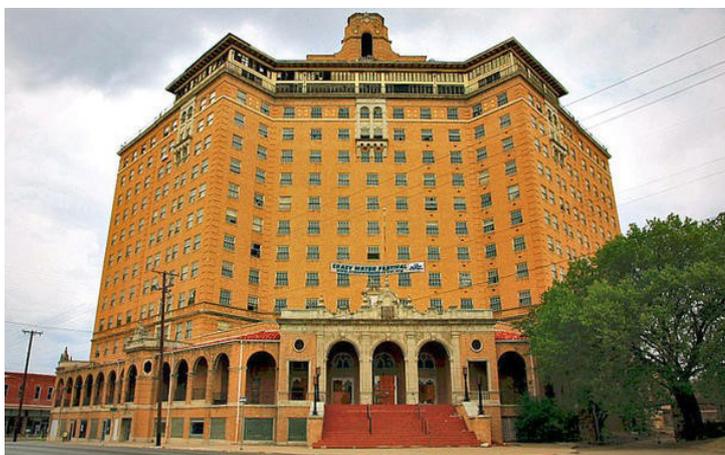


**“The Source for Information on EB-5 Visa Investments.
Inform your clients, protect your practice.”**

APRIL 2015



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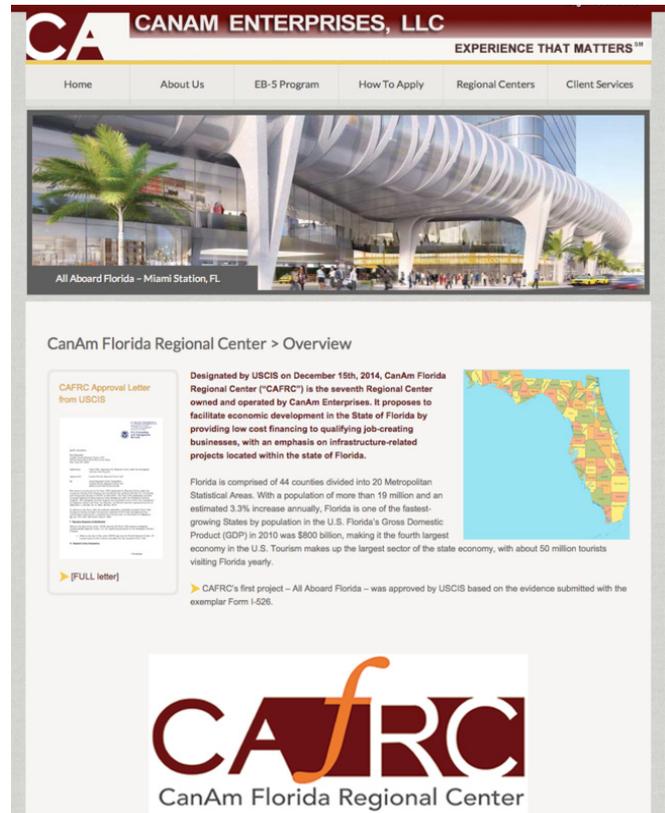
At AAF hearing, Treasure Coast opposition faces strong support from other regions

All Aboard Florida would boost the state economy and create jobs, and deserves a nearly \$2 billion loan, if you ask the Orlando Magic, Universal Parks and Resorts or officials of Miami-Dade, Broward and Orange counties.

All Aboard Florida will hurt the state economy and its credit worthiness and ruin property values, if you ask Treasure Coast residents and officials in the region's three counties.

That division — no surprise to anyone on either side of the issue — was more than evident Monday during a hearing before the Florida Development Finance Corp. to gather public comment on All Aboard Florida's request to borrow \$1.75 billion through tax-exempt bonds to help finance its \$3 billion Miami-to-Orlando high-speed passenger railroad.

Over more than four hours, agency staff heard comments from more than 30 people impacted by the project. Comments from Miami-Dade, Broward, Palm Beach and Orange counties were overwhelmingly positive, while all Treasure Coast speakers said the trains would not generate profit to pay off the bonds, hurting the state's credit rating.



