**81 FR 73292, 73332, Monday, October 24, 2016**

**PART 204—IMMIGRANT PETITIONS**

■ 7. The authority citation for part 204 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1103, 1151, 1153, 1154, 1182, 1184, 1186a, 1255, 1641; 8 CFR part 2.

■ 8. Section 204.6 is amended by revising paragraph (m)(6) to read as follows:

**§ 204.6 Petitions for employment creation aliens.**

\* \* \* \* \*

**(m)** \* \* \*

**(6)** *Continued participation requirements for regional centers.*

**(i)** Regional centers approved for participation in the program must:

**(A)** Continue to meet the requirements of section 610(a) of the Appropriations Act.

**(B)** Provide USCIS with updated information annually, and/or as otherwise requested by USCIS, to demonstrate that the regional center is continuing to promote economic growth, including increased export sales, improved regional productivity, job creation, and**[[1]](#footnote-1)** increased domestic capital investment in the approved geographic area, using a form designated for this purpose; and

**(C)** Pay the fee provided by 8 CFR 103.7(b)(1)(i)(XX).

**(ii)** USCIS will issue a notice of intent to terminate the designation of a regional center in the program if:

**(A)** A regional center fails to submit the information required in paragraph (m)(6)(i)(B) of this section, or pay the associated fee; or

**(B)** USCIS determines that the regional center no longer serves the purpose of promoting economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment.

**(iii)** A notice of intent to terminate the designation of a regional center will be sent to the regional center and set forth the reasons for termination.

**(iv)** The regional center will be provided 30 days from receipt of the notice of intent to terminate to rebut the ground or grounds stated in the notice of intent to terminate.

**(v)** USCIS will notify the regional center of the final decision. If USCIS determines that the regional center’s participation in the program should be terminated, USCIS will state the reasons for termination. The regional center may appeal the final termination decision in accordance with 8 CFR 103.3.

**(vi)** A regional center may elect to withdraw from the program and request a termination of the regional center designation. The regional center must notify USCIS of such election in the form of a letter or as otherwise requested by USCIS. USCIS will notify the regional center of its decision regarding the withdrawal request in writing.

1. Statute uses “or”, not “and”. [↑](#footnote-ref-1)