



# US IMMIGRATION AND JOBS

TIELC BROCHURE FOR A BUSINESS OFFER

If your final goal is to have a permanent job and live in the USA, here is the layout of the plan we offer. This is like killing two, and even more birds with one stone by doing what you have been doing so far while enjoying the lifestyle you have always been aspiring for.

This plan could be beneficial and mutually advantageous for both you and our company. However, first you need to read the attached info "[Introduction to L1](#)" which I have added below, because what I am writing about further would seem little bit obscured if you have not read the "Introduction L1" file.

Let's assume that you have read the "[Introduction to L1](#)" file and now we move to the next step;

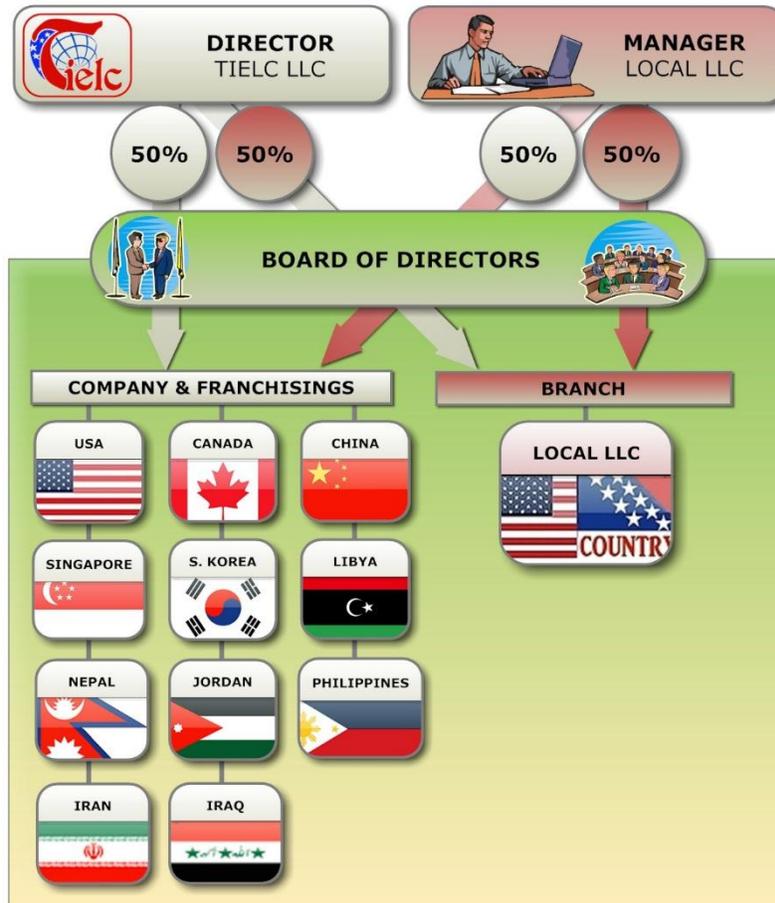
For quite some time we have been looking for a reliable and motivated candidate for our entity who would be interested in cooperation and fit into the criteria for the plan. The criteria are that candidate:

- Can be male or female
- Needs to be professional in any field (or has ambition to be such)
- Needs to have entrepreneuring skills
- Is willing to immigrate or can live and work in a foreign country
- Needs to have reasonable track of experience
- Must be fluent in English
- Must be financially in a stable and secure condition

In case, we have the candidate like you, we could be offering the position of intra-company manager with

50% interest (shares)\* in our entity. Now, what that means is stated in requirement for L1 US visa:

1. Foreign manager holds 50% of Interests (shares) in our company and 50% of interests (shares) in his/her local company
2. We hold 50% of Interests (shares) of the foreign (manager's) company and 50% of ours.