[Read more](#)

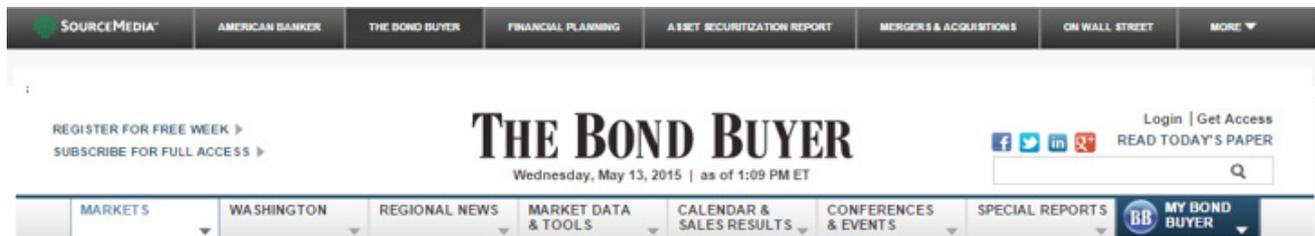
CMB's Dakota Spirit AgEnergy Ethanol Plant updates

The Dakota Spirit AgEnergy Ethanol Plant is nearing completion! We just received an update from the developer, the facility may become operational as early as May 2015. They also sent us some great new pictures, see below:



[Read more](#)

Florida Suit Asks Federal Judge to Block Train Bonds



REGIONAL NEWS Florida Suit Asks Federal Judge to Block Train Bonds

BY SHELLY SIGO
APR 1, 2015 2:36pm ET

Indian River County, Fla., Tuesday filed a lawsuit asking a federal judge to block the issuance of \$1.75 billion in private activity bonds for the All Aboard Florida private train project.

A Florida county asked a federal judge to block the issuance of \$1.75 billion in tax exempt private activity bonds for the All Aboard Florida private passenger train project. Indian River County filed the lawsuit Tuesday in the U.S. District Court for the District of Columbia. It contends that the bond allocation by the U.S. Department of Transportation violated the National Environmental Policy Act.

Also named as plaintiffs along with Indian River County are the county's emergency services district and a nonprofit archaeological group called Old Vero Ice Age Sites Committee Inc. U.S. Transportation Under Secretary Peter Rogoff, who signed the bond allocation letter, is a defendant along with the USDOT. Rogoff stipulated that the bonds must be issued by July 1, and that bond proceeds could not be expended until 45 days after the final environmental impact statement is issued.

[Read more](#)

AnC Bio coming to Newport in May

[Bill Stenger](#), president and CEO of [Jay Peak](#), announced Monday morning in the resort's boardroom at the Hotel Jay that AnC Bio Vermont, the biotech company planned for nearby Newport, will break ground on May 14 for the \$100 million project.

The state Department of Financial Regulation has approved an updated and revised private placement memorandum for AnC Bio, allowing the project to move forward, but there are conditions attached, said Commissioner Susan Donegan in an interview last week. The private placement memorandum, or PPM, is used to present the opportunities and risks of the project to potential investors.

Donegan said those conditions on the PPM include putting any new funds raised for AnC Bio into an escrow account until her department has completed a financial review of the project and given it full approval. Donegan said she didn't know how long that review is likely to take.

[Read more](#)



Green Valley hospital's foreign investors get green cards in return

Wealthy investors from outside of the U.S. are pouring millions of dollars into Arizona development projects, including the soon-to-open [Green Valley Hospital](#), in exchange for green cards to legally live in the U.S.

Difficulties securing financing during the recession attracted McDowell Enterprises, the developer of the Green Valley Hospital, to the federal EB-5 immigration program, said David Wanger, CEO of Green Valley Hospital.

The hospital, which is to open on June 1, secured \$56 million of the \$79 million in capital needed for the hospital project from foreign investors, most of them from China, Mexico and Vietnam, Wanger said.

Under the EB-5 program, foreigners who invest \$500,000 or more in a U.S. project that creates at least 10 jobs can get green cards for themselves and their immediate family.

Congress started the program in 1990 with the intent to create jobs. It didn't get much use until the recession hit and sent project developers looking for unconventional means of funding.

[Read more](#)

Florida Organic Aquaculture provides updates to their project

My team and I are excited to share the news that our Hatchery is now fully functional and producing shrimp!

This past week, our broodstock, or adult breeding shrimp, began mating and spawned the first generation of nauplii, or larval shrimp, born at FOA's Fellsmere facility. The tiny specks pictured below are just-hatched baby shrimp swimming in a Spawning Tank.



