



# COLLIN COUNTY

Office of the County Judge  
 Jack Hatchell Admin Building  
 2300 Bloomdale Rd., Suite 4192  
 McKinney, Texas 75071  
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 www.collincountytx.gov

December 8, 2014

Mr. Leon Rodriguez  
 Director  
 U.S. Citizenship and Immigration Services  
 20 Massachusetts Avenue, NW  
 Washington, DC 20529

RE: TEA Designation

Dear Director:

Pursuant to 8 CFR §204.6(i), an official of the state must notify the U.S. Citizenship and Immigration Services (USCIS) of the agency, board or other appropriate governmental body of the state that shall be delegated the authority to certify that a geographic or political subdivision meets the necessary unemployment rate to qualify as a high unemployment area (Targeted Employment Area) under EB-5 program regulation.

Acting in the authority granted by Texas Governor Rick Perry in his letter submitted to USCIS on October 24, 2011 (attached), I, Keith Self, County Judge for Collin County, Texas, certify that Block Group 1, Census Tracts 305.11, 305.17, 316.40 and Block Group 2, Census Tracts 305.11, 305.18, 305.21, and Block Group 3, Census Tract 305.20 (which includes NE Intersection of Stacy & Custer Rd, McKinney TX Block Groups LAUS 2013 ACS 2012) has been designated as a Targeted Unemployment Area (TEA) as defined by the requirements of the EB-5 program. The method used to estimate the unemployment rate in this area is called the Census-share method, a standard US Department of Labor, Bureau of Labor Statistics procedure used to calculate rates for small sub county areas.

The table below outlines the Collin County block groups, including corresponding derived employed and unemployed data, for the proposed McKinney TEA. The resulting unemployment rate for the entire contiguous area totals 11.17%, which is above the required threshold of 11.10%.

<b>NE Intersection of Stacy &amp; Custer Rd, McKinney TX Block Groups LAUS 2013 ACS 2012</b>	<b>2013 BG EMP</b>	<b>2013 BG UNE</b>	<b>TEA Unemployment Rate</b>
Block Group 1, Census Tract 305.11, Collin County, Texas	1,258	177	
Block Group 2, Census Tract 305.11, Collin County, Texas	479	66	
Block Group 1, Census Tract 305.17, Collin County, Texas	1,571	21	
Block Group 2, Census Tract 305.18, Collin County, Texas	99	-	
Block Group 3, Census Tract 305.20, Collin County, Texas	805	167	
Block Group 2, Census Tract 305.21, Collin County, Texas	584	106	
Block Group 1, Census Tract 316.40, Collin County, Texas	1,535	259	
<b>Total</b>	<b>6,332</b>	<b>796</b>	<b>11.17%</b>





OFFICE OF THE GOVERNOR

RICK PERRY  
GOVERNOR

August 19, 2009

Ms. Barbara Q. Velarde  
Chief, Office of Service Center Operations  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, NW, MS #2060  
Washington, D.C. 20529-2060

RE: State Designation of Local Government Authority to Certify High Unemployment Areas  
In Accordance with 8 CFR §204.6(i)

Dear Chief Velarde:

Pursuant to 8 CFR §204.6(i), an official of the state must notify the legacy U.S. Immigration and Naturalization Service Associate Commissioner of Examinations, now your office, of the agency, board or other appropriate governmental body of the state which shall be delegated the authority to certify that a geographic or political subdivision meets the necessary employment rate qualifications to participate the EB-5 immigrant investor visa program.

In compliance with this regulation, I, Rick Perry, Governor of the State of Texas, hereby designate the local mayors of cities or towns located within a metropolitan statistical area, or cities or towns with a population of 20,000 or more, as the appropriate body of the state to certify that a particular geographic or political subdivision meets the necessary criteria to participate in the EB-5 program.

Sincerely,

A large, stylized handwritten signature of Rick Perry in black ink.