So, both of us hold 50% of each other's companies, as the manager will have to establish our subsidy or a branch in his/her country prior to the plan to work out. It is not important what the revenues are, but the fact that our - US-based LTD will have the branch under the same name and profile in the country of the manager is important. For the manager it means that he will work in his/her company (teaching English, etc.) for at least from 6 months to 1 year and then the

\*Ltd companies do not have 'shares' but 'membership interests' which practically is the same by the Operating Agreement

parent company (means, we) petition for his/her “Intra-company Transferee” L1 visa to appoint him/her as a manager in the USA. As you have already read in the “[Introduction to L1](#)”, the visa will be issued first for 3 years with the work permit for the whole family and can be 2 times extendable for up to 7 years. After first year of work and residence in the USA the manager, through us can apply for the permanent residence in the US (Green Card) and in the long run, will receive the Green Card while his/her 3 year visa expires. The Law says that L1 visa and simultaneous application for the Green Card has no effect on L1 visa duration and extension if needed.

**So, what are the benefits of this scenario for the foreign manager (in brief)?**

- Foreign manager will have permanent job
- Legal status and full work permit from the beginning for him/her and his/her family members
- Foreign manager will perform his/her duties per his/her qualification, which means that he/she will be doing the same as he/she has done throughout his/her work life (means teaching, training, other...)
- Foreign manager will have a chance to establish his/her credit life as an owner of 50% of interests in the US-based company right from the start, which usually takes for up to 5-7 years for other immigrants and it will support his/her further Green Card application
- Foreign manager will have all the credentials from the very start, which takes years for a normal immigrant: bank accounts, credit cards, eligibility for loans and credits, rights to lease or rent, sell or buy in the USA and internationally
- Foreign manager will not be limited only to his/her competence and conduct any operations he/she deems profitable for the company in the USA and abroad (in cooperation with the parent company)
- For the foreign manager it is an investment category rather than only immigration plan.

**What are the benefits of this scenario for the US-based company (in brief)?**

- Company will succeed to expand internationally
- The turnover will increase and benefits from the State also
- It will pose considerable tax relief for the company in the USA
- All financial issues with the foreign manager are negotiable and very arbitrary as it is an intra-company affair.
- Company name, having foreign manager and branches abroad will drive more potential clients and business partners.

**What are the setbacks of this enterprise?**

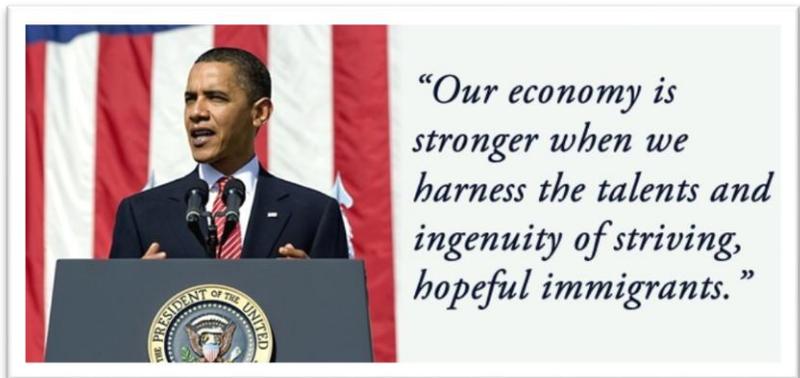
- It is little more time-consuming considering that petition for the L1 visa can be submitted not earlier than 6 months after the local (foreign branch) is established. Usually the best timing option is 1 year. But this is nothing comparing to the time frames needed to establish yourself as an immigrant in a new country (usually takes up to 5-7 years average). However, before the L1 visa can be issued, the foreign manager could hold B1/B2 multiple entry visas as prerequisite to L1.