[Read more](#)

Top Homeland Official Alejandro Mayorkas Accused of Political Favoritism

Deputy Homeland Security Secretary Alejandro Mayorkas tainted the image and integrity of the immigration program he oversaw by fostering “an appearance of favoritism and special access” in how the agency treated projects that would bring visas and Green Cards to wealthy foreign investors, a new report from the agency’s Inspector General says.

“The juxtaposition of Mr. Mayorkas’ communication with external stakeholders on specific matters outside the normal procedures, coupled with favorable action that deviated from the regulatory scheme designed to ensure fairness and evenhandedness in adjudicating



benefits, created an appearance of favoritism and special access,” the Inspector General’s report concluded.

[Read more](#)

EB-5 could harbor fraud: report

A new report from a US congressional commission expressed concern over China’s “extensive” use of the EB-5 visa program, saying that the program is hard to regulate and runs the risk of “outright investor fraud”.

The US-China Economic and Security Review Commission (USCC) said in a report released Thursday that the nation’s EB-5 program has seen a flood of applicants from China, and that regional EB-5 centers may not be properly screening potential investors, potentially leading to fraud.

“There is an incentive not to screen Chinese EB-5 investors too rigorously,” the commission found. “They can fill an important gap by investing in underdeveloped areas that domestic investors avoid.”



[Read more](#)

Touting connections, Hillary Clinton's brother takes on Philly project

The brief bio of Tony Rodham on the website of a [Philadelphia investment fund](#) is vague about his business expertise but explicit about his political ties: "Mr. Rodham has worked with former President Bill Clinton on all his campaigns, from the House of Representatives to the Presidential Campaigns. ... Mr. Rodham also worked for his sister, Hillary Rodham Clinton, during her Senate and Presidential Campaigns."

The firm, [Global City Regional Center](#), touts Rodham's role recruiting overseas investors who will put up \$500,000 in exchange for visas to live in the United States.

Rodham's involvement in the Philadelphia firm, which has not been previously reported, represents another example of his work for investment firms offering so-called EB-5 visas to foreign investors.

[Read more](#)



Investor visas offer wealthy foreigners fast-track to green cards



When Houston entrepreneur Roberto Contreras went shopping for capital to finance a \$70 million luxury residential tower he was planning near the Galleria, he didn't look for equity in the usual places.

Instead he cast his net a lot wider, finding 20 well-heeled international investors, mostly from Mexico and Nigeria, who were willing to put up \$1 million each for a stake in Houston's booming real estate market.

Those foreigners, however, weren't necessarily motivated by the hope of a tidy return on their investments. Their \$1 million bought them and their immediate families the chance to immigrate to the United

States. Created by Congress during a recession in 1990, a relatively obscure visa, known as EB-5, offers foreigners a much-coveted green card if they invest at least \$500,000 in a U.S. business that creates 10 local jobs. Billed as American citizenship "via the red carpet," it fast-tracks the wealthy to the front of an immigration line that can drag out for decades.

[Read more](#)

Senator Harry Reid Picks Curious Time To Announce He Isn't Seeking Reelection



Senator Harry Reid of Nevada is calling it a career. His announcement comes one day after it became known that the former Senate Majority Leader abused his power while in office to pressure the Department of Homeland Security to expedite foreign investor's visas to son's casino client.

In what can only be called an abuse of power, Reid pushed DHS to bend to his will in ways that directly benefited his political allies and family. Reid pushed for DHS to override normal procedure and expedite 230 EB-5 foreign visa applications. That freed up \$115 million which the visa applicants invested in [SLS Hotel and Casino](#) in Las Vegas which had hired Rory Reid, Harry's son, to provide legal representation for the project.

[Read more](#)

SEC to Target Deals Giving Visas to Rich Foreign Investors

The U.S. Securities and Exchange Commission is expanding a crackdown on a little-known program to dole out visas to wealthy foreigners in exchange for investments that generate jobs.

The SEC is preparing sanctions against as many as two dozen immigration lawyers, people familiar with the matter said, for collecting deal fees from foreign investors trying to access the EB-5 visa program, which grants U.S. residency for \$500,000 investments that create 10 jobs.

The lawyers were prohibited from earning transaction fees because they weren't registered as brokers, according to the people, who asked not to be named because the investigations aren't public.



The EB-5 program has been scrutinized by federal agencies in recent years for potential security risks and investment fraud. The SEC has taken action before. The agency halted an alleged \$158 million fraud in 2013 in which a Chicago man duped almost 300 investors into believing that they would win visas by backing his project to build a hotel. The project never came to fruition and the promoter was indicted last year.

