

SUPPORTING STATEMENT

Application for Regional Center under the Immigrant Investor Pilot Program

Form I-924, and Form I-924A

OMB No. 1615-NEW

A. Justification

1. The Immigrant Investor Pilot Program (commonly known as the “Regional Center” Pilot Program”) was created by section 610 of Public Law 102-395 (October 6, 1992). A Regional Center is defined as any economic unit, public or private, engaged in the promotion of economic growth, improved regional productivity, job creation, and increased domestic capital investment. Alien entrepreneurs (“EB-5 alien investors”) admitted to the United States under section 203(b)(5) of the Immigration and Nationality Act (INA) may meet the job creation requirements under INA section 203(b)(5)(A)(ii) through the creation of indirect jobs through capital investments made in commercial enterprises that are affiliated with Regional Centers that are designated for participation in the pilot program. Notably, an alien investing in a new commercial enterprise that is not affiliated with a regional center may only satisfy the job creation requirements through the creation of direct jobs. The requirements for obtaining the regional center designation for participation in the pilot program are in 8 CFR 204.6(m)(3).
2. The data collected on new Form I-924 will be used by U.S. Citizenship and Immigration Services (USCIS) to determine eligibility for an entity to be designated as a Regional Center under the Immigrant Investor Pilot Program. In addition, 8 CFR 204.6(m)(6) provides procedures for the termination of a regional center’s designated under the pilot program if the regional center no longer serves the purpose of the program, which is to promote economic growth, improved

regional productivity, job creation and increased domestic capital investment within the geographic area of the regional center. As a result, Form I-924A petition must also be used for designated regional centers to use to provide information regarding the capital investment and job creation activities conducted through EB-5 capital investments in commercial enterprises affiliated each fiscal year.

3. The use of this form will provide the most efficient means for collecting and processing the required data. USCIS will provide this application to the public via the USCIS Internet Web site. This form can be completed electronically but cannot be e-filed at this time.
4. A review of the USCIS Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available that can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. If the collection of information is not conducted, USCIS will not have a standardized means to collect information to be able to determine if eligibility requirements for the designation of a regional center under the pilot program have been met.
7. The special circumstances contained in item 7 of the supporting statement are not applicable to this information collection.
8. USCIS will publish the 60-day notice in the proposed rule titled: "U.S. Citizenship and Immigration Services Fee Schedule"; RIN 1615-AB80.

9. The USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.

10. There is no assurance of confidentiality.

11. There are no questions of a sensitive nature.

12. Annual Reporting Burden:

	Form I-924	Amendment	Form I-924A
a. Number of Respondents	92	40	116
b. Number of Responses per each request	1	1	1
c. Total Annual Responses	92	40	116
d. Hours per Response	40	10	3
e. Total Annual Reporting Burden	3,680	400	348

Annual Reporting Burden

Total annual reporting burden is 4,428. This estimate was derived by multiplying:

- The number of respondents filing Form I-924 for initial designations or re-designations (92) x (1) frequency of response x 40 hours per response = 3,680 hours;
- The number of respondents filing for amendments using Form I-924, to previously designated regional centers (40) x (1) frequency of respond x 10 hours per response = 400 hours; and
- Multiplying the number of respondents that will use the Form I-924A (116) x (1) frequency of response x 3 hours per response = 348 hours.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this collection are identified in question 14. However, there is a fee charge of \$6,245 associated with filing Form I-924. There is no fee for filing the Form I-924A.

14. Annualized Cost Analysis:

a. Printing Cost	\$ 0
b. Collecting and Processing	\$ 824,340
c. Total Cost to Program	\$ 824,340
d. Fee Charge	\$ 824,340
e. Total Annual Cost to Government	\$ 0

Government Cost

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents (132) x \$6,245 fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits).

Annual Public Cost

The estimated annual public cost is \$915,025. This estimate is calculated by multiplying:

- The number of respondents filing Form I-924 (92) x (1) frequency of response x 40 hours per response x \$20.48¹ average hourly rate = \$75,366;
- The number of respondents filing amendments to Form I-924 (40) x (1) frequency of response x 10 hours per response x \$20.48 average hourly rate = \$8,192;

1 Average hourly rate for Office & Administrative Support occupations of \$14.32 multiplied by 1.43 to reflect benefits. Bureau of Labor Statistics May 2008 National Occupational Employment and Wage Estimates:
http://www.bls.gov/oes/2008/may/oes_nat.htm#b43-0000.

- The number of respondents filing Form I-924A (116) x (1) frequency of response x 3 hours per response x \$20.48 = \$7,127 plus
- Multiplying the number of respondents filing Form I-924 (132) x \$6,245 fee charge = \$824,340.

15. Since this is a new information collection there has been an increase of 4,428 in the estimated annual burden hours, and an increase of \$824,340 in the annual cost. This new form is being developed as a result of the proposed rule titled: “U.S. Citizenship and Immigration Services Fee Schedule”; RIN 1615-AB80.

16. USCIS does intend to employ the use of statistics or the publication thereof for this information obtained on the Form I-924 supplement. USCIS will publish an aggregation of the data provided each year by all designated regional centers. Attributes of the regional center affiliated capital investments, such as the geographic areas and industry categories receiving investment capital, the volume of regional center affiliated capital invested, and the number of jobs created or maintained as a result of the capital investments will be summarized and published on the USCIS Web site for each fiscal year. However, data that specifically identifies individual regional centers, commercial enterprises, or individuals involved in the pilot program will not be published². USCIS plans to publish this summarized data in order to be responsive to requests for this

² Note: USCIS currently maintains a list of designated regional centers that includes regional center contact information on the USCIS website at: <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=d765ee0f4c014210VgnVCM100000082ca60aRCRD&vgnextchannel=fac83453d4a3210VgnVCM1000000b92ca60aRCRD>. The source of this information is the information collected to make determinations of eligibility for regional center designation under the pilot program filed by applicants (new Form I-924) and/or contact information provided by regional center principals to USCIS subsequent to the regional center’s designation for participation under the pilot program.

information from a broad spectrum of USCIS's external stakeholders, to include members of Congress, other federal agencies, state agencies, and major media outlets.

17. USCIS will display the expiration date for this information collection.

18. The USCIS does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Sunday Aigbe

Date

Chief,

Regulatory Products Division,

U.S. Citizenship and Immigration Services.
