



U.S. Citizenship
and Immigration
Services

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Mr. Patrick F. Hogan
President
CMB Export LLC
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Moline, Illinois 61265

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Re: California Military Bases Export LLC Regional Center (CMBRC) Amendment

Pursuant to Section 610 of the Appropriations Act of 1993, on August 15, 1997, the California Military Bases Export LLC (CMB) was approved and designated as a regional center by the former Immigration and Naturalization Service for the purpose of attracting immigrant investor capital into the development area which is related to the former military bases located in the counties of Sacramento, San Bernadino and Riverside, California. CMB's originally approved regional center application focused on the rebuilding and redevelopment of following six commercial bases in Southern California and Sacramento County in Northern California:

1. George AFB
2. Norton AFB
3. March AFB
4. McClellan AFB
5. Sacramento Army Depot
6. Mather AFB

On January 10, 2007, CMB requested approval to amend its business plan and refine its economic methodology along with its job creation multipliers to encompass three new investment focuses of the CMB Regional Center. Specifically, the CMB Regional Center updates its business plan to include the improvement of infrastructure in the designated development area via direct investment into the state and local government economic development authorities charged with the redevelopment of the closed military base areas. It is CMB's intention to fully fund the development authorities' investment requests for various infrastructure projects. Additionally, the CMB Regional Center plans to improve infrastructure in the development area via direct investment into private enterprises located in the designated development area. CMB's updated submission contains an economic analysis of with refined job multipliers which indicate the potential direct, indirect and induced job creation resulting from proposed investment opportunities.

CMB submitted the following evidence in support of its requested amendment:

- An Economic Impact Analysis using the IMPLAN model prepared by a professional economist;
- A revised business plan reflecting the timing, scale and planned use within CMB of the alien investor capital;
- A proposed Limited Partnership Agreement, a proposed Subscription Agreement, and a proposed Private Placement Memorandum (PPM), all reflecting revisions/changes based on USCIS review comments to ensure full compliance with the applicable EB-5 regulations at 8 CFR 204.6 and USCIS precedent decisions;
- Proposed escrow agreement reflecting instructions to the financial institution designated to serve as the escrow agent for each immigrant investor's irrevocable escrow account regarding disbursement of the investor's contributed capital; and
- The business model for capitalization from as many as 76 immigrant investors and \$78 million in aggregate **domestic** and immigrant investor funds into CMB.

Based on its review and analysis of the January 10, 2007 request to amend the previous CMB Regional Center designation, USCIS approves this amendment to the regional center designation, business plan and job creation multipliers for the CMB Regional Center. In accepting the amendment, USCIS has updated its records of CMB's Regional Center approval and designation, business plan, and job creation multipliers to encompass these amendments to provide for immigrant investor capital into:

1. Improvement of infrastructure in the designated development area via direct investment into the state and local government economic development authorities charged with the redevelopment of the closed military base areas.
2. Improvement of infrastructure in the designated development area via direct investment into private enterprises located in the designated development area.

As such, aliens seeking immigrant visas through the Immigrant Investor Pilot Program may file individual petitions with USCIS for these new commercial enterprises located within the CMB regional center area comprised of the former military bases located in the counties of Sacramento, San Bernadino and Riverside, California. CMB's approved regional center application continues to focus on the rebuilding and redevelopment of following six commercial bases in Southern California and Sacramento County in Northern California:

1. George AFB
2. Norton AFB
3. March AFB
4. McClellan AFB
5. Sacramento Army Depot
6. Mather AFB

The geographic focus of this area is comprised of both rural areas and certain urban areas which have been designated as a Targeted Employment Area (TEA) by the State of California as defined in 8 CFR 204.6(e). Therefore, the minimum capital investment threshold for any individual immigrant investment into a new commercial enterprise through the CMB Regional Center shall be not less than \$500,000.

Alien entrepreneurs who file petitions for commercial enterprises located in the CMB regional center area must fulfill all of the requirements set forth in 8 CFR 204.6, except that the petition need not show that the new commercial enterprises created ten new jobs indirectly as a result of the alien entrepreneur's investment. This determination has been established by way of the USCIS' acceptance of the economic analysis which is contained as part of the USCIS-approved CMB Regional Center's initially approved proposal and its expanded indirect job creation analysis within the approved CMB amendment.

However, where creation of indirect jobs is based on a multiplier rooted in or based on underlying new "direct jobs" (or preservation of existing direct jobs in a troubled business) are claimed in support of an immigrant investor's individual I-526 petition affiliated with the CMBRC, then to be credited with projected preservation or creation of any new "direct" jobs for "qualifying employees" the petition must be supported by:

- Probative evidence of the number of full time (35 hours per week) qualified employees at the point of filing the petition whose positions shall be preserved/maintained throughout the alien's period of conditional residency. Such evidence should include copies of quarterly state employment tax reports, Forms W-2, Forms I-9, and any other pertinent employment records sufficient to demonstrate the number of "direct" qualifying pre-existing full time jobs in CMB preserved/maintained, and any other pertinent employment records sufficient to demonstrate the number of employees before the investment.
- To be credited with projected creation of new "direct" jobs for "qualifying employees" at the point of filing the I-526 petition, then the petition must be supported by a comprehensive detailed CMB business plan and supporting financial, marketing and related data and analysis providing a reasonable basis for projecting creation of the new direct jobs.

Each individual petition, in order to demonstrate that it is associated with the CMBRC, in conjunction with addressing all the requirements for an individual alien entrepreneur petition, shall also contain as supporting evidence relating to this amended regional center designation, the following:

1. A copy of this letter for the amended approval and updated designation.
2. A copy of the approved regional center narrative proposal, business plan, and the approved amendments.
3. A copy of the job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in both the initial and amended regional center economic analysis which has been approved by

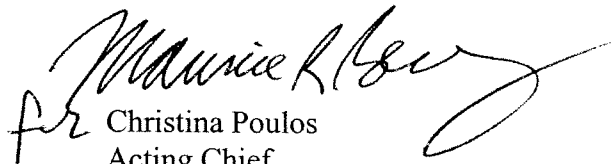
USCIS, which reflects that investment by an individual alien investor of at least \$500,000 into a commercial enterprise within the geographic area of the amended CMBRC will preserve and/or create full-time employment positions, either directly or indirectly, for not fewer than ten qualified employees.

4. A legally executed copy of:
 - a. the Private Placement Memorandum;
 - b. the Limited Partnership Agreement;
 - c. the Subscription Agreement; and
 - d. the escrow agreement and instructions

The designation and reaffirmation (through this amendment approval) by the USCIS of CMB as a regional center does not reflect any determination on the merits of individual petitions filed by alien entrepreneurs under the Immigrant Investor Pilot Program. All petitions for alien entrepreneurs who invest within the regional center will be adjudicated by the USCIS on a case-by-case basis and each petition must be fully documented. The individual petitions must be submitted to the USCIS California Service Center.

If you have any questions concerning the CMB Regional Center amendment approval and reaffirmation of your designation under the Immigrant Investor Pilot Program, please contact the USCIS Foreign Trader, Investor and Regional Center Program.

Sincerely,

A handwritten signature in black ink, appearing to read "Maurice R. Poulos". The signature is written in a cursive style with a large, sweeping flourish at the end.

for Christina Poulos
Acting Chief
Service Center Operations