

U.S. Department of Homeland Security
Office of Service Center Operations
20 Massachusetts Avenue, NW
Washington, DC 20529



U.S. Citizenship
and Immigration
Services

MAY 30 2008

HOOPRD 70/6.2.8

Mr. Otis R. Harris
Chief Executive Officer
Unibex Global Corporation
P.O. Box 271222
Las Vegas, NV 89127

FINAL NOTICE OF TERMINATION AS A REGIONAL CENTER

Pursuant to Section 610 of the Appropriations Act of 1993, on October 23, 1995, Unibex Global Corporation (Unibex) was approved and designated by the legacy Immigration and Naturalization Service (INS) as a regional center to participate in the Immigrant Investor Pilot Program within the geographic area as defined by the legal boundaries which constitute the City of North Las Vegas, NV, for the purpose of attracting immigrant investor capital to the defined area.

On March 17, 2008, U.S. Citizenship and Immigration Services (USCIS), the successor to INS, issued a Notice of Intent to Terminate. In response to that notice, Unibex requested voluntary termination of its designation as a regional center. Pursuant to such request, participation of Unibex as a regional center in the Pilot Program is voluntarily terminated without prejudice. The termination of participation as a regional center in the Pilot Program does not preclude or in any way prejudice any new regional center proposals that you might choose to submit. Any future proposals will be adjudicated on their own merit.

If you have any questions concerning the Unibex voluntary termination under the Immigrant Investor Pilot Program, please contact the Foreign Trader, Investor and Regional Center Program, at USCIS.ImmigrantInvestorProgram@dhs.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Barbara Velarde", written over the typed name and title.

Barbara Velarde
Chief
Service Center Operations

cc: Official File
J.WHALEN: 6/02/08

NOTICE OF INTENT TO TERMINATE

This correspondence serves as a Notice of Intent to Terminate the Unibex Global Corporation (UGC) Regional Center designation pursuant to 8 CFR 204.6(m)(6). As more fully described, the U.S. Citizenship and Immigration Services (USCIS) has determined that the UGC 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. Consequently, USCIS intends to terminate the designation of UGC as a regional center.

Additionally, this is to acknowledge and respond to your letter dated January 18, 2008 which was addressed to Maurice R. Berez in the USCIS Foreign Trader, Investor and Regional Center Program, in which you requested a letter from the USCIS affirming that UGC continues to be an approved and designated regional center in the Immigrant Investor Pilot Program. Based on a review of USCIS records relating to the UGC Regional Center, it is noted that to date there has been no substantive response to a USCIS letter dated July 14, 2006 (copy enclosed), by which it was requested that UGC provide information pursuant to regulations at 8 CFR 204.6(m)(6) to enable USCIS to determine whether the UGC Regional Center is in fact serving the purpose of the Immigrant Investor Pilot Program by promoting economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. In order to make such a determination, the letter of July 14, 2006 requested the following:

1. The name, date of birth, and alien registration number of each alien investor who made an investment and filed an EB-5/I-526 Petition with legacy INS or its successor USCIS.
2. The country of nationality of each alien investor who made an investment and filed an EB-5/I526 petition with legacy INS or its successor USCIS.
3. The total aggregate number of approved EB-5 alien investor I-526 petitions through your regional center for each year since your approval and designation.
4. The total aggregate number of approved EB-5 alien investor I-829 petitions through your regional center for each year since your approval and designation.
5. The total aggregate of EB-5 alien capital invested through your regional center for each year since your approval and designation.
6. The total aggregate of "new" direct or indirect jobs created by EB-5 investors through your regional center for each year since your approval and designation.
7. If applicable, the total aggregate of "preserved" jobs by EB-5 alien investors into troubled businesses through your regional center for each year since your approval and designation.
8. If you have had no investors through your regional center for the last two years, specify in detail, with timelines, your plans to actively promote your regional center program, and to recruit legitimate alien investors. Your plan must specify in detail:
 - a. The budgeted expenditures for this,

- b. The timeline for the key activities/milestones of when, where, and how alien investors will be recruited; and
- c. Into what business clusters and/or commercial enterprises located within the boundaries of your regional center their sought after capital will be invested/targeted to.

In response to the July 14, 2006, request letter, you only provided a brief letter stating that the attorney who was copied on the USCIS request letter no longer is affiliated with the UGC Regional Center. Your response failed to address a single item of the July 14, 2006 request and contained neither any data or information that was requested by USCIS.