Rick Perry  
Governor

RP:khp



**OFFICE OF THE GOVERNOR**

RICK PERRY  
GOVERNOR

October 24, 2011

Mr. Alejandro Mayorkas  
Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, NW  
Washington, D.C. 20529

RE: State Designation of Local Governmental Authorities to Certify High Unemployment Areas  
In Accordance with 8 CFR §204.6(i)

Dear Mr. Mayorkas:

Pursuant to 8 CFR §204.6(i), an official of the state must notify the U.S. Citizenship and Immigration Services of the agency, board or other appropriate governmental body of the state that shall be delegated the authority to certify that a geographic or political subdivision meets the necessary unemployment rate to qualify as a high unemployment area (Targeted Employment Area) under EB-5 program regulations. This letter shall serve as a supplement to my prior letter, dated August 12, 2009, to ensure that all qualified areas of the State of Texas are able to participate in the EB-5 program.

In compliance with 8 CFR §204.6(i), I, Rick Perry, Governor of the State of Texas, hereby designate the following authorities in the State of Texas as the appropriate governmental bodies of the state to certify that a particular geographic or political subdivision meets the necessary criteria as an "area of high unemployment" as defined by the EB-5 program:

- 1) local mayors of cities or towns located within a metropolitan statistical area, or cities or towns with a population of 20,000 or more, for areas of high unemployment within the boundaries of incorporated cities or towns;
- 2) county judges for areas of high unemployment within the boundaries of counties;
- 3) the county judges of each affected county may jointly designate areas of high unemployment in the event that a particular area of high unemployment is located within the boundaries of two or more contiguous counties; and

Mr. Alejandro Mayorkas  
October 24, 2011  
Page 2

- 4) the local mayors of each affected city or town may jointly designate areas of high unemployment in the event that a particular area of high unemployment is located within the boundaries of two or more contiguous cities or towns.

In making this delegation of authority, I hereby advise all such Texas mayors and county judges to review and comply with all applicable regulations and instructions from the U.S. Citizenship and Immigration Services regarding the designation of areas of high unemployment to establish targeted employment areas. In particular, I advise such mayors and county judges that the U.S. Citizenship and Immigration Services has directed that the cobbling together of various portions of political subdivisions, so that an investment in a commercial enterprise in a location that is not a high unemployment area would ultimately qualify as one, blatantly frustrates the congressional intent behind INA §203(b)(5)(B), and is not an acceptable business practice in the making of TEA designations.

Sincerely,

A handwritten signature in black ink that reads "RICK PERRY". The letters are written in a cursive, slightly stylized font.

Rick Perry  
Governor

RP:mbp

cc: The Honorable Vernon Cook, County Judge, Roberts County and President, Texas  
Association of Counties  
The Honorable Leonard Reed, Mayor, City of Willis and President, Texas Municipal  
League  
Ms. Barbara Q. Velarde, Chief, Office of Service Center Operations, U.S. Citizenship  
and Immigration Services



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October 22, 2014

Mr. Leon Rodriguez  
Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, NW  
Washington, DC 20529

RE: TEA Designation

Dear Director:

Pursuant to 8 CFR §204.6(i), an official of the state must notify the U.S. Citizenship and Immigration Services (USCIS) of the agency, board or other appropriate governmental body of the state that shall be delegated the authority to certify that a geographic or political subdivision meets the necessary unemployment rate to qualify as a high unemployment area (Targeted Employment Area) under EB-5 program regulation.

Acting in the authority granted by Texas Governor Rick Perry in his letter submitted to USCIS on October 24, 2011 (attached), I, Keith Self, County Judge for Collin County, Texas, certify that Block-Group 2, Census Tract 319 (which includes City-Line Drive, Richardson, TX 75082) has been designated as a Targeted Unemployment Area (TEA) as defined by the requirements of the EB-5 program. The method used to estimate the unemployment rate in this area is called the Census-share method, a standard US Department of Labor, Bureau of Labor Statistics procedure used to calculate rates for small sub county areas.

