TABLE OF CHANGES- INSTRUCTIONS

Form I-924, Application for Regional Center Under the Immigrant Investor Program OMB Number: 1615-0061 Date: 9/30/2014

Reason for Revision: Revisions to Form I-924 and associated documents are required to enhance adjudications and improve program integrity. The form and instructions have been reformatted and standard language and new signature sections have been incorporated.

Current	Current Text	Proposed Text
Page		
Number and		
Section		
Page 1, What Is the		Page 1, What Is the Purpose of Form I-924?
Purpose of		
This Form?	This form is used to:	This application is used by any economic unit, public or private, in the United States which is involved with the promotion of economic growth, (including increased export sales, improved regional productivity, job creation, or increased domestic capital investment) to:
	1. Apply to U.S. Citizenship and Immigration Services (USCIS) to request designation of an entity to be a regional center under the Immigrant Investor Pilot Program.	1. Ask U.S. Citizenship and Immigration Services (USCIS) to be designated as a regional center under the Immigrant Investor Program; and
	2. Request approval of an amendment to a previously approved regional center. An amended regional center designation request may include requests for determinations relating to any or all of the reasons for filing an amendment request noted below.	2. Request an amendment to a previously approved regional center;
	A. An amendment request may be filed to seek approval of changes to the Regional Center's:	A. You must immediately request an amendment to seek approval for changes to the regional center's organizational structure, ownership, or administration;
	1. Geographic area;	[See below]
	2. Organizational structure or administration;	[See above]

		B. You may also file an amendment to:
		(1) Change the geographic area of the regional center;
	3. Capital investment projects, to include changes in the economic analysis and underlying business plan used to estimate job creation for previously approved investment opportunities and industrial clusters;	(2) Add a new commercial enterprise associated with the regional center and/or seek a preliminary determination of EB-5 compliance for an exemplar Form I-526, Immigrant Petition by Entrepreneur, for that new commercial enterprise, before individual entrepreneurs file their petitions; or
	4. Affiliated commercial enterprise's organizational structure and/or capital investment instruments or offering memoranda.	(3) Notify USCIS of changes in the organizational structure or administration, capital investment instruments, or offering memoranda (including changes in the economic analysis and underlying business plan used to estimate job creation) for a previously added new commercial enterprise associated with the regional center.
Page 1, Who May File This Form?	This form may be filed by an individual on behalf of a State or local governmental agency, a partnership, or any other existing business entity established in the United States and its territories by an individual, who has the executive or managerial authority to seek the Regional Center designation, or an amended designation.	[deleted]
Page 1, Who Must File a Form I-924 Supplement for Each Fiscal Year?	Each designated regional center entity must file a Form I-924 Supplement for each fiscal year (October 1 through September 30) within 90 days after the end of the fiscal year (on or before December 29) of the calendar year in which the fiscal year ended.	Page 1, When Must Form I-924A Supplement be Filed? Each approved regional center must file Form I-924A, Supplement to Form I-924, for each fiscal year (October 1 through September 30) on or before December 29 of the calendar year in which the fiscal year ended. An approved regional center with a designation letter dated on or before September 30 of a particular calendar year must file its initial Form I-924A on or before December 29 of the same calendar year. An approved regional center with a designation letter dated on or after October 1 of a particular calendar year must file its

	initial Form I-924A on or before December 29 of the following calendar year. Failure to timely file Form I-924A for each fiscal year in which the regional center has been designated for participation in the Immigrant Investor Program will result in the issuance of a notice of intent to terminate the participation of the regional center in the program. This may ultimately result in the termination of the approval and designation of the regional center.
Page 1, General Instructions	Page 1, General Instructions USCIS provides forms free of charge through the USCIS web site. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at http://get.adobe.com/reader/ . If you do not have Internet access, you may call the USCIS National Customer Service Center at 1-800-375-5283 and ask that we mail a form to you.
	Signature. Each application must be properly signed and filed. For all signatures on this application, USCIS will not accept a stamped or typewritten name in place of a signature.
	Filing Fee. Each application must be accompanied by the appropriate filing fee and biometric services fee (if applicable). (See the What Is the Filing Fee section of these instructions).
	Evidence. At the time of filing, you must submit all evidence and supporting documentation listed in the What Evidence Should You Submit section of these instructions.
	Copies. You may submit legible photocopies of documents requested, unless the instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of an application,

		petition, or request. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you. Translations. If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that the translator is competent to translate from the foreign language into English.
	Fill Out the Form	How To Fill Out Form I-924
	1. Type or print legibly in black ink.	1. Type or print clearly in black ink.
	2. If extra space is needed to complete any item, attach a continuation sheet, indicate the item number, and date and sign each sheet.	2. If you need extra space to complete any item within the application, use the space provided in Part 10. Additional Information or attach a separate sheet of paper; type or print the name of the regional center entity at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.
	3. Answer all questions fully and accurately. State that an item is not applicable with "N/A." If the answer is none, write "none."	3. Answer all questions fully and accurately. If a question does not apply to you (for example, if the regional center has not yet added a new commercial enterprise and the questions relate to the new commercial enterprise), type or print "N/A," unless otherwise directed.
	4. Each application must be properly signed and filed. A photocopy of a signed application or a typewritten name in place of a signature is not acceptable.	[Deleted]
New		Page 2, Specific Instructions
		Part 1. Information About the Regional Center
		Item Numbers 1 8. Information About the Regional Center Entity. Fill in all the information about the regional

center entity and provide the mailing address where the regional center entity can receive printed notices from USCIS. The regional center entity is the legal entity seeking designation (or previously designated) as a regional center in order to promote economic growth through pooled investments in the proposed limited geographic area. If filing an amendment to a previously approved Form I-924 application, provide information regarding the name of the regional center, regional center identification number, and receipt number for the previous Form I-924 filing in **Item Numbers 3.a. - 3.c.**

