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January 8, 2016

The Honorable León Rodríguez, Director  
U.S. Citizenship and Immigration Services  
Washington, D.C. 20529

Dear Director Rodríguez:

First, I am pleased that the Cleveland International Fund (CiF) will be able to continue to advance the objectives and benefits of the EB-5 Program as a result of Congress's action to extend the Program's authorization through September 30, 2016. CiF has engaged on a positive basis with USCIS since it first submitted its application for regional center status in June 2009, which was approved by USCIS in January 2010. Since that time, CiF has submitted I-924 amendments involving business plans for five projects approved by USCIS, as well as an I-924 amendment involving organizational changes to CiF's ownership and control structure. The five projects approved by USCIS involve a total EB-5 investment of \$170 million and, of the nearly 300 investors who have been adjudicated to date for these projects, all but one investor application has been approved by USCIS—a track record CiF is extremely proud of and one that I believe evidences our commitment to adhering to the guidance and policies promulgated by USCIS for EB-5 applicants.

This brings me to the status of our current applications and the reason for taking this unconventional step of corresponding with you directly regarding the inexplicable delays affecting our investors and projects requiring our promised financial assistance. As of the date of this writing, we have the following five I-924 applications pending with the agency that are past the average processing time of 7.6 months stated most recently by USCIS. In order of delay they are as follows:

Project Name	Submission Date	Est. Approval Date	Past Due (Months)
Ninth & Euclid	06-04-2014	02-01-2015	10.6
AG Crocker Park	07-03-2014	03-02-2015	9.6
Expansion SW Ohio	08-26-2014	04-25-2015	7.8
Expansion W. Pa.	11-06-2014	07-06-2015	5.4
NRP West Edge	03-09-2015	11-06-2015	1.3

While we appreciate the overwhelming workload of USCIS adjudicators, particularly given the increasing number of applications, I am at a loss that not one of these applications has been adjudicated during the course of the entire last calendar year even as the processing times for this category of EB-5 application has shown improvement pursuant to USCIS's own tracking. In the case of the one application in which we received a Request for Evidence ("RFE") in February 2015 (AG Crocker Park), the RFE was addressed in March 2015, yet no communication has been received by CiF since our submitted response. All this is totally contrary to our prior experience and positive track record in submitting well-documented applications with the

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assistance of our able legal counsel, Miller Mayer, which in the past have all been successfully adjudicated within a period consistent with the then current processing time environment.

To add to CiF's frustration, we also have 100 I-526 applications past current processing times (out of 158 pending) representing investors in four CiF projects— two identified in the chart above (Ninth and Euclid, AG Crocker Park) but also two projects (Uptown, Flats Phase II) which have had I-924 project approval for some time. In fact, of the 48 total investors in the Flats Phase II project, 42 applications are now past the 12.8 month average time stated by USCIS. While we are not allowed to inquire directly on behalf of these individual applicants, I do know that they are quite distressed by this delay, which they convey to us often and consistently. For the projects themselves, the delay in I-526 approvals has negative financial consequences since CiF has followed the industry best practice of holding investor funds in escrow and not disbursing them for the benefit of the project until such time as I-526 applications are approved. The much longer than anticipated release of these funds has burdened the affected projects with higher bridge financing costs, in turn diminishing the effectiveness of EB-5 as a job-creating source of capital.

To date, we have asked Senators Portman and Brown to inquire about the status of our I-924 application that would expand CiF's service area on a contiguous basis from Northeast Ohio to Southwest Ohio. This is a straight-forward application without much of the detail required for specific project applications. Nevertheless, it has been pending with the agency for over sixteen months and is currently delaying our ability to take in investment dollars for a development project requesting our assistance in Columbus, Ohio. In the case of our I-924 application for the AG Crocker Park project, which has been pending with the agency for over eighteen months despite the fact that we addressed the sole RFE in connection with the project over nine months ago, we have contacted the USCIS Ombudsman to request assistance. However, as you can see from the above description, our concern and distress extends across literally 158 delayed applications from CiF and its investors. (Rounding out the picture of delay are 53 I-829 applications of investors from two completed projects that are now past the USCIS stated processing time of 15.4 months, a number of which have been pending for over 20 months.)

