

SCOTT LEGAL SERVICES, P.C.

The Law Firm For Entrepreneurs, Business Owners & Investors

Ian E. Scott

110 East 59th Street, Suite 25

New York, NY 10022

TELEPHONE: (212) 223-2964

www.legalservicesincorporated.com

iscott@legalservicesincorporated.com

Which Immigration Visa Should I Select If I Am An Entrepreneur, Investor or Business Owner?

Many foreign nationals who want to start a business in the United States have asked the lawyers at Scott Legal Services, P.C. to explain the different Visa options available to them. This article reviews four very popular Visas that are available for Entrepreneurs, Investors & Business Owners and some of the advantages and disadvantages of each. Here is a summary of the key aspects of each Visa.

E-2 Investor Visa

An E-2 Visa is a Visa option for business owners that wish to start a company in the United States that they want to develop and direct the operations of. Although a person could live indefinitely in the U.S. with an E-2 Visa, it is a non-immigrant Visa which means that it does not lead to a green card. In order to qualify for this Visa, you must either start a business or buy a business that you plan to run and the investment amount really depends on the type of business you start. For example, if you start a consulting firm, the amount of investment can be as low as \$50,000. If you start a manufacturing plant, the required investment amount would be much higher. In addition to the unlimited duration of the E-2 Visa (as long as you continue to run the business) and the potentially small investment amount, this Visa has the additional advantage of allowing an Investor's spouse and children to join them in the U.S. and the spouse can get authorization to work in any field. Find out more about E-2 Visas by [clicking here](#). Also view frequently asked questions by [clicking here](#).

EB-5 Immigrant Investor Visa

An EB-5 Visa is a great visa option if you have a large amount of capital and is often referred to as the million dollar Green Card. The key advantage of this Visa is that you and your immediate family get green cards, but the down side is that the Visa requires a substantial investment (could be \$1,000,000), EB-5 law is a very complex legal area (so expensive), and the Visa petition requires extensive documentation.

There are 5 main criteria to get an EB-5 Visa and they are as follows:

1. You must invest or be actively in the process of investing either \$1,000,000 in a city settings, or US \$500,000 in rural settings;
2. You must show that the funds come from a legitimate source
3. The entire amount of the investment must be active or at risk (this means that you cannot just be thinking about buying a business and you have to put capital up that could be lost)

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IAN E. SCOTT, ESQ.

(212) 223-2964

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4. You must make the investment in a “new” or “existing business enterprise” (this allows you to create your own business or buy one); and
5. You must demonstrate that the investment directly or indirectly results in the creation or preservation of ten full time jobs

Find out more about EB-5 Visas by clicking here. Also, view frequently asked questions by clicking here.

H-1B Visa

The H-1B visa is a non-immigrant visa that permits a company to hire workers in specialty occupations. This visa category requires that the beneficiary (the foreign worker) have a Bachelor’s degree, and the Petitioner (the U.S. company) can employ the worker for up to six years. In the case of a Business Owner, Investor or Entrepreneur, the petitioner and the beneficiary are often the same person but a business owner can use this Visa to sponsor his employees also. An H-1B Visa can be a tricky visa for a Business Owner if the owner is also the beneficiary as there are strict laws that govern whether or not a person who has an ownership interest in a company can sponsor themselves for an H-1B Visa. While difficult, it is not impossible and can be done with the help of a qualified immigration specialist. For more on H-1B Visas click here.

L-Visa

The L-Visa allows a company to transfer an executive or manager from one of its affiliated foreign offices to one of its offices in the United States. This classification also enables a foreign company which does not yet have an affiliated U.S. office to send an executive or manager to the United States with the purpose of establishing one. As such, this visa can be used by foreign entrepreneurs, investors, & business owners who want to move either themselves or their employees to the U.S..

To qualify for L-1 classification in this category, the employer must:

1. Have a qualifying relationship with a foreign company; and
2. Currently be, or will be, doing business as an employer in the U.S. and in at least one other country directly for the duration of the beneficiary’s stay in the United States as an L-1.

If you are considering an Investor or Entrepreneurial Visa, contact Scott Legal Services, P.C.. For more information on these and other immigration Visas click [here](#). You can also call us at 212-223-2964 or email us at iscott@legalservicesincorporated.com.

Also, click [here](#) for your free **White Paper** that summarizes the top 10 Immigration Questions and Answers.