Part 2. Information About Managing Company or Agency (if different from regional center entity)

Item Numbers 1. - 6. Information
About The Managing Company or
Agency. Provide all the information about
the managing company or agency if
different from the regional center entity.
A "managing company" or "agency" is
any entity or other organization, which is
not a principal (as that term is defined in
Part 4. of these instructions) of the
regional center entity, that is or will be
involved in the management, oversight, or
administration of the regional center.

NOTE: If you are seeking to include multiple managing companies or agencies, provide information regarding each additional managing company or agency in **Part 10. Additional Information.**

Part 3. Application Type

Item Numbers 1. - 2. Application Type. Select the appropriate box which indicates the basis for your application.

Item Number 3.a. - 3.c. Select the appropriate box that indicates the type of projects that are submitted in support of your application.

Part 4. Organizational Structure,

Ownership, and Control of Regional Center Entity

Item Number 1.a. - 1.e. Organizational Structure of Regional Center Entity. Indicate whether the regional center entity is a governmental entity, a corporation, a partnership (including limited partnership), a limited liability company, or some other type of entity.

Information About the Principals of the Regional Center Entity - Owners

A "principal" is any person (natural) and entities (non-natural) that is an owner of the regional center entity or any other individual in a position of executive managerial authority over the regional center entity or who is otherwise in a position to control, influence, or direct the management or policies of the regional center entity. If you are listing multiple principals of the regional center, provide information regarding each additional principal in **Part 10. Additional Information.**

NOTE: For the purposes of Form I-924, a "natural person" is an individual human being and a "non-natural entity" is any legal entity or organization such as, but not limited to, a corporation, limited liability company, partnership, or governmental entity.

Item Numbers 2a. - 2.c. Information About Owners of the Regional Center Entity. Provide the full name of all principals who hold an ownership interest in the regional center entity.

Item Number 3. Date of Birth (for natural persons). Enter the principal's date of birth in a month/day/year format.

Item Number 4. Country of Birth (for natural persons). Enter the principal's country of birth.

Item Number 5. Company Name (for a non-natural owner). Enter the name of all

companies that hold an ownership interest in the regional center entity.

Item Number 6. Federal Employer Identification Number (for a non-natural owner). Enter the Federal Employee Identification Number for all companies that hold an ownership interest in the regional center entity.

Item Number 7. Natural persons having ownership, control, or beneficial interest in the Company listed in Item Number 5. of this section. Enter the names of all natural persons having ownership, control, or beneficial interest in the Company listed in Item Number 5. of this section.

Item Numbers 8.a. - 8.d. Other Names Used By Owners of the Regional Center Entity (if applicable). Provide any other names ever used by the principal (owner) if a Company, including aliases or trade names ("DBA").

Item Numbers 9.a. - 9.f. Mailing Address of Regional Center Owners. Provide the principal's mailing address where the printed notices about the application will be sent.

Item Number 10. - 12. Contact Information. Enter the principal's current telephone number (including area code), business fax number, and email address (if any).

Item Number 13. Web site Address (if any). Provide the principal's Web site address.

Item Number 14. Percentage of Ownership. Enter the percentage of ownership held in the regional center entity.

Item Number 15. Position Held Within the Regional Center (if any). Provide the current position/title held within the regional center (if applicable).

Principals of the Regional Center Entity
- Non-Owners

Item Numbers 16.a. - 18. Information About Principal Non-Owners of the Regional Center Entity. For all natural persons who do not hold an ownership interest in the regional center, provide the full legal name, date of birth, and country of birth. For all non-natural principals who do not hold an ownership interest in the regional center, provide the name of the company, the Federal Employee Identification Number and the name of the natural person having ownership, control or beneficial interest in the non-natural principal.

Item Number 19. Company Name (for a non-natural owner). Enter the name of all companies that hold an ownership interest in the regional center entity.

Item Number 20. Federal Employer Identification Number (for a non-natural owner). Enter the Federal Employee Identification Number for all companies that hold an ownership interest in the regional center entity.

Item Number 21. Natural persons having ownership, control, or beneficial interest in the Company listed in Item Number 5. of this section. Enter the names of all natural persons having ownership, control, or beneficial interest in the Company listed in Item Number 5. of this section.

Item Numbers 22.a. - 22.d. Other Names Used by Non-Owners (if applicable). For natural persons who do not hold an ownership interest in the regional center, provide any other names ever used by the non-owner principal, including aliases. For all non-natural principals who do not hold an ownership interest in the regional center, provide any trade names including DBAs.

Item Numbers 23.a. - 23.f. Mailing Address of Regional Center Entity Non-Owners. Provide the address where the non-owner principal can receive printed notices from USCIS about the application.

Item Number 24. - 26. Contact Information. Enter the non-owner principal's telephone number (including the area code), business fax number, and email address (if any).

Item Number 27. Web site Address (if any). Provide the non-owner principal's Web site address (if any).

Item Number 28. Position Held Within the Regional Center (if any). Provide the current position/title held within the regional center (if applicable).

