



U.S. Citizenship
and Immigration
Services

Date: 05/21/2014

Carmela Winikoff
American Sun Regional Center
10203 Santa Monica Blvd, 3rd Floor
Los Angeles, CA 90067

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

Applicant(s): American Sun Regional Center

Re: Request to Amend Regional Center Designation
American Sun Regional Center
RCW1403151666 / ID1129050334

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 01/31/2014. The Form I-924 application was filed to request approval of an amendment to a previously approved regional center designation under the Immigrant Investor Program. The Immigrant Investor Program was established under § 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).

I. Executive Summary of Adjudication

- A. Effective the date of this notice, USCIS approves the regional center's organization structure discussed in Section III of this notice.
- B. Effective the date of this notice, USCIS approves the regional center's administration discussed in Section III of this notice.

II. Procedural History

On 03/11/2013, USCIS approved the American Sun Regional Center for participation in the Immigrant Investor Program as a designated regional center. Based on the initial designation American Sun Regional Center obtained approval for the following geographic area, industry categories and capital investment projects.

Geographic Area

State	Counties/Cities	Approval Date
California	Tulare	03/11/2013

Industry Categories		
NAICS	Industry Name	Approval Date
11335	Tree Nut Farming	03/11/2013

Capital Investment Projects			
Project	Type of Project	Organization Documents	Date of Document
<u>Lone Palm Ranch LP</u> Approved on: 03/11/2013 Geographic Location: Tulare county, California Focus of Investment: loan/investment	Exemplar Form I-526 Petition Project	Business Plan	Revision January, 2013
		Operating Agreement	Dated January 1, 2009
		Confidential Private Placement Memorandum	Dated September, 2011
		Subscription Agreement	Dated September 27, 2011
		Limited Partnership Agreement	Dated August 25, 2011
		Operating Plan	Revision January, 2013
		Promissory Note	Dated September, 2011

An amendment request is required if investment opportunities arise that are outside the previously approved geographic area, industry categories, and capital investment projects. If changes are found in subsequent Form I-526 or Form I-829 petitions, USCIS will review the new evidence to ensure compliance with EB-5 program requirements.

III. Amendment Request¹

Effective the date of this notice, USCIS approves the applicant's amendment request to incorporate the following change(s):

A. Organizational Structure

USCIS approves the applicant's amendment request to change its organizational structure. The applicant's organizational structure has been revised as follows:

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.

American Sun Regional Center

IDI129050334

RCW1403151666

Page 3

The new principals of the regional center will be Ron Cook and Fary Cahil. The new managing company/agency for the regional center will be Corporate American Regional Center Group.

B. Administration Change

USCIS approves the applicant's amendment request to change its administration. The applicant's administration has changed as follows.

The address of the American Sun Regional Center will change to:

5610 North Palm Avenue, Suite 110

Fresno, CA 93704

(559) 431-7009

V. Guidelines for Filing Form I-526 Petitions

Each individual petition, in order to demonstrate that it is affiliated with the American Sun Regional Center, 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, 22 I&N Dec. 206 (Assoc. Comm'r 1998).
4. Legally executed organizational documents of the commercial enterprise.

Note: The project reviewed with this Form I-924 application is a hypothetical project. Organizational and transactional documents associated with the new commercial enterprise (NCE) submitted with this Form I-924 have not been reviewed to determine compliance with program requirements since these documents will receive de novo review in subsequent filings (e.g., an amended Form I-924 application with a Form I-526 exemplar or the first Form I-526 petition filed by an investor under the regional center project).

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

As provided in 8 CFR § 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

American Sun Regional Center

IDI129050334

RCW1403151666

Page 4

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.

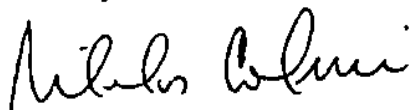
VII. Legal Notice

This approval and designation of a Regional Center under the Immigrant Investor Program does not constitute or imply an endorsement or recommendation by USCIS, the United States Government or any instrumentality thereof, of the investment opportunities, projects or other business activities related to or undertaken by such Regional Center. Except as expressly set forth in this approval and designation, USCIS has not reviewed any information provided in connection with or otherwise related to the Regional Center for compliance with relevant securities laws or any other laws unrelated to eligibility for designation as a Regional Center. Accordingly USCIS makes no determination or representation whatsoever regarding the compliance of either the Regional Center or associated New Commercial Enterprises with such laws.

Each Regional Center designated by USCIS must monitor and oversee all investment offerings and activities associated with, through or under the sponsorship of the Regional Center. The failure of an associated New Commercial Enterprise to comply with all laws and regulations related to such investment offerings and activities may result in the issuance by USCIS of a notice of intent to terminate the Regional Center designation.

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,



Nicholas Colucci
Chief, Immigrant Investor Program

cc: Martin James Lawler
Lawler and Lawler

American Sun Regional Center

ID1129050334

RCW1403151666

Page 5

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