



# Missouri EB-5 Investor Visa Program

## MISSOURI DEPARTMENT OF ECONOMIC DEVELOPMENT

### **PURPOSE**

The EB-5 visa program is administered by U.S. Citizenship and Immigration Services (USCIS). It is authorized under the Immigration and Nationality Act, 8 U.S.C. 1153(b)(5). The program provides for a limited number of immigrant visas per year to qualified individuals seeking to enter the United States for the purpose of engaging in a new commercial enterprise. Once the requirements are met, the individual applicant may apply for the EB-5 visa with USCIS. Final determination and award of a visa is the responsibility of the USCIS office. (More information on the program may be found at [www.uscis.gov](http://www.uscis.gov)).

### **AUTHORIZATION**

The State of Missouri plays a role in the EB-5 process by providing a designation of "Targeted Employment Areas." The Missouri Department of Economic Development is the agency delegated the authority to determine the cities, counties, metropolitan statistical areas, and geopolitical subdivisions/census tract(s) that meet the "high unemployment" definition.

### **EB-5 CRITERIA AND THE BENEFITS OF A TARGETED EMPLOYMENT AREA:**

There are two different means to gain access to this visa program. They are labeled A and B below. DED does not play a role in A, and may play a role in B:

A. Investment of \$1,000,000/Economic Impact/Job Creation:

1. An investment of at least \$1,000,000 into a new commercial enterprise that the applicant has established.
2. The definition of a new commercial enterprise includes: the creation of an original business, the purchase of an existing business and restructuring or reorganizing the business to the extent that a new commercial enterprise results, or expanding upon an existing business.
3. A demonstration that his/her investment will benefit the United States economy.
4. Creation of at least 10 new full-time employees.

B. Investment made in a "Targeted Employment Area" (TEA):

- "Targeted Employment Area" is defined as an area with high unemployment or a rural area.

Targeted Employment Area:

- o Rural Area
  - See current list of rural counties in Missouri for 2018 on our site here: <https://ded.mo.gov/programs/business/missouri-eb-5-investor-visa-program>
- o High Unemployment Area (in metropolitan area)
  - USCIS defines a high unemployment area as an area within a metropolitan statistical area or city of 20,000 or more that has an unemployment rate of at least 150% of the national average.
  - See current list of high unemployment census tracts in Missouri for 2018 on our site here: <https://ded.mo.gov/programs/business/missouri-eb-5-investor-visa-program>
  - An investment of \$500,000 into a new commercial enterprise is required in a "Targeted Employment Area".

### **INQUIRIES**

Interested parties may make inquiries to DED in advance of submission of an "application for the designation of a TEA" in order to determine location eligibility. DED will assist interested parties with:

- Identification of a census tract number for any address provided;
- Identification and determination of whether an address is located in a rural area or a census tract that meets the high unemployment definition;
- Discussion and technical assistance regarding a proposed area consisting of multiple census tracts, including identification of surrounding census tract numbers and unemployment data or rural status;
- Other requests for information.

### **APPLICATIONS FOR DESIGNATION OF A TEA:**

In writing, submit a request for a Targeted Area Employment determination to:

Missouri Department of Economic Development  
Division of Business and Community Services – Missouri  
Economic Research and Information Center (MERIC)

P.O. Box 3150

301 West High Street, Suite 580

Jefferson City, MO 65102

Attention: EB-5 Designation

Include in your request:

- The address of the proposed investment
- A statement describing your proposed TEA
  1. Rural Designation
  2. High unemployment Designation
  3. Single census tract
  4. Multiple census tracts
- A list of the Census tract number(s) of proposed TEA (a map would be helpful but is optional)
- A detailed description of the proposed project and types of investment
  1. Name of the commercial enterprise
  2. Type of business activity
  3. Estimated employment
  4. Description of the market served
  5. Types of investment
- The estimated amount of the proposed investment
- A statement of the economic impact of the commercial enterprise
- A copy of the letter of support from the local government
- Your full name, address, telephone number and email address.

If the TEA proposal contains more than one census tract, please provide the following information in addition to the items listed above:

- A description of how the boundaries using more than one census tract were determined;
- A description of why more than one census tract is included in the proposed TEA ;
- A description of how the economic impact of the proposed investment benefits all of the census tracts included in the proposal.

### **DED DESIGNATION:**

- DED may issue letters to applicants authorizing the designation of a TEA or DED may issue a letter with a determination of ineligibility.
- DED is not required to submit a designation letter for any proposed TEA. Applicants may take their projects directly to USCIS for review.
- DED reserves the right to reject TEA boundaries that do not show adequate economic impact to all tracts included.

Missouri Department of Economic Development  
Division of Business and Community Services  
Missouri Economic Research and Information Center (MERIC)

301 West High Street • Suite 580 • P.O. Box 3150  
Jefferson City • MO • 65102  
Phone: 573-751-3637  
E-mail: [william.niblack@ded.mo.gov](mailto:william.niblack@ded.mo.gov)



**Department of Economic Development**