

**SUPPORTING STATEMENT FOR  
APPLICATION FOR REGIONAL CENTER DESIGNATION UNDER THE  
IMMIGRANT INVESTOR PROGRAM and  
ANNUAL CERTIFICATION OF REGIONAL CENTER  
OMB Control No.: 1615-0061  
COLLECTION INSTRUMENT(S): I-924 and I-924A**

**A. Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Immigrant Investor Program (commonly known as the “regional center program”) was created by section 610 of Public Law 102-395 in 1992. A regional center is defined as any economic unit, public or private, which is involved with the promotion of economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. 8 CFR § 204.6(e). Immigrant investors (or “EB-5 investors”), ultimately admitted to the United States based on classification under section 203(b)(5) of the Immigration and Nationality Act (INA), may meet the job creation requirement under INA section 203(b)(5)(A)(ii) by creating jobs through capital investments made in commercial enterprises associated with regional centers designated for participation in the regional center program. Notably, an immigrant investing in a new commercial enterprise that is not associated with a regional center may only satisfy the job creation requirement through the creation of direct jobs. However, an immigrant investing in a new commercial enterprise that is associated with a regional center may satisfy the job creation requirement through the creation of indirect jobs as well. The requirements for obtaining the regional center designation for participation in the Immigrant Investor Program are in 8 CFR § 204.6(m)(3).

Form I-924, Application for Regional Center Designation Under the Immigrant Investor Program, is used to request designation of an economic unit, public or private, in the United States to be a regional center under the Immigrant Investor Program, as well as to request amendments to a previously designated regional center. Form I-924A, Annual Certification of Regional Center, is used to demonstrate a regional center's continued eligibility for the regional center designation.

Form I-924 collects information about the regional center, as well as certain personally identifying information about the principals of the regional center. Where the regional center principal is a legal entity or organization, the Form I-924 collects information from persons having ownership, control, or a beneficial interest in such principal legal entity. This information currently includes name, country of birth, date of birth, address, Social Security Number (SSN), etc.

U.S. Citizenship and Immigration Services (USCIS) already conducts background checks on all applications and petitions for immigration benefits in government systems. Although the name and date of birth are primarily used to check the background of an individual for any underlying criminal, national security, or other derogatory information from a number of computer databases, these data points alone may return results for multiple individuals—e.g., where two or more individuals have the same common names and same/similar dates of birth.

The following statutes and regulations relate to USCIS' ability to administer immigration laws, conduct background checks, and collect personally identifiable information from individuals, including SSN, as well as other information from entities:

- INA § 101, 8 U.S.C. 1101, et seq., requires background checks be conducted for immigration benefits. The background check process is triggered as soon as the petitioner or applicant (hereafter collectively referred to as “applicants”) applies for a benefit.
- INA § 103(a)(1), (3), 8 U.S.C. 1103(a)(1), (3) generally charges the Secretary with the administration and enforcement of all laws relating to the immigration and naturalization of aliens and authorizes the Secretary to issue regulations, forms, and instructions and to perform such other acts as the Secretary deems necessary to exercise authorities under the INA.
- INA § 203(b)(5), 8 U.S.C. 1153(b)(5) authorizes the EB-5 program and the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Pub. L. No. 102-395, § 610, 106 Stat 1828, 1874 (1992) authorizes the regional center program.
- INA section 262(a), 8 U.S.C. 1302(a), provides direct statutory authority for the collection of fingerprints for the purpose of registering aliens.
- INA section 264(a), 8 U.S.C. 1304(a), provides that the Secretary is authorized to prepare forms for the registration and fingerprinting of aliens, aged 14 and older, in the United States, as required by INA section 262.
- Proposed 8 CFR 103.16(a)(1), provides that any applicant, petitioner, sponsor, derivative, dependent, beneficiary, or individual filing or associated with benefit requests as defined in this chapter, or any other request or form of relief, must submit biometrics to DHS when required by DHS.
- INA § 264(f), 8 U.S.C. 1304(f) states that “[n]otwithstanding any other provision of law, the Attorney General is authorized to require any alien to provide the alien’s

Social Security account number for purposes of inclusion in any record of the alien maintained by the Attorney General or the Service.”

