



Questions and Answers

Sept. 13, 2011

Direct Email Communication with EB-5 Regional Center Applicants Questions and Answers

Introduction

U.S. Citizenship and Immigration Services (USCIS) is implementing the first phase in a series of [proposed enhancements](#) to the EB-5 program. Beginning today, Form I-924 applicants will be able to communicate directly with USCIS adjudicators via email in an effort to streamline the process and quickly raise and resolve issues and questions that arise during the adjudication process.

The EB-5 Program, also known as the Immigrant Investor Program, is designed to stimulate the U.S. economy through job creation and capital investment by foreign investors. Form I-924 is the Application for Regional Center under the Immigrant Investor Pilot Program.

Questions and Answers

Q1. What are the goals of direct email communication between USCIS and Form I-924 applicants?

A1. Direct email communication is a customer-service tool to enhance communication between USCIS and Form I-924 applicants. Form I-924 applicants may email USCIS questions regarding pending applications, including questions related to Requests for Evidence (RFEs) and Notices of Intent to Deny (NOIDs) issued by USCIS. USCIS may email Form I-924 applicants to informally ask for clarification on certain issues to facilitate review, understanding and adjudication of the application. USCIS may also send a courtesy copy of an RFE or NOID to the email address listed on the I-924 and, if applicable, to the email address listed on the Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, associated with the application.

Q2. How will the direct email communication process work?

A2. Form I-924 applicants with pending applications will be sent an email with a unique identifier and a specific email address to use when corresponding with USCIS. Once assigned an email address, applicants may use this contact information to send and respond to emails to discuss—either informally or through the RFE or NOID process—issues raised in their regional center applications. An applicant will receive an email with instructions shortly after his or her Form I-924 application is accepted by USCIS for filing.

The direct email communication process is only available to entities that have a pending Form I-924 application. It is not available to regional center promoters who have pending regional center applications that were filed prior to the implementation of Form I-924 on Nov. 23, 2010.

Q3. Will USCIS use email to issue RFEs and NOIDs, and can Form I-924 applicants use email to provide evidence in response to such notices?

A3. USCIS may email a courtesy copy of an RFE or NOID to Form I-924 applicants and, if applicable, to attorneys or representatives of record listed on the Form G-28 associated with the application. However, applicants may not formally respond to an RFE or a NOID via email.

If an RFE or a NOID is issued in regard to a Form I-924 application, USCIS will follow standard procedures and will mail a hard copy of the RFE or NOID to the address listed on the Form I-924 or, if applicable, to the attorney or accredited representative listed on a valid Form G-28.

USCIS cannot accept an applicant's formal response to a RFE or NOID via email. Once an applicant is ready to submit the formal response to an RFE or NOID to USCIS, he or she should follow the response submission instructions provided on the RFE or NOID.

Q4. How will USCIS ensure that the attorney or accredited representative listed on the Form G-28 is included in email communication between USCIS and the applicant?

A4. USCIS can only communicate via email with counsel representing a Form I-924 applicant if the associated Form G-28 includes a valid email address for the representative. If a valid email address is not provided in the Form G-28, the attorney or accredited representative should provide USCIS with an updated Form G-28 that includes a valid email address. This updated Form G-28 should be sent as a PDF to USCIS's general EB-5 mailbox at uscis.immigrantinvestorprogram@dhs.gov. An original, fully executed Form G-28 will also need to be mailed to USCIS for inclusion in the Form I-924 application.

Q5. Can the direct email communication process be used to discuss issues regarding individual Form I-526 and Form I-829 petitions or other EB-5 issues not directly related to a pending Form I-924 application?

A5. No. The direct email communication process is solely for discussing issues regarding pending I-924 applications. It is not a forum for general policy and legal questions about adjudicative procedures or decisions, or for questions relating to Form I-526, Immigrant Petition by Alien Entrepreneur; Form I-829, Petition by Entrepreneur to Remove Conditions; or Form I-290B, Appeals or Motions.

USCIS will not respond to emails received concerning issues unrelated to a currently pending I-924 application. For more information about how to make other EB-5 inquiries, visit the [EB-5 Inquiries](#) page on the USCIS website at www.uscis.gov.

Q6. What if an applicant has questions about his or her Form I-924 after it has been adjudicated?

A6. Applicants may contact USCIS with other questions regarding the EB-5 Program at uscis.immigrantinvestorprogram@dhs.gov.