

## **Summary of Changes Form I-924A and Form I-924A Instructions –**

The revision to the Form I-924A reordered information on the form to group similar types of information within the same area of the form. There is also additional information requested in order to provide for more efficient adjudication and enhanced protection against fraud including the collection of social security numbers and government issued photo-identity documents for all principals of regional centers. All new collections of information are summarized and noted with an explanation of the need for the additional information. The new information is described in the section of the proposed Form I-924A in which it occurs. The Instructions for the Form I-924A have been revised to follow the same order of presentation as the form.

### **Changes to Part 1 in the Form and Instructions:**

**Note:** Part 1 is now *Information about the Regional Center* rather than *Information about Principal of the Regional Center*. Part 1 is a new section in the Form Instructions.

This reordering was made to reflect that the application references a business entity (the regional center) rather than an individual.

### **Changes to Part 2 in the Form and Instructions:**

**Note:** Part 2 is now *Information About Managing Company or Agency (if different from regional center entity)* rather than *Application Type*. Part 2 is a new section in the Form Instructions.

The new form will provide instructions and additional space to accommodate more than one Managing Company or Agency that acts in that capacity for the regional center. The addition of this new material will provide USCIS with additional information for background information to detect fraud or national security concerns.

### **Changes to Part 3 in the Form:**

**Note:** Part 3 is now *Reporting Period for Regional Center Activity* rather than *Information about the Regional Center*. Part 3 is a new section in the Form Instructions.

In this section the regional center will delineate whether it is reporting for a single federal fiscal year or a series of federal fiscal years. The term “federal” was added before “fiscal year” in order to clarify an ambiguity in the current version of the Form I-924A. The reporting period for regional center activity was previously collected in Part 2 of the current form.

### **Changes to Part 4 in the Form and Instructions:**

**Note:** Part 4 in the Form is now *Information about the Organizational Structure, Ownership, and Control of Regional Center Entity* rather than *Applicant Signature*. Part 4 is a new section in the Form Instructions.

This section of the form expands the collection of information to include all principals of the regional center whether they are owner-principals or non-owning principals and whether the principals in either category are persons (individual human beings) or legal entities and organizations). The current form

only collects information on the lead principal acting as the authorized individual of the regional center (in Part 1 of the current I-924A). This parallels information collected on the Form I-924 and is necessary to collect this information on an annual basis to note any change in the information and to counter instances where individuals with criminal backgrounds have sought control or influence over a regional center by not listing themselves as the authorized principal. Additionally the need to determine ultimate ownership of any controlling entities of the regional center is necessary for the prevention of fraud within the program. All principals (owners and non-owners) of a regional center are required to provide a copy of a valid government-issued photo identification document and should provide a social security number. USCIS is also requiring entities that control a regional center either as owners or non-owners to provide their Federal Employer Identification Number. Aliases and “DBA” information is also required. New information in this section, by category, includes:

1. *Information About the Owners of the Regional Center Entity*

- Family Name (Last Name)
- Given Name (First Name)
- Middle Name
- Date of Birth (mm/dd/yyyy)
- Country of Birth
- Social Security Number
- Percentage of Ownership in Regional Center Entity \_\_\_\_%
- Position Held within Regional Center Entity (if any)
- Entity Name (for an owner of the Regional Center Entity that is an entity or organization)
- Federal Employer Identification Number (for an owner of the Regional Center Entity that is an entity or organization)
- A list of all person(s) having ownership, control or beneficial interest in the entity listed as the owner of the regional center and their date of birth; country of birth; percentage of ownership in the entity listed in the section

2. *Other Names Used By Owner of the Regional Center Entity (if applicable):*

- Family Name (Last Name)
- Given Name (First Name)
- Middle Name
- Trade Name (“DBA” if any) (for an entity or organization)

3. *Mailing Address for the Owner of the Regional Center Entity (Note: If the regional center mailing address is different from the physical address, please provide the physical address of the regional center in the space provided in Part 11. Additional Information).*

4. *Contact Information for the Owner of the Regional Center Entity*

5. *Information About Principal Non-Owner of the Regional Center Entity*

- Family Name (Last Name)
- Given Name (First Name)
- Middle Name
- Date of Birth (mm/dd/yyyy)
- Country of Birth
- Social Security Number
- Position Held Within the Regional Center Entity
- Entity Name (for a principal of the Regional Center Entity that is an entity or organization)

- Federal Employer Identification Number (for a principal of the Regional Center Entity that is an entity or organization)
- A list of person(s) having ownership, control or beneficial interest in the entity that is a non-owning principal of the Regional Center Entity and their date of birth, country of birth, percentage of ownership in the non-owning principal entity and any position held (if any) in the same.

