



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

December 3, 2019

Kenneth T. Cuccinelli
Acting Director, U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, D.C. 20529

RE: Request for USCIS to Accept 12/23/16 Edition of Form I-924A Through December 31, 2019

Dear Acting Director Cuccinelli:

The American Immigration Lawyers Association (AILA) is a voluntary bar association of more than 15,000 attorneys and law professors practicing and teaching in the field of immigration and nationality law. Our mission includes the advancement of the law pertaining to immigration and nationality and the facilitation of justice in the field. AILA members regularly advise and represent businesses, U.S. citizens, lawful permanent residents, and foreign nationals regarding the application and interpretation of U.S. immigration laws, including on issues related to the EB-5 immigrant investor program. Our more than 15,000 members practice and teach immigration law both in the United States as well as overseas.

We write on this occasion regarding the 11/21/2019 edition of Form I-924A, Annual Certification of Regional Center, which USCIS [announced](#) to stakeholders on November 27, 2019. The USCIS website states that starting this Friday, December 6, 2019, USCIS will only accept the 11/21/19 edition of this new form, effectively providing stakeholders with just 10 days' notice of the implementation of the new edition of this form.

As you may know, regional centers that remain designated for participation in the program as of September 30 of a given year must submit Form I-924A with required supporting documentation on or before December 29 of that same year. We report that a number of regional centers are already in the process of preparing and in some cases finalizing the Form I-924A, a process regional centers can start no earlier than October 1, 2019.

For regional centers who will be forced to prepare their annual certification utilizing the new edition of Form I-924A and submit additional data, a loss of 7 weeks of preparation time will be incurred, as they could not have prepared earlier than November 21, despite the window being opened for preparing the filing on October 1, 2019. A 10-day notice period between announcement of the new form and effective date of the new form, that occurs in the middle of the requisite filing period and during the Thanksgiving holiday, imposes significant additional paperwork burden, costs to start over again, and a risk that regional center may not be able to file timely, which will result in a Notice of Intent to Terminate the regional center.

Given the dire consequences of the insufficient grace period, we respectfully request that USCIS delay the mandatory effective date of the 11/21/2019 edition of Form I-924A and continue to accept the 12/23/16 edition of Form I-924A through December 31, 2019, so that regional centers can complete their FY 2019 filings without significant disruption.

We thank you for your consideration of this request and your prompt response. If you require any additional information, please contact Carolyn Lee, Chair of the AILA EB-5 Investor Committee at (607) 271-5969 or by email at carolyn@carolynleepllc.com or Sharvari (Shev) Dalal-Dheini at (202) 507-7621 or by email at sdalal-dheini@aila.org.

Respectfully submitted,

THE AMERICAN IMMIGRATION LAWYER ASSOCIATION

cc: Mark Koumans, Deputy Director, USCIS
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