Item Number 29. Date Regional Center Entity Established. Enter the date the regional center entity was established in a month/day/year format.

Item Number 30. State or Territory Where Regional Center Entity Was Formed. Provide the U.S. State or Territory where the regional center entity was established.

Item Numbers 31. - 32.b. Geographic Area of Regional Center. Indicate if you have provided a map or other illustration that shows the geographic area which the Regional Center covers or will cover. Indicate if you have demonstrated that the regional center focuses on a limited, contiguous geographic area, and if the boundaries of the regional center are reasonable based on evidence that the proposed area is contributing significantly to the supply chain and labor pool of the proposed new commercial enterprises.

Item Number 33. Regional Center Entity Federal Employer Identification Number. Provide the Internal Revenue Service (IRS) Tax Identification Number of the regional center entity.

Item Number 34. Administration, Oversight and Management Functions.

Confirm that you have submitted a plan that demonstrates that there are (or will be) sufficient management, oversight, and administrative functions in place to monitor all EB-5 capital investment activities. You must submit documentation of such a plan to monitor all EB-5 capital investment activities and the allocation of the resulting jobs created or maintained under the regional center's sponsorship.

Item Numbers 35.a. - 35.i. **Documentary Evidence of Regional** Center's Ownership, Structure, Control and Administration, and Oversight and Management Functions. Indicate the type of documentation you have submitted to establish the ownership, structure, control and administration, and oversight and management functions of the regional center (including the regional center entity.) If there are additional managing companies, agencies, principals, agents, individuals, or groups that are or will be involved in the management, oversight, and administration of the regional center, provide documentary evidence of those relationships. The list of examples is not exclusive. If you have documentation relating to an organization that is not reflected in the examples listed, describe and explain the nature of the organization in Part 10. Additional Information.

Item Number 36. Promotional Activities. You must submit a description of the promotional efforts taken and planned by the sponsors of the regional center such as a budget that details how the regional center has conducted or will conduct promotional activities.

Item Number 37. Plan of Operation. You must submit a plan of operation which demonstrates how the regional center will promote economic growth with respect to increased export sales, improved

regional productivity, job creation, or increased domestic capital investment within the geographic area of the regional center. The plan of the operation must, among other things, detail how EB-5 investors will be recruited, the methods by which the capital investment opportunities will be offered, and how potential investors will subscribe or commit to the investment. The plan must also address how the regional center will conduct its due diligence to ensure that only lawful sources of immigrant investor funds are associated with the regional center's new commercial enterprises.

Item Number 38.a. - 38.b. USCIS **Actions on Prior Form I-924 Approval** or Requests for Designation. Indicate whether USCIS has ever terminated the regional center's designation. Also indicate if USCIS has ever denied a Form I-924 amendment [not sure if this is correct] submitted by the regional center entity, principal, managing company, or agent involved with this current application. Provide the regional center ID number associated with the terminated regional center. In Part 10. Additional **Information**, explain the termination as well as the association between the regional center principal, managing company, or owner and the terminated regional center.

Page 5,

Part 5. Information About the Industries That Will Be the Focus of EB-5 Capital Investments Sponsored Through the Regional Center

Item Numbers 1. - 2.c. Included Industries and Economic Analyses and/or Business Plan. Identify the industries that will be the focus of EB-5 new commercial enterprises and any job-creating entities in your regional center. Provide the North American Industry Classification System (NAICS) codes for each industry you identify in Part 5.

Indicate whether your application is supported by an economic analysis and underlying business plan for determining prospective EB-5 job creation through EB-5 investments for each industry listed. For each additional industry, provide the information in **Part 10. Additional Information.**

Page 4, Part 6. Organizational Structure, Ownership, and Control of any New Commercial Enterprises in Which Investors Have Made or Will Make Their Capital Investments

NOTE: Complete this section if the regional center seeks to add a new commercial enterprise or requests to amend a previously added new commercial enterprise. If the regional center seeks to add more than one new commercial enterprise, provide the information below for each additional new commercial enterprise in Part 10.

Additional Information.

Item Numbers 1. - 1.d. Organizational Structure of New Commercial Enterprises. Indicate whether the new commercial enterprise is a corporation, a partnership (whether limited or general), a limited liability company, or another type of entity. If the organizational structure is different from the examples listed on the form, select "Other" and describe the nature of the organizational structure in Part 10. Additional Information. Also use Part 10. if you need extra space to add additional new commercial enterprises that are established.

Item Numbers 2.a. - 9. Information About Owner of the New Commercial Enterprise.

List all parties who own or have a percentage of ownership in the new commercial enterprise and indicate the percentage ownership of each. For natural persons, provide each owner's date and country of birth and the position held

within the new commercial enterprise (if any). For non-natural entities, provide the company name, Federal Employer Identification Number, and the name of the natural persons having ownership, control or beneficial interest in the non-natural owner of the new commercial enterprise.

Item Number 10. Date New Commercial Enterprise Established. If the new commercial enterprise has already been established, enter the date when it was established in a month/day/year format.

Item Number 11. U.S. state or territory Where New Commercial Enterprise Was or Will Be Formed. Indicate the U.S. state or territory where the new commercial enterprise was or will be formed.

Item Numbers 12.a. - 12.h. **Documentary Evidence of New** Commercial Enterprise Ownership, **Structure, Control and Administration.** and Oversight and Management **Functions.** Indicate the type of documentation you have submitted to establish the new commercial enterprise ownership, structure, control and administration, and oversight and management functions. If there are additional companies, agencies, agents, individuals, or groups that are or will be involved in the management, oversight, and administration of the new commercial enterprise, provide documentary evidence of such relationships. The list of examples is not exclusive. If you have documentation relating to an organization that is not reflected in the examples listed, describe and explain the nature of the organization in **Part 10. Additional** Information.