6. *Other Names Used By the Principal Non-Owner of the Regional Center Entity* (if applicable):

- Family Name (Last Name)
- Given Name (First Name)
- Middle Name
- Trade Name (“DBA” if any) (for an entity or organization )

7. *Mailing Address For the Principal Non-Owner of the Regional Center Entity*

8. *Contact Information For the Principal Non-Owner of the Regional Center Entity*

**Changes to Part 5 in the Form and Instructions:**

Part 5 is now *Information About the Regional Center’s Operations* rather than *Signature of Person Preparing this Form, If Other Than Above* so all information in Part 5 has changed accordingly. While all of the information in this section of the proposed I-924A was previously collected in Part 3 of the current I-924A form, the ordering of the information has changed to distinguish between investment and job creation in aggregate (for the regional center from all sponsored projects) and investment and job creation for the individual commercial enterprises with Part 5 of the proposed I-924A reporting the aggregates for the regional center from all sponsored projects and Part 6 reporting the totals for each commercial enterprise associated with the regional center. Part 5 is a new section in the Form Instructions.

**Part 6 in the Form and Instructions:**

Part 6 is a new section entitled: *Information about the New Commercial Enterprise*. This section better delineates information previously collected in Part 3 of the current form. New information not on the current form includes a listing of the individual job creating entities that each new commercial enterprise has invested in as well as their Federal Employer Identification Number, name of industry, address, contact information, the amount of EB-5 capital received and the number of jobs created. The new information also requires the reporting of physical locations (addresses) for new commercial enterprises and job creating entities if they are different from the mailing addresses. This information is collected to assist in the site visits necessary for fraud prevention.

**Part 7 in the Form and Instructions:**

Part 7 is a new section: *Petitions Filed by EB-5 Investors* which delineates the information previously collected in Part 3, Questions 4 and 5 of the current I-924A form, *Information about the Regional Center*. There are no material changes to the information collected.

**Part 8 in the Form and Instructions:**

Part 8 is a new section: *Authorized Individual's Statement, Contact Information, Certification, and Signature*, which expands the information previously collected in Part 4 of the current form, *Applicant Signature*. The changes to this section make it consistent with the attestations submitted in other USCIS forms.

The attestation establishes that the authorized individual can read and understand English or has an interpreter (named in Part 8) who has read all questions and instructions on this application to the authorized individual in a language in which the authorized individual is fluent. Within this section, the authorized individual also lists their contact information and certifies all information and documentation and any documents submitted with this application is complete, true, and correct and confirms that they are empowered to act as the authorized individual by the regional center entity. *Interpreter's Contact Information, Certification, and Signature*, which does not have a counterpart in the current form. This additional information collection makes the proposed Form I-924 consistent with other USCIS forms by requiring information on the interpreter including name and contact information; a certification of their fluency in the language of the authorized person of the regional center a certification that the interpreter has read all questions, instructions and the authorized individual's responses to the authorized individual of the regional center; and the signature of the interpreter.

### **Part 9 in the Form and Instructions:**

Part 9 is a new section: *Interpreter's Contact Information, Certification, and Signature*, which does not have a counterpart in the current form. This additional information collection makes the proposed Form I-924A consistent with other USCIS forms by requiring information on the interpreter including name and contact information; a certification of their fluency in the language of the authorized person of the regional center a certification that the interpreter has read all questions, instructions and the authorized individual's responses to the authorized individual of the regional center; and the signature of the interpreter.

### **Part 10 in the Form and Instructions:**

Part 10 is a new section: *Contact Information, Statement, Certification, and Signature of the Person Preparing this Application, If Other Than the Authorized Individual of the Regional Center*, which expands the information previously collected in Part 5 of the current form, *Signature of the Person Preparing this Form, If Other than Above*. The additional information collected makes this section consistent with the attestations submitted in other USCIS forms and includes: the preparers name and contact information; a statement of the relationship of the preparer (whether they are an attorney or accredited representative); and a certification that the preparer completed this application based only on responses the authorized individual of the regional center and has verified each of the responses to the authorized individual; and the dated signature of the preparer.

### **Part 11 In the Form and Instructions:**

Part 11 is a new section: *Additional Information*, providing the applicant with the extra space needed for any additional information submitted within this application.