The program, more than two decades old, has been criticized for failing to create jobs. In a 2014 report, the inspector general for the Department of Homeland Security found that administrators were unable to show that the EB-5 program was boosting the U.S. economy.

[Read more](#)

Texas Hotel, to Regain its Luster, Relies on Foreign Dollars



The Baker Hotel remains a glorious wreck.

Closed to guests since 1972, the shuttered hotel is rife with graffiti, debris and water damage.

Yet everywhere he turns, Southlake developer Laird Fairchild continues to see possibilities.

He sees the roof as the perfect spot for a wine bar, accompanied by a private nook for newlyweds to have a first drink or a meal.

The Cloud Room, the ballroom that overlooks Mineral Wells, would be restored to its original state, as would the lobby -- complete with an old-time phone booth near the reception desk.

Fairchild, head of Baker Hotel Development Partners LLC, who has worked on reviving the hotel since 2007, remains confident that the \$56 million renovation will happen -- despite a steady barrage of financing roadblocks.

"I understand the cynics," [Fairchild told the Fort Worth Star-Telegram](#). "Believe me, I wouldn't be here working on this for seven years if I didn't think it could happen."

[Read more](#)

Driftwood Hospitality looks to double hotels in South Florida

Driftwood Hospitality Management has several hotel projects on tap as part of plans to double its presence in South Florida within a few years.

As of December, the company based in North Palm Beach had 48 hotels across 14 states and Costa Rica. Sixteen are in Florida and five in South Florida.

Driftwood Hospitality Management plans to break ground on a 150-room Canopy by Hilton hotel in downtown West Palm Beach in the first quarter of 2016. (Pic Courtesy)



Four more hotels are in varying stages of development, including a Canopy by Hilton in downtown West Palm Beach, a Curio by Hilton in [Broward County](#) and, in Miami-Dade County, a [Residence Inn by Marriott Flagler](#) Station and a DoubleTree Hotel by Hilton in Doral. Two other new hotels are in earlier planning stages, a Driftwood official said.

[Read more](#)

Quinlan, Lonicera to Build Brooklyn Heights Rental With \$50M in Debt, EB-5 Equity

Lonicera Partners and Quinlan Development are on the verge of putting together about \$51 million in construction funds to build a residential rental property in Brooklyn Heights, Commercial Observer has learned.

The new project, targeted to local families, will hold 60 market-rate units, Tyler Wilkins, a partner at New York-based Quinlan, confirmed to Commercial Observer. Construction will be financed with a \$36.6 million traditional mortgage from M&T Bank and \$15 million in EB-5 funds, he said.

The luxury residence, at 157 Remsen Street, will start construction as soon as the low-rise residential and commercial buildings on the three-plot site are demolished, he said.

The EB-5 money is being sourced through [NY Immigration Fund](#), which is still finalizing the paperwork, said Robert Roe, a vice president at NY Immigration.



The combination of EB-5 equity and traditional debt meant Quinlan didn't have to bring in a J.V. partner, Mr. Wilkins said. Quinlan and Brooklyn-based Lonicera are co-developers in the project, both parties confirmed.

"It's just cleaner," without involving a J.V. equity partner, Mr. Wilkins said.

[Read more](#)

Ziock hotel project a go—even without Amtrak

Gorman & Company is one step closer to making a downtown high-rise hotel a reality along the Rock River.

According to reports, Gorman will begin remediation at the 13-story Ziock Building after it closes on the property in May. Construction is slated to be completed by Dec. 31, 2016, in time to take advantage of historic credits before they expire. Cost of the project is approximately \$67 million.

The City of Rockford currently owns building. Aldermen approved the redevelopment last year.

The project, along with others downtown, was the subject of some speculation after Gov. Bruce Rauner put the brakes on the \$220 million project that would have brought Amtrak service back to Rockford for the first time in 30 years. With the train on hold, some believed so would go the hotel.



[Read more](#)

Senator to DHS: Suspend The Visa Broker Facing FBI Probe



A company led by a former White House military aide that is under FBI investigation for allegedly cheating foreign investors out of millions after promising them an easy path to a Green Card should have long ago lost its federal Homeland Security certification, said Senate Judiciary Chairman Charles Grassley.

