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*Creating Jobs Through EB-5 Investment*

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Via Federal Register eRulemaking Portal

October 9, 2020

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue NW  
Washington, DC 20001

**RE: IIUSA Comments on DHS Docket Number 2019-0007; Document Number 2020-19145 – Collection and Use of Biometrics by U.S. Citizenship and Immigration Services**

To Whom It May Concern:

On behalf of the Officers, Board of Directors and members of Invest in the USA (IIUSA), we respectfully submit the below comments to the proposed rule 85 FR 56388 published to the Federal Register on September 11, 2020. These comments are specific to the proposed rule application to the EB-5 Regional Center Program.

Generally, IIUSA supports the collection of biometrics from Regional Center operators in order to deter fraud and ensure homeland security. IIUSA has always denounced any instances of fraud or misuse of the Program and is on record supporting implementing more integrity measures to keep bad actors from abusing the Program.

We have two comments/questions that we feel are necessary to clarify before this proposed rule becomes final:

- Please clarify that the collection of biometrics will apply **only** to Regional Center owners and operators and will never extend to include people working with or for affiliated entities and/or job creating entities that are not specifically the Regional Center.
- Please clarify how often Regional Center owners/operators will have to submit their biometrics and the method of which to do so. Understanding the frequency and the logistics of this is important for planning purposes.
- Please clarify how the collection of the biometrics from Regional Center owners will serve the EB-5 Immigrant Investor Program's purpose of promoting economic development and job creation. The lack of clarity in the standard for promoting economic growth under 8 C.F.R. § 204.6(m) is among the biggest hazards in Regional Center operations as recent

termination decisions show. Accordingly, we have concern about how this standard will be applied in connection with biometrics collection absent apparent connection between the two.

IIUSA is the national, membership-based 501(c)(6) not-for-profit industry trade association for the EB-5 Regional Center Program industry. We have over 300 member organizations who represent a broad range of professions within the industry including Regional Center owners and operators, immigration attorneys, corporate and securities attorneys, financial service providers, project developers and more. Our members account for the vast majority of capital formation and job creation generated in the United States resulting from the Program. IIUSA advocates for policies that maximize economic benefit to the United States from the EB-5 Regional Center Program. Accordingly, our primary mission is to achieve the permanent Congressional reauthorization of the EB-5 Regional Center Program after over 30 years of enthusiastic bipartisan support and demonstrated economic impact.

We appreciate the opportunity to submit comments on the proposed rule. We are available to discuss the comments above as necessary and look forward to a continued relationship of transparency and open communication.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Aaron Grau', with a horizontal line extending to the right.

Aaron Grau  
Executive Director