I write this letter to you as the CEO of a regional center that has utilized the EB-5 program in a manner consistent with the program's intent with seriousness and integrity, and with the knowledge that our financing has made a difference in the economic landscape of Northeast Ohio through nearly \$150 million in new overseas investment to date. In fairness to USCIS's sincere efforts to enhance its processing capacity, I am sending you this correspondence before taking any additional steps to compel action by the agency. CiF is proud of its track record and wishes to expand on our success as a model of what the EB-5 regional center program can be as an economic development tool. We cannot, however, do so without improved processing times from USCIS and without specific and immediate action on the broad expanse of unacceptable delay associated with CiF's applications and those of its investors. I respect the communication protocol that exists with the agency, but I do hope that this letter will merit a response and prompt action before CiF pursues other remedies.

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Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Stephen J. Strnisha', is written over the word 'Sincerely,'.

Stephen J. Strnisha  
Chief Executive Officer

cc:   Jeh Johnson, Secretary of Homeland Security  
      Nicholas Colucci, Chief of USCIS Immigrant Investor Program Office  
      Frederick Troncone, USCIS Ombudsman Office  
      Jason Boyd, USCIS Ombudsman Office  
      Senator Sherrod Brown  
      Senator Rob Portman  
      Congresswoman Marcia Fudge  
      Congressman James Renacci  
      Congressman Steve Stivers  
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      Congressman Bill Johnson  
      Congressman Jim Jordan  
      Congresswoman Joyce Beatty  
      Congressman Brad Wenstrup  
      Congressman Steve Chabot  
      Joe Roman, CEO Greater Cleveland Partnership  
      Yvette Ittu, Board Chairman CiF  
      Adam Blackman, COO CiF  
      Kristen Laughlin, CMO CiF  
      Stephen Yale-Loehr, Miller Mayer  
      Carolyn Lee, Miller Mayer  
      Adam Schaye, Miller Mayer

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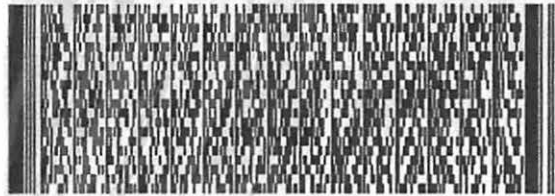
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**U.S. Citizenship  
and Immigration  
Services**

February 3, 2016

Adam Blackman  
Chief Operating Officer  
Cleveland International Fund  
1240 Huron Road E., Suite 420  
Cleveland, Ohio, 44115

Dear Mr. Blackman,

I am writing in response to a letter received January 8, 2016 letter to León Rodríguez, Director, U.S. Citizenship and Immigration Services (USCIS). We appreciate the insight and information which was provided in the letter concerning the cases associated with the Cleveland International Fund projects.

Our records reflect that the I-924 applications associated with Cleveland International Fund are currently pending with the Immigrant Investor Program Office. We regret that we are unable to provide you with a completion date at this time. We are committed to administering the Immigrant Investor Program in a fair and efficient manner that maintains the integrity of the program. We accomplish this through adjudications that ensure all applications and petitions are processed in a consistent, predictable and timely manner.

Our goal at USCIS is to ensure that the potential of the Immigrant Investor Program is fully realized and that the integrity of the program is protected. Through thoughtful and careful adjudications, we strive to realize the intent of Congress to promote the immigration of people who invest capital into our nation's economy and help create jobs for U.S. workers.

If we may be of further assistance, please do not hesitate to contact the USCIS Immigrant Investor Program Office at [USCIS.ImmigrantInvestorProgram@uscis.dhs.gov](mailto:USCIS.ImmigrantInvestorProgram@uscis.dhs.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas Colucci".

Nicholas Colucci  
Chief, Immigrant Investor Program