



U.S. Citizenship
and Immigration
Services

September 13, 2013

JAMES JOSEPH GILLAS
PANGAEA REGIONAL CENTER, LLC
P.O. 2149
GALVESTON, TX 77553

Application: Form I-924, Application for Regional Center under the Immigrant Investor Pilot Program

Applicant: James Joseph Gillas

Re: Initial Regional Center Designation
Pangaea Regional Center
RCW1310051120/ID1310051120

This notice is in reference to the Form I-924, Application for Regional Center Under the Immigrant Investor Pilot Program that was filed by the applicant with the U.S. Citizenship and Immigration Services ("USCIS") on April 5, 2013. The Form I-924 application was filed to request approval of initial regional center designation under the Immigrant Investor Program. The Immigrant Investor Program was established under section 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).

In addition to the Form I-924, the applicant seeks USCIS review and approval of an actual project supported by a comprehensive business plan as contemplated in *Matter of Ho*, 22 I. & N. Dec. 206 (Assoc. Comm'r 1998).

I. Executive Summary of Adjudication

Effective the date of this notice, USCIS approves the Form I-924 request to designate Pangaea Regional Center, LLC as a qualifying participant in the Immigrant Investor Program.

1. Effective the date of this notice, USCIS approves the Riverine Fisheries International, LLC project based on the evidence submitted with the I-924 application.

II. Regional Center Designation¹

USCIS approves the applicant’s request to focus, promote economic growth, and offer capital investment opportunities in the following geographic area and industry categories:

A. Geographic Area

State	Counties/Cities			
Kentucky	Fulton	Graves	Hickman	
Tennessee	Obion	Weakley		

B. Industry Categories

NAICS	Industry Name
1141	Fishing
3117	Seafood Product Preparation and Packing

III. The Project

Effective the date of this notice, USCIS approves the applicant’s request to include the following actual capital investment project.

Project	Type of Project	Organization Documents	Date of Document
<u>Riverine Fisheries International, LLC</u> Geographic Location: City of Hickman, Fulton County, Kentucky Focus of Investment: loan	Actual Project	Business Plan	Incorporated into the Private Placement Memorandum dated 03/21/2013
		Economic Analysis	Dated 03/20/2013
		Operating Agreement	Submitted 04/05/2013
		Confidential Private Placement Memorandum	Dated 03/21/2013

Note: If changes to this project and its supporting documents are found in subsequent Form I-526 or Form I-829 petitions, USCIS will review the supporting documents once more to ensure compliance with EB-5 program requirements.

¹ USCIS issued a Policy Memorandum (PM-602-0083) on the subject of “EB-5 Adjudication Policy,” dated May 30, 2013, stating that formal amendments to the regional center designation are no longer required when a regional center changes its industries of focus or geographic boundaries. A regional center may still elect to pursue a formal amendment by filing Form I-924 if it seeks certainty in advance that changes in the industries or the geographic area will be permissible prior to filing Form I-526 petitions.

The proposal identifies the proposed regional center as the new commercial enterprise (“NCE”). The project is located in the City of Hickman, Kentucky. Twenty-five (25) immigrant investors will subscribe to the NCE as limited partners in exchange for capital contributions of \$500,000 each and an aggregate of \$12,500,000.

The NCE will loan the \$12,500,000 of EB-5 capital to a third-party entity, Riverine Fisheries International, LLC, identified in this approval as the “project.” The EB-5 capital loan proceeds will be used to launch operations of a seafood preparation and packaging business and a commercial fishing business with the primary focus on Asian carp. The project will take more than two (2) years to complete and will generate approximately 318 jobs.

Job Creation

USCIS approves the geographic area and industry categories noted above based on the economic impact analysis presented and reviewed in conjunction with the adjudication of this capital investment project. USCIS notes, as does the applicant’s economist, that there is no NAICS code data for seafood preparation and packaging or commercial fishing for the five-county impact area. Consequently, there are no employment multipliers for these industries in the impact area. To derive multipliers, the economist used industry category multipliers discounted to reflect the average difference between industry category and individual industry NAICS multiplier values. While greater delineation of NAICS codes and hence their associated multipliers are highly desirable, USCIS recognizes that the applicant is using the data that is available and is discounting the multipliers in a manner that appears reasonable and prudent. The resulting job creation methodology presented in the economic impact analysis and underlying business plan is found to be reasonable based on the following inputs, when applying the RIMS II economic model:

Category	NAICS code ²	Eligible Spending/Revenue Impact ³	Direct Effect Employment Multiplier	Total Job Creation	Direct Jobs	Indirect Jobs
Seafood Preparation and packaging	3117	121 Direct jobs	2.42	292	121	171
Commercial Fishing Operations	1141	21 Direct jobs	1.24	26	21	5
Totals	n/a		n/a	318	142	176

The approval of this Form I-924 application is based upon the assumptions and estimates used as inputs in the business plan for job creation. Please refer to the input and multiplier analysis table above.

When an actual project is specifically named in this notice and the critical inputs remain materially unchanged, USCIS will give deference to the job creation methodology when adjudicating Forms I-526

² USCIS recognizes that no RIMS II multipliers exist for the two NAICS categories within the project’s geographical area and that the multipliers used were extrapolated from RIMS II data.

³ While USCIS policy defines all jobs held outside of the NCE as “indirect,” USCIS recognizes that these jobs represent persons directly employed by the job creating enterprise and not estimates of employment calculated through an economic model. To avoid confusion, USCIS references these as “direct jobs” in this table while noting that these jobs are actually “indirect” jobs for purpose of establishing EB-5 eligibility.

associated with the named project. The same business plan and the same reasonable job creation methodology and projected inputs must be submitted when the individual investor's Form I-526 is filed in order to receive deference.

It will be the responsibility of the individual investor to demonstrate that the assumptions and estimates presented as inputs to the job creation methodology remain materially unchanged when he or she files a Form I-526.

If the job creation estimated in the business plan materially changes or will not be realized, then it will be the responsibility of the EB-5 investor to notify USCIS of an agreed upon methodology to allocate job creation among eligible investors.

IV. Guidelines for Filing Form I-526 Petitions Based on the Riverine Fisheries International, LLC Project

Each individual petition, in order to demonstrate that it is affiliated with the Pangaea 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*.
4. Legally executed organizational documents of the commercial enterprise. The documents may be the same documents noted in Section III of this approval notice.

Note: If the project timeline has changed significantly from the original business plan, a narrative that explains the changes in the project timeline, along with a timeline that realistically reflects the status of the project should be submitted.

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

As provided in 8 C.F.R. § 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.

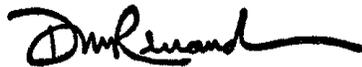
Regional centers that remain designated for participation in the Immigrant Investor Program as of September 30th of a calendar year are required to file Form I-924A Supplement in that year. The Form I-924A Supplement with the required supporting documentation must be filed on or before December 29th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

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,



Daniel M. Renaud
Acting Chief, Immigrant Investor Program

cc: DEBBIE ANN KLIS
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