



Instructions for Form I-956F, Application for Approval of an Investment in a Commercial Enterprise

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-956F
OMB No. 1615-0159
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What Is the Purpose of Form I-956F?

Form I-956F, Application for Approval of an Investment in a Commercial Enterprise, is used by a designated regional center to request approval of a project.

A regional center may not use Form I-956F to request a change in the geographic area of the regional center.

When Should a Regional Center Use Form I-956F, Application for Approval of an Investment in a Commercial Enterprise?

A designated regional center can file Form I-956F any time after designation to request approval of a project.

The Immigration and Nationality Act (INA) section 203(b)(5)(F)(i) states, a “regional center shall file an application with the Secretary of Homeland Security for each particular investment offering through an associated new commercial enterprise before any alien files a petition for classification under this paragraph by reason of investment in that offering.”

Each Form I-956F may only include one commercial enterprise.

General Instructions

We provide free forms through the USCIS website. To view, print, or complete our forms, you should use the latest version of Adobe Reader, which you can download for free a <http://get.adobe.com/reader/>. If you do not have internet access, you may call the USCIS Contact Center and ask that we mail a form to you.

Signature. You (or your signing authority) must properly complete your petition. USCIS will not accept a stamped or typewritten name in place of any signature on this petition. If you are under 14 years of age, your parent or legal guardian may sign the petition on your behalf. A legal guardian may also sign for a mentally incompetent person. If your petition is not signed, or if the signature is not valid, we will reject your petition. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS may deny the request.

Validity of Signatures. USCIS will consider a photocopied, faxed, or scanned copy of the original handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten ink signature.

Filing Fee. See Form G-1055, available at www.uscis.gov/forms, for specific information about the fees applicable to this form.

Evidence. At the time of filing, you must submit all evidence and supporting documents listed in the **Specific Instructions** sections of these Instructions.

Biometric Services Appointment. USCIS may require you to appear for an interview or provide biometrics (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 or petition. If we determine that a biometric services

appointment is necessary, we will send you an appointment notice with the date, time, and location of your appointment. If you are currently overseas, your notice will instruct you to contact a U.S. Embassy, U.S. Consulate, or USCIS office outside the United States to schedule an appointment.

At your biometrics appointment, you must sign an oath reaffirming that:

1. You provided or authorized all information in the petition;
2. You reviewed and understood all of the information contained in, and submitted with, your petition; and
3. All of this information was complete, true, and correct at the time of filing.

If you do not attend your biometric services appointment, we may deny your petition.

Copies. You should submit legible photocopies of requested documents unless the Instructions specifically instruct you to submit an original document. USCIS may request an original document at any time during our process. If we request an original document from you, we will return it to you after USCIS determines it no longer needs the original.

NOTE: If you submit original documents when they are not required or requested, **USCIS may destroy them after we receive them.**

Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that they are competent to translate from the foreign language into English. The certification must also include their signature, printed name, the signature date, and their contact information.

USCIS Contact Center. For additional information on the petition and Instructions about where to file, change of address, and other questions, visit the USCIS Contact Center at www.uscis.gov/contactcenter or call at **800-375-5283** (TTY **800-767-1833**). The USCIS Contact Center provides information in English and Spanish.

Disability Accommodations/Modifications. To request a disability accommodation/modification, follow the instructions on your appointment notice or at www.uscis.gov/accommodationsinfo.

How To Complete Form I-956F

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this application, use the space provided in **Part 14. Additional Information** or attach a separate sheet of paper. Type or print the name of the regional center entity 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. If the Form I-956F you are filing is an amendment, also provide the regional center identification number at the top of each page.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if the regional center is not utilizing a managing company or agency) type or print “N/A,” unless otherwise directed. If your answer to a question which requires a numeric response is zero or none, type or print “None,” unless otherwise directed.
4. **USCIS Online Account Number.** You will only have a USCIS Online Account Number (OAN) if you previously filed a form that has a receipt number that begins with IOE. If you filed the form online, you can find your OAN in your account profile. If you mailed us the form, you can find your OAN at the top of the Account Access Notice we sent you. If you do not have a receipt number that begins with IOE, you do not have an OAN. The OAN is not the same as an A-Number.