- INA § 287(b), 8 U.S.C. 1357(b) provides authority to take and consider evidence concerning any matter which is material or relevant to the enforcement of the INA and the administration of the Service. *See also* 8 CFR 287.5(a)(2).

In addition to general authorities, INA § 213A(i), 8 U.S.C. 1183a(i) specifically requires that the sponsor of an affidavit of support provide a SSN.

USCIS will not change its current processes regarding the collection and/or use of SSNs. However, the Form I-924 (and Form I-924A for those individuals who have not yet submitted biometrics with Form I-924) will now require all regional center principals, including U.S. citizens and lawful permanent residents, of an intending or existing regional center to submit biometrics for biometric-based criminal history and national security background checks. If the regional center principal is a legal entity or organization, persons having ownership, control, or a beneficial interest in such principal legal entity or organization will also be required to submit biometrics.

To identify potential national security concerns relating to regional centers and the individuals who operate them, biometric-based background checks on principals would provide USCIS with relevant information on the people who control the regional centers and interact with immigrant investors and the credibility of the projects they sponsor. USCIS already conducts background checks on certain regional center principals based on Social Security Numbers (SSNs), and biometric-based checks would help USCIS identify and vet regional centers engaging in fraud. Mandating biometrics and conducting biometric-based background checks would further strengthen USCIS’ ability to determine whether a regional center continues to serve the purpose of promoting economic growth in compliance with program requirements. *See* 8 CFR 204.6(m)(6).

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

Currently the information collected is contained in 8 CFR § 204.6(m)(3) and a regional center wishing to participate in the regional center program must submit a proposal which:

- a. Clearly describes how the center focuses on a geographical region of the United States, and how it will promote economic growth through increased export sales, improved regional productivity, job creation, and increased domestic capital investment;
- b. Provides in verifiable detail how jobs will be created indirectly through increased exports;

- c. Provides a detailed statement regarding the amount and source of capital which has been committed to the regional center, as well as a description of the promotional efforts taken and planned by the sponsors of the regional center;
- d. Contains a detailed prediction regarding the manner in which the regional center will have a positive impact on the regional or national economy in general, as reflected by such factors as increased household earnings, greater demand for business services, utilities, maintenance and repair, and construction both within and without the regional center; and
- e. Is supported by economically or statistically valid forecasting tools, including, but not limited to, feasibility studies, analyses of foreign and domestic markets for the goods or services to be exported, and/or multiplier tables.

USCIS created Form I-924, Application for Regional Center Designation Under the Immigrant Investor Program, to collect the above referenced data. The Form I-924 is necessary to clarify requirements for a regional center, improve the quality of applications, better document eligibility for the regional center program, alleviate content inconsistencies among applicants' submissions, and support a more efficient process for the adjudication of applications. The data collected on Form I-924 is used by USCIS to determine eligibility for an economic unit, public or private, in the United States to be designated as a regional center under the Immigrant Investor Program and to determine eligibility for requested amendments filed by previously approved regional centers. In addition, 8 CFR § 204.6(m)(6) provides procedures for the termination of a regional center's designation under the regional center program, including when the regional center no longer serves the purpose of promoting economic growth. As a result, a Form I-924A, Annual Certification of Regional Center, must be submitted to USCIS on an annual basis and/or as otherwise requested by USCIS for designated regional centers to provide updated information to USCIS which certifies and demonstrates that the regional center continues to promote economic growth, improved regional productivity, job creation, and increased domestic capital investment within the geographic area of the regional center.

The SSNs and copies of a government-issued photo identification document collected from regional center principals (owners and non-owners) are used by USCIS to ascertain the identity of regional center principals and to conduct background checks on those individuals in order to assess public safety and national security risks. In addition, they are used by USCIS to access and verify financial information and data in order to make a determination on whether to designate an economic unit, public or private, in the United States a regional center for purposes of participation in the Immigrant Investor Program. The biometrics submissions would be utilized similarly to verify identify, to conduct background checks to assess public safety and national security risks, and to determine eligibility for regional center designation, amendment requests, and continued participation in the program.

