Documentation

When applying for an EB-5 Visa, there are several forms and applications that you must file with the USCIS in order to achieve permanent residency status.

The information below will hopefully help you better understand the EB-5 process and the various milestones along the way to achieving permanent US residency.

Form I-526, Petition By Alien Entrepreneur - Supporting Documentation (Evidence)

After selecting a Regional Center project and putting funds in escrow, as an EB-5 investor you are eligible to submit your I-526 application for immigrant investor status to the USCIS.

The three main categories of information submitted with an I-526 Application include Project Documentation, Personal Documentation, and Financial Documentation.

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Project Documentation

- Evidence that you have invested in a designated Regional Center according to the approved regional center business plan. A letter from USCIS should be attached with Form I-526 designating the Regional Center. Your investment must be in a business enterprise within the geographic area specified in this letter.

- Evidence, if applicable, that your business has been established in a targeted employment area.

- Evidence that your investment in the Regional Center will create at least 10 direct or indirect full-time jobs.

* Education Fund of America will provide the project documentation that meets USCIS requirements.

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Personal Documentation

- Copy of your personal passport (current & expired) & Form I-94
- Copy of your family member passports (all pages)
- Evidence that you have invested or are in the process of investing the amount required ($1,000,000 or $500,000)
- Household registration
- Copy of any previous immigration applications
- Certified copies of any judgment, pending governmental civil or criminal actions, or private civil actions against you from any court in or outside the U.S. within the past 15 years.
Financial Documentation

- Proof of business ownership
- Copy of any and all business licenses
- Last 5 years of tax returns (both business and personal)
- Last 5 years of bank statements
- Evidence of other sources of capital
- Financial statements for each business
- Evidence that your investment funds were obtained through lawful means

Translations

Any documents containing a foreign language submitted to USCIS must be accompanied by a full English language translation certified as complete and accurate by the translator, and by the translator’s certification that he or she is competent to translate from the foreign language to English.

Copies

Unless an original document is specifically required to be filed with an application or petition, a legible photocopy may be submitted. Original documents submitted will remain a part of the record, even if the submission was not required.

Form I-485, Application to Adjust Status - Supporting Documentation (Evidence)

The following documentation is required for each applicant:

- 2 passport-style pictures
- Form G-325A - Biographical Information (ages 14-78)
- Copy of government issued identification card
- Copy of birth certificate
- Copy of passport page with nonimmigrant visa (if applicable)
- Copy of passport page with admission or parole stamp (if applicable)
- Form I-94 - Arrival/Departure Record (if applicable)
- Certified copy of court records (if you have been arrested)
- Form I-695 - Report of Medical Exam & Vaccination Records
- Form I-797 - approval notice for I-526
- Applicable Fees

Form I-829, Petition to Remove Conditions - Supporting Documentation (Evidence)

You are required to supply evidence that you established a new commercial enterprise. This evidence may include, but is not limited to, copies of the business’s organizational documents, and Federal tax returns.

You must also supply evidence that you have invested the total amount of required funds.
You must also supply evidence that you have sustained your investment in the new commercial enterprise throughout your two-year period of conditional permanent residence. This evidence may include, but is not limited to, the following:

- Business invoices and receipts
- Bank statements
- Contracts
- Business licensees
- Audited or reviewed financial statements
- Complete copies of Federal or State income tax returns or quarterly tax statements.

You must also supply evidence of the number of full-time employees at the beginning of your business and at present. Such evidence may include but is not limited to:

- Business payroll records
- Relevant tax documents
- Employee tax form I-9’s

Note: Your spouse and unmarried children under the age of 21 may be admitted to the U.S. with you on a two-year conditional period. If your I-829 petition to remove conditions is approved, then the conditions will be removed from your spouse and children’s Green Card status as well. As a lawful permanent resident (Green Card holder) your spouse and children will be authorized to work and attend school in the U.S.