Item Number 13. Equity Stake in New Commercial Enterprise.
Indicate whether the regional center or any of its principals or agents will have an

equity stake in the new commercial enterprise. You must submit documentation that details such equity ownership.

Item Number 14. Fees, Profits,
Surcharges, and/or Other Remittances.
Indicate whether the regional center or any
of its principals, managing companies, or
agents have or will receive fees, profits,
surcharges, or other remittances through
EB-5 capital investment activities from the
new commercial enterprise or any current
or prospective EB-5 investors. You must
submit documentation that describes the
remittances and details when and under
what circumstances the remittances will be
paid.

Part 7. Statement, Contact Information, Certification, and Signature of Authorized Individual

Item Numbers 1.a. - 9.b. The application must be signed and filed by an authorized individual of the regional center. An "authorized individual" of the regional center is a principal of the regional center entity with the executive managerial authority to seek the regional center designation, or amended designation, on behalf of a state or local governmental agency, or any other existing entity established in the United States and its territories. Select the appropriate box to indicate if you, the authorized individual of the regional center, read the application yourself or if someone interpreted the application for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared the application for you. Further, you must sign and date your application and provide your daytime telephone number, mobile telephone number (if any), and email address (if any). A stamped or typewritten name in place of a signature is not acceptable.

Part 8. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1.a - 6.b. If you used anyone as an interpreter to read these instructions and questions on the application to you in a language in which you are fluent, the interpreter must fill out this section, provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, and his or her email address (if any). The interpreter must sign and date the application.

Part 9. Contact Information, Statement, Certification, and Signature of the Person Preparing this Application, If Other Than the Authorized Individual of the Regional Center

Item Numbers 1.a. – 8.b. This section must contain the signature of the person who completed your application, if other than you, the authorized individual of the regional center. If the same individual acted as your interpreter and your preparer, that person should complete both Part 8. and Part 9. If the person who completed the application is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you prepare the application MUST sign and date the application. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your application is an attorney or accredited representative, he or she must also submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, along with your application.

Part 10. Additional Information

		Item Numbers 1.a. – 7.b. If you need extra space to provide any additional information within this application, use the space provided in Part 10. Additional Information. If you need more space than what is provided in Part 10., you may make copies of Part 10. to complete and file with your application or attach a separate sheet of paper. Include the regional center entity's name at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers, and sign and date each sheet.
		We recommend that you print or save a copy of your completed application to review in the future and for your records.
Page 1, Initial		Page 6, What Evidence Should You Submit?
Evidence Requiremen ts		You must submit all evidence requested in these instructions with your application, including the items listed below.
		If you fail to submit required evidence with your application, USCIS may deny your application under 8 Code of Federal Regulations (CFR) section 103.2(b)(1).
	1. Initial Evidence Requirements for filing:	Provide the following evidence for applications filed to request initial
	A. A request for the Approval and Designation of a Regional Center; or	designation of a regional center and/or to make amendments to the organizational structure, ownership, or administration of a previously
	B. An Amendment to a Previously Approved Regional Center Designation.	designated regional center.
	2. The Regional Center must focus on a geographical area. This area must be contiguous and clearly identified in the application by providing a detailed map of the proposed geographic area of the Regional Center.	1. Map or Illustration of Geographic Area of Regional Center. The regional center must focus on a limited, contiguous geographical area that is clearly identified. Provide a detailed map or illustration of the proposed geographic area of the regional center.

[Part of 4. Below...

Submit a plan of operation for the regional center which addresses how investors will be recruited and how the regional center will conduct its due diligence to ensure that all immigrant investor funds affiliated with its capital investment projects will be obtained from lawful sources.]

[Part of 3 below...

Provide the industry category title and the North American Industry Classification System (NAICS) code for each industrial category. The NAICS code can be obtained from the U.S. Department of Commerce, Census Bureau (www.census.gov/epcd/www/naics.htm). Enter the code from left to right, one digit in each of the six boxes provided in the form in Part 3, item 7. If you use a code with fewer than six digits, enter the code left to right and then add zeros in the remaining unoccupied boxes.]

5. Provide a general prediction which addresses the prospective impact of the capital investment projects sponsored by the regional center, regionally or nationally, with respect to increases in household earnings; greater demand for business services, utilities, maintenance and repair; and construction both within and without the regional center.]

- **2. Plan of Operation.** You must submit a plan of operation that will address how the regional center will recruit investors. Also, address how the regional center will conduct its due diligence to ensure that only lawful sources of immigrant investor funds are associated with the regional center's new commercial enterprises. In addition, the operating plan must demonstrate that the regional center will promote economic growth with respect to increased export sales, improved regional productivity, job creation, or increased domestic capital investment within the geographic area of the regional center. The plan should also identify any and all fees, profits, surcharges, or other remittances that will be paid to the regional center or any of its principals, managing companies, or agents through the new commercial enterprises into which EB-5 investors will invest capital.
- 3. North American Industry Classification System (NAICS). Provide the industry category title and the NAICS code for each industrial category related to this regional center. You can obtain the NAICS code at www.census.gov/epcd/www/naics.htm.
- Enter the code, from left to right, in the box provided in **Part 5.**, **Item Numbers 1.b. and 2.b.** If you use a code with fewer than six digits, enter the code left to right and then add zeroes to the end of the number to make it six digits.
- 4. Prediction of Capital Investment Impact Through New Commercial Enterprises. Provide a general prediction that addresses the prospective economic impact, regionally or nationally, of the proposed new commercial enterprises sponsored by the regional center. Address the prospect for increases in household earnings; demand for business services, utilities, and maintenance and repair; and construction both inside and outside the regional center. Also, using the NAICS codes, present an economic analysis that

[Part of 3. Below...