Specific Instructions

Part 1. Application Type

Item Number 1. Application Type. Select the appropriate box to indicate whether you are submitting an initial application for approval for an investment in a commercial enterprise project or an amendment to an already approved Form I-956F.

Item Number 2. Amendment Type. If the Form I-956F you are filing is an amendment, provide the receipt number of the approved Form I-956F.

Item Number 3. NCE Identification Number. If your application is an amendment, provide the NCE's identification number (NCEID) as assigned on the NCE's initial Form I-956F receipt notice. USCIS assigns an NCEID to an NCE at the time of issuing the receipt notice for a Form I-956F application for an NCE.

Item Numbers 4. - 5. Indicate whether the project described in the application is the same project or offering submitted with a Form I-924 or Form I-924 amendment approved as an exemplar project prior to March 15, 2022. If you answered "Yes," provide the Form I-924 receipt number and the date the Form I-924 was approved.

Part 2. Information About the Regional Center

Item Numbers 1. - 2. Information About the Regional Center. Provide the legal name of the regional center entity as it appears on the entity's document of formation. Provide the regional center identification number.

Item Number 3. Regional Center Mailing Address (and Physical Address when Applicable). Provide the mailing address where the regional center entity can receive a printed notice from USCIS. If the mailing address of the regional center entity is the same as the physical address, select the box indicating so. If the mailing address of the regional center entity is different from its physical address, provide the physical address of the regional center entity in the space provided in **Part 14. Additional Information**.

Part 3. Information About the New Commercial Enterprise (NCE)

Item Number 1. Legal Name of the NCE. Provide the legal name of the NCE covered by this application as it appears on the entity's document of formation.

Item Number 2. Other Name(s) the NCE is Authorized to Use or Do Business As (d/b/a). Provide any other name(s) that the NCE is authorized to use or do business as (d/b/a).

Item Numbers 3. - 4. Organizational Structure of the NCE. Indicate whether the NCE is a corporation, a partnership (including limited partnerships), a limited liability company, or another type of entity. If the organizational structure is different from the examples listed on the application, select "Other" and describe the nature of the organizational structure in **Part 14. Additional Information**. Indicate whether the NCE is comprised of a holding company and its wholly owned subsidiaries and provide the subsidiary name(s), date(s) of formation, and the jurisdiction(s) of formation.

Item Number 5. Date the NCE was Established (mm/dd/yyyy). Provide the date when the NCE was established in mm/dd/yyyy format.

Item Numbers 6. - 7. State(s) or Territory(ies) Where the NCE was Established and Registered. Provide the U.S. state or territory where the NCE was established. Provide all other state(s) and territory(ies) where the NCE is registered to do business.

Item Number 8. NCE Federal Employer Identification Number. Provide the Federal Employer Identification Number of the NCE (if any).

Item Number 9. NCE Mailing Address (and Physical Address when Applicable). Provide the mailing address where the NCE can receive a printed notice from USCIS. If the mailing address of the NCE is the same as the physical address, select the box indicating so. If the mailing address of the NCE is different from its physical address, provide the physical address of the NCE in the space provided in **Part 14. Additional Information**.

Item Numbers 10. - 12. NCE Contact Information. Provide the telephone number, email address (if any), and website address (if any) for the NCE.

Item Number 13. Address and Census Tract(s) Where the NCE is Principally Doing Business. Provide the address and census tracts where the NCE's proposed project is located.

Item Numbers 14. - 17. Select only one of the options.

Choose **Item Number 14.** to indicate that the NCE was formed after November 29, 1990.

