

EB-5 IMMIGRANT INVESTOR PROGRAM

Oklahoma Program Information

EB-5 is a visa program created in 1990 under the Immigration Act for foreign investors. Administered by the U.S. Citizenship and Immigration Services (USCIS), the program provides a method of obtaining a visa for foreign nationals who invest in the United States.

A Targeted Employment Area (TEA) is defined by Title 8, Code of Federal Regulations (CFR), Section 204.6(e) as an area which, at the time of investment, is a rural area or an area which has experienced unemployment of at least 150 percent of the national average rate.

- A **rural area** is further defined as any area not within a metropolitan statistical area (MSA) or the boundary of any city or town having a population of 20,000 or more.
- A **high unemployment area** is defined as an area which has experienced an unemployment rate of at least 150 percent of the national average rate and is designated by states.

Therefore, all counties in Oklahoma not included in a MSA, excluding cities with populations of 20,000 or more, qualify as TEAs. View Oklahoma's TEA map on our [website](#).

In areas where the population threshold is exceeded, The Oklahoma Department of Commerce may also certify a high unemployment area, as requested, for a combination of geographic subdivisions within a MSA or a city of 20,000 or more as long as the following criteria are met:

- Project Information including:
 - Name of individual investor or entity.
 - Name of new business or project.
 - Address of new business or project, city, county and zip code.
 - Map of census tract(s) to be included in proposed TEA.
 - Description of the project, including job creation if applicable (500 words or fewer)
 - Mailing address for sending the certificate.
- Calculations stating that the Census Tract or **up to 30 contiguous** Census Tracts has an unemployment rate based on the data set currently used to evaluate, designated by the Oklahoma Department of Commerce, of 150% of the national average unemployment rate.
 - The data set, designated by the Oklahoma Department of Commerce, is the most recent American Community Survey 5 year estimates as of January 1, of the current year.
 - The national average unemployment rate is defined as the most current Bureau of Labor Statistics national annual average unemployment rate.

The Oklahoma Department of Commerce reserves the right to withhold approval of a project based upon its own discretion.