SUPPORTING STATEMENT FOR
Application for Entrepreneur Parole
OMB Control No.: 1615-0136
COLLECTION INSTRUMENT(S): I-941

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 Secretary of Homeland Security has discretionary authority to grant temporary parole "under conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit [to] any individual applying for admission to the United States." INA section 212(d)(5), 8 U.S.C. 1182(d)(5). DHS regulations at 8 CFR 212.5 provide rules regarding paroling detained aliens (see 8 CFR 212.5(b)), termination of parole (see 8 CFR 212.5(e)), authorizing parole in advance of an alien's travel to the United States without a visa (see 8 CFR 212.5(f)), and paroling certain Cuban and Haitian nationals (see 8 CFR 212.5(g) and (h)). In addition, at 8 CFR 212.5(c), DHS regulations describe the discretionary parole authority for arriving aliens to the United States, other than detained aliens, including the authority to set the terms and conditions of parole. Some conditions are described in the regulations, including requiring reasonable assurances that the parolee will appear at all hearings and will depart the United States when required to do so. See 8 CFR 212.5(d). DHS proposed amendments to its regulations at 8 CFR part 212 to establish a process for paroling foreign entrepreneurs into the United States based on case-by-case discretionary determinations of whether their entrepreneurial activities in the United States will provide the United States with a significant public benefit. Parole under this rule would allow these individuals to temporarily enter the United States to pursue development of start-up businesses in the United States. DHS proposed to require those entrepreneurs granted parole under this rule to submit to USCIS updated information regarding the economic activity of the entrepreneur's start-up entity and the entrepreneur's household income.

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.

USCIS uses the information collected to determine if foreign entrepreneurs will contribute a significant public benefit that would support a discretionary grant of parole into the United States. The title of this form was updated to better align with plain language for the public's benefit.

This information collection was requested because DHS proposed to require a noncitizen seeking entrepreneur parole under its rule, "International Entrepreneur" to file Form I-941 to demonstrate that they meet the eligibility criteria for entrepreneur parole based on significant public benefit. Based on their grant of parole, the noncitizen's dependent spouse and children would also be eligible to request this parole via USCIS Form I-131 (OMB Control Number 1615-0013). Under the proposal, foreign entrepreneurs would be able to request USCIS to make a discretionary determination of whether their entrepreneurial activities in the United States will provide the United States with a significant public benefit for parole into the United States. Significant public benefit parole under the rule would apply to foreign entrepreneurs who establish that they: (1) have start-up enterprises in the United States; and (2) have been awarded substantial U.S. investor financing or otherwise hold the promise of innovation and job creation for the benefit of the United States. Foreign entrepreneurs granted parole under the rule also would need to demonstrate that they are maintaining income and resource thresholds.

USCIS may require collection of biometric information from noncitizens requesting significant public benefit parole under this rule. USCIS would collect and store for present or future use, by electronic or other means, the biometric information submitted by such individuals. USCIS may use this biometric information to conduct background and security checks, adjudicate the nonimmigrant petition, and perform other functions related to administering and enforcing the immigrant and nationality laws.

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.

Form I-941 is available on-line at **www.uscis.gov/i-941**. The form is available in a PDF fillable form and can be completed and saved electronically. The form would need to be mailed at the present time and there is no expected date of availability to file electronically at this time.

USCIS uses various tools to collect feedback from end users of USCIS information collections. These tools include surveys or focus groups designed to collect general information, as well as public feedback submitted to USCIS either in response to an official solicitation of public comments from Federal Register publications or submitted proactively through USCIS' robust external outreach activities with stakeholders (see, e.g. www.uscis.dhs.gov/outreach). USCIS also performed usability testing on USCIS Form I-765, Form N-400, and Form I-485 (the three highest- volume forms) with the goal of studying cross-cutting issues that impact the responding public across the entirety of the USCIS collections of information.

In addition to feedback from external stakeholders, our analysis considers consultation with internal agency stakeholders regarding such activities including, but not limited to,

document submission, evidentiary requirements, and like activities. USCIS extensively engages with various program, policy, and intake teams for feedback on the information collections. USCIS analyzes the results of all these efforts to identify necessary modifications to the collection tools approved for use under the Paperwork Reduction Act. Such modifications could include clarifying edits, potential question removal, and instructional updates, all intended to further support the respondent's experience in complying with a collection of information. The collection of information proposed in this current submission is the cumulative result of all this analysis and studies conducted. As a result of feedback from the public, USCIS is revising this information collection to reflect adjusted investment and revenue amounts consistent with 8 CFR 212.19(l).

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.

The information collected in these forms is unique to the process for which they are intended, there is no other collection of information that can be used to process the same actions.

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.

There is no special consideration that would be made to reduce the impact on small businesses or other small entities.