The application should be supported by a statement from the principal of the Regional Center that explains the methodologies that the Regional Center will use to track the infusion of each EB-5 alien investor's capital into the job creating enterprise, and to allocate the jobs created through the EB-5 investments in the job creating enterprise to each associated EB-5 alien investor. The anticipated minimum capital investment threshold (either \$1,000,000 or \$500,000) for each investor should also be identified.]

4. Provide a detailed description of the past, current and, future promotional activities for the regional center. Include a description of the budget for this activity, along with evidence of the funds committed to the regional center for promotional activities.

Submit a plan of operation for the regional center which addresses how investors will be recruited and how the regional center will conduct its due diligence to ensure that all immigrant investor funds affiliated with its capital investment projects will be obtained from lawful sources.

6. The application must fully describe and document the organizational structure of the regional center. In addition, it is helpful for the regional center to show that the capital investment offering instruments, business structure, and operating agreements of the proposed commercial enterprises that will be affiliated with the regional center are compliant with the EB-5 statutory and

relies on economically or statistically valid forecasting tools to show how jobs will be created for each industrial category of economic activity (for example, manufacturing, food production/ processing, warehousing, tourism and hospitality, transportation, power generation, and agriculture.)

- 5. Methodology to Track Capital Investment. The application must be supported by a statement from the principal of the regional center that explains the methodologies that the regional center will use to track the infusion of each EB-5 investor's capital into each new commercial enterprise and any related job-creating entities. The statement must also explain how the regional center will allocate the jobs created through the EB-5 investments in the new commercial enterprise and/or job-creating entities to each associated EB-5 investor.
- **6. Promotional Activities.** Provide a detailed description of the past, present, and future promotional activities for the regional center. Include a description of the promotional efforts taken and planned by the sponsors of the regional center, such as a budget for these activities, along with evidence of the funds committed to the regional center for promotional activities.
- 7. Organizational Structure and Compliance with EB-5 Requirements. The application must fully describe and document the organizational structure of the regional center entity. Provide evidence such as:
- **A.** A description and documentation of the business structure of the regional center entity, such as articles or certificates

regulatory requirements, as well as the binding EB-5 precedent decisions.

of formation, bylaws, partnership or LLC agreements, or other formation and governing documents for the regional center entity; and

B. Draft memorandum of understanding, interagency agreements, contracts, letters of intent, or similar agreements to be entered into for any other parties, agencies, or organizations to engage in activities on behalf of, or in the name of, the regional center.

NOTE: There are four EB-5 precedent decisions, which may be accessed at http://www.justice.gov/eoir/vll/ intdec/lib indecitnet.html:

i. *Matter of Soffici*, 22 I&N Dec. 158 (BIA 1998);

ii. *Matter of Izummi*, 22 I&N Dec. 169 (BIA 1998). **Note:** Pub. L. 107-273 eliminated the requirement set forth in *Izummi* that, in order for a petitioner to be considered

to have "created" an original business, he or she must have had a hand in its actual creation. Under the new law, an alien may invest in an existing business at any time following its creation, provided he or she meets all other requirements of the regulations;

iii. *Matter of Hsiung*, 22 I&N, Dec. 201 (BIA 1998); and

iv. *Matter of Ho*, 22 I&N Dec. 206 (BIA 1998).

Documentation of the above should be included but not limited to:

A. A description and documentation of the business structure of both the regional center entity and the commercial enterprises that are or will be affiliated with the regional center, such as articles of incorporation, certificate of incorporation, or legal creation as a partnership or limited

[Deleted]

[See 3. Organizational Structure and Compliance with EB-5 Requirements below]

liability company (LLC), partnership or LLC agreements, etc.;

- **B.** Draft subscription agreement for investment into the commercial enterprise;
- **C.** Draft escrow agreement and instructions, if any;
- **D.** List of proposed financial institutions that will serve as the Escrow Agent, if any;
- **E.** Draft of an offering letter, memorandum, private placement memorandum, or similar offering to be made in writing to an immigrant investor offering capital investments through the regional center; and
- **F.** Draft memorandum of understanding, interagency agreement, contract, letter of intent, or similar agreement to be entered into with any other party, agency or organization to engage in activities on behalf of or in the name of the regional center.

NOTE: For your application submission and supporting evidence for items 1 through 6 above, please use fasteners to attach the documents at the top of each page, and individually tab the corresponding written materials and statements.

For applications filed to request addition of a new commercial enterprise associated with the regional center (whether as part of the initial designation or as an amendment), or to amend a previously added new commercial enterprise, provide any of the evidence listed above that has not already been provided. Also provide the following.

3. Each Regional Center must fully explain how at least 10 new full-time jobs will be created by each individual alien investor within the Regional Center either

1. Job Creation. Each regional center must fully explain how the new commercial enterprise will create at least 10 new full-time jobs for qualifying

directly or indirectly.

