



Date: September 25, 2018

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Application: Form I-924
Application for Regional Center Designation Under the Immigrant Investor Program

Applicant(s): Pacific Casino & Entertainment Group, LLC

Re: Request to Amend Regional Center Designation
Pacific Casino & Entertainment Group, LLC
RCW1734255664/ID1302551074

On December 8, 2017, Pacific Casino & Entertainment Group, LLC (“the Regional Center”) filed a Form I-924 to request an amendment to its regional center designation. The Regional Center entity was established on July 18, 2012 in the state of Nevada, and is structured as a limited liability company. The Regional Center was initially approved for designation in the Immigrant Investor Program (“the Program”)¹ on September 11, 2014.

Specifically, the Form I-924 requests the following:

- Preliminary determination of EB-5 compliance for an exemplar Form I-526, Immigrant Petition by Entrepreneur, for a new commercial enterprise.

Effective as of the date of this notice, and as discussed further below, USCIS approves the Regional Center’s request.

I. Preliminary Determination of EB-5 Compliance for a Form I-526 Exemplar

Through this Form I-924 and the documents submitted, the Regional Center requests preliminary determination of EB-5 compliance for a Form I-526 exemplar. The Regional Center presented evidence asserting that 99 investors will invest \$49,500,000 into 68 Fund A, LLC and 99 investors will invest \$49,500,000 into 68 Fund B, LLC – the new commercial enterprises (NCEs). Both NCEs will lend the

¹ Section 610 of Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993, Pub. L. No. 102-395, 106 Stat. 1828 (1992), as amended (hereinafter the “Act”).

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entire amounts to 18 Fremont Street Acquisition, LLC, the job-creating entity (JCE). The loan to the JCE from 68 Fund A, LLC will partially finance the podium and site work portions of the design, planning, and construction of the project at 18 Fremont Street in Las Vegas, Nevada. The Regional Center asserts that the investment in 68 Fund A, LLC from EB-5 petitioners will create approximately 4,962 jobs. The loan from 68 Fund B to the JCE will partially finance the tower and parking garage portions of the design, planning, and construction of the project at 18 Fremont Street in Las Vegas, Nevada. The Regional Center asserts that the investment in 68 Fund B, LLC from EB-5 petitioners will create approximately 4,551 jobs. The Regional Center also asserts that the NCEs are principally doing business within a targeted employment area (TEA).²

After review of the documents submitted in connection with this request, USCIS has determined that the Regional Center has demonstrated that the Form I-526 exemplar complies with EB-5 requirements. Per USCIS policy, this determination will be accorded deference in subsequent filings under the project involving the same material facts and issues, absent material change, fraud, willful misrepresentation, or a legally deficient determination. Notwithstanding this approval, investors with related Form I-526 petitions must independently demonstrate eligibility with applicable EB-5 requirements, including the requirement that he or she is eligible for the requested benefit at the time of filing the benefit request and continues to be eligible through adjudication. 8 C.F.R. § 103.2(b)(1).

If the Regional Center has any questions concerning its designation under the Immigrant Investor Program, please contact the USCIS by email at:

USCIS.ImmigrantInvestorProgram@uscis.dhs.gov

Sincerely,



Sarah M. Kendall
Chief, Immigrant Investor Program

² Based on the evidence presented, USCIS has determined that NCE will principally be doing business within a TEA for the purposes of this exemplar filing. However, investors with related Form I-526 petitions must establish that at the time of investment or at the time of filing the immigrant petition, as applicable, the geographic area in question qualified as a TEA. A geographic area that once qualified as a TEA may no longer qualify as employment rates or population increases over time. In addition, an immigrant investor cannot rely on previous TEA determinations made based on facts that have subsequently changed.

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cc: Pacific Casino & Entertainment Group, LLC
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