



## EB-5 National Stakeholder Engagement

March 3, 2017

Washington, D.C.

Talking points by Immigrant Investor Program Office (IPO) Deputy Chief Julia Harrison

- Let's start with processing times. We received several questions about processing times for this engagement. That is certainly understandable, and we appreciate how patient you have been. Let me tell you about some of the things we are doing that we expect to have a positive impact on our processing times:
  - Nick has addressed some of this, but I want to reiterate that we are doing a lot of hiring and training of new officers
  - Prioritization
    - As with any organization we are always fine-tuning our processes
    - Part of that fine-tuning is prioritization
      - It naturally makes sense to start with the Form I-526, as it starts the process for petitioners
      - Although we feel that pending Form I-829s are important, for the past couple years we have focused more on the Form I-924s and Form I-526s
- New Form I-829/Customer Service Division
  - Expand the capacity of the team and team members, where it makes sense
  - Also, by creating this new division we, by default, now have other teams that are focused exclusively on the Form I-526.
    - Just like the Form I-829 and Customer Service Division, by being focused on one form, the Form I-526-only teams gain expertise and efficiency

- Answering Engagement Questions
  - We understand and appreciate the fact that you spend a lot of time drafting thoughtful questions for these engagements, and we recognize that we do not always answer them
  - Let me tell you why, and a little about our process
    - There are some that we just cannot answer. For example:
      - Policies we are currently working on
      - Draft regulations or regulations out for comment
      - Fact-specific or case-specific questions
        - Just because you take out the name or receipt number does not change the fact that it is fact-specific and we just cannot address them
  - As you also may have noticed, we put out a specific deadline to receive advance questions
    - We do this because we have a very specific process to review questions, draft answers, get them reviewed and cleared – this takes time.
    - If you submit after the deadline, it decreases our ability to provide as detailed a response, and we may not be able to answer at all
- Systems Enhancements
  - One of the advance questions we received asked if there was a timeframe for ELIS to be reintroduced. I don't have a timeframe for ELIS but I can tell you a little about what we are working on that I think you will like
    - We are currently in the early stages of exploring and working on some system(s) improvements
    - For now, only systems deployed internally
- Helpful Hints -- “top 10” tips for submitting EB-5 related forms. These are only suggestions (with one exception) when filing for an EB-5 benefit
  - **Number 10:** Identify “dual” filings, or filings for projects that are submitted to USCIS on both Form I-526 and Form I-924. It would be helpful to us if you submitted a cover letter with the Form I-924

exemplar filing that lists receipt numbers for each petition associated with the same project

- **Number 9:** If you are filing a Form I-924 based on a hypothetical project or an actual project without a Form I-526 exemplar, organizational/transactional documents for the new commercial enterprise are not necessary
- **Number 8:** Highlight or emphasize changes in a way that is readily noticeable (such as yellow highlighting) when re-submitting documents or submitting updated documents. Additionally, provide explanations and evidence to reconcile inconsistencies within and across documents.
- **Number 7:** Avoid submitting bound documents; also, single-sided copies of documents are preferred over double-sided.
- **Number 6:** Submit a cover letter that clearly notes whether a Form I-526 petition is associated with a regional center or is a stand-alone petition and include a summary or roadmap of the evidence provided.
- **Number 5:** Submit a table of contents or index of the evidence and include corresponding tabs for each piece of evidence. It is also helpful if you use visible tabs (preferably at the bottom) to identify evidence in the file.
- **Number 4:** Provide page numbers for each document.
- **Number 3:** Submit clear and legible copies of the evidence. If you can avoid it, don't use small print.
- **Number 2 (this is a requirement):** Provide complete translations of all foreign language documents. See 8 CFR 103.2(b)(3).
- **Number 1:** If you have decided the EB-5 program is not for you, submit a withdrawal in writing.