In the original UGC Regional Center proposal that was approved by the former Immigration and Naturalization Service (Legacy INS), it is stated that the corporate mission was:

“To identify, develop, unite and market new opportunities for foreign investors and U.S. businesses in a manner that will benefit the United States economy.”

Absent the information and data that was requested in the July 14, 2006, request from USCIS, it cannot be determined if the UGC Regional Center has taken any steps to fulfill its stated corporate mission and, based on the available evidence, the corporate mission does not appear to have been achieved.

In the original UGC Regional Center proposal that was approved by legacy INS, it is stated that “...the UGC Regional Center will provide a new viable source of capital for almost every type of business which is labor-intensive.” To date absent the information and the data requested in its letter of July 14, 2006, USCIS has no basis, data or evidence by which the UGC Regional Center can point to any actual business or jobs being created by immigrant investors in association with or through the regional center.

In its original proposal for regional center designation, UGC specifically stated that “...the city of North Las Vegas will market the Targeted Area to foreign investors utilizing the internet.” Upon a thorough and complete search of the internet by USCIS for a UGC Regional Center website, none was found and the only internet reference found for Unibex was the same brief mention provided in hard copy in the Nevada state legislature’s Senate daily journal dated May 15, 1997.

(b)(4) In a letter dated December 7, 2007, you allege that UGC has various projects in early development and plans for a third. One project which you cite refers to the University of Nevada Las Vegas (UNLV) Harry Reid Research and Technology Park consisting of 114 acres and a second you allege is to be in a mixed use development of [redacted] acres, and another you allege will be the Trade, Investment, Commercial, Opportunity (TICO) project. However, based on the absence of any probative or supportive evidence, such as business plans, legally executed agreements, memorandum of understanding, financial statements, employment or payroll data and records, or other valid documents which might substantiate such claims by UGC, at this

point, none of these cited projects appear to be in a state of actual development which either formally, directly or indirectly involves the UGC Regional Center.

As far as can be ascertained from the unsubstantiated claims made in your correspondence of January 18, 2008, in the 12 years and 5 months since it was designated on October 23, 1995 by legacy INS to operate as a regional center within the Immigrant Investor Pilot Program, the UGC Regional Center appears to have had no alien investors to date nor appears to have started a single EB-5 immigrant investor funded project or enterprise, and has neither created any direct and/or indirect jobs for qualified employees, nor materially promoted economic growth as a regional center.

Absent evidence or data which opposes the above determination, at this point USCIS has determined that the UGC Regional Center fails to meet the requirements of Section 610a of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, the provisions of which still apply relating to the underlying statutory requirements and amendments which govern the Immigrant Investor Pilot Program. Therefore, USCIS proposes to terminate UGC's designation as a regional center in accordance with 8 CFR 204.6(m)(6) which states in pertinent part:

(6) Termination of participation of regional centers. To ensure that regional centers continue to meet the requirements of section 610(a) of the Appropriations Act, the Assistant Commissioner for Adjudications shall issue a notice of intent to terminate the participation of a regional center in the pilot program 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 thirty 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 the Assistant Commissioner for Adjudications determines that the regional center's participation in the Pilot Program should be terminated, the Assistant Commissioner for Adjudications shall notify the regional center of the decision and of the reasons for termination. The regional center may appeal the decision within thirty days after the service of notice to the Associate Commissioner for Examinations as provided in 8 CFR 103.3.

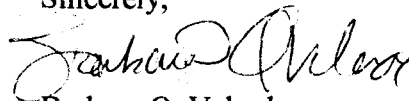
Based on the evidence of record, including the failure to respond to our July 14, 2006 request for information, the determination is that the UGC Regional Center is not satisfying the purposes of promoting economic growth, including increased export sales, improved regional productivity, job creation, and increased domestic capital investment. Consequently, USCIS intends to terminate UGC as a regional center.

Finally, it is noted that UGC had separately submitted an amendment request to expand the UGC Regional Center geographic area. Action on the request to amend shall be closed should the termination of the present UGC Regional Center designation by USCIS become final.

UGC has thirty-three (33) calendar days from the date of this notice to offer evidence in opposition to the ground or grounds alleged in this notice of intent to terminate its designation as a regional center.

A final termination action by USCIS of UGC's participation as a regional center in the Immigrant Investor Pilot Program does not preclude nor prejudice any new regional center proposals that UGC may choose to submit to USCIS seeking approval and designation of a new regional center to participate in the Immigrant Investor Pilot Program. Any new proposal will be adjudicated solely on its own merit by USCIS.

Sincerely,



Barbara Q. Velarde

Chief

Office of Service Center Operations

Cc: Stephen Yale-Loehr
Enclosure