3. **Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The use of these forms provides the most efficient means for collecting and processing the required data. Forms I-924 and I-924A are available on the USCIS website at [www.uscis.gov/forms](http://www.uscis.gov/forms). These forms can be completed electronically but cannot be e-filed at this time. Due to partial Government Paperwork Elimination Act compliance, USCIS respectfully requests a 2-year approval.

4. **Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

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. In addition, USCIS has examined whether the information is collected by other Department of Homeland Security (DHS) components or Federal agencies from which USCIS could obtain the information, and no viable source was found.

5. **If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The use of this form affects small businesses. USCIS, however, has minimized the amount of information collected from the affected small businesses to reduce the burden.

6. **Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

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 regional center designation under the Immigrant Investor Program have been or are continuing to be met.

7. **Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **Requiring respondents to report information to the agency more often than quarterly;**
- **Requiring respondents to prepare a written response to a collection of**

- information in fewer than 30 days after receipt of it;**
- **Requiring respondents to submit more than an original and two copies of any document;**
  - **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
  - **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
  - **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
  - **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
  - **Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. **If applicable, provide a copy and identify the data and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

On September 11, 2020 USCIS published Collection and Use of Biometrics by U.S.

Citizenship and Immigration Services (RIN 1615-AC14) Notice of Proposed Rulemaking in the Federal Register at 85 FR 56338.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

USCIS does not provide any payment for benefit sought.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation or agency policy.**

There is no assurance of confidentiality.

The system of record notice associated with this information collection are:

- DHS/USCIS/PIA-071 myUSCIS Account Experience
- Forthcoming EB-5 PIA

The privacy impact assessment associated with this information collection are:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556;
- DHS/USCIS-007 Benefits Information System, October 19, 2016, 81 FR 72069; and
- DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

These information collections include questions of a sensitive nature. USCIS currently collects SSNs and copies of government-issued photo identification documents from principals (owners and non-owners) of regional centers wishing to participate in the Immigrant Investor Program and of existing regional centers through Form I-924. The Form I-924A also collects SSNs and copies of government-issued photo identification documents from principals of regional centers. Again, USCIS will not change existing SSN collection and use processes; rather, USCIS will extend biometric collection to regional center principals, and in the event the principal is an entity or organization, to those persons having ownership, control, or a beneficial interest in the principal legal entity or organization.

The I-924A collects relevant FEINs.

## *Background*

USCIS supports the DHS core missions to prevent terrorism and enhance security, secure and manage the borders, and enforce and administer the immigration laws. To ensure proper execution of these missions, USCIS officers must verify the identity of applicants for immigration benefits, determine eligibility for the requested benefits, and ensure identification of any fraud, national security, or public safety concerns. The collection of SSNs and other identifying documents, and the proposed biometrics collection, achieve these goals.

Congress created the EB-5 Program in 1990 to stimulate the U.S. economy through job creation and capital investment by foreign investors. In 1992, Congress created the Immigrant Investor Program, also known as the regional center program. This sets aside EB-5 visas for participants who invest in commercial enterprises associated with regional centers approved by USCIS based on proposals for promoting economic growth. The EB-5 program is administered by the IPO in Washington, DC.

In order to become a designated regional center, an economic unit, public or private, in the United States, files the Form I-924, Application for Regional Center Designation Under the Immigrant Investor Program. USCIS collects SSNs and requests copies of government-issued photo identification documents from principals of entities seeking regional center designation under the Immigrant Investor Program on the Form I-924. Form I-924 is also used by existing regional centers to file amendment requests. To maintain continued eligibility, a designated regional center must file a Form I-924A, Annual Certification of Regional Center. USCIS collects SSNs and requests copies of government-issued photo identification documents from principals of regional centers participating in the Immigrant Investor Program on the Form I-924A.

## *Program Authority*

The EB-5 Immigrant Investor Program was created by section 610 of Public Law 102-395 in 1992. A regional center is defined as any economic unit, public or private, in which is involved with the promotion of economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. EB-5 investors, ultimately admitted to the United States based on classification under section 203(b)(5) of the INA may meet the job creation requirements under INA section 203(b)(5)(A)(ii) by creating jobs through capital investments made in commercial enterprises associated with designated regional centers. The requirements for obtaining the regional center designation to participate in the Immigrant Investor Program are in 8 CFR § 204.6(m)(3).

