



U.S. Citizenship
and Immigration
Services

Date: **MAY 09 2012**

Robert W. Frost
Great Southwest Regional Center, LLC
14114 Dallas Parkway, Suite 380
Dallas, TX 75254

Application: Request for Designation as a Regional Center
Applicant(s): Robert W. Frost

Re: Great Southwest Regional Center, LLC
RCW1034750118/ID1034750118/Formerly W09003850

Pursuant to Section 610 of the Appropriations Act of 1993, on October 19, 2010, Robert W. Frost submitted a proposal seeking approval and designation by U.S. Citizenship and Immigration Services (USCIS) of the Great Southwest Regional Center, LLC.

USCIS hereby designates Great Southwest Regional Center, LLC, as a Regional Center within the Immigrant Investor Pilot Program and approves the request as described below:

GEOGRAPHIC AREA:

The Great Southwest Regional Center, LLC, shall have a geographic scope which includes the County of Harris in the State of Texas.

FOCUS OF INVESTMENT ACTIVITY:

This Regional Center request is based on a "hypothetical" business plan. As depicted in the economic model, the general proposal, business plan and associated economic analysis, the Regional Center will engage in the following economic activities: the development, operation and management of home health care service enterprises within the Regional Center area.

The Regional Center shall focus on offering EB-5 compliant capital investment opportunities in new commercial enterprises in the following target industry economic category:

1. NAICS 621610 Home Health Care Services

Note: If any investment opportunities arise that are beyond the scope of the approved industry category, then an I-924 amendment application would be required to add that industry category.

Aliens seeking immigrant visas through the Immigrant Investor Pilot Program may file individual petitions with USCIS for capital investments in new commercial enterprises located within and affiliated with the approved Regional Center area.

The geographic focus of the regional center may contain an area that is ultimately determined to qualify as a Targeted Employment Area (TEA), either as a rural area or an area of high unemployment as defined in Title 8 Code of Federal Regulations (8 CFR) 204.6(e). The area must qualify as a TEA at the time of the individual alien investor's capital investment or at the time of filing of his or her Form I-526 petition. TEA determinations are part of the adjudication of the individual Form I-526 petition, not in the adjudication of regional center applications.

The minimum capital investment threshold for any EB-5 capital investment into an approved commercial enterprise throughout the regional center shall be not less than \$500,000, if the investment target is located within a TEA, or \$1,000,000 if it is located outside of a TEA. No debt arrangement will be acceptable unless it is secured by assets owned by the alien entrepreneur. A full capital investment must be made and placed at risk.

For any alien requesting the reduced threshold of \$500,000 based upon an investment in a TEA, the alien must establish at the time of filing of the I-526 petition that either the investment will be made in a TEA designated area or was in a TEA designated area at the time of the alien's initial investment into the enterprise. Otherwise, the minimum required investment is \$1,000,000.

EMPLOYMENT CREATION

The economic model is RIMS II. Immigrant investors who file petitions for capital investments in new commercial enterprises located within and affiliated with the Regional Center area must fulfill all of the requirements set forth in section 203(b)(5) of the Immigration and Nationality Act, 8 CFR 204.6, and 8 CFR 216.6, except that the petition need not show that the new commercial enterprises created ten new jobs directly as a result of the immigrant investor's investment. The determination whether the alien investor has met the job creation requirements will be established by a review of the required initial evidence at 8 CFR 204.6(j) and 8 CFR 216.6(a)(4) for the Form I-526 and Form I-829 petitions, respectively. The capital investment and job creation activities outlined in the individual petitions must fall within the bounds of the final economic analysis that is contained as part of the approved Regional Center proposal and its indirect job creation model and multipliers contained within the final approved Regional Center application package. The immigrant investor must show at the time of removal of conditions that they performed the activities described in Form I-526 petition, and the activities must be based on the approved regional center methodology for demonstrating job creation.

The regional center is approved based on a "hypothetical" business plan which utilizes the RIM II input/output model to establish indirect job creation. A review of the RIMS II input/output model submitted shows that this economic analysis is reasonable based on the hypothetical business plan submitted.

At the time of filing the immigrant investor's individual I-526 petition, the actual indirect job creation methodology must be submitted with each I-526 petition, and must indicate the number of jobs that will be created as a result of the capital investment.