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 USCIS is unable to collect and process this information, the agency will be unable to extend significant public benefit parole to these persons. This parole does not authorize admission to the United States but allows persons to be physically present in the country for a specific reason while they remain an "applicant for admission."

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 June 14, 2024, USCIS published a 60-day notice in the Federal Register at 89 FR 50621. USCIS did not receive comments after publishing that notice.

On September 18, 2024, USCIS published a 30-day notice in the Federal Register at 89 FR 76498. USCIS received one comment after publishing that notice. This comment was out of scope. USCIS did not make changes to the information collection in response to the comment.

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 to respondents.

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 provided to respondents.

The systems of record for this information collection are:

- DHS/USCIS/ICE/CBP-001 – Alien File, Index, and National File Tracking System of Records, which covers the information stored in the A-File.
- DHS/USCIS-007 Benefits Information System, which covers data specifically related to Entity/Business Owners and Investors that submit applications for Entrepreneur Parole.
- DHS/USCIS-018 Immigration Biometric and Background Check, which covers biometric data collection performed later in the immigration process at a date to be determined.

The Privacy Impact Assessments covering this collection of information are:

- DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems, which covers the processing of applications from international entrepreneurs seeking significant public benefit parole into the United States.
- DHS/USCIS/PIA-083 USCIS Enterprise Collaboration Network (ECN) (Appendix F), which covers international entrepreneur parole applications/records stored and processed electronically by USCIS Field Operations Directorate's (FOD) locations that use ECN Network as a data repository. Although USCIS Appendix F addressed COVID- 19 related processing matters, FOD uses the ECN for information sharing and adjudication activities for all USCIS benefit programs under its jurisdiction.

The information the foreign entrepreneur provides is voluntary. However, failure to provide the requested information, and any evidence, may delay a final decision or result in denial of the applicant's parole request on Form I-941. The information the foreign entrepreneur provides on Forms I-941 may be shared with other Federal, State, local, and

foreign government agencies and authorized organizations following approved routine uses described in the associated published system of record notice, DHS-USCIS-001 and DHS/USCIS-007, available at www.dhs.gov/privacy. The information may also be made available, as appropriate, for law enforcement purposes or in the interest of national security.

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.

There are no questions of a sensitive nature. Respondents must provide personal financial information as well as financial information from investors. This information is necessary to establish that the foreign entrepreneur would meet the eligibility criteria for significant public benefit parole.

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 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.**

		A	B	C (=AxB)	D	E (=CxD)	F	(=ExF)
Type of Respondent	**Form Name / Form Number**	**#. of Respondents**	**#. of Responses per Respondent**	**# of Responses**	**Avg. Burden per Response (in hours)**	**Total Annual Burden (in hours)**	**Avg. Hourly Wage Rate***	**Total Annual Respondent Cost**
Individuals or Households	Application for Entrepreneur Parole, Form I-941	2,940	1	2,940	4.067	11,957	$43.45	$519,531
Individuals or Households	Biometrics	2,940	1	2,940	1.17	3,440	$43.45	$149,459
Total				**2,940**		**15,397**		**$668,990**

* *The above Average Hourly Wage Rate is the May 2022 Bureau of Labor Statistics average wage for All Occupations of $29.76 times the wage rate benefit multiplier of 1.46 (to account for benefits provided) equaling $43.45. The selection of "All Occupations" was chosen because respondents to this collection could be expected 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, start-up, operational or maintenance costs associated with this collection of information. For informational purposes only, the filing fee for Form I-941 is $1,200, which includes the biometric services fee associated with the filing of this information collection.

This information collection may impose some out-of-pocket costs on respondents in addition to the time burden for the form's preparation. Costs may include payments for document translation and preparation services, attorney and legal fees, postage, and costs associated with gathering documentation. USCIS estimates that the average cost for these activities is $490. The estimated out of pocket cost to respondents is 2,940 respondents multiplied by the average cost per response of $490, which equals **$1,440,600**.

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.

USCIS establishes its fees using an activity-based costing model to assign costs to an adjudication based on its relative adjudication burden and use of USCIS resources. Fees are established at an amount that is necessary to recover these assigned costs, plus an amount to recover unassigned overhead (which includes the suggested average hourly rate for clerical, officer, and managerial time with benefits) and immigration benefits provided for free. USCIS uses the fee associated with an information collection as a reasonable measure of the collection's costs to USCIS, since these fees are based on resource expenditures related to the benefit in question. In addition, this figure includes the estimated overhead cost for printing, stocking, distributing and processing of this form.

The estimated cost to the Government is calculated by using the estimated number of respondents (2,940) x filing fee charge ($1,200). The total cost to the Federal government is **$3,528,000**.

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

USCIS is updating Form I-941 to reflect the adjusted investment and revenue amounts consistent with 8 CFR 212.19(l). There is no change in the annual estimated hour burden and cost burden to respondents for this information collection. Please see the proposed documents and table of changes for additional information.

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.