## *Legal Authority*

The following statutes and regulations relate to USCIS' ability to administer immigration



laws, conduct background checks, and collect SSNs as well as other information.

- INA § 101, 8 U.S.C. 1101, et seq. requires background checks be conducted for immigration benefits. The background check process is triggered as soon as the petitioner or applicant (hereafter collectively referred to as “applicants”) applies for a benefit.
- INA § 103(a)(1), (3), 8 U.S.C. 1103(a)(1), (3) generally charges the Secretary with the administration and enforcement of all laws relating to the immigration and naturalization of aliens and authorizes the Secretary to issue regulations, forms, and instructions and to perform such other acts as the Secretary deems necessary to exercise his/her INA authorities.
- INA §203(b)(5), 8 U.S.C. 1153(b)(5) authorizes the EB-5 program and the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, Pub. L. No. 102-395, § 610, 106 Stat 1828, 1874 (1992) authorizes the regional center program.
- 8 CFR 204.6 provides specific authority to collect Federal Employer Identification Numbers from regional centers, as it establishes requirements for employment creation aliens under INA section 203(b)(5), including the Immigrant Investor Program and criteria for the designation and termination of regional centers. USCIS must be able to verify the identity of the regional center, its principals, and the associated commercial enterprises.
- INA section 262(a), 8 U.S.C. 1302(a), provides direct statutory authority for the collection of fingerprints for the purpose of registering aliens.
- INA section 264(a), 8 U.S.C. 1304(a), provides that the Secretary is authorized to prepare forms for the registration and fingerprinting of aliens, aged 14 and older, in the United States, as required by INA section 262.
- INA § 264(f), 8 U.S.C. 1304(f) states that “[n]otwithstanding any other provision of law, the Attorney General is authorized to require any alien to provide the alien’s social security account number for purposes of inclusion in any record of the alien maintained by the Attorney General or the Service.”
- INA § 287(b), 8 U.S.C. 1357(b) provides authority to take and consider evidence concerning any matter which is material or relevant to the enforcement of the INA and the administration of the Service. *See also* 8 CFR 287.5(a)(2).
- Proposed 8 CFR 103.16(a)(1), provides that any applicant, petitioner, sponsor, derivative, dependent, beneficiary, or individual filing or associated with benefit requests as defined in this chapter, or any other request or form of relief, must submit biometrics to DHS when required by DHS.

In addition to general authorities, INA § 213A(i), 8 U.S.C. 1183A(i) specifically requires that the sponsor of an affidavit of support provide a SSN.

### *Other Guidance*

DHS and the SSA collaborated on Secretary Chertoff's Initiative 23 and produced the "Social Security Benefits Reform Joint Working Group Study," dated January 6, 2009. The study explored the technical and recordkeeping reforms necessary to guarantee that persons without work authorization do not earn credit in the Social Security system for wages earned while working illegally. The working group made the following recommendations:

- Enhance USCIS' collection of SSNs for noncitizens by increasing data sharing with SSA;
- Collect more SSNs on immigration applications;
- Verify with SSA the accuracy of SSNs in USCIS' systems;
- Design an efficient and effective automated means to share work authorization history between DHS and SSA, using SSN as the common identifier; and
- Define a dispute resolution process in which SSA would continue to be the initial point of contact for an applicant to file an appeal.

In September 2011, the SSA's Office of Inspector General audit report recommended a data match agreement between DHS and SSA to identify H-1B workers who used SSNs for purposes other than to work for an approved employer. See Social Security Administration, Office of Inspector General, H-1B Workers' Use of Social Security Numbers, A-08-11-11114 at 6 (Sep. 2011).

