operating or partnership agreements; and b. As applicable, equity certificates, equity ledgers, capitalization tables, or other records of the NCE showing the
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		<p>investor invested in the NCE;</p> <ol style="list-style-type: none"> 3. When investing cash: <ol style="list-style-type: none"> a. Copies of bank statements showing amounts transferred from or on behalf of the investor and deposited into the U.S. business accounts for the NCE; b. Evidence from the escrow agent showing the deposit of the investor's capital; and c. Evidence from the NCE showing receipt of the investor's capital. 4. When investing other forms of capital: <ol style="list-style-type: none"> a. Evidence of assets that have been purchased for use in the NCE, including invoices, sales receipts, and purchase contracts containing sufficient information to identify such assets, their purchase costs, dates of purchase, and purchasing entity; b. Evidence of property transferred from abroad for use in the NCE, including U.S. Customs and Border Protection commercial entry documents and transit insurance policies containing ownership information and sufficient information to identify the property; and c. Evidence to indicate the fair market value of any capital other than cash, the methodology used to determine the fair market value of that capital, and the date of such determination. 5. When investing using a promissory note as capital or as evidence of commitment to invest, evidence that the investors is required to complete payments on the promissory note prior to the end of
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	<p>4. Lawful Capital. Evidence that the capital you invested or are actively in the process of investing, as well as any funds used to pay administrative costs and fees, were obtained through lawful means. You must include the following documents, as applicable, with your petition: foreign business registration records, tax returns of any kind filed by you or on your behalf within the last seven years in or outside the United States, evidence of other sources of capital, or certified copies of any judgments, or evidence of all pending governmental administrative, civil or criminal actions, any private civil actions (pending or otherwise) involving monetary judgments against the petitioner from any court in or outside the United States within the past 15 years, and the identity of any person who transferred capital used for your investment into the United States on your behalf. If your investment funds were gifted or borrowed, submit evidence from the donor or, if other than a bank, the lender demonstrating that such funds were obtained through lawful means and that the funds were gifted or loaned in good faith and were not gifted or loaned to circumvent any limitations imposed on permissible sources of capital, including, but not limited to proceeds from illegal activity.</p>	<p>their conditional permanent resident period and that:</p> <ul style="list-style-type: none"> a. Assets securing the note are owned by the investor; b. The security interests are perfected; c. The assets are amenable to seizure; and d. The assets have an adequate fair market value. <p>6. Evidence that the NCE has undertaken meaningful concrete business activity.</p> <p>4. Lawful Capital. Evidence that the capital you invested or are actively in the process of investing, as well as any funds used to pay administrative costs and fees, were obtained through lawful means. You must include the following documents, as applicable, with your petition:</p> <ul style="list-style-type: none"> 1. If any part of the capital is accumulated by the investor: <ul style="list-style-type: none"> a. Bank records demonstrating the accumulation of capital; b. Income certificates issued by the investor’s employer; and c. Personal income tax returns for the period when the capital was accumulated. 2. If any part of the investor’s capital is obtained from the sale or mortgage of property: <ul style="list-style-type: none"> a. Appraisal or property value; b. Evidence the investor owns the property from which the capital was obtained; c. Mortgage contract; d. Purchase or sale contract; e. Sales tax or transfer tax payment receipts; and f. Evidence of how the funds used to purchase any property were accumulated. 3. If any part of the investor’s capital is derived from the investor’s ownership in a business: <ul style="list-style-type: none"> a. Capital verification reports;
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	<p>Capital does not include:</p> <ul style="list-style-type: none"> • Assets directly or indirectly acquired by unlawful means; • Any capital invested in exchange for a note, bond, convertible debt, obligation, or any other debt arrangement between you and the NCE; • Any capital invested with a guaranteed rate of return; or • Any capital invested that is subject to an agreement between you and the NCE that provides you with a contractual right to repayment, such as a mandatory redemption or sell-back option held by you. <p>5. Job Creation. Evidence that the enterprise has created or will create at least ten full-time positions for qualifying employees. Qualifying employee means a U.S. citizen, U.S. national, lawful permanent resident, or other immigrant lawfully authorized to be employed in the United States. This definition does not include you, your spouse, your sons or daughters, or any nonimmigrant alien. Such evidence must consist of copies of relevant tax records, Form I-9s, or other similar documents, if the employees have already been hired, or a comprehensive business plan showing when such employees will be hired.</p>	<p>were not gifted or loaned to circumvent any limitations imposed on permissible sources of capital, including, but not limited to proceeds from illegal activity; and</p> <p>e. Evidence that the gift or loan can be used for investment purposes.</p> <p>Capital does not include:</p> <ul style="list-style-type: none"> • Assets directly or indirectly acquired by unlawful means; • Any capital invested in exchange for a note, bond, convertible debt, obligation, or any other debt arrangement between you and the NCE; • Any capital invested with a guaranteed rate of return; or • Any capital invested that is subject to an agreement between you and the NCE that provides you with a contractual right to repayment, such as a mandatory redemption or sell-back option held by you. <p>[Page 9]</p> <p>5. Job Creation. Evidence that the enterprise has created or will create at least ten full-time positions for qualifying employees. Qualifying employee means a U.S. citizen, U.S. national, lawful permanent resident, or other immigrant lawfully authorized to be employed in the United States. This definition does not include you, your spouse, your sons or daughters, or any nonimmigrant alien. Such evidence must include:</p> <ol style="list-style-type: none"> 1. Copies of relevant tax records, Form I-9s, or other similar documents, if the employees have already been hired, or a comprehensive business plan showing when such employees will be hired; 2. Employment eligibility verification forms for the relevant employees;
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	<p>For cases involving troubled businesses, the petition must be accompanied by evidence that the number of existing employees is being or will be maintained at no less than the pre-investment level for a period of at least two years. Photocopies of tax records, Forms I-9s, or other relevant documents for the qualifying employees and a comprehensive business plan must be submitted.</p> <p>6. Identification. Submit a photocopy of government-issued identification, which may include a copy of your passport.</p>	<ol style="list-style-type: none"> 3. Evidence the NCE is using, or commits to use, e-Verify, or successor system, to validate employees' eligibility to work in the United States; and, as applicable; 4. Evidence that any reorganization or restructuring of a pre-existing business, as applicable, has not caused and will not cause a net loss of employment; and 5. Evidence that establishes the pre-acquisition level of employment for NCE and shows that the investment created, or will create, the required number of full-time positions for qualified employees in addition to those that existed before the investment. <p>[deleted]</p> <p>6. Identification. Submit a photocopy of government-issued identification, which may include a copy of your passport.</p>
<p>Page 11, Paperwork Reduction Act</p>	<p>[Page 11]</p> <p>Paperwork Reduction Act</p> <p>USCIS may not conduct or sponsor an information collection, and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 1 hour and 39 minutes per response, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition.</p>	<p>Paperwork Reduction Act</p> <p>USCIS may not conduct or sponsor an information collection, and you are not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 2.40 hours per response, including the time 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</p>

	<p>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, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0026. Do not mail your completed Form I-526 to this address.</p>	<p>burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Office of Policy and Strategy, Regulatory Coordination Division, 5900 Capital Gateway Drive, Mail Stop #2140, Camp Springs, MD 20588-0009; OMB No. 1615-0026. Do not mail your completed Form I-526 to this address.</p>
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