

An Overview of Temporary or Permanent Business Visas from the United States

What follows is a snapshot of some of the visas available to work permanently or temporarily in the USA, or to travel to the U.S. for business. As with all legal issues, many conditions and nuances not covered here. Links are provided for more details and can be found at travel.state.gov and www.uscis.gov. Consultation with U.S. Citizenship and Immigration Services, or an attorney experienced in U.S. business visas, is recommended. Underlined text below either contains a link to the appropriate webpage or a comment that will appear once your mouse hovers over it.

Visa	Purpose	Requirements	Stay Duration	Extensions
Permanent Work in the USA				
<u>EB-5</u> Immigrant Investor Program	To stimulate the U.S. economy through job creation and capital investment by foreign investors.	<ul style="list-style-type: none"> Investors who invest \$1 million (or \$500,000 in a targeted employment area) in a <u>new commercial enterprise</u> and employ at least 10 full-time U.S. workers within 2 years, or Purchase an existing business resulting in a “<u>substantial change</u>” in the net worth or number of employees, or both. 	Permanent residence is granted if the requirements are met.	
Temporary Work in the USA				
<u>E-1</u> Treaty Trader	To allow a national of a country with which the US has a treaty of commerce and navigation to engage in international trade on their own behalf.	<ul style="list-style-type: none"> Be a <u>national of a country</u> with which the U.S. maintains a treaty of commerce and navigation. Conduct <u>substantial trade</u>, more than 50% of which is between the U.S. and treaty country. The employer and employee are a national of the treaty country. Be an executive or supervisor, or have special qualifications. 	Two years. Please consult the reciprocity table for guidance on an applicant’s nationality.	Two-year extensions with no limit to the number of extensions.
<u>E-2</u> Treaty Investor	To allow a substantial investment in to a US business by a national of a country with which the US maintains a treaty of commerce and navigation .	<ul style="list-style-type: none"> Be a national of a country with which the U.S. maintains a treaty of commerce and navigation. Have invested, or actively in the process of investing, substantial capital in an <u>actively operating U.S. enterprise</u>. Entering the U.S. solely to develop and direct the enterprise with 50% ownership or operational control. 	Two years. Please consult the reciprocity table for guidance on an applicant’s nationality.	Two-year extensions with no limit to the number of extensions.
<u>H-1B</u> Person in Specialty Occupation	To work in a specialty occupation, in a Dept. of Defense (DOD) cooperative research and development project, or as a fashion model.	<ul style="list-style-type: none"> A Bachelor’s or higher degree, a license; hold a registration or certification; have experience in the specialty equivalent to the completion of a degree and expertise in the specialty through progressively responsible positions, or Be a fashion model of “<u>distinguished merit and ability</u>.” 	Up to three years. Please consult the reciprocity table for guidance on an applicant’s nationality.	To a total of six years
<u>H-2B</u> Temporary Non-agricultural Worker	For temporary or seasonal non- agricultural work.	<ul style="list-style-type: none"> There are not enough U.S. workers able, willing, qualified, and available to do the temporary work. Employing H-2B workers will not adversely affect the wages and working conditions of similarly employed U.S. workers. The need for services or labor is temporary, whether the underlying job is temporary or not. 	The period of time authorized on the temporary labor certification.	Increments of up to 1 year, a maximum stay of 3 years.

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H-3 Trainee or Special Education visitor	To receive training, other than graduate medical or academic, or practical training programs in the education of children with mental, physical, or emotional disabilities.	<ul style="list-style-type: none"> The training is not available in the <u>trainee's native country</u>; The trainee will not be placed in a position in the business' normal operation in which U.S. citizens and resident workers are employed; The individual will not engage in employment unless it is incidental and necessary to the training; and The trainee will benefit when pursuing a career outside the U.S. 	2 years for a trainee, 18 months for a special education exchange visitor. Please consult the reciprocity table for guidance on an applicant's nationality.	
L-1A Intracompany Transferee Executive or Manager	To allow a <u>U.S. employer</u> to transfer an executive or manager from one of its affiliated foreign offices to one of its US offices or to establish a US office.	<ul style="list-style-type: none"> Have a qualifying relationship with a foreign company that is, or will be, doing business as an employer in the U.S. and another country directly or through a qualifying organization for the duration of their stay in the U.S. Worked for the organization abroad for one continuous year within the three years immediately preceding entering the U.S. Provide an executive or managerial service in the U.S. for a branch of the same employer or one of its organizations. Be an executive making decisions of wide latitude without much oversight and managing, supervising, and controlling the <u>work of professional employees</u>. 	One year to establish a new office, otherwise three years. Please consult the reciprocity table for guidance on an applicant's nationality.	Increments of up to an additional two years for a maximum of seven years.
L-1B Intracompany Transferee Specialized Knowledge	To allow a U.S. employer to transfer one of its professional, specialized knowledge employees from one of its affiliated foreign offices to its US office or to establish an US office.	<ul style="list-style-type: none"> Have a qualifying relationship with a foreign company that is, or will be, doing business as an employer in the U.S. and another country directly or through a qualifying organization for the duration of the applicant's stay in the U.S. Worked for the organization abroad for one continuous year within the three years immediately preceding entering the U.S. Provide specialized knowledge services to a branch of the same employer or one of its qualifying organizations. Have <u>special knowledge</u> of the organization's product, service, research, equipment, techniques, management, etc. and its application in global markets, or an advanced level of expertise in the organization's processes and procedures. 	One year to establish a new office, otherwise three years. Please consult the reciprocity table for guidance on an applicant's nationality.	Increments of up to an additional two years for a maximum of five years.
Temporary Business Travel to the USA				
B-1 Temporary Business Visitor	To participate in commercial or professional business activities in the USA.	<ul style="list-style-type: none"> The trip to enter the U.S. for business is of a legitimate nature. The stay is for a specific limited period of time. Proof that funds exist to cover the travel expenses. The person has no intention of abandoning their residence outside the U.S. and has other binding ties ensuring their return. 	1 to 6 months. Please consult the reciprocity table for guidance on an applicant's nationality.	Can be extended and, in some cases re-extended, up to 1 year or more..