Most recently, however, GAO found that USCIS needed to improve its data collection and electronic systems in order to combat fraud. These data collection efforts would, in part, implement GAO's recommendations.<sup>1</sup>

### *Use of SSNs by USCIS*

#### Identity Verification

In order to adjudicate an application, USCIS officers must verify the identity of the applicant. Officers compare information provided by the applicant to public records and information within government databases. Data fields used for comparison commonly include name, date of birth, and address. However, USCIS officers frequently encounter common data among applicants. The SSN and other identifying information can be used

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<sup>1</sup>Immigrant Investor Program – Additional Actions Needed to Better Assess Fraud Risks and Report Economic Benefits; GAO, August 2015, Conclusions, page 45. Report available at: <http://www.gao.gov/assets/680/671940.pdf>.

in combination with other data points to distinguish the identity of the applicant and prevent the co-mingling of data of two otherwise unconnected people. This is especially important in cases where adjudications are generally performed without an interview of the applicant, such as Form I-924 adjudications.

The current USCIS business model is form-specific rather than person-centric. USCIS officers adjudicate benefits based on the contents of the submitted form and in many cases do not have the opportunity to review the entirety of the applicant's past filings. As such, it is important that the applicant or principal be able to confirm their identity with each filing. SSNs may change over time. Most notably, a person can request a new SSN if they have been a victim of domestic violence. USCIS follows applicants through many stages of their lives, including marriage, childbirth, divorce, and death of a spouse. The agency needs to collect SSNs at each change in a subject's life in order to ensure that the identity of the subjects remains the same at the time of each application.

### Background Checks

USCIS conducts background checks on all applications and petitions for immigration benefits in government systems. Although the name and date of birth are primarily used to check the background of an individual for any underlying criminal, national security, or other derogatory information from a number of computer databases, these data points alone may return results for multiple individuals, e.g., where two or more individuals have the same common names and same/similar dates of birth. The addition of the SSN has been helpful as it is recognized and collected widely by law enforcement and is collected in national counterterrorism repositories of data.

In a scenario where the search garners multiple results (up to 100 or more in some cases) that may or may not relate to a particular individual, the SSN serves as a unique identifier that is essential in the matching of results to a specific individual and also for eliminating false positive results. This is especially relevant and critical when search results reflect serious public safety or national security concerns and alternative means of distinguishing individuals from one another are not readily available. Some of these scenarios may require expedient identification of individuals given the potential seriousness of the public safety or national security concern in which case, the use of the SSN as a unique identifier facilitates a timely and appropriate response.

In 2011, Secretary Napolitano requested USCIS analyze background security screening protocols for available immigration benefits and where appropriate and legally authorized, enhance security checks. These checks require that the applicant data be matched with data from other government databases based on specific data points. The Federal Bureau of Investigation (FBI) specifically requests an SSN be provided when conducting FBI name checks on USCIS applications. Other government agencies have also stressed the importance of the SSN in combination with other data points to distinguish the identity of the applicant and determine whether or not derogatory information exists.

The necessity of multiple data points to ensure correct background results was also acknowledged in a 2006 GAO study.<sup>2</sup> The SSNs of USCIS applicants and petitioners, along with names and dates of birth, were used to compare USCIS data with data on the National Sex Offender Registry to determine how many convicted sex offenders had filed family-based petitions.

### *Fraud Detection*

SSNs are important tools in identifying and combatting fraud within the immigration system, which was discussed at length in the 2015 GAO study on Petitioners' Sex Offenses. Because of the oftentimes considerable sums of money involved in the EB-5 program, financial fraud is an ongoing concern. Given the routine use of SSNs and other identity documents in financial transactions, the collection of SSNs substantively enhances fraud detection in the EB-5 Immigrant Investor Program.

Immigration officers conducting administrative benefit fraud investigations require the ability to access and confirm information from multiple sources and databases. The use of a suspect SSN, such as those of deceased persons or used by different people, may serve as an indicator of fraud within an application and/or identity fraud and indicate the need for further investigation. Without this information, the ability of officers to detect and combat fraud would be weakened.

### *Conclusion of SSN Questions*

SSNs and government-issued photo identification documents, as well as biometrics, are crucial tools to execute the USCIS and DHS missions. SSNs and biometrics aid USCIS officers in verifying the identity of applicants for immigration benefits, determining eligibility for the requested benefits, and ensuring identification of any fraud, national security, or public safety concerns. These concerns are especially acute with the EB-5 program, because of the nature of the program. USCIS recognizes the sensitivity of an individual's SSN and biometric and will continue to take actions to protect them from unauthorized use and/or disclosure.

