



Employment Creation Investor Immigrant Visa

The investor visa gives permanent residence to aliens who invest \$500,000 to \$1 million USD in a new U.S. commercial enterprise that creates 10 full-time jobs. The spouse and minor children of the Beneficiary are eligible for derivative status as permanent residents.

Requirements of the Investor Visa

The investor visa requires (1) establishment of a new commercial enterprise; (2) investment of \$500,000 to \$1 million; (3) lawfully obtained capital; (4) creation of 10 full-time jobs; and (5) active management of the enterprise by the investor.

1. Establishment of a new commercial enterprise. Establishment of the new commercial enterprise after November 29, 1990 is shown through a certificate of incorporation, articles of incorporation, partnership agreement, joint venture agreement or certificate of authority to do business in the state.

* Expansion of an existing business qualifies if there is a substantial change, of at least 40%, in the net worth of the business or the number of employees.

2. Investment of \$1 million. The minimum amount of capital invested is \$1 million. The funds must be actually invested in the enterprise. Evidence that the investor has invested the funds or is in the process of investing includes: bank statements and transfers showing deposits to the business accounts of the enterprise, assets purchased by the enterprise, property transferred for the enterprise, and loans for the enterprise secured by assets of the investor.

* If the enterprise is in a targeted employment area, the minimum amount of capital is \$500,000. Targeted employment areas are generally rural areas or areas of high unemployment of at least 150% of the national average.

3. Evidence of lawfully obtained capital. The funds invested must be from a lawful source. Evidence includes: foreign business registration, foreign corporate or partnership documentation, and business and personal income tax returns of the investor.

4. Creation of 10 full-time jobs. The enterprise must create 10 full-time jobs for U.S. citizens or U.S. permanent residents. The spouse or children of the investor cannot fill the positions.

5. Management of the enterprise by the Investor. The investor must actively oversee the enterprise. Information submitted includes: the investor's position and duties with the enterprise, evidence that the investor is an officer of the business or is otherwise directly managing the enterprise.

Conditional Permanent Residence and Removal of Conditions

The Investor initially receives conditional permanent residence. After 2 years the investor must show that all requirements have been met and can then petition for full permanent residence.

Employment Creation Investor Document Checklist

Investor

- Resume (with detailed description of job duties and dates of employment)
- Investor's diplomas, degrees, and certificates
- Evidence of Investor's status (Visa, 1-94, approval notices)
- Dependent's information (Date of birth, country of birth, relationship, current address)

U.S. Commercial Enterprise

- Certificate of Incorporation and Articles of Incorporation
- Stock certificates (showing the total ownership of the company)
- Business registration, business license, business permits, DBA's

- Organizational chart
- Company information (history, facilities, products, number of employees, clients)
- Commercial lease or deed
- Brochures, catalogs, promotional and product literature, and advertisements
- Invoices, contracts, bills of lading, and other business documentation
- Documentation of employees (INS I-9, IRS W-4, and TWC C-3)

- Corporate tax returns (IRS 1120 and IRS 941)
- Financial documents (balance sheet, income statement, asset & deficit, payroll)
- Bank account statements, wire transfers and other evidence of investment
- Bank loans

Foreign Enterprise

- Certificate of Incorporation and Articles of Incorporation
- Business registration, business license, business permits
- Organizational chart

- Company information (history, facilities, products, number of employees, clients)
- Commercial lease or deed
- Brochures, catalogs, promotional and product literature, and advertisements
- Invoices, contracts, bills of lading and other business documentation

- Corporate tax returns
- Financial documents (balance sheet, income statement, asset & liabilities, payroll)
- Bank account statements and wire transfers