

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Service
Immigrant Investor Program
131 M Street, NE, Mailstop 2235
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

March 18, 2015

Arthur Williamson, Jr.
Palm Coast Florida Regional Center – **Designation Terminated**
791 Foothill Court
Toms River, NJ 08753

Notice of Termination

This letter shall serve as notification that U.S. Citizenship and Immigration Services ("USCIS") has terminated the designation of Palm Coast Florida Regional Center as a regional center under the Immigrant Investor Program ("Program") pursuant to Title 8 of the Code of Federal Regulations ("8 C.F.R.") section 204.6(m)(6).

The regulation at 8 C.F.R. § 204.6(m)(6) provides:

Termination of participation of regional centers. To ensure that regional centers continue 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, or increased domestic capital investment in the approved geographic area. Such information must be submitted to USCIS on an annual basis, on a cumulative basis, and/or as otherwise requested by USCIS, using a form designated for this purpose. USCIS will issue a notice of intent to terminate the participation of a regional center in the pilot program if a regional center fails to submit the required information or upon a determination that the regional center no longer serves the purpose of promoting economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. The notice of intent to terminate shall be made upon notice to the regional center and shall set forth the reasons for termination. The regional center must be provided 30 days from receipt of the notice of intent to terminate to offer evidence in opposition to the ground or grounds alleged in the notice of intent to terminate. If USCIS determines

that the regional center's participation in the Pilot Program¹ should be terminated, USCIS shall notify the regional center of the decision and of the reasons for termination. As provided in 8 C.F.R. 103.3, the regional center may appeal the decision to USCIS within 30 days after the service of notice.

Reasons for Termination

On December 24, 2014, USCIS issued a Notice of Intent to Terminate ("NOIT") the Palm Coast Florida Regional Center's participation as a regional center in the Program because it no longer serves the purpose of promoting economic growth. Palm Coast Florida Regional Center's I-924A filings do not report any EB-5 capital investment or job creation for fiscal years 2011, 2012, or 2013. In addition, although USCIS designated Palm Coast Florida Regional Center as a regional center on June 19, 2009, the I-924A filings do not report any approved Form I-526s, Immigrant Petitions by Alien Entrepreneurs, or I-829s, Petitions by Entrepreneurs to Remove Conditions. Finally, as of the date of this termination, USCIS records indicate that no I-526 or I-829 petitions are pending for investments associated with Palm Coast Florida Regional Center.

Pursuant to the NOIT, Palm Coast Florida Regional Center had 30 calendar days from receipt of the NOIT to offer evidence in opposition to the grounds alleged in the NOIT. On January 30, 2015, USCIS received a response from Palm Coast Florida Regional Center to the NOIT. The only evidence in this response was an I-924A filing for fiscal year 2014, which reported no EB-5 capital investment or job creation for fiscal year 2014. Palm Coast Florida Regional Center has offered insufficient evidence to demonstrate continued promotion of economic growth as alleged in the NOIT. Thus, pursuant to 8 CFR § 204.6(m)(6), and for the reasons set forth above, USCIS hereby terminates Palm Coast Florida Regional Center's participation in the Program.

Procedure to Appeal the Decision to Terminate

If you disagree with this decision, or if you have additional evidence that shows this decision is incorrect, you may file a motion or an appeal to this decision by filing a completed Form I-290B, Notice of Appeal or Motion, along with the appropriate filing fee. A copy is enclosed. You may also include a brief or other written statement and additional

¹ On September 28, 2012, President Obama signed Public Law 112-176 which amended section 610 of Public Law 102-395. Public Law 112-176 struck the word "pilot" from section 610 of Public Law 102-395 and extended the Immigrant Investor Program until September 30, 2015. See Pub. L. No. 112-176, 126 Stat. 1325 (Sept. 28, 2012). The regulations have not been updated to reflect this statutory amendment.

Palm Coast Florida Regional Center – Designation Terminated
ID (formerly 1031910109)
RCW1031910109
Page 3

evidence in support of your motion or appeal. The Form I-290B must be filed within 33 calendar days from the date of this notice. If a motion or appeal is not filed within 33 calendar days, this decision is final.

You must send your completed Form I-290B and supporting documentation with the appropriate filing fee to the address indicated below.

If using the U.S. Postal Service:

USCIS
P.O. Box 660168
Dallas, TX 75266

If using USPS Express Mail/Courier:

USCIS
Attn: I-290B
2501 S. State Highway 121 Business
Suite 400
Lewisville, TX 75067

Your motion or appeal must be filed on Form I-290B and must be accompanied by a fee of \$630.00. The check or money order used for the Form I-290B filing fee must be drawn from a bank or other financial institution located in the United States and must be payable to U.S. Department of Homeland Security.

In support of your appeal, you may submit a brief or other written statement for consideration at the time of initial filing of the Form I-290B or within 30 calendar days of filing. If you are filing an appeal of this decision, you may, if necessary and for good cause, request additional time to submit a brief or other statement by submitting a written explanation for the need for additional time. Any brief, written statement or other evidence in support of an appeal that is not filed concurrently with Form I-290B, including any request for additional time for the submission of a brief, must be sent directly to the Administrative Appeals Office (AAO) at:

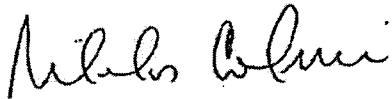
USCIS
Administrative Appeals Office
20 Massachusetts Avenue, NW
Mail Stop 2090
Washington DC 20529-2090

The appeal of the termination may not be filed directly with the AAO. The appeal of the termination must be filed in accordance with the Form I-290B instructions and at the address indicated above.

Palm Coast Florida Regional Center – Designation Terminated
ID (formerly 1031910109)
RCW1031910109
Page 4

For more information about the filing requirements for appeals and motions, please see 8 C.F.R. § 103.3 or 103.5, or visit the USCIS website at www.uscis.gov.

Sincerely,



Nicholas Colucci
Chief, Immigrant Investor Program

Enclosure: (1) Form I-290B with instructions
(2) Notice of Intent to Terminate issued on December 24, 2014

cc: Stephen Yale Loehr
202 East State St., Ste. 700
Ithaca, NY 14850