"There's no reason why [federal immigration officials] could not at least suspend a regional center's certification when there is evidence of fraud," said Grassley, an Iowa Republican, who has called for greater scrutiny of the foreign investment visa program, known as EB-5. Under the controversial U.S. immigration program, foreign investors can obtain visas, and eventually Green Cards, if they invest at least \$500,000 in projects that will create American jobs.

One of the companies with federal approval to market the investment visas overseas was set up by the former Chief of Staff of the White House Military Office and a partner. The firm, called [Noble Outreach](#), promised investors their money would be used to rebuild New Orleans after Hurricane Katrina, including an ambitious hotel, restaurant and conference center development. But the project was never built and investors said in a lawsuit they believe the two company executives took salary and consulting fees while diverting much of the \$16 million in investment money into separate companies or entities they controlled.

[Read more](#)

Civitas EB-5 Fund 21 LP Just Filed Form D Announcing \$9 million Financing



Civitas EB-5 Fund 21, LP Financing

Civitas EB-5 Fund 21, LP, Limited Partnership just filed form D regarding \$9.00 million financing. Civitas EB-5 Fund 21, LP was able to sell \$500,000. That is 5.56% of the offering. The total offering amount was \$9.00 million. The reason for the financing was: Ongoing.

Civitas EB-5 Fund 21, LP is based in Texas. The filer's business is Investing. The form was signed by Daniel J. Healy CEO.

[Read more](#)

Emphasis on Compliance and SEC Interagency Cooperation a Year After the Appointment of Chief Nicholas Colucci to the USCIS Immigrant Investor Program (EB-5)

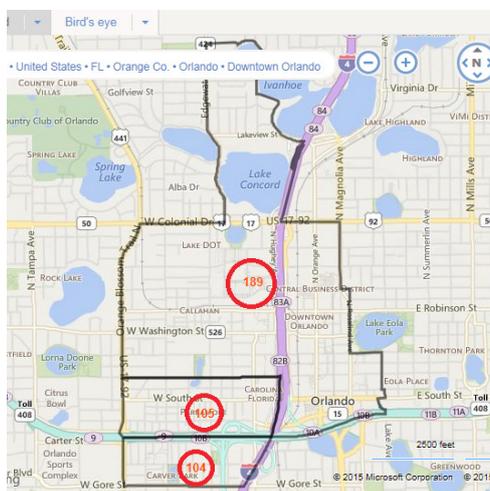
After more than one year of service by Chief Nicholas Colucci of the Immigrant Investor Program (“EB-5”) at U.S. Citizenship & Immigration Services (“USCIS”), there is a clear shift in favor of increased compliance efforts and interagency cooperation, including Securities and Exchange Commission (“SEC”) enforcement actions of the EB-5 investor green card program. The shift was anticipated by the EB-5 immigration community as Chief Colucci has an extensive background in financial crimes and investigations. Previously, Chief Colucci served as the associate director of the Department of the Treasury Financial Crimes Enforcement Network’s (“FinCEN”) Analysis and Liaison Division. FinCEN plays a critical role in the United States’ wider battle against money laundering and financing of terrorist activities. Prior to FinCEN, Chief Colucci served with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”). Chief Colucci’s financial investigations experience is a clear asset to USCIS’s efforts to scrutinize and enforce compliance of all EB-5-related financial regulations and in its collaboration with other agencies to ensure financial and security

issues are addressed comprehensively by the government. Specifically, USCIS is working with Immigration and Customs Enforcement (“ICE”), Customs and Border Protection (“CBP”), the Federal Bureau of Investigation (“FBI”), and the SEC’s enforcement division on EB-5 cases. Given the noticeable shift at USCIS and the likely acceleration of government financial investigations efforts under Chief Colucci’s continued direction, now more than ever, it is critical that competent immigration counsel are involved in any EB-5 representation.



[Read more](#)

ReinID - EB-5/TEA Map Updates



ReinID.com and we’d thank everyone who took the time to provide valuable feedback and recommendations. Now for the updates!

Targeted Employment Area (TEA) Updates and Reports

Overall, there are fewer tracts that “qualify” for EB-5 where states prefer the census-share values; meaning, 2014 was a good year for employment and ACS numbers alone won’t necessarily be adequate for a designation. EB-5 petitioners might be tempted to submit ACS-only numbers because the census-share unemployment numbers aren’t above the 9.3 (150% of national) level -- meaning the ACS numbers “qualify” and the census-share does not. Please check with your State requirements just to make sure. (Note: In Texas, county Judges and/or Mayors are designated to handle the requirements, make approvals, and write designation letters.

