



# PATHWAYS TO PERMANENT RESIDENCE FOR IMMIGRANT ENTREPRENEURS

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# Foreign Students (F-1 Visa)

- Business ownership/investment
- Curricular Practical Training
- Optional Practical Training
- STEM OPT

# H-1B “Specialty Occupation” Visas

- Ownership of business – possible?
- Beneficiary of H-1B petition
  - Basic requirements
  - Process
  - Timing/costs
- H-1B “cap”/quota

# E-2 “Treaty Investor “ Visa

- Ownership of business
- Other requirements
- How much money needs to be invested?
- Immigration process
- Not a path to a green card

# Other Potential Nonimmigrant (Temporary) Visa Categories

- TN (Trade NAFTA)
- L-1 (Intracompany Transfer)
- O-1 (“Extraordinary Ability”)

# Green Cards – General

- Standard process
- Expedited process
- Self-petition – possible?
- Business/employment-related issues
- Other things to know/consider

# Standard Process

- Labor certification
- Immigrant visa petition
- Adjustment of status
- Timing
  - India/China
  - All other countries

# Expedited Processes

- EB-1A (“Extraordinary Ability”)
- EB-2/NIW (“Advanced Degree Professional” and “National Interest Waiver”)
- EB-5 (Investor visa)
- Business-related factors for each



# What Does the Future Hold?

- Continuation/expansion of current Administration's immigration policies?
- If so, possible changes:
  - A. Further tightening of EVERYTHING
  - B. Elimination of per country quotas
  - C. Further narrowing of H-1B category
  - D. Skills-based immigration system

# Changes under the Trump Administration

- “The Invisible Wall”
- General Impact—USCIS, DOL, USBCP and others
- Specific impact on entrepreneurs