The TEA area consists of Block-Group 2, Census Tract 319 that qualifies as a high unemployment area under the provisions of the EB-5 Investor Visa Program. The 2013 unemployment rate for Block-Group 2, Census Tract 319, Collin County TX is 11.3%, above the qualifying rate of 11.1% for 2013, based on current annual Bureau of Labor Statistics data.

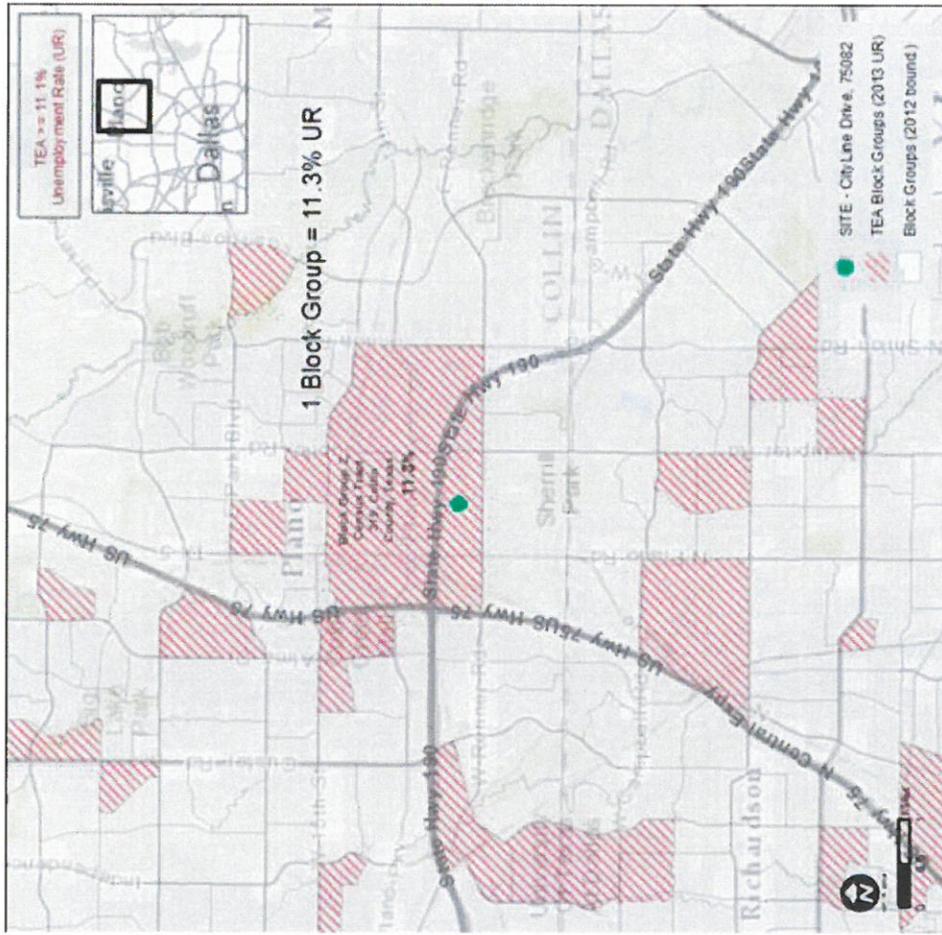
Sincerely,

Keith Self  
County Judge

Analysis Summary:

Our analysis found that the "SITE-CityLine Drive, Richardson, TX 75082" **does qualify** as a TEA at the Block-Group level using the census-share *direct* method. An area must have a 2013 unemployment rate of 11.1% or higher to qualify as a TEA.

The SITE is located in *block-group 2, census tract 319, Collin County TX* which has a 2013 unemployment rate of 11.3% (see map).



