

**U.S. Department of Homeland Security**  
U.S. Citizenship and Immigration Services  
*Immigrant Investor Program*  
131 M Street, NE, Mailstop 2235  
Washington, DC 20529



**U.S. Citizenship  
and Immigration  
Services**

**Date:** March 02, 2026

EB5AN AZ and Southern Regional Center, LLC  
c/o Samuel B Silverman  
954 Avenida Juan Ponce De Leon, Suite 205  
San Juan, PR 00907

**Application:** Form I-956F  
Application for Approval of an Investment in a Commercial Enterprise

**Applicant(s):** EB5AN AZ and Southern Regional Center, LLC  
RC2300001758

**Re:** Initial I-956F, Application for Approval of an Investment in a Commercial Enterprise  
INF2560014972

On March 12, 2025, EB5AN AZ and Southern Regional Center, LLC (“the Regional Center”) filed a Form I-956F to request an Initial I-956F, Application for Approval of an Investment in a Commercial Enterprise in accordance with section 203(b)(5)(F) of the Immigration and Nationality Act (“INA”). The Regional Center was initially approved for designation in the Regional Center Program (“the Program”)<sup>1</sup> on May 12, 2015.

Specifically, the Form I-956F requests the following:

- Determination of EB-5 compliance for initial I-956F, Application for Approval of an Investment in a Commercial Enterprise.

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<sup>1</sup> INA § 203(b)(5)(E) and its predecessor at Sec. 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act of 1993, Pub. L. 102-395 (repealed by the EB-5 Reform and Integrity Act of 2022, Div. BB of the Consolidated Appropriations Act, 2022, Pub. L. No. 117-103).

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

**I. Determination of EB-5 Compliance for an initial I-956F, Application for Approval of an Investment in a Commercial Enterprise**

Through this Form I-956F and the documents submitted, the Regional Center requests determination of EB-5 compliance for an initial I-956F, Application for Approval of an Investment in a Commercial Enterprise. The Regional Center presented evidence asserting that 250 investors will invest \$200.0 million into EB5AN Pointe Vista Fund 33, LP – the new commercial enterprise (NCE). The NCE will lend the entire amount to Pointe Vista Resort Development, LLC, the job-creating entity (“JCE”), which will use the pooled investment to develop, build, and operate (a) a 189-key Hard Rock-branded hotel, including an estimated 14,000 square feet of event and meeting space, a 1,000-bay surface parking, and various amenities; (b) Phase 1 of a two-phase condominium development comprising 131 for-sale Hard Rock-branded residences across seven buildings, and (c) Phase 1 of a two-phase man-made bay amenity with public access and food and beverage and commercial spaces (collectively, the “Project”), for an approximate total cost of \$493.6 million.<sup>2</sup> The Project is located at 11600 Texoma Park Rd, Kingston, Marshall County, Oklahoma 73439, which is asserted to be a rural area.

After review of the documents submitted in connection with this request, USCIS has determined that the Regional Center has demonstrated that the initial I-956F, Application for Approval of an Investment in a Commercial Enterprise complies with EB-5 requirements.

The Regional Center asserts construction activity will last longer than 2 years. Therefore, USCIS approves the Form I-956F based on evidence submitted indicating that the investment from EB-5 petitioners will create sufficient direct jobs and indirect/induced jobs in accordance with INA § 203(b)(5)(E)(iv)(I) to support 250 EB-5 investors.<sup>3</sup>

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<sup>2</sup> The initial scope of the project encompassed developing, building, and operating certain components of a new real estate development known as *Pointe Vista*, an ongoing master-planned all-season resort, including a Hard Rock-branded hotel, Hard Rock-branded condominium residences, man-made bay amenity, family entertainment center, enclosed water park, outdoor adventure park, golf course and marina, for an approximate total cost of \$1.28 billion.

<sup>3</sup> INA § 203(b)(5)(E)(iv)(I) permits aliens seeking admission to satisfy only up to 90 percent of the job creation requirement with jobs that are estimated to be created indirectly through investment. An employee of the new commercial enterprise or job-creating entity may be considered to hold a job that has been directly created. If the jobs estimated to be created are created by construction activity lasting less than 2 years, Applicants may satisfy only up to 75 percent of the job creation requirement with jobs that are estimated to be created indirectly through investment. INA § 203(b)(5)(E)(iv)(II). If the number of direct jobs estimated to be created has been determined by an economically and statistically valid methodology, and such direct jobs are created by construction activity lasting less than 2 years, the number of such jobs that may be considered direct jobs for purposes of clause (iv) shall be calculated

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USCIS also approves the Regional Center's assertion that the JCE is principally doing business within a rural area.

The approval of an I-956F shall be binding for purposes of the adjudication of subsequent Forms I-526E, Immigrant Petition by Regional Center Investor, filed by immigrants investing in the same offering described in this I-956F application, and of petitions by the same immigrants filed under INA § 216A unless—

- (I) the applicant engaged in fraud, misrepresentation, or criminal misuse;
- (II) such approval would threaten public safety or national security;
- (III) there has been a material change that affects eligibility;
- (IV) the discovery of other evidence affecting program eligibility was not disclosed by the applicant during the adjudication process; or
- (V) the previous adjudication involved a material mistake of law or fact.

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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](mailto:USCIS.ImmigrantInvestorProgram@uscis.dhs.gov)

Sincerely,



Alissa L. Emmel  
Chief Immigrant Investor Program

**cc:** EB5AN AZ and Southern Regional Center, LLC  
c/o Michael Schoenfeld  
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by multiplying the total number of such jobs estimated to be created by the fraction of the 2-year period that the construction activity lasts. INA § 203(b)(5)(E)(v)(II)(cc).