

USA Visa and Immigration Strategies

US Immigration Visa Categories

➤ Immigration Visas

Seeking legal permanent residence → Green Card
(US Citizenship)

E2, EB-5 (Direct Investment / Regional Center
Investment), **EB-1**

➤ Non-immigration Visas

Temporary stay in the US (expiration date)

L1, E1, O1, H1B

Investor – Immigration Visas

E2 Treaty Investor Visa

- be a national of a country with which the US maintains a treaty of commerce and navigation
- invest a substantial amount of capital in the US (\$75,000 - \$200,000)
- seeking to enter the US solely to develop and direct the particular investment
- visas are granted for up to 5 years and renewable for indefinite time → EB-5 direct investment for Green Card

Investor – Immigration Visas

EB-5 Direct Investment

- \$1,000,000 investment in a commercial enterprise in the US
- Directly employ a minimum of 10 people for 2 years
- Can qualify for Green Card status after the 2 years
- Complete control of your money → end of investment period, funds are returned to you
- Permanent residence for you and family (after 5 years of holding Green Card)

Investor – Immigration Visas

EB-5 Regional Center Investment

- \$500,000 passive investment in someone else's commercial project for approximately 5 years
 - Hotel, residence complex, office tower
- Employ 10 people for a period of 2 years
- Permanent residence for you and family (same as Direct Investment)

Investor – Immigration Visas

EB-1

- Persons of extraordinary ability in the sciences, arts, education, business, or athletics
 - JK Rowling, Andy Murray, Julio Iglesias, Gordon Ramsay
 - Pulitzer, Oscar, Olympic Medal
- Outstanding professors or researchers
- Multinational executives and managers
 - Petitioning employer must be a US employer

Non-Immigration Visas

L1 Intracompany Transfer Visa

- US employer can transfer an executive, manager or professional employee with specialized knowledge relating to the organization's interests from one of its affiliated foreign offices to one of its offices in the US
- Must be working abroad for at least 1 year in the previous 3 prior to entering the US
- Seeking to provide service in an executive or managerial capacity or to provide specialized knowledge for a branch of the same employer or one of its organizations
- May lead to Green Card → through EB-1 visa
- Maximum 7 years (family not granted permanent residence)

EB-5 visa v. L1 visa?

- People who have dependent children around 21 years old who want to attend a US university to live and work in the US after graduation
- People having difficulty in obtaining L1 visa
- People who cannot afford to wait too long under labor certification avenues to Green cards
- People shut out of H1-B quotas
- People who cannot pursue an E2 visa

Non-Immigration Visas

E1 Treaty Trader Visa

- National of a treaty country can be admitted to the US to engage in international trade on their own behalf
- Carry on substantial trade with a continuous flow of international trade items (numerous transactions over time)
- Carry on principal trade between the US and treaty country

Non-Immigration Visas

O1 Extraordinary Ability Worker Visa

- Extraordinary ability in the arts, sciences, education, business, or athletics
- Extraordinary achievement in motion picture or television industry
- May lead to Green Card

Non-Immigration Visas

H1-B Visa for Specialty Occupations

- Hiring workers in specialty occupations
- Foreign worker (Beneficiary) must have a Bachelor's Degree
- US Company (Petitioner) can employ worker for up to 6 years
- If Business Owner and owner is also the beneficiary → strict laws apply
- Visa issued for 3 years and can be renewed for a maximum of 6 years
- Only 65,000 issued per year
- Can only apply from April 1st – effective October 1st of that year

Other options (Start-up Entrepreneurs)

Visa Waiver program

- Enter US for up to 90 days for business, tourism, visiting, or pleasure
- Online ESTA application

B1 Business Visitor Visa

- Entering the US temporarily for business
 - Consult with business associates
 - Attend conference or convention
 - Negotiate a contract
- Issued for up to 10 years, but each entry is for 6 months

How to Apply

- **File petition with US Citizenship and Immigration Services (USCIS)**
- **Pay fees and provide supporting documents**
- **Visa Interview (Medical Exams and Vaccinations)**
- **Consult Immigration Attorney**

Thank you!

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