



**U.S. Citizenship
and Immigration
Services**

U.S. Citizenship and Immigration Services
Immigrant Investor Program
131 M Street, NE, Mailstop 2235
Washington, DC 20529

TO:



DATE:



Application: Form I-526

File:



NOTICE OF REGIONAL CENTER TERMINATION

Pursuant to INA 203(b)(5)(M)(i)(II), U.S. Citizenship and Immigration Services (USCIS) is notifying you that USCIS terminated [REDACTED], the regional center associated with your Form I-526, Immigrant Petition by Alien Investor.

You must take action in response to this notice within 183 days of the date of this notice (or 194 days if residing outside the United States) if you seek to retain your eligibility under INA 203(b)(5)(M). If you do not take any action within 183 days (or 194 days if residing outside the United States), USCIS may revoke this petition.

If you reside inside the United States, your deadline for submitting a response is:



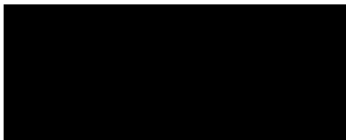
If you reside outside of United States, your deadline for submitting a response is:



Sincerely,

Alissa L. Emmel
Chief Immigrant Investor Program

cc:



NOTICE OF REGIONAL CENTER TERMINATION

Form I-526, Immigrant Petition by Alien Investor

I. Determination of EB-5 Eligibility after Regional Center Termination

On [REDACTED], [REDACTED] (Petitioner) filed Form I-526, Immigrant Petition by Alien Investor [REDACTED]. U.S. Citizenship and Immigration Services (USCIS) terminated [REDACTED], the regional center associated with your Form I-526, Immigrant Petition by Alien Investor, on [REDACTED].

Upon the termination of a regional center, INA 203(b)(5)(M)(i)(I) provides that an otherwise qualified petition under INA 204(a)(1)(H) or the conditional permanent residence of an alien who has been admitted to the United States pursuant to INA 216A(a)(1) based on an investment in the terminated regional center or a debarred regional center, shall remain valid or continue to be authorized, as applicable. However, INA 203(b)(5)(M)(ii)(I) further provides that in the case of the termination of a regional center, the investor's petition or conditional permanent resident status shall be denied, revoked or terminated, as applicable, 180 days after notification of the termination from the program, unless:

- the investor's new commercial enterprise associates with an approved regional center, regardless of the approved geographical boundaries of such regional center's designation; or
- the investor makes a qualifying investment in another new commercial enterprise.

INA 203(b)(5)(M)(iii) additionally provides that, within 180 days of being provided notice of the regional center's termination, an investor may either amend their petition to demonstrate eligibility under INA 203(b)(5)(M)(ii) or notify USCIS that their pending or approved petition continues to meet eligibility requirements¹ notwithstanding the termination of their regional center.

Accordingly, to retain your eligibility under INA 203(b)(5)(M) you may exercise one of the following options within 183 days of the date of this notice (or 194 days if residing outside the United States):

- **OPTION 1:** Respond to this notice to demonstrate that your petition continues to meet eligibility requirements notwithstanding termination of your regional center. In general, you may continue to be eligible if your project is complete or will be completed in accordance with the comprehensive business plan, with sufficient job creation for all investors, and your capital continues to remain invested in accordance with applicable requirements. There is no need to submit evidence already in the record.
- **OPTION 2:** Respond to this notice to amend your petition and demonstrate that your new commercial enterprise has associated with an approved regional center, regardless of the approved geographic boundaries of such regional center's designation. If you choose this option, please send your response to the address below with a copy of this notice and any relevant evidence to demonstrate the association

¹ For investors who filed Form I-526 petitions prior to March 15, 2022, continuing to meet eligibility requirements will be determined based on the eligibility requirements applicable to their petitions prior to enactment of the EB-5 Reform and Integrity Act of 2022. Additionally, such investors may continue to rely on indirect job creation notwithstanding termination of their associated regional center.

of your new commercial enterprise with an approved regional center (such as, but not limited to, an affiliation agreement between your new commercial enterprise and the new regional center). There is no need to submit evidence already in the record.

- **OPTION 3:** Respond to this notice to amend your petition and demonstrate that you have made a qualifying investment² in another new commercial enterprise. If you choose this option, please send your response to the address below with a copy of this notice and any relevant evidence to demonstrate the qualifying investment in another new commercial enterprise (such as, but not limited to, an executed subscription agreement, private placement memorandum, business plan, and economic impact analysis for the new commercial enterprise in which you have made a new qualifying investment). There is no need to submit evidence already in the record.

NOTE: If you do not respond to this notice by the specified due date, USCIS will proceed with adjudication of your petition pursuant to Option 1.

You may respond by mail to the below address or by email. If you respond by email, send your email to uscis.immigrantinvestorprogram@uscis.dhs.gov using subject line "Form I-526 PRN – [Petitioner name] – [Form I-526 Receipt Number]". In the email body, describe the option chosen alongside up to 50 pages of PDF attachment(s). Multiple emails are not permitted. If you need to send more than fifty pages or are unable to send your response in one email, then you must submit your response via mail to the below address. Your response and all materials must be submitted together at one time.

If you choose to respond via mail, then please send your response to this address with **a copy of this notice on top of your response** and any applicable supporting evidence:

U.S. Citizenship and Immigration Services
Immigrant Investor Program Office
131 M Street, NE
Mailstop 2235
Washington, DC 20529

IF YOU DO NOT TAKE ANY ACTION WITHIN 183 DAYS OF THE DATE OF THIS NOTICE (OR 194 DAYS IF RESIDING OUTSIDE THE UNITED STATES), USCIS MAY DENY ANY PENDING PETITION, APPLICATION OR BENEFIT REQUEST, REVOKE ANY APPROVED PETITION, APPLICATION OR BENEFIT REQUEST, AND/OR TERMINATE YOUR CONDITIONAL PERMANENT RESIDENT STATUS, AS APPLICABLE, BASED ON YOUR INVESTMENT THROUGH THE TERMINATED REGIONAL CENTER.

² The required amount for a qualifying investment under INA 203(b)(5)(M) is based on the requirement as of the original filing date of the underlying Form I-526 petition. Therefore, for investors who filed Form I-526 petitions before March 15, 2022, the required amount for qualifying investments is \$1,000,000 generally or \$500,000 for investments in a targeted employment area.