Choose **Item Number 15.** to indicate that the NCE resulted from the purchase of a business formed on or before November 29, 1990, that is restructured or reorganized.

Choose **Item Number 16.** to indicate that the NCE resulted from a capital investment in and substantial expansion of a business formed on or before November 29, 1990.

Item Number 17. Troubled Business. Indicate whether the NCE is a troubled business and, if yes, provide an explanation in **Part 14. Additional Information** 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 twelve- or twenty-four-month period prior to the priority date on the alien investor's Form I-526E, 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 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.

Part 4. Information About the Job Creating Entity(ies) (JCE)

If the NCE serves as a vehicle for investment into other JCEs, provide the following information for each JCE.

NOTE: USCIS will not approve a project or amendment associated with a JCE whose name falsely implies association with or endorsement of a government entity. If the regional center seeks to add more than one JCE associated with this application, provide the information below for each additional JCE in **Part 14. Additional Information**.

Item Number 1. Legal Name of the JCE. Provide the legal name of the JCE as it appears on the entity's document of formation.

Item Number 2. Other Name(s) the Entity JCE is Authorized to Use or Do Business As (d/b/a). Provide any other name(s) that the JCE is authorized to use or do business as (d/b/a).

Item Numbers 3. - 4. Organizational Structure of the JCE. Indicate whether the JCE is a corporation, a partnership (including limited partnerships), a limited liability company, or another type of entity. If the organizational structure is different from the examples listed on the application, select "Other" and describe the nature of the organizational structure in **Part 14. Additional Information**. Indicate whether the JCE is comprised of a holding company and its wholly owned subsidiaries and provide the subsidiary name(s), date(s) of formation, and the jurisdiction(s) of formation.

Item Number 5. Date the JCE Was Established (mm/dd/yyyy). If the JCE has already been established, provide the date when it was established in mm/dd/yyyy format.

Item Numbers 6. - 7. State or Territory Where the JCE Was Formed. If the JCE has already been established, indicate the U.S. state or territory where the JCE was formed. List any other state or territory where the JCE is lawfully registered to operate.

Item Number 8. JCE Federal Employer Identification Number. Provide the Federal Employer Identification Number of the JCE (if any).

Item Number 9. JCE Mailing Address (and Physical Address when Applicable). Provide the mailing address where the JCE can receive a printed notice from USCIS. If the mailing address of the JCE is the same as the physical address, select the box indicating so. If the mailing address of the JCE is different from its physical address, provide the physical address of the JCE in the space provided in **Part 14. Additional Information**.

Item Numbers 10. - 12. JCE Contact Information. Provide the telephone number, email address (if any), and website address (if any) for the JCE.

Item Number 13. Affiliated JCE. Indicate whether the JCE is an affiliated-JCE that is controlled, managed, or owned by any of the people involved with the regional center or new commercial enterprise under INA section 203(b)(5)(H)(v).

Part 5. Information About the Project

Item Numbers 1. - 5. Select the appropriate box(es) to indicate the type of investment for this project. Select all that apply. For each box selected, provide the answers to the corresponding questions.

Item Number 6. Total Estimated Cost of the Project. Enter the total projected cost of the project in U.S. dollars.

Item Number 7. Number of Expected EB-5 Investors into the NCE. Enter the expected total number of EB-5 investors who will invest in the NCE.

Item Number 8. Aggregate Amount of Project Costs Funded by EB-5 Capital. Enter the total projected cost of the investment project that will be funded by EB-5 capital, in U.S. dollars.

Item Number 9. Nature of Activity of the Project. Please describe the primary nature of the project, for example “furniture manufacturing,” “construction of hotel,” or “residential apartments.”

Item Number 10. Primary Included Industries for Project. Provide the North American Industry Classification System (NAICS) code(s) that most closely relates to the primary nature of the project described in **Item Number 9**.