Provide an economic analysis that relies on statistically valid forecasting tools that shows and describes how jobs will be created for each industrial category of economic activity (for example, manufacturing, food production/ processing, warehousing, tourism and hospitality, transportation, power generation, agriculture, etc.)

The job creation analysis for each economic activity must be supported by a copy of a business plan for an actual or exemplar capital investment project for that category. **Note:** A business plan provided in support of a regional center application should contain sufficient detail to provide valid and reasoned inputs into the economic forecasting tools and must demonstrate that the proposed project is feasible under current market and economic conditions. The form of the EB-5 investment from the commercial enterprise into the job creating project (equity, loan, or some other financial arrangement) should be identified.

The business plan should also identify any and all fees, profits, surcharges, or other like remittances that will be paid to the regional center or any of its principals or agents through EB-5 capital investment activities.

Provide the industry category title and the North American Industry Classification System (NAICS) code for each industrial category. The NAICS code can be obtained from the U.S. Department of Commerce, Census Bureau (www.census.gov/epcd/www/naics.htm). Enter the code from left to right, one digit in each of the six boxes provided in the form in Part 3, item 7. If you use a code with fewer than six digits, enter the code left to right and then add zeros in the remaining unoccupied boxes.

The application should be supported by a

employees associated with each immigrant investor either directly or indirectly. The regional center must provide a detailed, comprehensive, and credible business plan for the new commercial enterprise showing that the proposed plan of operations is feasible under current market and economic conditions. Identify the form of the EB-5 investment (equity stake, loan, or some other financial arrangement) from the new commercial enterprise into any related job-creating entity. The new commercial enterprise business plan should also identify any and all fees, profits, surcharges, or other remittances that will be paid to the regional center or any of its principals, managing companies, or agents through the new commercial enterprise. The business plan must be accompanied by an economic analysis. This analysis must rely on economically or statistically valid forecasting tools to show how the new commercial enterprise's activities will create qualifying jobs.

[See 3. North American Industry Classification System (NAICS) above]

2. Minimum Capital Investment. The

statement from the principal of the Regional Center that explains the methodologies that the Regional Center will use to track the infusion of each EB-5 alien investor's capital into the job creating enterprise, and to allocate the jobs created through the EB-5 investments in the job creating enterprise to each associated EB-5 alien investor. The anticipated minimum capital investment threshold (either \$1,000,000 or \$500,000) for each investor should also be identified.

regional center must identify the anticipated minimum capital investment threshold (either \$1 million or \$500,000) for each immigrant investor into the new commercial enterprise.

NOTE: INA section 203(b)(5)(A)(ii) requires that each EB-5 alien investor must create full-time employment for not fewer than 10 U.S. citizens or aliens lawfully admitted for permanent residence or other immigrants lawfully authorized to be employed in the United States. (Jobs created for the EB-5 alien investor and his or her spouse, sons, or daughters do not

qualify.) 8 CFR 204.6(j)(4)(ii) and 8 CFR 216.6(a)(4) provide a means for EB-5

alien investors to meet the statutory requirement of creating at least 10 jobs for qualifying U.S. workers through capital investments in a "troubled business." The EB-5 alien investor's capital investment in a "troubled business" must maintain the number of existing employees at no less than the pre-investment level for the period following his or her admission as a conditional permanent resident. In order to meet the requirements of INA 203(b)(5)(A)(ii), each alien investor must create or maintain at least 10 jobs through the capital investment in a troubled business. If a regional center plans to focus on capital investments in "troubled businesses" within the geographic area of the regional center, then the economic analysis, business plan, and feasibility study submitted must show that each EB-5 alien investor's capital investment in a "troubled business" commercial enterprise will create or maintain at least 10 direct or indirect jobs.

3. Organizational Structure and Compliance with EB-5 Requirements.

The application must show that the capital investment offering instruments, business structure, and operating agreements of the new commercial enterprise that will be associated with the regional center comply with the EB-5 statutory and regulatory requirements and binding precedent decisions. Submit such evidence as:

	[Part of 6 above Documentation of the above should be included but not limited to: A. A description and documentation of the business structure of both the regional center entity and the commercial enterprises that are or will be affiliated with the regional center, such as articles of incorporation, certificate of incorporation,	A. A description and documentation of the business structure of the new commercial enterprise that will be associated with the regional center, such as articles or certificates of formation, bylaws, partnership or LLC agreements, or
	or legal creation as a partnership or limited liability company (LLC), partnership or LLC agreements, etc.;	other formation and governing documents for the new commercial enterprise;
	B. Draft subscription agreement for investment into the commercial enterprise;	B. A draft subscription agreement for investment into the new commercial enterprise;
	C. Draft escrow agreement and instructions, if any;	C. Draft escrow agreement and instructions, if any;
	D. List of proposed financial institutions that will serve as the Escrow Agent, if any;	D. A list of proposed financial institutions that will serve as the escrow agent, if any;
	E. Draft of an offering letter, memorandum, private placement memorandum, or similar offering to be made in writing to an immigrant investor offering capital investments through the regional center; and	E. A draft offering letter, private placement memorandum, or similar offering document to be provided to an immigrant investor relating to capital investments through the regional center and in the associated new commercial enterprise; and
	F. Draft memorandum of understanding, interagency agreement, contract, letter of intent, or similar agreement to be entered into with any other party, agency or organization to engage in activities on behalf of or in the name of the regional center.	F. A draft memorandum of understanding, interagency agreement, contract, letter of intent, or similar agreement to be entered into for any other party, agency, or organization to engage in activities on behalf of, or in the name of, the new commercial enterprise.
	NOTE: For your application submission and supporting evidence for items 1 through 6 above, please use fasteners to attach the documents at the top of each page, and individually tab the corresponding written materials and statements.]	[Deleted]
Page 3, What Is the		Page 8, What Is the Filing Fee?