- Requires financial resources to move on. Although, the financial issue is quite negotiable and could be set so that it will not exceed the amount of affordability. In addition, the installment payments (step-by-step) payments could be negotiated as:
  - Startup expenses
  - Branch expenses
  - Activity expenses
  - Visa expenses
  - Relocation expenses
  - Legal procedure expenses



### What do I think of people wishing to immigrate to another country?

- Pursuing the plans of immigrating to another country, especially to developed country is quite time-consuming and money-wise budget draining. Especially if you try all loopholes to get into countries where immigration is not the easiest thing to complete. I am not mentioning the legal fees and waiting time for non-guaranteed entry visas, endless document red tapes and when the frustration is looming over your destiny as a Sword of Damocles.
- Most of developed countries have unemployment problems and finding part time job or even full time one will not cover all your expenses or living costs, especially when your immigrant status is still pending and you never know when there is the light at the end of the tunnel.
- Even finding legal or illegal source of income cannot guarantee your welfare or benefits from the State and this ordeal seems to last forever. Statistics show that only 17 percent of legal immigrants begin to feel burden relief only after 4-6 years of their immigrant life. But this is no end to problems with no credit lines, missing papers and work permits, etc.
- Integration into the US lifestyle is much easier than in any other country as most of them are quite homogeneous with weird and dubious immigration legislation.
- As an immigrant you can have much better support and welfare benefits in the USA than in any other country of the world as the USA is a purely immigrant country with clearly focused family- and business - oriented outlook.
- Having access to the US-style of education and all our resources, you could have easier way to acquire any educational status you could plan for. Plus you will always have support from our/your company ownership.
- Although for this scenario you have to take more steps than for other ways to immigrate, your patience will be lavishly rewarded.
  - You will continue doing what you have always been doing
  - Your employment record is not interrupted
  - You will not have to look for jobs over and over again
  - You will have US employment history, knowledge and experience to get a job anywhere in the world if you decide to quit



- You will get immigration status much faster than in any other country not losing your current status or employment.
- You will be your own boss doing business you've always wanted.

**HERE ARE SOME ANSWERS TO QUESTIONS YOU MIGHT POSSIBLY HAVE IN THIS REGARD.**

- **Could not you find someone in the US or other countries to offer this plan?**
  - This is the offer for a competent immigrant candidate and you cannot advertise it in the USA. Hence, newcomers to the USA stay far from their professional duties and their financial resources are already drained out before their arrival. Also, they are busier tied up with their pending document procedures, other limitations than to think pragmatically. They usually are bound by their status which most often cannot be changed.
  - As for those in foreign countries, it is also not so easy. 99% of them are job seekers and their financial situation is quite shaky with doubtful competence. In this conditions it is difficult to establish a trust-based relations. In addition, they just challenge the criteria I have already mentioned about before.
- **Will I be able to use the US-based company rights and benefits before I am issued the L1 visa?**

Yes. You will receive the official set of documents from the US Secretary of State that you own 50% of company interests (shares) and the same will go to banks. The cards and bank accounts will be posted in your and company names while operating your local entity. It takes less than 2 months to get it all.

- **What are the costs involved in acquiring the 50% of the US-based company and how will I be paying them?**

Usually to purchase the company assets (liquid or fixed) is not cheap and varies from company to company. But in our case it is negotiable and actual payment and reported one could be different as the company has rights to sell its assets for the price it deems satisfactory. It can be installment payments or initial payment of some fixed price even as only 10% of actual value. The company and the candidate could discuss it to match each other's interests. The startup funds can be set under \$ 10,000 US needed for processing all documentation and the record of expenses will be forwarded to the candidate as the process of negotiations and all records are transparent and verifiable.

- **What are the procedures to start up?**
  - The candidate, means you, will have to set up a formal Ltd under our name in your country.
  - There is a set of documents to be signed and sent to the Secretary of State in the USA. You may be required to sign them at the US Embassy in your country or notarize them. We will arrange it.
  - Once we have the resolution from the Secretary of State (takes not more than 2-3 weeks) the resolution will be sent to the US bank and appropriate accounts will be opened.