Item Number 11. Total Number of Estimated Jobs to be Created by the Project. If available, provide a list of NAICS codes, industry names, and associated total number of claimed jobs to be created in each industry by the investment project.

Part 6. Investment and Offering Documents

Item Number 1. Confirm that you have provided all documents filed with the Securities and Exchange Commission or with the applicable State securities regulator. Identify the documentation provided (exhibit number, document name, and/or filing information).

Item Number 2. Confirm that you have provided all investment and offering documents used in connection with the project. Identify the documentation provided (exhibit number and/or document name).

Item Number 3. Confirm that you have disclosed all material investment risks associated with the NCE and JCE. Identify the documentation provided that discloses these risks (exhibit number and/or document name and page number).

Item Number 4. Indicate whether any conflicts of interest currently exist or may arise among the regional center, the NCE and JCE, or the principals, attorneys, or individuals responsible for recruitment or promotion of such entities. If you answered "yes," identify the documents containing this information (exhibit number, name of document, page number).

Item Number 5. Indicate whether there are any pending material litigation or bankruptcy, or material adverse judgments or bankruptcy orders issued during the most recent 10-year period, in the United States or in another country, affecting the regional center, the NCE, the JCE, or any other enterprise in which any principal of any of the aforementioned entities held majority ownership at the time. Identify any documents containing this information (exhibit number, name of document, page number).

Item Number 6. Indicate whether there are any fees, ongoing interest, or other compensation paid, or to be paid by the regional center, the NCE, or any issuer of securities intended to be offered to alien investors, to agents, finders, or broker dealers involved in the offering of securities to alien investors in connection with the investment. Identify any documents containing this information (exhibit number, name of document, page number).

Part 7. Policies and Procedures to Monitor the Issuance of Securities

Item Number 1. Indicate whether the regional center and any issuer of securities has submitted documentation of the policies and procedures in place to ensure compliance with securities laws of the United States and the applicable states in connection with the offer, purchase, or sale of securities.

If the regional center provided documentation, describe the documentation (for example, exhibit number, name of the document) submitted.

If the regional center has not submitted documentation, describe the policies and procedures in place to monitor the issuance of securities.

Part 10. Fund Administration

Item Numbers 1. - 2. Bank Account Information. Indicate whether the NCE has set up a separate account for the deposit and maintenance of all capital investment from alien investors for the offering and project described in the Form I-956F. Provide the name of the bank (or financial institution), all associated bank account numbers set up by the NCE or affiliated JCE(s).

Item Numbers 3. - 6. Fund Administration. Indicate whether the NCE and/or affiliated JCE retained a fund administrator to administer all investment capital deposited and maintained in the separate account(s). Indicate whether the administrator is a certified public accountant, attorney or broker-dealer or investment adviser registered with the Securities and Exchange Commission and provide the full legal name, contact information, and job title, relevant certification, and bar/registration number of the administrator.

Item Numbers 7. - 9. Indicate whether the NCE and/or affiliated JCE is controlled by or under common control of an investment adviser or broker-dealer that is registered with the Securities and Exchange Commission. If you answered "Yes," provide the full legal name, contact information, and job title, relevant certification, and bar/registration number of the registered broker-dealer or investment adviser.

<p>We recommend that you print or save a copy of your completed application for your records.</p>
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What Evidence Must You Submit?

You must submit all evidence requested in these Instructions with your application. If you fail to submit required evidence, USCIS may reject or deny your application in accordance with 8 CFR 103.2(b)(1) and these Instructions.

Provide the following evidence for application for approval of an NCE Project and, if filing an amendment to a previously approved project, please provide evidence from the following list which demonstrates the amendment.

