

Business Oregon

Executive Summary of EB-5 Program

Program Description

The Immigrant Investor (EB-5) program, administered by the U.S. Citizenship and Immigration Services (USCIS), provides immigrant visas for non-citizens and their families who invest in new commercial enterprises or troubled businesses in the U.S. The EB-5 program was created by Congress in 1990 to stimulate the U.S. economy through job creation and foreign investment.

Targeted Employment Areas

A Targeted Employment Area (TEA) is an area that, at the time of investment, is a Rural Area or an area that has experienced unemployment of at least 150 percent of the national average rate, otherwise known as a High Unemployment Area. A Rural Area is an area not within either a Metropolitan Statistical Area (as designated by the Office of Management and Budget) or the outer boundary of any city having a population of 20,000 or more. If an immigrant investor's enterprise is located in a TEA, the amount of capital necessary to make a qualifying investment is \$900,000, otherwise it is \$1.8 million.

Methodology

Business Oregon's documents on TEA definitions and methodology outline the approach used to identify TEAs and High Unemployment Areas in Oregon. All rural counties, excluding cities of 20,000 or more, automatically qualify as TEAs. Within metropolitan counties and cities of 20,000 or more, geographic areas with unemployment rates of at least 150 percent of the U.S. unemployment rate, at the time of investment, are High Unemployment Areas in Oregon.

Once a year, Business Oregon publishes a list of TEAs in Oregon based on the last calendar year's average annual unemployment rates. For counties and larger cities, data from the Bureau of Labor Statistics' Local Area Unemployment Statistics is used to determine average annual unemployment rates from the previous year. For smaller areas, including cities, Census Designated Places (CDPs), and census tracts, Business Oregon uses the census-share method to estimate unemployment rates for the previous year.

Immigrant investors have the option to demonstrate and submit evidence to USCIS of a High Unemployment Area that consists of the census tract in which the new commercial enterprise is principally doing business and any or all census tracts directly adjacent to such census tract. The immigrant investor must demonstrate that the weighted average of the unemployment rate for such area is at least 150 percent of the national average unemployment rate. Additional information is available in the USCIS Policy Manual, Volume 6, Part G: <https://www.uscis.gov/policy-manual/volume-6-part-g>

Results

Business Oregon publishes a list of Oregon TEAs annually on its website, www.oregon4biz.com. Documents detailing definitions and methodology are also found on the website, in addition to some helpful links related to the EB-5 program.