



U.S. Citizenship
and Immigration
Services

HOOPRD 70/6.2.8

Mr. Joop Bollen
Director
South Dakota International Business Institute
711 East Wells Avenue
Pierre, South Dakota 57501—3369

DEC 12 2006

Dear Mr. Bollen:

Pursuant to Section 610 of the Appropriations Act of 1993, on April 8, 2004, the South Dakota International Business Institute (SDIBI), Dairy Economic Development Region (DEDR) was initially approved and designated as a regional center to participate in the Immigrant Investor Pilot Program. On December 22, 2004, SDIBI/DEDR requested approval to amend its business plan and expand its job creation multipliers, and this amendment was approved by U.S. Citizenship and Immigration Service (USCIS) on July 18, 2005. SDIBI/DEDR in a request dated December 10, 2006, SDIBI/DEDR again requested to amend its business plan to enable the following commercial activity additions and to augment its approved job creation multipliers as follows:

1. To amend the SDIBI/DEDR business plan to include meat processing and packing operations.¹
2. To amend the SDIBI/DEDR business plan to include cattle, pork, and other animal feedlots.²
3. To amend the SDIBI/DEDR business plan by eliminating the SDIBI/DEDR Regional Center's self-imposed numeric thresholds of 300 dairy cows and/or 3000 heifers per foreign investor, and setting no numerical herd size minimum or maximum for dairy cows, heifers, and/or animal feedlot operations.

Based on its review and analysis of the December 10, 2006, request to amend the previous SDIBI/DEDR designation, USCIS approves this amendment to the designation, business plan and job creation multipliers for the SDIBI/DEDR Regional Center reflecting the above 3 changes. In accepting the amendment, USCIS has updated its records of SDIBI/DEDR's Regional Center approval and designation, business plan, and job creation multipliers to encompass these

¹ These operations would utilize a weighted average RIMS-II indirect job creation multiplier of 3.49 for the areas within the geographic boundaries of the SDIBI/DEDR Regional Center.

² Such operations would utilize a weighted average RIMS-II indirect job creation multiplier of 2.66 for the areas within the geographic boundaries of the SDIBI/DEDR Regional Center.

amendments relative to the investment focus of the SDIBI/DEDR Regional Center in the following commercial enterprise activities:

1. Animal dairy farm operations;
2. Animal heifer ranch operations;
3. Animal feedlot operations; and
4. Meat processing and packing operations.

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 SDIBI/DEDR regional center area comprised of the 45 contiguous counties of eastern South Dakota (with the exclusion of the cities of Sioux Falls, Minnehaha County, Aberdeen in Brown County, and Watertown in Codington County), that have been determined to qualify as a "Rural Area" as set forth in 8 CFR 204.6(e). These 45 counties (with the excluded cities noted) are identified and listed in the

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Attachment to this updated/amended approval and designation letter. Therefore, the minimum capital investment threshold for any individual alien foreign into a new commercial dairy, heifer, beef, pork or other animal farming enterprise through the SDIBI/DEDR Regional Center shall be not less than \$500,000.

Alien entrepreneurs who file petitions for commercial enterprises located in the SDIBI/DEDR 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 directly hired ten new employees as a result of the alien entrepreneur's investment. Each individual petition, to demonstrate that it is associated with the SDIBI/DEDR regional center, in conjunction with addressing all the requirements for an individual alien entrepreneur petition, shall also contain as supporting evidence relating to this regional center designation, the following:

1. A copy of this letter of the amended approval and designation.
2. A copy of the approved regional center narrative proposal and business plan, and the approved amendments.
3. A copy of the approved job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in the SDIBI/DEDR 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 new commercial dairy farm, heifer farm, other animal feedlot enterprise or meat processing and packing operation within the geographic area of the amended SDIBI/DEDR regional center will generate full-time employment positions, either directly or indirectly, for not fewer than ten U.S. workers.

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4. A signed legally executed and certified copy of the limited partnership agreement between the new commercial dairy and/or heifer farming enterprise and the alien investor.

The designation by the USCIS of the SDIBI/DEDR as a regional center does not reflect any determination on the merits of individual petitions filed by alien entrepreneurs under the 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 California Service Center.

If you have any questions concerning the SDIBI/DEDR approval and designation under the Immigrant Investor Pilot Program, please contact Maurice Berez, Chief Adjudications Officer, Foreign Trader, Investor and Regional Center Program, at (202) 272-8413.

Sincerely,

A handwritten signature in black ink that reads "Paul E. Novak". The signature is written in a cursive style with a large, sweeping initial "P".

Paul E. Novak
Acting Chief
Service Center Operations

Attachment

**Designated Rural Counties Which Are Within the Geographic Boundaries of
SDIBI/DEDR Regional Center**

	Population		Population
Aurora	2926	Hughes	16684
Beadle	16269	Hutchinson	7731
Bon Homme	7104	Hyde	1573
Brookings ¹	28265	Jerauld	2180
Brown ²	34666	Kingsbury	5555
Brule	5205	Lake	11040
Buffalo	1994	Lincoln ³	29302
Campbell	1679	McCook	5864
Charles Mix	9178	McPherson	2723
Clark	3915	Marshall	4272
Clay	13191	Miner	2717
Codington	25929	Moody	6511
Davison	18744	Potter	2508
Day	5891	Roberts	10128
Deuel	4364	Sanborn	2612
Douglas	3310	Spink	6972
Edmunds	4221	Sully	1456
Faulk	2469	Tripp	6177
Grant	7625	Turner	8594
Gregory	4500	Union	13024
Hamlin	5615	Walworth	5562
Hand	3520	Yankton ⁴	21452
Hanson	3510		

¹ Brookings county has no population centers, cities or towns with a population of 20,000 or more.

² Brown County has no population centers, cities or towns with a population of 20,000 or more except for the City of Aberdeen with a population 24,957 which is excluded from the geographical area of the SDIBI/DEDR regional center.

³ Lincoln County has no population centers, cities or towns with a population of 20,000 or more.

⁴ Yankton County has no population centers, cities or towns with a population of 20,000 or more.