



## U.S. Citizenship and Immigration Services

# International Entrepreneur Parole

[Versión en español](#)

**Important Information:** On Jan. 17, 2017, the Department of Homeland Security (DHS), under the prior Administration, published the [International Entrepreneur Rule](#) (IER), which was scheduled to take effect on July 17, 2017. The IER established a new regulatory process and criteria for certain foreign entrepreneurs to be paroled into the country and seek U.S. investment to develop and grow businesses. On July 11, DHS published a [delay rule](#) to extend the effective date of the IER to March 14, 2018, to ensure it is consistent with President Trump's Executive Order (EO), [Border Security and Immigration Enforcement Improvements](#). This EO states that it is the policy of the executive branch to "end the abuse of parole and asylum provisions currently used to prevent the lawful removal of removable aliens."

Upon review, DHS is planning to propose to remove the IER because it is not the appropriate vehicle for attracting and retaining international entrepreneurs and does not adequately protect U.S. investors and U.S. workers. The delayed effective date of the IER was meant to give USCIS time to review the IER, and if necessary, propose a new regulation to end the IER parole program. However, on Dec. 1, 2017, the U.S. District Court for the District of Columbia vacated the delay rule as a result of litigation in *National Venture Capital Association v. Duke*

While DHS complies with the court order and implements the IER parole program, DHS is also in the final stages of publishing a notice of proposed rulemaking seeking to remove the IER.

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Under the International Entrepreneur Rule (IER), DHS may use its parole authority to grant a period of authorized stay, on a case-by-case basis, to foreign entrepreneurs who demonstrate that their stay in the United States would provide a significant public benefit through their business venture and that they merit a favorable exercise of discretion.

Under this final rule, entrepreneurs granted parole will be eligible to work only for their start-up business. The spouses and children of the foreign entrepreneur may also be eligible for parole. While spouses may apply for work authorization once present in the United States as parolees, the children are not eligible to work. IER parole may be granted for up to three entrepreneurs per start-up entity.

## Eligibility

Entrepreneurs applying for parole under this rule must demonstrate that they:

- Possess a substantial ownership interest in a start-up entity created within the past five years in the United States that has substantial potential for rapid growth and job creation.
- Have a central and active role in the start-up entity such that they are well-positioned to substantially assist with the growth and success of the business.
- Will provide a significant public benefit to the United States based on their role as an entrepreneur of the start-up entity by showing that:
  - The start-up entity has received a significant investment of capital from certain qualified U.S. investors with established records of successful investments;
  - The start-up entity has received significant awards or grants for economic development, research and development, or job creation (or other types of grants or awards typically given to start-up entities) from federal, state, or local government entities that regularly provide such awards or grants to start-up entities; or
  - They partially meet either or both of the previous two requirements and provide additional reliable and compelling evidence of the start-up entity's substantial potential for rapid growth and job creation.
- Otherwise merit a favorable exercise of discretion.

A spouse or child of an entrepreneur applying for parole under this rule must demonstrate that he or she:

- Is independently eligible for parole based on significant public benefit or urgent humanitarian reasons; and
- Merits a favorable exercise of discretion.

## How to Apply

### Filing Form I-941, Application for Entrepreneur Rule

- You must file [Form I-941, Application for Entrepreneur Parole](#), with the required fees (including biometric services fees), and supporting documentary evidence in accordance with 8 C.F.R. § 212.19 and the Form I-941 instructions. The filing fee for Form I-941 is **\$1,200** and the biometric services fee is **\$85**.
- Filing and obtaining approval of a Form I-941 application under this rule will not, by itself, constitute a grant of parole. If your Form I-941 application is approved, you must visit a U.S. consulate abroad to obtain travel documentation (e.g., a boarding foil) before appearing at a U.S. port of entry for a final parole determination. A Canadian national traveling directly from Canada to a U.S. port of entry may present an approved I-941 at the U.S. port of entry without first obtaining travel documentation.

### Filing Form I-131, Application for Travel Document

- The spouse and children (unmarried, minor child under 21 years of age) of an entrepreneur submitting Form I-941 may file [Form I-131, Application for Travel Document](#), with the required application fee and biometrics services fee, to request parole to accompany or join the entrepreneur. The Form I-131 may be filed concurrently with the Form I-941 or it may be filed separately.
- The filing fee for Form I-131 filed by the spouse or child of an entrepreneur is **\$575**. A biometric services fee of **\$85** is required for applicants 14 through 79 years of age. For Part 2 Application Type, write "IER" in the margin of Form I-131. You must file Form I-131 with evidence demonstrating that you are the dependent spouse or child of an Entrepreneur Parolee or an Applicant for Entrepreneur Parole.
- Submit all of the following documents:

- A copy of a marriage certificate or birth certificate establishing your relationship to an Entrepreneur Parolee or an Applicant for Entrepreneur Parole.
- Unless filing the Form I-131 concurrently with the entrepreneur's Form I-941, documentation indicating that the entrepreneur has a pending Form I-941 requesting parole, that such request was granted, or that the entrepreneur is a parolee. Such documentation may include a copy of:
  - Form I-797, Notice of Action, indicating USCIS' receipt of the entrepreneur's Form I-941;
  - The entrepreneur's Form I-512L, Authorization for Parole of an Alien into the United States; or
  - Form I-94, Arrival-Departure Record, indicating that the entrepreneur has been paroled into the United States.

### Filing Form I-765, Application for Employment Authorization

- If the Form I-131 is approved, and the spouse of the entrepreneur is paroled into the United States, the spouse may then apply for employment authorization by filing [Form I-765, Application for Employment Authorization](#). Children of the entrepreneur will not be eligible to apply for employment authorization under this rule. For Item Number 20, Eligibility Category, enter "(C)(34)." File Form I-765 with evidence of your parole status, such as your Form I-94, and evidence you are the spouse of an International Entrepreneur Parolee, such as a copy of the principal's Form I-94 and a copy of your marriage certificate.
- **Note:** If a Form I-765 is submitted to USCIS before the spouse has been paroled into the United States, the application may be denied and fees may not be returned.

File your completed form(s) at the USCIS Dallas Lockbox facility.

For U.S. Postal Service (USPS):	For FedEx, UPS, and DHL deliveries:
USCIS P.O. Box 650890 Dallas, TX 75265	USCIS Attn: IER 2501 S. State Highway 121 Business Suite 400 Lewisville, TX 75067

Last Reviewed/Updated: 12/14/2017