[Read more](#)

Emilio Francisco, CEO of PDC, Announces Assisted Living and Memory Care Residence Project in Titusville, Florida

Emilio N. Francisco, Chairman and Chief Executive Officer of private equity firm PDC Capital Group, announced the development of SummerPlace at Correll Palms, an assisted living and memory care facility to be located in Titusville, Fla., across the Indian River from the Kennedy Space Center.

The location of SummerPlace at Correll Palms has been identified by the Bureau of Labor Market Statistics as a Targeted Employment Area under the provisions of the EB-5 Investor Visa Program. The EB-5 visa is a federal program launched in 1990 that allows foreign nationals to apply for permanent residency in the U.S. in exchange for investing in a U.S. business. Each investment is required to generate at least 10 jobs. The investment requirement is lowered to \$500,000 if the EB-5 project is developed in a Targeted Employment Area (TEA), where unemployment is higher than the average.



[Read more](#)

WARREN BUFFETT TO INVEST \$18M IN GORMAN & CO.'S DOWNTOWN ROCKFORD HOTEL

Warren Buffett's money has joined Gary Gorman's plan to turn the former Amerock building into a \$64 million hotel and conference center on the west bank of the Rock River.

provide a critical mass of lodging options downtown instead of just one.

[Read more](#)

But the water is not placid.

Gorman is concerned about a separate downtown hotel plan pitched by Joseph James Partners. The Rockford developer wants to put a \$14.5 million, 76-room boutique hotel at 134 N. Main St., about six blocks north of the 150-room project that Gorman hopes will carry the Embassy Suites banner. Gorman has applied for the brand with Hilton Worldwide.

A Jan. 24 report from Chicago-based Hunden Strategic Partners, which was hired by the city and Rockford Area Convention & Visitors Bureau to assess the local hotel market, suggests that there is enough room for both projects, saying the proposals represent distinctive products and would



ALLENTOWN CITY CENTER



Regional Center - [Pennsylvania Dept. of Community and Economic Development Regional Center](#)

Coco Palms



Regional Center - [Lexden-Hawaii Regional Center, LLC](#)

Hyatt House Hotel, Portland



Astoria Houston



Regional Center - [Houston EB 5 Regional Center](#)

Pacific Links International – Makaha West



US Cast, Inc - Acquisition Opportunity



Regional Center - [Hawaii Regional Center](#)



[Alexico New York Regional Center, LLC](#)



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[EB-5 Bonds California, LLC](#)



[Regional Center Fund of America LLC](#)



[EB5 Florida Hotels & Investments Regional Center LLC](#)



[US EB5 Association](#)



[Heartland Regional Center](#)



[Washington EB-5 Regional Center, LLC](#)



[Lexden-Hawaii Regional Center, LLC](#)



[Front Range Regional Center, Inc.](#)



[MS Global Partners, LLC](#)



[Driftwood Hospitality Management](#)



[CILC - Center for Interactive Learning and Collaboration](#)



[I.A. Donoso & Associates LLC](#)



[Seahawk Innovation](#)



[Gorman & Co. Inc](#)



[Williams & Dame](#)



[Frank Lleras](#)



[Farooq Mughal](#)



[Albert Silva](#)



[Helyn Lau](#)



[Acho Azuike](#)



[John Mendoza](#)



[Betania Nassar](#)



[Miguelina JIMENEZ-GRILLO](#)



[Matthew Hogan](#)



[George Freitas](#)



[Loan T. Huynh](#)



[Debra Schneider](#)



[Zhu "June" Cheng](#)



[Ashley Roth](#)



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- [Can I appeal an I-829 denial to USCIS?](#)
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- [Question on establishing lawful source of funds when a petitioner obtains loan from a friend](#)
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[Free Webinar - Planning for the China EB-5 Cut-Off Date in May or June 2015](#)



[Navigating the Immigration Landscape: A Guide for Employers](#)



EB-5 Regional Economic Development Advocacy Conference



2015 AREA Global + Luxury Summit



EB-5 Immigrant Investor Program: Stakeholder Engagement (Teleconference)



Meet the Money 2015



EB-5 United in Brazil in April for Seminars (Rio de Janeiro)





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