

## 2018-19 Targeted Employment Area request instructions

### The EB-5 program

The EB-5 Immigrant Investor program, administered by the U.S. Citizenship and Immigration Services (USCIS), attracts foreign investors seeking legal permanent residency in exchange for investing capital and creating jobs in a new commercial enterprise in the U.S. economy. The statute governing the EB-5 program requires an immigrant to invest \$1 million in capital or a minimum of \$500,000 if the investment is in a new commercial enterprise that is principally doing business in and creates jobs in, a targeted employment area (TEA). *Note this program will be reviewed by the U.S. Congress in the coming months and these requirements may change in 2018.*

A TEA is defined as an area that, at the time of investment, is a rural area or a non-rural MSA area which has experienced average annual unemployment of at least 150 percent of the national average annual rate, otherwise known as a high unemployment area (HUA). [8 CFR 204.6 (e)].

### State government involvement

Employment Security Department (ESD) has been delegated the authority within the state of Washington to designate geographic areas or political subdivisions as TEAs based on their high unemployment area (HUA) status and may issue letters certifying this through a formal request process. ESD calculates sub-county unemployment rates using the most current published statistics shown on our website.

Rural and partially rural areas are designated by the U.S. Office of Management and Budget and automatically qualify as TEA's. Rural areas (counties) are listed in our 2018-19 TEA data file.

Average annual unemployment rates are published annually and were updated on our website April 26th. All new and re-certification requests will be evaluated based on the most recent data we have published at the time of the request.

In order to reduce processing times, we have developed a 2018-19 request form that captures all the information we will need to make a TEA designation. Data at the county level, census tract and block group levels will be considered beginning April 26, 2018.

### How to get a TEA certification letter based upon high unemployment area status

If you are seeking to invest in Washington state through the EB-5 Immigrant Investor VISA program, you may need a letter from us certifying that your proposed project is located in a HUA. However, before you request a certification letter, first determine if the area pre-qualifies by following these steps:

1. Go to the Census address search tool (see 2018-19 TEA data file links) and enter your proposed project location address. Record the name of the county, place, census tract and tract block group numbers displayed in the geography results.
2. Examine the TEA counties and TEA areas lists in the 2018-19 TEA data file to determine if the name of your county, place, census tract (or block group) is listed.
3. Pre-qualified areas: Should your project location qualify in a TEA, note that on your request form.
4. Should your project be located in a rural area which is recognized as qualifying by USCIS, a state-issued designation is not necessary but can be provided by ESD.

### **Requesting Certification**

If the address of your investment area is not on a qualifying TEA list, you can ask us to certify a new area by following these steps:

1. Download and use ESD's 2018-19 TEA data file and map tool links to find census areas and their employment statistics.
2. Choose a contiguous grouping of census tracts or block groups (tracts that are adjoining) where the combined overall unemployment rate is 6.60 percent or more. You calculate this rate using the sum of the unemployment divided by the sum of labor force for all selected census tracts, multiplied by 100.
3. Once you identify a qualifying area, download our 2018-19 Request form, complete and submit it as a Microsoft Word document, to [rhaglund@esd.wa.gov](mailto:rhaglund@esd.wa.gov).
4. Wait for our reply. Allow one week for our review of each request.

If we determine that the location information you provided to us is within a high unemployment area, we will send you a signed certification letter by email.

If we determine that the project is not within a high unemployment area, we will email you that information.

Important notes: The USCIS reserves the right to accept or reject state letters of certification. No application data is released to other agencies, businesses or individuals without prior written consent. Be aware there is Federal legislation pending this year that may alter the current EB-5 procedures outlined on this website.

### **For assistance, please contact:**

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