Full Block Group ID	Description	Employed		Unemployed		LaborForce		Unemployment	
		2013	2013	2013	2013	2013	2013	Rate	Rate
480850319002	Block Group 2, Census Tract 319, Collin County, Texas	1,211	154	1,365	154	1,365	154	11.30%	11.30%

**Vermilion Consulting LLC**  
10 Tetilla Road  
Santa Fe, NM 87508  
kim@consultvermilion.com  
505-466-1032

3 November 2014

Shae Armstrong  
Encore Global, LLC  
5005 LBJ Freeway, Suite 1200  
Dallas, TX 75244

Dear Mr. Armstrong:

At your request, I have calculated EB-5 qualifying unemployment data for a Targeted Employment Area in McKinney, Texas. The data were derived using the methodologies prescribed by the Bureau of Labor Statistics (BLS) Local Area Unemployment (LAUS) branch. By way of background, I served as Chief Economist for USCIS from 2009 to 2011, and I am quite familiar with the laws concerning the EB-5 investor visa program and the required procedures for determining whether an investment location qualifies as a Targeted Employment Area (TEA). During my tenure at USCIS, I worked directly with the LAUS branch to educate states on TEA methodology best practices. Presently, I am a private sector consultant handling a broad range of EB-5 related matters, including job creation analysis and TEA determinations.

On December 11, 2009, USCIS issued a policy memorandum, a portion of which covered TEA determinations. There, USCIS clarified that TEA determination should be made as of the date the I-526 petition is filed with USCIS, and according to data made available to the public by BLS/LAUS. It is common in the LAUS program to use the Census Share Methodology to derive reliable unemployment data for sub-county regions.<sup>1</sup> This methodology recognizes that it is reasonable to calculate block group-to-county ratios, and then use those ratios with current county-level labor force data to derive the employment numbers for specific census block groups.

In my analysis based on the Census Share Methodology, I use American Community Survey (ACS) data for the purpose of defining the block group-to-county ratios. USCIS has acknowledged the use of both Census 2000 and American Community Survey data as appropriate in determining sub-county employment data for TEA purposes.<sup>2</sup> Next, I use current county-level employment data (2013 annual averages published by the BLS) to determine qualifying block groups with unemployment rates above the current required threshold of 11.10%.<sup>3</sup>

**Data Sources and Calculations:**

- For block group-level data, I use the most current American Community Survey (2012 5-year).
- For county-level data, I use the most current American Community Survey (2012 5-year) and published BLS 2013 data, as applicable – see below.

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<sup>1</sup> See USCIS Stakeholder's Presentation, [www.uscis.gov](http://www.uscis.gov) (December 16, 2010 and May 1, 2012) for additional information on USCIS's guidance on the use of Census Share Methodology to determine TEAs.

<sup>2</sup> USCIS May 30, 2013 memo states on page 8: "Acceptable data sources for purposes of calculating unemployment include U.S. Census Bureau data (including data from the American Community Survey) and data from the Bureau of Labor Statistics (including data from the Local Area Unemployment Statistics)."

<sup>3</sup> The 2013 annual average U.S. unemployment rate was 7.4%; TEA threshold calculation is  $7.4 \times 150\% = 11.10$

To determine the proportions of the employed and unemployed I use the following calculations:

$$2012 \text{ ACS Block Group Employed} \div 2012 \text{ ACS County Employed} = \text{Employed (EMP) Factor}$$

$$2012 \text{ ACS Block Group Unemployed} \div 2012 \text{ ACS County Unemployed} = \text{Unemployed (UNE) Factor}$$

Next, I take the factors described above and apply them to the 2013 BLS county annual average number of employed and number of unemployed.

$$\text{EMP Factor} \times 2013 \text{ Annual Average County Employed} = 2013 \text{ Block Group EMP}$$

$$\text{UNE Factor} \times 2013 \text{ Annual Average County Unemployed} = 2013 \text{ Block Group UNE}$$