## **12. Provide estimates of the hour burden of the collection of information. The statement should:**

- Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is**

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<sup>2</sup>GAO, "Immigration Benefits: Circumstances under Which Petitioners' Sex Offenses May Be Disclosed to Beneficiaries," June 2006, at <http://www.gao.gov/assets/260/250443.pdf>, page 3 [accessed October 9, 2015].

expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Total Number of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Private sector and state and local governments	Instructions for Application for Regional Enter Designation Under the Immigrant Investor Program, Form I-924	400	1	400	51	20,400	\$32.52	\$663,408
Private sector and state and local governments	Form I-924A	882	1	882	14	12,348	\$32.52	\$401,557
Individual or household	Biometric Services	400	1	400	3.67	1,468	\$32.52	\$47,739
Total				1,682		34,216		\$1,112,704

\* The above Average Hourly Wage Rate is the [May 2015 Bureau of Labor Statistics](#) average wage for “All Occupations” of \$23.23 times the wage rate benefit multiplier of 1.4 (to account for fringe benefits) equaling \$32.52. The selection of “All Occupations” (for example) was chosen as the expected respondents for this collection could be expected to be from any occupation.

**13. Provide an estimate of the total annual cost burden to respondents or record**

keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995; (2) to achieve regulatory compliance with requirements not associated with the information collection; (3) for reasons other than to provide information or keep records for the government; or, (4) as part of customary and usual business or private practices.**

There are no capital or start-up costs associated with this information collection. The filing fee associated with filing the Form I-924 is \$17,795 and the filing fee associated with filing the Form I-924A is \$3,035. The fee associated with Biometrics Processing is \$85 per respondent.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Many respondents may incur expenses to obtain legal documents confirming their establishment as a legal entity, state business license forms, or other records or corporate establishment records. For form preparation, legal services, translators, and document search and generation, USCIS estimates the average cost of this information collection may vary widely, from as little as \$200 to \$2,000 per respondent. Using the midpoint of the range of such expenses, USCIS estimates that respondents would face a cost of \$1,100 for these activities and that all respondents for this collection may incur this cost. The total cost to respondents would be as follows: 1,282 respondents x the average estimated cost per response of

\$1,100 = **\$1,410,200**. This total includes the estimated annual costs for the submission of both the Form I-924 and the related annual certification filed using Form I-924A.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 in a single table.**

Government Cost. USCIS sets immigration benefit request filing fees at the level to recover the costs associated with its processing and adjudication. The proposed filing fees are as follows: \$17,795 for Form I-924, \$3,035 for Form I-924A, and \$85 for Biometrics Services. The estimated cost of the program to the Government is therefore calculated by multiplying the estimated number of respondents by the respective filing fee. The calculation is as follows:  $(400 \times \$17,795) + (882 \times \$3,035) + (400 \times \$85) = \mathbf{\$9,828,870}$ .

- 15. Explain the reasons for any program changes or adjustments reporting in Items 13 or 14 of the OMB Form 83-I.**

Data collection Activity/Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
Form I-924				20,400	20,400	0
Form I-924A				12,348	12,348	0
Biometrics Processing	0	1,468	1,468			
<b>Total(s)</b>	<b>0</b>	<b>1,468</b>	<b>1,468</b>	<b>32,748</b>	<b>32,748</b>	<b>0</b>

The estimated annual hour burden increased by 468 hours as a result of the addition of Biometrics Processing related the Biometrics NPRM. There are no other program changes.

Data collection Activity/Instrument	Program Change (cost currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (cost currently on OMB Inventory)	Adjustment (New) [new minus current]	Difference
Form I-924/I-924A				\$1,410,200	\$1,410,200	\$0
<b>Total(s)</b>				<b>\$1,410,200</b>	<b>\$1,410,200</b>	<b>\$0</b>

There is no change in the estimated cost burden.

- 16. For collections of information whose results will be published, outline plans for tabulation, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

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

- 18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB 83-I.**

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

**B. Collections of Information Employing Statistical Methods.**

There is no statistical methodology involved with this collection.