



American Immigrant Investor Alliance
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VIA EMAIL - uscis.foia@uscis.dhs.gov

U.S. Citizenship and Immigration Services
National records Center, FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010

Re: Freedom of Information Act Request

Dear Officer:

I write to you as the President of the [American Immigrant Investor Alliance](#) (“AIIA”), to make a request under the Freedom of Information Act, 5 U.S.C., 552 et Seq., and the associated regulations. Please Consider AIIA as the Requestor for this FOIA request.

Background

AIIA is a 501(c)(4) organization registered and organized under the laws of the District of Columbia. The organization’s main focus is informing, educating, and advocating for equity and transparency in the EB-5 program on behalf of all EB-5 investors from across the globe. Until AIIA's formation, there was no single organization effectively advocating on behalf of EB-5 investors.

AIIA was founded in 2021 by immigrant-investors to provide a voice and representation on behalf of EB-5 investors. Through active and extensive outreach within the immigration and investment communities, government administrative agencies and other stakeholders, AIIA provides investors a seat at the table with respect to policies and actions that affect them.

On March 28, 2023 the U.S. Government Accountability Office (“GAO”) published a report titled “Immigrant Investor Program: Opportunities Exist to Improve Fraud and National Security Risk Monitoring.”¹ Among other things, the GAO recommended that USCIS develop and implement a process to collect and assess data on reasons for EB-5 petition and application denials and Regional Center terminations, including whether fraud or national security was a factor in the action.

¹ Rep. *Immigrant Investor Program: Opportunities Exist to Improve Fraud and National Security Risk Monitoring*. Government Accountability Office, March 28, 2023. <https://www.gao.gov/assets/gao-23-106452.pdf>.

AIIA seeks further information on USCIS's internal progress with tracking these reasons for denial. As the requestor, we accordingly submit the following request for information and documentation pursuant to the FOIA statute:

REQUEST 1: Provide all records which were prepared, created, received, transmitted, collected and/or maintained by the U.S. Citizenship and Immigration Services ("USCIS") that relate or refer in any way to the agency's scrutiny of and subsequent denial of I-526(E)/I-829 petitions from Honduras, Iran, USSR, Kenya, Czech Republic, Saudi Arabia, Egypt, Israel, Russia, Kuwait, Belarus, Ukraine, Bolivia, Lebanon, Australia, Mexico, Ireland, and Portugal. Include any internal communication which discusses the general scrutiny and denial of petitions from these countries.

REQUEST 2: Provide all standard operating procedure manuals or policy guidance used by the IPO or FDNS, USCIS's Consolidated Handbook of Adjudication Procedures, FDNS-DS user guidance, guidance to adjudicators in cases involving national security concerns, and policies and procedures for fraud and national security assessments.

REQUEST 3: Provide all documentation which was prepared, created, received, transmitted, collected and/or maintained by the U.S. Citizenship and Immigration Services ("USCIS") that relate or refer in any way to fraud and national security risks in the EB-5 Program, including (but not limited to) training slides and standard operating procedures for conducting compliance reviews on regional centers.

REQUEST 4: Provide all records, all training materials, policy manuals, and reference material which were prepared, created, received, transmitted, collected and/or maintained by USCIS and the Immigrant Investor Program Office ("IPO") that relate or refer in any way to either agency's adjudication of investor petitions in projects where regional center personnel, project management, and/or other associated parties are accused of fraud, financial misappropriation, or other wrongdoing.

REQUEST 5: Provide all records which were prepared, created, received, transmitted, collected and/or maintained by USCIS that relate or refer in any way to the procedures for terminating a regional center for national security purposes or any form of fraud or misrepresentation.

REQUEST 6: Provide all records which were prepared, created, received, transmitted, collected by the Fraud Detection and National Security Directorate ("FDNS") which elaborate on what types of leads provided by USCIS constitute "actionable leads" when pursuing reports of fraud or criminal activity in an EB-5 case.

REQUEST 7: Provide all records relating to the "intra-agency working group" created in response to the GAO's recommendation that USCIS

develop and implement a process to collect and assess data on reasons for EB-5 application and petition denials and Regional Center termination decisions. *See* GAO Report, at p. 62.

We thank you for your time and attention to this matter and look forward to your reply.

Sincerely,

A handwritten signature in black ink, appearing to read "Ishaan Khanna". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ishaan Khanna
President
American Immigrant Investor Alliance