Filing Fee?

The filing fee for this form is \$6,230.

NOTE: There is no separate filing fee for the filing of Form I-924A Supplement.

Use the following guidelines when you prepare your check or money order for filing the fee:

- 1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
- 2. Make the check or money order payable to U.S. Department of Homeland Security.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

Notice to Those Making Payment by Check. If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep a copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times.

The filing fee for Form I-924 is \$6,230.

NOTE: There is no separate filing fee for Form I-924A.

NOTE: The filing fee is not refundable, regardless of any action USCIS takes on the application. **DO NOT MAIL CASH.** You must submit all fees in the exact amount.

Use the following guidelines when you prepare your check or money order for the Form I-924 filing fee:

- 1. The check or money order must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; and
- 2. Make the check or money order payable to U.S. Department of Homeland Security.

NOTE: Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

Notice to Those Making Payment by Check. If you send us a check, USCIS will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If USCIS cannot complete the EFT because of insufficient funds, we may try to make the transfer two additional times.

	How to Check If the Fees Are Correct	How To Check If The Fees Are Correct
	The fee on this form is current as of the edition date appearing in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below:	Form I-924 filing fee is current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.
	1. Visit the USCIS Web site at www.uscis.gov , select "FORMS," and check the appropriate fee; or	1. Visit the USCIS Web site at www.uscis.gov, select "FORMS," and check the appropriate fee; or
	2. Telephone the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TDD (hearing impaired) call: 1-800-767-1833.	2. Call the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TTY (deaf or hard of hearing) call: 1-800-767-1833.
Page 3, Where To File?	Submit Form I-924 and all supporting documentation to: For direct mail, send to: U.S. Citizenship and Immigration Services California Service Center Attn: EB-5 Processing Unit P.O. Box 10526 Laguna Niguel, CA 92607-0526 For non-U.S. Postal Service deliveries (e.g., private couriers), send to: U.S. Citizenship and Immigration Services California Service Center Attn: EB-5 Processing Unit 24000 Avila Road, 2 nd Floor Laguna Niguel, CA 92677	Page 8, Where To File? Please see our Web site at www.uscis.gov/I-924 or call our National Customer Service Center at 1-800-375- 5283 for the most current information about where to file the application. For TTY (deaf or hard of hearing) call: 1-800- 767-1833.
Page 4, Address Changes	If you change your address and you have a Form I-924 application pending with USCIS, you may change your address by sending notification to: For direct mail, send to:	Page 9, Address Change You must notify USCIS of your new address within 10 calendar days of any change to the mailing address of the regional center entity. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact

U.S. Citizenship and Immigration Services California Service Center Attn: EB-5 Processing Unit P.O. Box 10526 Laguna Niguel, CA 92607-0526

For non-U.S. Postal Service deliveries (e.g., private couriers), send to:

U.S. Citizenship and Immigration Services California Service Center Attn: EB-5 Processing Unit 24000 Avila Road, 2nd Floor Laguna Niguel, CA 92677 the USCIS National Customer Service Center at **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: Do not submit a change of address request to USCIS Lockbox facilities because these facilities do not process change of address requests.

Page 4, Processing Information

Acceptance. Any application that is not signed or accompanied by the correct fee will be rejected with a notice that it is deficient. You may correct the deficiency and resubmit the application. However, an application is not considered properly filed until accepted by USCIS.

Initial processing. Once Form I-924 has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form or file it without required initial evidence, you will not establish a basis for eligibility, and we may deny your Form I-924.

Requests for more information or evidence. We may request more information or evidence. We may also request that you submit the originals of any copy. We will return these originals when they are no longer needed.

Page 9, Processing Information

[Delete]

Initial Processing. Once USCIS accepts your application, we will check it for completeness. If you do not completely fill out the application, you will not establish a basis for your eligibility and USCIS may reject or deny your application.

Requests for More Information. We may request that you provide more information or evidence to support your application. We may also request that you provide the originals of any copies you submit. USCIS will return any requested originals when they are no longer needed.

Requests for Interview. We may request that you appear at a USCIS office for an interview based on your application. At the time of any interview or other appearance at a USCIS office, we may require that you provide your fingerprints, **Decision.** The decision on Form I-924 involves a determination of whether you have established eligibility for the requested designation, or an amendment to a previously approved designation. You will be notified of the decision in writing.

Approval. If you have established that you qualify for Regional Center designation, or a designation amendment, then the application will be approved. The approval notice will provide information as to your responsibilities and obligations as a USCIS-designated regional center, and the evidence to submit in support of regional center-affiliated individual EB-5 petitions with USCIS, as well as details on the reporting and oversight requirements for Regional Centers.

NOTE: Beginning with the fiscal year following approval, each designated Regional Center entity must file the Form I-924A Supplement for each fiscal year (October 1 through September 30) within 90 days after the end of the fiscal year (on or before December 29) of the calendar year in which the fiscal year ended.

Designated Regional Centers must notify USCIS within 30 days of a change of address, contact information, regional center principals, contracting agents or similar changes in the operation or administration of the Regional Center. Notification can be made by sending an email to the EB-5 Program mailbox at: USCIS.ImmigrantInvestorProgram@d hs.gov.