- While working on your country, you will be receiving cards, records, documents, etc. before applying for your L1 visa. We will provide you with all necessary resources needed to operate the branch.
- **Where will it be stated that I am a holder of the 50% of interests (shares)?**
  - All documents will be posted and verified through the Secretary of State corporate records, and therefore, in every embassy of the USA in any country. It means that you are 50% owner of the US business anywhere you go.
  - We will be conducting all business operations together coherently. Let's say, you have a lucrative offer, you will be able to complete it independently or through us to support your entity or our company.
  - There is a member (shareholder) agreement to be signed and it will clearly state our relations. This agreement will also go to the office of The Secretary of State and banks. This is called Operating Agreement. This agreement is the basis for our relations. It has a clause for every occasion. It is the legal ground for us to cooperate.
- **How are the expenses divided?**
  - According to agreement there would be 3 schedules of expenses set until the final goal is reached:
    - Fees for the 50% company interest purchase (shares). Can be in installments depending on agreement
    - Legal procedure fees (includes visa, document processing, postage, communication, etc.) which will be divided per undertaker
    - Local expenses for foreign and US operations. It will be negotiated and mutually agreed upon.

So, the bottom-line is, that if you have already set a goal, I think this is an option to make time and money work for you. Think over it and send to me any questions you might be interested in.

## **Introduction to L1 Intra-company Transferee Visa** *(information is collected and copied from several US Embassy pages)*



The L-1 visa is a temporary non-immigrant visa which allows companies to relocate foreign qualified employees to its U.S. subsidiary or parent company. The qualified employee must have worked for a

subsidiary, parent, affiliate or branch office of the company for at least one year out of the last three years. The U.S. company must be a parent company, child company, or sister company to the foreign company. The L1 visa may also include non-profit, religious, or charitable organizations.

The L1 visa is a good way for small or start-up overseas companies to expand their business and services to the United States. This is advantageous to smaller companies because it allows for the transfer of a highly proficient manager or executive who has direct knowledge of operations, allowing the setup of a new branch in compliance with the goals and objectives of the company's main office. However, since the USCIS will scrutinize L visa petitions filed by lesser-known companies more closely, professional consultation with an experienced immigration lawyer is strongly recommended for these types of small businesses.

L1 visas can also be used by multi-national companies. When a multi-national company is developing a new market in another country, it may become necessary to have some employees with specialized knowledge work in the newly established office. Furthermore, such companies may have policies of international rotation of managerial level personnel to assure that all key personnel within a company have equal opportunity for career advancement when an appropriate position becomes open in any location around the world. Cross-fertilization of ideas among high level employees and executives enhances a company's competitiveness; this exchange often results in innovation essential to a company's reputation and development. A regular rotation of key personnel improves and ensures uniformity of service and procedure within the company at a global level.

Whatever the case may be, the L visa is specifically designed to facilitate the needs of intra-company transfers by companies. There are two different L1 visa classifications: L1A and L1B.

### **L-1A visas - Intracompany Transferee Executive or Manager**

L1A visas are designed for intra-company executive transferees coming to work in the United States. The L1A visa holders must have been employed in an executive or managerial capacity for the foreign company at an overseas location continuously for at least one year out of the past three years. In addition, the L1A visa allows a company which does not currently have a U.S. office to send an executive or manager to the United States in order to establish one. L1A visa is granted initially for one year for a new company in the US or three years for a US company with more than one year in existence, with extensions available in two-year increments, with a total stay not to exceed seven years.

### **L-1B visas - Intracompany Transferee Specialized Knowledge**

L1B are designed for professional employees with specialized knowledge. An example of specialized knowledge personnel would be an individual who possesses proprietary knowledge about a company's product and who travels to the U.S. to impart his or her specialized knowledge to new U.S. employees. In addition, companies who currently do not have an office in the United States can use the L1B visa to send over an employee with specialized knowledge to help establish one. An L1B visa is issued initially for three years with one two-year extension for a maximum of five years stay.