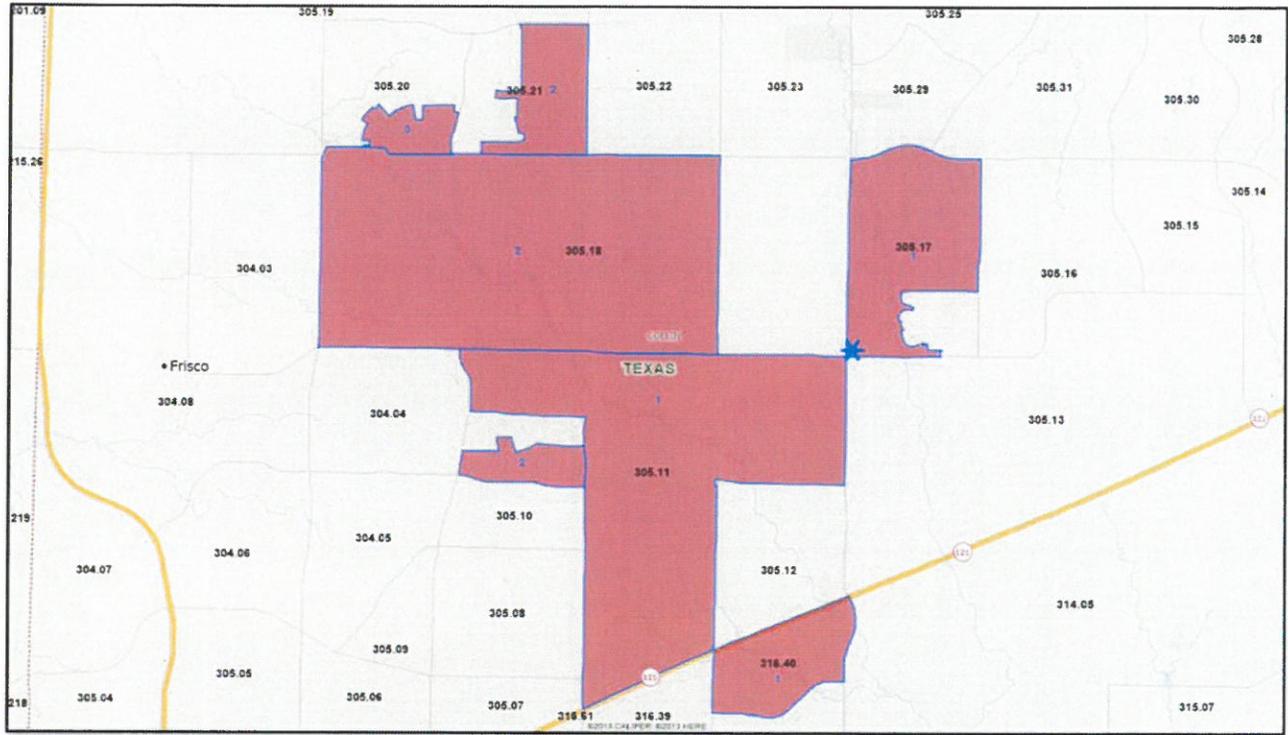
Finally, I calculate the actual individual unemployment rate for each block group using the following formula:

$$[2013 \text{ Block Group UNE} \div (2013 \text{ Block Group EMP} + 2013 \text{ Block Group UNE})] \times 100 = \text{Individual Block Group Unemployment Rate}$$

The table below outlines the Collin County block groups, including corresponding derived employed and unemployed data, for the proposed McKinney TEA. The resulting unemployment rate for the entire contiguous area totals 11.17%, which is above the required threshold of 11.10%.

<b>NE Intersection of Stacy &amp; Custer Rd, McKinney TX Block Groups LAUS 2013 ACS 2012</b>	<b>2013 BG EMP</b>	<b>2013 BG UNE</b>	<b>TEA Unemployment Rate</b>
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The map below shows the block groups included in the McKinney TEA and the approximate project site location marked by a blue symbol.



Please feel free to contact me with any questions.

Sincerely,

Kimberly Atteberry  
President  
Vermilion Consulting LLC