Additionally, it should be noted that the immigrant investor's individual I-526 petition affiliated with your Regional Center, should include as supporting evidence:

- A comprehensive detailed business plan with supporting financial, marketing and related data and analysis providing a reasonable basis for projecting creation of indirect and/or induced jobs to be achieved/realized within two years pursuant to 8 CFR 204.6(j)(4)(B) and reasonable methodologies pursuant to 8 CFR 204.6(m)(7)(ii).

If the business plan is sufficiently detailed and the inputs derived from the business plan are determined to be reasonable, USCIS will give deference to the RIMS II input/output model that derived job creation estimates based on multipliers rooted in direct employment for home health care services. It should be noted that if the economic model is changed at the time of filing I-526 petitions, USCIS will review the new economic model to determine if it qualifies as this would be a change to what is being approved within this regional center application.

Furthermore, an alien investor's I-829 petition to remove the conditions which was based on an I-526 petition approval that involved a detailed business plan which was supported by the RIMS II input/output model that derived job creation estimates based on multipliers rooted in direct employment for home health care services, would need to be supported by evidence showing the direct employees at the home health care services.

If changes are made to the economic model, at the time USCIS reviews the alien investor's I-829 petition, USCIS will review the evidence to determine if it was supported by evidence showing that the analysis used was based on reasonable methodologies. Such evidence may include multiplier tables, feasibility studies, and other economically or statistically valid forecasting devices which indicate the likelihood that the alien's investment has resulted in increased employment.

Additional Guidelines for individual Immigrant Investors Visa Petition (I-526)

Each individual petition, in order to demonstrate that it is associated with the Regional Center, in conjunction with addressing all the requirements for an individual immigrant investor petition, shall also contain as supporting evidence relating to this Regional Center designation, the following:

1. A copy of this letter, the Regional Center approval and designation.
2. A copy of the USCIS approved Regional Center narrative proposal and business plan.
3. A copy of the job creation methodology required in 8 CFR 204.6(j)(4)(iii), as contained in the final Regional Center economic analysis which has been approved by USCIS, which reflects that investment by an individual immigrant investor will create not fewer than ten (10) full-time employment positions, either directly or indirectly, per immigrant investor.
4. A legally executed copy of the USCIS approved documents:
 - a. Operating Agreement Draft dated October 26, 2010
 - b. Subscription Agreement Draft dated October 7, 2011
 - c. Escrow Agreement Draft submitted November 22, 2010
 - d. Confidential Private Placement Memorandum Draft dated December 6, 2011

Note: Each petition must also include any other evidence that is relevant to an investment project, such as, licenses and permits, building contracts, projection and timeline plans, construction costs, commitment letters, limited partnership agreements, advisory opinions, feasibility studies, etc.

DESIGNEE'S RESPONSIBILITIES INHERENT IN CONDUCT OF THE REGIONAL CENTER:

The law, as reflected in the regulations at 8 CFR 204.6(m)(6), requires that an approved Regional Center in order to maintain the validity of its approval and designation must continue to meet the statutory requirements of the Immigrant Investor Pilot Program by serving the purpose of promoting economic growth, including increased export sales (where applicable), improved regional productivity, job creation, and increased domestic capital investment. Therefore, in order for USCIS to determine whether your Regional Center is in compliance with the above cited regulation, and in order to continue to operate as a USCIS approved and designated Regional Center, your administration, oversight, and management of your Regional Center shall be such as to monitor all investment activities under the sponsorship of your Regional Center and to maintain records, data and information in order to provide the information required on the Form I-924A supplement. Form I-924A, Supplement to Form I-924 is available in the "Forms" section on the USCIS website at www.uscis.gov.

Effective November 23, 2010, the failure to timely file a Form I-924A Supplement for each fiscal years in which the regional center has been designated for participation in the Immigrant Investor Pilot Program will result in the issuance of an intent to terminate the participation of the regional center in the Pilot Program, which may ultimately result in the termination of the approval and designation of the regional center.

Note: USCIS requires the filing of a Form I-924A Supplement by each regional center that remains designated for participation in the pilot program of September 30th of a calendar year. The Form I-924A Supplement with the required supporting documentation must be filed on or before December 29th of the same calendar year.

If you have any questions concerning the Regional Center approval and designation under the Immigrant Investor Pilot Program, please contact the USCIS by Email at USCIS.ImmigrantInvestorProgram@dhs.gov.

Sincerely,



Rosemary Langley Melville
Director
California Service Center