NOTE: An original Form G-28 must also be provided through the mail as outlined in the Form G-28 filing instructions for changes in the attorney of record.

Denial. If you have not established that you qualify for the benefit sought, the

photograph, and/or signature to verify your identity and/or update background and security checks.

Decision. The decision on Form I-924 involves a determination of whether you have established eligibility for the requested designation, or an amendment to a previously approved designation.

USCIS will notify you of the decision in writing.

Approval. If you have established that you qualify for the benefit sought, USCIS will approve your application. The approval notice will provide information about the responsibilities and obligations of your USCIS designated regional center. It will also list the evidence to submit in support of regional center-associated individual EB-5 petitions, as well as details on the reporting and oversight requirements for regional centers.

[Delete]

Denial. If you have not established

	application will be denied. You will be notified in writing of the reasons for the denial, and of the regional center's right to appeal the decision to deny the application to the Administrative Appeals Office as specified in 8 CFR 103.3.	eligibility for the benefit sought, USCIS will deny this application. The denial notice will describe the reasons for the denial, and the regional center's right to appeal to the Administrative Appeals Office as specified in 8 CFR 103.3.
Page 4, USCIS Forms and Information	To ensure you are using the latest version of this form, visit the USCIS Web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by telephoning our USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833. To make an inquiry or ask a question about the Regional Center Program you may send an e-mail to: USCIS.ImmigrantInvestorProgram@d hs.gov	Page 9, USCIS Forms and Information To ensure you are using the latest version of the application, visit the USCIS web site at www.uscis.gov where you can obtain the latest USCIS forms and immigration-related information. If you do not have Internet access, you may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by calling the USCIS National Customer Service Center at 1-800-375-5283. For TTY (deaf or hard of hearing) call: 1-800-767-1833. Instead of waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our online system, InfoPass, at infoPass , at infoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.
Page 4, USCIS Compliance Review and		Page 9, Penalties If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-924, we will deny your Form I-924 and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution. Page 9, USCIS Compliance Review and Monitoring
Monitoring	By signing this form, you have stated under penalty of perjury (28 U.S.C. 1746)	By signing the application, you have stated under penalty of perjury (28 U.S.C.

that all information and documentation submitted with this form is true and correct. You also have authorized the release of any information from your records that USCIS may need to determine eligibility for the benefit you are seeking and consented to USCIS verification of such information.

The Department of Homeland Security has the right to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal right to verify this information is in 8 U.S.C. 1103, 1155, 1184, and 8 CFR parts 103, 204, and 205. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case has been decided.

Agency verification methods may include but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, or other electronic transmission or telephone; unannounced physical site inspections of residences and places of employment; and interviews. Information obtained through verification will be used to assess your compliance with the laws and to determine your eligibility for the benefit sought.

Subject to the restrictions under 8 CFR part 103.2(b)(16), you will be provided an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case, or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

section 1746) that all information and documentation submitted with the application is complete, true and correct. You have also authorized the release of any information from the records of the regional center that USCIS may need to determine the regional center's eligibility for designation and consent to USCIS verifying such information.

The U.S. Department of Homeland Security (DHS) has the authority to verify any information you submit to establish eligibility for regional center designation at any time. USCIS' legal authority to verify this information is in 8 U.S.C. sections 1103 and 1155; the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 Pub. L. No. 102-395, section 610, 106 Stat 1828, 1874 (1992) (as amended); and 8 CFR Parts 103, 204, and 205. To ensure compliance with applicable laws and authorities. USCIS may verify information before or after your case is decided.

Agency verification methods may include, but are not limited to: review of public records and information; contact via written correspondence, the Internet, facsimile, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use information obtained through verification to assess your compliance with the laws and to determine your eligibility for regional center designation.

Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on the application or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

New		Page 10, USCIS Privacy Act Statement
		AUTHORITIES: The information requested on this application, and the associated evidence, is collected under the Immigration and Nationality Act, sections 101, 103, and 203 (as amended) and the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, Pub. L. No. 102-395, section 610, 106 Stat 1828, 1874 (1992) (as amended).
		PURPOSE: The primary purpose for providing the requested information on this application is to determine if the regional center has established eligibility for regional center designation or amended designation. DHS will use the information you provide to grant or deny the regional center application.
		DISCLOSURE: The information you provide is voluntary. However, failure to provide the requested information, and any requested evidence, may delay a final decision in your case or result in denial of your application.
		ROUTINE USES: DHS may share the information you provide on the application with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records] which you can find at www.dhs.gov/privacy . DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.
Page 5, Paperwork Reduction	An agency may not conduct or enoncor on	Page 11, Paperwork Reduction Act An agency may not conduct or sponsor an
Act	An agency may not conduct or sponsor an information collection and a person is not	An agency may not conduct or sponsor an information collection and a person is not

required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 40 hours per response for each application.

The estimated reporting burden for this collection of information the time for reviewing instructions and completing and submitting the form. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave., N.W. Washington, DC 20529-2140, OMB No. 1615-0061. Do not mail your completed Form I-924 to this address.

required to respond to a collection of information unless it displays a currently valid OMB control number. The public reporting burden for this collection of information is estimated at 40 hours per response in paper format, including the time for reviewing instructions, gathering the required documentation and information, completing the application, preparing statements, attaching necessary documentation, and submitting the application. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No. 1615-0061. **Do** not mail your completed Form I-924 to this address.