For each project application, the regional center must provide:

1. A comprehensive business plan for a specific capital investment project;
2. A credible economic analysis regarding estimated job creation that is based upon economically and statistically valid and transparent methodologies;
3. Any documents filed with the Securities and Exchange Commission under the Securities Act of 1933 (15 U.S.C. 77a et seq.) or with the securities regulator of any state, as required by law;
4. All investment and offering documents, including subscription, investment, partnership, and operating agreements, private placement memoranda, term sheets, biographies of management, officers, directors, and any person with similar responsibilities, the description of the business plan, and marketing materials used in connection with the offering; and
5. A description of the policies and procedures, such as those related to internal and external due diligence, reasonably designed to cause the regional center and any issuer of securities to be offered to investors in connection with the capital investment project, to comply with the securities laws of the United States and the applicable states in connection with the offer, purchase, or sale of securities.

What Evidence Should You Submit?

For each project application, the regional center should submit the following evidence:

1. Identifying the form of the EB-5 investment (for example, equity stake, loan, or some other financial arrangement) from the NCE into the JCE, if any;
2. A description and documentation of the business structure of the NCE that will be associated with the regional center, such as articles or certificates of formation, bylaws, partnership or LLC agreements, or other formation and governing documents for the NCE; and
3. If relying on a high unemployment designation, evidence that the enterprise has created or will create employment in a targeted employment area. 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. An applicant 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.

Where To File?

Please visit our website at www.uscis.gov/I-956F for the most current information about where to file this petition.

Address Change

The regional center must notify USCIS of any change to the mailing address of the regional center, NCE, or JCE within 30 days of such change. Notification of these changes can be made by sending an email to the EB-5 Program mailbox at: USCIS.ImmigrantInvestorProgram@dhs.gov. If you do not have internet access, you may call the USCIS Contact Center at 1-800-375-5283 (TTY 1-800-767-1833). The USCIS Contact Center provides information in English and Spanish.

NOTE: Do not submit a change of address request to USCIS Lockbox facilities because the Lockbox does not process change of address requests. Sending notification of address change to the EB-5 Program mailbox at USCIS.ImmigrantInvestorProgram@uscis.dhs.gov does not negate your requirement to notify USCIS as explained in www.uscis.gov/addresschange.

Processing Information

You must have a United States address to file this application.

Initial Processing. Once USCIS accepts your petition we will check it for completeness. If you do not properly complete this petition, you will not establish a basis for your eligibility and we may reject or deny your petition.

Requests for More Information. USCIS may request that you provide more information or evidence to support your petition. We may also request that you provide the originals of any copies you submit. If we request an original document from you, we will return it to you after USCIS determines it is no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your petition. During your interview, USCIS may require you to provide your biometrics to verify your identity and/or update background and security checks.

Decision. The decision on Form I-956F involves a determination of eligibility for the project approval you are seeking. USCIS will notify you of our decision in writing.

USCIS Forms and Information

To ensure you are using the latest version of this petition, visit www.uscis.gov.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-956F, we will deny your Form I-956F and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

DHS Privacy Notice

AUTHORITIES: The information requested on this application, and the associated evidence, is collected under INA sections 101, 103, 203, 204, 216A, and 245 (as amended) and the EB-5 Reform and Integrity Act of 2022, Div. BB of the Consolidated Appropriations Act, 2022 (Pub. L. No. 117-103).

PURPOSE: The primary purpose for collecting the requested information on this application is to determine the eligibility of an application for approval of an investment in a commercial enterprise submitted by a designated regional center. Department of Homeland Security (DHS) will use the information you provide to determine continued eligibility for regional center designation. The identifying information requested on this application relating to the new commercial enterprise, job-creating entities, qualified certifiers, and authorized individuals will allow DHS to perform standard background checks with law enforcement agencies. These background checks may reveal derogatory information that may result in the denial of the application.

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 adversely impact continued eligibility for regional center designation.

ROUTINE USES: DHS may share the information you provide on this application 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-007 - Benefits Information System and DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at www.dhs.gov/privacy. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.

Paperwork Reduction Act

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 24.82 hours per response, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. 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. 1615-0159. **Do not mail your completed Form I-956F to this address.**