

USCIS-ELIS EB-5 REGIONAL CENTER DOCUMENT LIBRARY-WHY AREN'T YOU USING IT?!?!?

By Joseph P. Whalen (Sunday, May 17, 2015)

Start squeaking!

There is a useful tool that the EB-5 stakeholder community has yet to embrace. This tool has some quirks and needs fine-tuning. The biggest hurdle to the bugs being worked out is the fact that it isn't being used enough to identify those things about it that need fixing. There is also reluctance on the part of practitioners to learn something new. A final sore spot with some attorneys is the fact that having one project specific library of electronic documents is the inability to charge as much to prepare a case for filing. I may be missing some reasons and not all reasons apply across the board. Now that I have tossed this idea out there, please find the motivation to learn all about ELIS and start using it. When you have a problem with it, bring it to the forefront! It still is a matter of the ***squeaky wheel getting the oil.***

How can ELIS be improved to get folks to use it more?

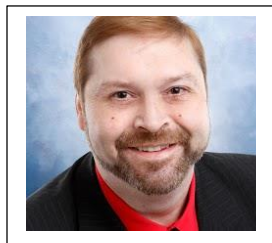
USCIS and especially, IPO and the folks who staff the ELIS Helpdesk [found at: <https://egov.uscis.gov/cris/contactus>], need to be open to making ELIS work better. Some document types or sizes will not upload and result in error messages written in some horrific, incomprehensible, technobabble that even some computer programmers would not understand. The Helpdesk staff must be able to decipher and translate the information into plain English and walk folks through their difficulty. USCIS could limit access to this helpdesk to registered DLMs [Document Library Managers]; at least in the early stages of continued development.

I think that the most important step that needs to be taken by USCIS and accepted by stakeholders, is the ability to file an I-924 via ELIS. That big step should be well thought out and methodically planned in order to make it work well for everyone involved. At the present time, any approved Regional Center can obtain access to ELIS and can assign someone to be a DLM. Regional Centers can have more than one DLM. I am a DLM for

Pangaea Regional Center and set up a Document Library for the first venture. ELIS then allowed me to create a Deal Package for the inaugural project. Instead of submitting somewhere between 700 and 1,000 pages of repetitive documents, we have the ability to print out an attestation which lists the file names in the Deal Package. ELIS will generate a new USCIS Form I-526A (Attestation). Pangaea's first I-526A form prints on three pages. I envision then merely supplementing this with several signature pages of various transactional documents for each EB-5 investor to submit with their I-526 petition. Individual visa packages can be either completed on paper and mailed, or scanned and uploaded via ELIS.

What might the future hold for EB-5 and ELIS?

The next phase would entail getting USCIS to allow ELIS filing of Form I-924 Amendments, primarily Project-Specific Dummy I-526 Packages (also known as I-526 Exemplars). Remember that at present, it is easiest for Designated Regional Centers to be granted access for the purpose of assigning a Document Library Manager. It seems logical that an Initial I-924 would need to at least obtain a Receipt Notice in order to be assigned a number that would be required to request ELIS access for the initial DLM. At that point, the initial applicant would be able to supplement their application packages quickly and easily. Picture an RFE sent by e-mail; and then some "redline" versions of changed Business Plans, Economic Impact Analyses, Partnership, Subscription, Escrow, etc. Agreements uploaded. That would likely speed processing a heck of a lot. It would also transform the way the folks in the **EB-5 support services industry** do business.



Dated this 17th day of May, 2015

X

/s/ Joseph P. Whalen

That's my two-cents, for now!

Happy Birthday to ME!