



**INTRA-COMPANY TRANSFEREE VISA (L-1)
AND LAWFUL PERMANENT RESIDENCE (GREEN CARD)**

The Intra-Company Transferee Visa, "L-1", allows people who are employed as managers or executives in a corporation outside of the U. S. to be transferred to a business in the U.S. to assume the duties of an executive or manager.

The business in the United States may be a new or existing business, and must be an affiliate or subsidiary of the company overseas, or have commonality of control with the business abroad.

The L-1 Visa has many advantages to those people who qualify.

1. Requirements:

- a. You must be employed for any one of the past three years by a corporation outside of the U. S. as a manager or executive (12 continuous months).
- b. If you worked for a company (not incorporated) as an executive or manager, you may still qualify.
- c. The business outside the U.S. and the business in the U.S. must remain active in order to maintain L-1 Visa status, or until permanent residence has been approved.

2. Ownership - Control

It is necessary that the control of the overseas business and the U. S. business be the same - some examples are:

- a. Foreign Corporation owns the U. S. corporation
- b. An individual owns at least 51% of both foreign and U. S. corporations
- c. The same individual owns the overseas company (not incorporated) and the U. S. company. Employees of the business overseas, who are managers, may be eligible.

Your qualifications under the category of ownership need to be discussed in depth.

3. Type of Business

The business in the foreign country and the one in the U. S. do not have to engage in the same type of business. Example: you may have a construction company in your home country and a yogurt shop in the U. S.

4. Your Dollar Investment

The L-1 Visa requires no specific amount of money to be invested in the U.S. business, only the actual amount needed to start or buy the business.

5. Projection for the U. S. Business

You must show that the business:

- a. has employees or plans to hire employees
- b. shows a profit or explain how it will become profitable

6. Documents

The following is a suggested list of documents you will need to prove all of the requirements. The exact documents you need will depend on your individual circumstances.

All documents in any language other than English must be translated, and all translations must have the following verbiage at the bottom of each translation:

I, _____, being fluent in _____ and English, hereby certify that the attached is a true and accurate translation.

Signature

Date

7. Processing Time

The L-1 usually takes about 90 to 120 days to be approved by the Immigration Service. The Immigration & Naturalization Service does have a process called Premium Processing where they will process the application within 15 working days for an additional fee of \$1,225.00

8. Benefits

- a. This visa allows you to work in the U. S. Your spouse and children under 21 years old may live in the U. S., and attend school. Your spouse may apply for employment authorization to allow them to work anywhere in the U.S. You and your family may travel between the U. S. and your home country as often as you choose.
- b. The L-1 visa can be converted from a non-immigrant temporary work visa to permanent status (Green Card) for the beneficiary and his/her family when the U.S. Business is one year old, profitable and has full time employees.

9. If all of the requirements are met, and the business you are purchasing in the U.S. is already 12 months old (you may put it into your newly formed corporation), the business has full time employees, and showing a profit, you may request permanent status, (green card) instead of the L-1.

The L-1 is renewable up to six years. Any time that you meet this criteria you may request permanent status (green card).

Our office will review all aspects of your business plan and your documentation to advise you regarding your options for Immigration status.

DOCUMENTS NEEDED FROM THE UNITED STATES COMPANY

1. Articles of Incorporation
2. Stock certificates reflecting majority ownership
3. A letter from the bank giving the following details
 - a. The name on the account
 - b. The date the account was opened
 - c. The average daily balance
 - d. Signed by an officer of the bank with their title
4. Lease for the office space
5. Occupational license
6. If corporation is active, the last two (2) years tax returns, Form 940 showing names of employees and tax paid - Form I-9 for each employee. Brochures, invoices, contracts, and licenses of the business to show that the company is actively engaged in business.
7. A letter, on company letterhead, which gives the following information:
 - a. Describe the type of business the U. S. company will conduct
 - b. Applicant's job title with the company
 - c. List each employee by name, their job title, social security number, and job description in detail.
 - d. List the employees by name and job title who report directly to the applicant.
 - e. Salary to be paid to applicant.
 - f. You will need a letter from the company in the U.S. describing your job which will be performing when you have permission to work in the U.S. To write this letter, the company will have to refer to the long explanation we will give you which describes the job duties of executive/manager that Immigration uses in making a decision on your case.

The other documents you submit, prove that you **DO** meet the requirements or you **DO NOT** meet the requirement of the L-1 visa. Immigration may rely on the duties you will be performing to make a favorable decision on your case.

DOCUMENTS NEEDED FROM COMPANY OUTSIDE OF THE UNITED STATES

1. The Articles of Incorporation, or the Memorandum of Association of the Corporation
2. The Corporate Tax Return for the corporation for the past two (2) years
3. Documentary proof of the number of employees. The best evidence is social security tax returns. Include the name, job titles and salaries of employees.
4. A letter from the bank giving the following details:
 - a. The name on the account
 - b. The date the account was opened
 - c. The average daily balance
 - d. Signed by an officer of the bank with their title
5. Stock Certificates of the company reflecting actual ownership of that company
6. Leases and/or Deeds for office space
7. Applicant's personal income tax returns for any one of the past three (3) years, which reflect your employment with the company transferring you.
8. Brochures, invoices, contracts, and licenses of the business to show that the company is actively engaged in business.
9. Letter, on company letterhead, addressed to "To Whom It May Concern," which gives the following information:
 - a. Describe the type of business the company conducts
 - b. Applicant's job title with the company
 - c. The date the Applicant began employment with the company
 - d. The salary being earned
 - e. You will need a letter from the company outside the U.S. where you have worked describing the duties you performed as an executive/manager while in their employ. We will give you a long explanation that Immigration uses as a guideline to determine whether you are entitled to the L-1 or the green card, based on the work you have done for your current employer.
10. List all employees by name:
Social Security Number
Job Title
Job Duties
11. List employees by name and job title who report directly to the applicant.