

**SUPPORTING STATEMENT FOR
Form I-527, Amendment to Legacy Form I-526
OMB Control No.: 1615-NEW
COLLECTION INSTRUMENT(S): I-527**

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.**

Section 203(b)(5)(M) of the Immigration and Nationality Act allows qualified immigrants in certain circumstances to amend their qualified Form I-526, Immigrant Petition by Alien Investor, petition filed before March 15, 2022, seeking classification for a visa to enter the United States for the purpose of engaging in a commercial enterprise. This form provides affected investors that filed their Form I-526 before the enactment of INA 203(b)(5)(M) an avenue to establish their ongoing eligibility for an EB-5 immigrant visa by amending their originally filed Form I-526.

- 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 will use the data collected on this form to determine the ongoing eligibility of an investor seeking to enter the United States to engage in a new commercial enterprise (NCE). The Form I-527 is used by an investor to amend a Form I-526, Immigrant Petition by Alien Investor, filed before March 15, 2022, in order to retain eligibility under INA 203(b)(5)(M) where the investor's regional center is terminated, or their new commercial enterprise or job-creating entity is debarred.

An investor may file this form if they filed a Form I-526, Immigrant Petition by Alien Investor, before March 15, 2022, and are seeking to retain eligibility under INA 203(b)(5)(M) because their regional center has been terminated or their new commercial enterprise or job-creating entity has been debarred and they do not otherwise continue to be eligible notwithstanding such termination or debarment (for example, because the requisite amount of capital has been or will continue to be invested in their original new commercial enterprise and the requisite number of jobs have been or will be created in accordance with their originally filed business plan). To maintain eligibility if their regional center is terminated, an investor's new commercial enterprise may associate with another designated regional center, or the investor may make a qualifying investment in another new commercial enterprise. If the investor's new commercial enterprise or job-creating entity is debarred, the investor may associate their investment with another new commercial enterprise in good standing and invest additional capital necessary to satisfy

any remaining job creation requirements.

This form serves the purpose of standardizing requests for certain investors to amend a Form I-526 filed before March 15, 2022.

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-527 is currently available as a paper form that can be accessed electronically, completed online, and then printed and mailed to USCIS. This form, and the instructions, are located on the USCIS website at www.uscis.gov/i-527.

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.**

USCIS has investigated its internal processes, files and data as well as those of other Federal agencies that may service the same population. USCIS, to the extent practicable, has tried to remove information that may have been previously collected on the Form I-526 or I-526E, but USCIS was not able to find any other means by which the information necessary for this process could be obtained except for the use of these forms submitted for approval in this request. USCIS will continue to examine ways in which information may be obtained from other sources and any identified duplications that can be minimized or removed.

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 collection of information does not have an 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.**

Without the use of this information collection, an investor may not be able to effectively submit relevant information so that USCIS may determine an investor's ongoing eligibility for an EB-5 immigrant visa where the investor's eligibility may be impacted by a regional center's termination or a new commercial enterprise's or job-creating entity's debarment from participation in the EB-5 program.

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 October 23, 2025, USCIS published a Notice of Proposed Rulemaking for RIN 1615-AC93, *U.S. Citizenship and Immigration Services Employment-Based Immigrant Visa, Fifth Preference (EB-5) Fee Rule*, in the Federal Register at 90 FR 48516.

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.

USCIS provides assurance of confidentiality for protected classes of immigrants consistent with 8 C.F.R. § 208.6 and 8 U.S.C. § 1367. Additional assurances are derived from the Privacy Act of 1974, 5 U.S.C 552a and the E-Government Act of 2002.

This collection is covered under the following Privacy Impact Assessment:

- DHS/USCIS/PIA-003(b) Integrated Digitization Document Management Program (IDDMP), February 28, 2017;
- DHS/USCIS/PIA-016(d) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems, June 30, 2020; and
- Forthcoming Employment Creation Immigrant Visa (EB-5) Program, which covers the use of the form to apply for admission into the US as a lawful permanent resident through the EB-5 program.

The collection is covered under the following System of Records Notices:

- DHS/USCIS/CBP/ICE-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556; and
- DHS/USCIS-007 Benefits Information System, October 10, 2019, 84 FR 54622.

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.

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 = A x B	D	E = C x D	F	G = E x F
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
Individuals or Households	Amendment to Legacy Form I-526 / I-527	457	1	457	1.44	658	\$43.45	\$28,594
Total				457		658		\$28,594

* 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 start-up, maintenance, and operating costs associated with this collection of information.

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 \$515. The estimated out of pocket cost to respondents is calculated as follows: 457 annual respondents multiplied by the average cost per response of \$515, which equals a total annual cost of \$235,355.

For informational purposes, the filing fee for Form I-527 is \$8,000.

- 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 total estimated cost to the Federal government is **\$3,656,000**. This figure is calculated by multiplying the form's estimated number of annual respondents (457) multiplied by the form's filing fee (\$8,000).

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

This is a new information collection and there are no program changes or adjustments to report in Items 13 or 14 of the OMB Form 83-I. As a result of the proposed rulemaking, this new information collection is being created for investors to amend a Form I-526, Immigrant Petition by Alien Investor, filed before March 15, 2022, in order to retain eligibility under INA 203(b)(5)(M) where the investor's regional center is terminated, or their new commercial enterprise or job-creating entity is debarred.

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.