PATHWAYS TO PERMANENT RESIDENCE FOR IMMIGRANT ENTREPRENEURS

David J. Kalson, Esq., Cohen & Grigsby, P.C.
Lawrence M. Lebowitz, Esq., Cohen & Grigsby, P.C.
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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”
• Genera Impact—USCIS, DOL, USBCP and others
• Specific impact on entrepreneurs