

**SUPPORTING STATEMENT**

**Immigrant Petition by Alien Entrepreneur**

**Form I-526**

**OMB No. 1615-0026**

**A. JUSTIFICATION:**

1. Section 203(b)(5) of the Immigration Nationality Act, allows qualified immigrants seeking to enter the United States for the purpose of engaging in a commercial enterprise to invest to be provided with an immigrant visa. The requestor must petition the U.S. Citizenship and Immigration Services (USCIS) by filing Form I-526, Immigrant Petition by Alien Entrepreneur in accordance with 8 CFR 103.7.
2. The data collected on this form will be used by the USCIS to determine eligibility for qualified aliens to enter the United States for entrepreneurial enterprises. The form serves the purpose of standardizing requests for the benefit, and ensuring that basic information required to determine eligibility is provided by applicants.
3. The use of Form I-526 provides the most efficient means for collecting and processing the required data. Currently, USCIS does not have the automated capability in place to accept electronic submission of application. This form can be completed electronically but cannot be submitted electronically. However, this form has been designated for e-filing under the Business Transformation Project.
4. A review of the USCIS's Forms Inventory Report revealed no duplication of effort, and there is no other similar information currently available which can be used for this purpose.

2           5.       This collection of information does not have an impact on small  
businesses or other small entities.

3           6.       Without the use of this information collection, an alien may not apply and  
the USCIS may not determine an alien’s eligibility for special immigrant status.

4           7.       There are no special circumstances applicable to this information  
collection.

8.       On June 9, 2009, USCIS published a 60-day notice in the Federal Register at 74 FR  
27338. On September 28, 2009, USCIS published a 30-day notice in the Federal Register  
at 74 FR 49395. USCIS did not receive any comments for this information collection.

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

6           10.      There is no assurance of confidentiality.

7           11.      There are no questions of a sensitive nature.

8           12.      Annual Reporting Burden:

0	a. Number of Respondents	1,368
1	b. Number of Responses per Respondent	1
2	c. Total Annual Responses	1,368
3	d. Hours per Response	1.25
4	e. Total Annual Reporting Burden	1,710

**The total annual reporting burden for this information collection is 1,710.** This  
figure was derived by multiplying the number of respondents (1,368) x frequency of  
response (1) x 1.25 hours (1 hour and 15 minutes) per response.

1           13.     There are no capital or start-up costs associated with this information  
collection. However, there is a fee charge of \$1,435 associated with the filing of this  
information collection.

2           14.     Annualized Cost Analysis:

0	a. Printing Cost	\$ 615
1	b. Collection and Processing Cost	\$ 1,962,465
2	c. Total Cost to Program	\$ 1,963,080
3	d. Fee Charge	\$ 1,963,080
4	e. Total Cost to Government	\$ 0

#### **Government Cost**

The estimated cost of the program to the Government is calculated by multiplying the estimated number of respondents (1,368) multiplied (x) by the suggested \$1,435 fee charge (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits); plus a percent for the estimated overhead cost for printing, stocking, distributing and processing of this form.

#### **Public Cost**

**The total annual burden hour cost for respondents is \$ 17,100.** This is based on the number of respondents 1,368 x 1 number of responses x 1.25 hours (1 hour and 15 minutes) per response x \$10 (average hourly rate).

**The total annual fee burden cost for respondents is \$1,963,080.** This figure is calculated by multiplying the number of respondents 1,368 x \$1,435 fee.

1           15.     There has been no increase in the burden hours previously reported for this  
information collection.

2           16.     USCIS does not intend to employ the use of statistics or the publication  
thereof for this information collection.

3           17.     The USCIS will display of the expiration date of the OMB approval for  
this information collection.

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

5           **B. Collection of Information Employing Statistical Methods.**

Not Applicable.

**C. Certification and Signatures.**

**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.

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**Stephen Tarragon**

Deputy Chief,

Regulatory Products Division,

U.S. Citizenship and Immigration Service

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Date