In both cases, the U.S. company and foreign company must be related in a specific way such through a parent/subsidiary relationship or through an affiliated employer.

## **L-1 Blanket Visa**

The USCIS has provided a special set of procedures to be used by companies that are frequent users of the L1 visa category and are large multi-national organizations. This is called the "**L-1 Blanket Petition Program**". Under this program, the approved company need only receive one approval from the USCIS to transfer a certain number of managerial, executive and professional employees.

On completing the maximum allowable period, the L1 holder must leave the United States for minimum of one year and must work for foreign operation of the U.S. Company before becoming eligible to reapply for an L visa.

Full-time employment is not required to maintain L visa status, but the employee "must dedicate a significant portion of time on a regular and systematic basis" to the company while in the U.S. Even though the L1 visa holder must be employed on a full-time basis with the company, foreign worker does not necessarily have to be working in the U.S. on a full-time basis. Foreign worker is allowed to divide work between the U.S. and home country. In other words, the foreign worker can be principally employed outside the U.S. and still receive L1 visa for coming to the U.S. to work on a short-term basis.

If the alien is coming to the U.S. for conferring with officials, attending meetings and conferences, and participating in training, such activities are not considered a regular and systematic basis and the alien should apply for [business visa](#) instead.

Spouses of L-1 visa holders may apply for work authorization with USCIS to work in US without restriction.

One of the privileges of the L1 visa, as opposed to many other nonimmigrant visas, is that it is a '**dual intent**' visa. In other words, under the terms of the L-1 visa, the L-1 visa holder may apply for a Green Card and become a permanent resident without jeopardizing his/her L-1 visa status or their visa applications from a U.S. consular office abroad. Another advantage is that visa numbers are almost always current if apply for Green card through EB-1C category. This means that the L1 visa holder will not have to wait for visa numbers to become available before applying Adjustment of Status (I-485) and receiving a Green Card.

As discussed in the general requirements section, overseas entities that seek to send employees to the United States under an L-1 visa are required to be related to the U.S. company in a specific manner. Similarly, the alien must be employed in a specific kind of position, depending on if they are of L-1A or L-1B status. The following is a brief discussion regarding the types of business structures that are recognized as acceptable qualifying relationships and the types of jobs that are recognized as acceptable positions for L-1 status.

### **L-1 Qualifying Entities**

In order for a company to qualify for L-1 status, the foreign company must have a specific kind of relationship with the respective U.S. company. The USCIS considers *ownership and control* as the main factors that establish the necessary qualifying relationship between business entities. Ownership means the legal right of possession and full power over a business entity and control means the right and authority to direct the management and operations of that business entity.

An organization that seeks to qualify for L-1 visas must either be a **parent, branch, affiliate, or subsidiary** of the U.S. company, as defined by federal law.

A **parent** means a firm, corporation, or other legal entity which has subsidiaries. In the immigration context, this could mean two scenarios:

If a foreign entity owns more than 50% of a U.S. entity and is therefore a majority owner of the U.S. entity. For example, a large technology company in India owns more than 50% of a smaller, related U.S. company.

If a U.S. entity owns more than 50% of a foreign entity and is therefore a majority owner of the foreign entity. For example, a large American company owns over 50% of Chinese computer company.

A **branch** means an operating division or office of the same organization housed in a different location. For example, a company might have branches of their business located in many countries throughout the world and need to transfer employees between them.

A **subsidiary**: a firm, corporation, or other legal entity of which a parent owns, directly or indirectly, more than half of the entity and therefore has control of; or, owns directly or indirectly half of the entity and controls the entity; or owns 50% of a 50/50 joint venture and has equal control and veto power over the entity as the other half of ownership; or, owns less than half of the entity, but in fact controls the entity.

For example, Chinese company A holds 49% of the stocks of U.S. company B. The rest of the stocks are divided among another ten investors, with none of them holding more than 10%. Company B qualifies for an L visa application because company A has actual control over company B.

