



Targeted Employment Area (TEA)

Definition of TEA

Under 8 C.F.R. 204.6(e), a TEA is “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.**”

“Area” means the area in which the new commercial enterprise is “principally doing business” [8 C.F.R 204.6(g)(1)], thus where an enterprise operates in more than one location, it is the principal business location that is used in determining the TEA. Note that under the definition of “commercial enterprise” in 8 C.F.R. 204.6(e), multiple business location are permissible so long as they are part of a single for-profit entity.

Advantages of Investing in a TEA

Under 8 C.F.R. 204.6(f)(2), “[t]he amount of capital necessary to make a qualifying investment in a targeted employment area within the United States is five hundred thousand United States dollars (\$500,000)” rather than the \$1 million amount generally required.

Proving a TEA

In support of a TEA claim, an I-526 petition must include one of the following:

- (1) Evidence showing the investment area is either a rural area *or* has experienced 150% of the national average unemployment rate; OR
- (2) A letter from a state government body certifying that the area in which the new commercial enterprise is located has been designated a high unemployment area. 8 C.F.R. 204.6(j)(6)(ii).

A. Rural Area

INA 203(b)(5)(B)(iii) defines rural area as “any area other than an area within a metropolitan statistical area or within the outer boundary of any city or town having a population of 20,000 or more (based on the most recent decennial census of the United States).”

Population data can be searched online at <http://quickfacts.census.gov/qfd/>

A current list of metropolitan statistical areas can be found at <http://www.census.gov/population/www/metroareas/metrodef.html>