



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

Date: **OCT 28 2013**

Karen P. Mentor, Esq.
US EB5 Nevada Regional Center, LLC
Mentor Law Firm
7000 SE Federal Highway, Suite 200
Stuart, FL 34997

Application: Application for Regional Center Designation under the Immigrant Investor Program

Applicant: Karen P. Mentor

Re: Initial Regional Center Designation
US EB5 Nevada Regional Center, LLC
RCW10 347 50106 / RC ID1034750106

This notice is in reference to the Application for Regional Center Designation under the Immigrant Investor Program that was filed by the applicant with the U.S. Citizenship and Immigration Services ("USCIS") on November 22, 2010. The application was filed to request approval of initial regional center designation under the Immigrant Investor Program. The Immigrant Investor Program was established under § 610 of the Department of Commerce, Justice and State, the Judiciary, and Related Agencies Appropriations Act of 1993 (Pub. L. 102-395, Oct. 6, 1992, 106 Stat. 1874).

I. Executive Summary of Adjudication

Effective the date of this notice, USCIS approves the request to designate US EB5 Nevada Regional Center, LLC as a qualifying participant in the Immigrant Investor Program.

II. Regional Center Designation

The applicant submitted its application requesting designation as a regional center. Upon review of the record, USCIS has determined that eligibility for regional center designation has been established based on a general proposal for economic growth in the following geographic areas and industry categories:

A. Geographic Area

State
Entire State of Nevada

B. Industry Categories

NAICS	Industry Name
2361	Residential Building Construction
2362	Nonresidential Building Construction
2379	Golf Course Construction
3323	Architectural and Structural Metals Manufacturing
4232	Furniture and Home Furnishing Merchant Wholesalers
4871	Scenic and Sightseeing Transportation, Land
4931	Warehousing and Storage
5222	Nondepository Credit Intermediation
5311	Lessors of Real Estate
5617	Services to Buildings and Dwellings
611	Educational Services
623	Nursing and Residential Care Services
7139	Other Amusement and Recreation Industries
7211	Traveler Accommodation
7225	Restaurants and Other Eating Places
8121	Personal Care Services

III. Job Creation

A hypothetical project does not have the factual details necessary to be in compliance with the requirements described in Matter of Ho, 22 I&N Dec. 206 (Assoc. Comm'r 1998). As such, USCIS's approval of any hypothetical job creation estimates presented in the application are not accorded deference and may not be relied upon by an individual investor when filing the Form I-526. The business plans and job creation estimates will receive a de novo review by USCIS when the applicant files a Form I-924 amendment with an I-526 exemplar or an individual investor files Form I-526. Once an actual project is adjudicated upon the filing of an I-526 exemplar or the initial Form I-526, USCIS will give deference to subsequent Forms I-526 when the critical assumptions remain materially unchanged from the initially-approved Form I-526. In addition, organizational and transactional documents associated with the new commercial enterprises (NCEs) submitted with this application have not been reviewed to determine compliance with program requirements.

When filing Form I-526, it will be the responsibility of the individual investor to submit a comprehensive, detailed and credible business plan, showing by a preponderance of the evidence that his or her investment in the new commercial enterprise will create not fewer than 10 full-time positions.

IV. Guidelines for Filing Form I-526 Petitions

Each individual petition, in order to demonstrate that it is affiliated with the US EB5 Nevada Regional Center, LLC, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain the following:

1. A copy of this regional center approval notice and designation letter including all subsequent amendment approval letters (if applicable).
2. An economic impact analysis which reflects a job creation methodology required at 8 CFR § 204.6 (j)(4)(iii) and shows how the capital investment by an individual immigrant investor will create not fewer than ten (10) indirect jobs for each immigrant investor.
3. A comprehensive, detailed and credible business plan for an actual project that contains the factual details necessary to be in compliance with the requirements described in Matter of Ho, 22 I&N Dec. 206 (Assoc. Comm'r 1998).
4. Legally executed organizational documents of the commercial enterprise.

V. Designee's Responsibilities in the Operations of the Regional Center

As provided in 8 CFR § 204.6 (m)(6), to ensure that the regional center continues to meet the requirements of section 610(a) of the Appropriations Act, a regional center must provide USCIS with updated information to demonstrate the regional center is continuing to promote economic growth, improved regional productivity, job creation, and increased domestic capital investment in the approved geographic area. Such information must be submitted to USCIS on an annual basis or as otherwise requested by USCIS. The applicant must monitor all investment activities under the sponsorship of the regional center and to maintain records in order to provide the information required on the Form I-924A Supplement to Form I-924. Form I-924A, Supplement to Form I-924 Application is available in the "Forms" section on the USCIS website at www.uscis.gov.


Regional centers that remain designated for participation in the Immigrant Investor Program as of September 30th of a calendar year are required to file Form I-924A Supplement in that year. The Form I-924A Supplement with the required supporting documentation must be filed on or before December 29th of the same calendar year.

The failure to timely file a Form I-924A Supplement for each fiscal year in which the regional center has been designated for participation in the Immigrant Investor Program will result in the issuance of an intent to terminate the participation of the regional center in the Immigrant Investor Program, which may ultimately result in the termination of the designation of the regional center.

The regional center designation is non-transferable, as any changes in management of the regional center will require the approval of an amendment to the approved regional center designation.

If the applicant has any questions concerning the regional center designation under the Immigrant Investor Program, please contact the USCIS by email at USCIS.ImmigrantInvestorProgram@uscis.dhs.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Renaud", with a long horizontal flourish extending to the right.

Daniel M. Renaud
Acting Chief, Immigrant Investor Program