An **affiliate** means:

One of two subsidiaries, both of which are owned and controlled by the same parent or individual, or

One of two legal entities owned and controlled by the same group of individuals, with each individual owning and controlling approximately half the same share or proportion of each entity.

A contractual relationship (i.e. licensing/franchising) is generally not sufficient to establish the necessary relationship to qualify for the L visa. If one or both of the qualifying entities has undergone or will undergo some type of corporate reorganization, such as a merger or acquisition, the USCIS must be informed and determine whether the qualifying relationship between the entities will still exist.

### **L-1A Managers and Executives**

- The L-1A visa beneficiary should hold a managerial or executive position. An executive position is one in which the employee primarily:
  - Directs the management of the organization or a major component function;
  - Establishes goals and policies;
  - Exercises wide latitude in discretionary decision making, and
  - Receives only general supervision or direction from higher level executives, board of directors or stockholders.
- Managerial capacity means an assignment with an organization in which the primary duties of the employee include:
  - Managing the organization, department, subdivision, function or component;
  - Supervising and controlling the work of other supervisory, professional or managerial employees, or managing an essential function within the organization or department or subdivision of the organization;

- The authority to hire and fire or recommend personnel actions (if other employees directly supervised), or manages an essential function within the organization or department or subdivision of the organization;
- Exercising direction over day-to-day operations of the activity or function
- First-line supervisors are usually not considered managers for L-1A visa purposes unless the employees they supervise are professionals. For example, a junior supervisor in an accounting firm may qualify under this definition because the employees he/she oversees are professional accountants.

### **L-1B Employees with Specialized Knowledge**

The less common form of the L-1 visa is that of L-1B, which is designed for professional employees with specialized knowledge. The same requirements exist for qualifying corporate entities for L-1B visas, but an employee with specialized knowledge would be an individual who possesses proprietary knowledge about a company's product and who travels to the U.S. to impart their specialized knowledge to U.S. employees. In addition, companies who do not currently have a U.S. office can use the L-1B visa to send over an employee with specialized knowledge to help establish one.

According to the USCIS, the specialized employee "must be more than simply skilled or familiar with the employer's interests." Their knowledge must be "beyond the ordinary and not commonplace within the industry or the petitioning organization." This includes knowledge of a company or organization's product, service, research, equipment, techniques, management, or other interests and its application in international markets.



COMMON INTEREST



COMMON VALUE

INCORPORATED UNDER THE LAWS

GEORGIA CODE - CORPORATIONS AND PARTNERSHIPS - TITLE 14

OF THE STATE OF GEORGIA, USA

# LLC MEMBERSHIP CERTIFICATE

## TTELC LTD CO

WHEREAS, this LLC was organized in 2004 with 1 managing member \_\_\_\_\_ holding total of 100% of membership interests and

WHEREAS, the managing member herein effected amendments of the article of Organization of this \_\_\_\_\_ of \_\_\_\_\_ 2013 and

WHEREAS, amendments have been made pursuant to the Georgia Code Corporations and Partnerships - Title 14 (O.G.G.A. 14-11-210 (2010) "Amendment of Articles of Organization; Restatement" and the stated articles of organization were duly delivered to the Secretary of State for filing.

ONE HUNDRED TEN THOUSAND DOLLARS

RESOLVED, to Certify that \_\_\_\_\_ is a member of the above named Limited Liability Company, and holds a 50% interest of the above named company, which is entitled to the full benefits of such membership. Such benefits include the membership duties and obligations set forth in the Limited Liability Company operating agreement and

RESOLVED, to transfer the above interest in the books of the named Limited Liability Company with full power of substitution



The named Limited Liability Company has caused this certificate to be executed by its member(s) this \_\_\_\_\_ day of \_\_\_\_\_ 2013

AUTHORIZED SIGNATURE

SUBJECT TO LIMITATIONS AND TERMS PURSUANT TO LLC OPERATIONAL AGREEMENT

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