

Department of Labor (DOL) certifying that (1) An employer needs the foreign worker's skills and abilities ; (2) the employer has tried to recruit U.S. workers for the position; (3) The employer has offered the position at the normal prevailing wage; (4) The employer has found no qualified workers.

- **EB-1 "Priority Workers"**
- **EB-2 "Advanced-degree Holders & Aliens of Exceptional Ability"**
- **EB-3 "Professional, Skilled and Other Workers"**
- **EB-4 "Special Immigrants"**
- **EB-5 "Immigrant Investor" Visa**
 - The U.S. Congress created the EB-5 immigrant visa category in 1990 for immigrants seeking to enter to engage in a commercial enterprise that will benefit the U.S. economy and create at least 10 full-time jobs
 - The basic amount required to invest is \$1 million, although that amount may be \$500,000 if the investment is made in a "targeted employment area" or in a Government designated Regional Center

FAMILY-BASED IMMIGRANT VISAS

U.S. immigration laws provide a method for a U.S. citizen or LPR to sponsor the immigration of a family member abroad. The length of time to complete the process depends upon the relationship of the family members, whether the sponsor is a U.S. citizen or an LPR, and, sometimes, the country where the family member is located.

- **Immediate Relatives** – spouse, parent, minor child of adult U.S. citizens (USC's)
- **Preference Categories:**
 - FB-1: Unmarried sons/daughters of USC's
 - FB-2A: Spouses/minor children of LPR's
 - FB-2B: Unmarried children of LPR's
 - FB-3: Married sons/daughters of USC's
 - FB-4: Brothers/sisters of USC's

The Law Office of Michael B. Dye is a full-service immigration law office located in Southern California. Mr. Dye is a former U.S. diplomat, with extensive experience working and living throughout Asia, Europe, and Latin America.

The Office provides immigration assistance to potential investors seeking permanent residency in the United States, entrepreneurs seeking to establish business operations in the United States, and companies looking to expand their presence by establishing new offices in the United States. The Office also provides consular processing assistance, and advises clients from all nationalities in all visa categories. Mr. Dye is a member of the American Immigration Lawyers Association (AILA), and is admitted to practice law in various jurisdictions, including California and the District of Columbia.



LAW OFFICE OF
**MICHAEL B.
DYE**

LAW OFFICE OF MICHAEL B. DYE
120 Vantis Suite 300 • Aliso Viejo, CA 92656
tel: +1 (949) 540-6760
cell: +1 (619) 384-1649
fax: +1 (619) 342-8224
email: mike@mikedyelaw.com
website: www.mikedyelaw.com

U.S. IMMIGRATION SERVICES



LAW OFFICE OF
**MICHAEL B.
DYE**

PRACTICE AREAS

Our office can provide assistance to individuals seeking nonimmigrant visas to visit the United States for business or pleasure, attend school or participate in an exchange program, invest in a new or existing business or engage in temporary work.

We also assist individuals who want to become permanent residents (“green card” holders) of the United States through a relationship with a qualifying family member, a job offer, or an investment.

NON-IMMIGRANT VISAS

Issued to those who intend to enter the U.S. for a temporary stay and who intend to depart the U.S. at the end of their stay.

U.S. law establishes separate classifications of non-immigrant visas for tourism, business, temporary employment, study, transit, investment, training, and other purposes.

TEMPORARY VISITORS FOR BUSINESS/PLEASURE

The B Visa is the most common type of visa issued worldwide. The flexibility of the B Visa allows travelers to temporarily visit the United States for vacation as well as a multitude of business related endeavors.

- **B-1 “Business” Visa** includes visas to the U.S. to attend conventions, conferences, consultations and other legitimate activities of a commercial or professional nature. This may include taking steps to establish a branch office of a foreign company or to set up an investment in the United States
- **B-2 “Tourist” Visa** includes visits to the U.S. for pleasure involving recreation, tourism, amusement, visits with friends or relatives, rest, medical treatment, and social networking

There are 3 general requirements that an alien must meet in order to qualify for a B visa: (1) The alien must have a foreign residence that the alien intends to maintain; (2) the visit must be “temporary,” and (3) the visit must be for business (B1) or pleasure (B2).

INVESTORS & ENTREPRENEURS

Temporary work visas often used by investors and entrepreneurs include the E-1/E-2 Treaty Trader/Treaty Investor visas and the L-1 intra-company transferee visa.

The “Immigrant Investor” EB-5 visa is an option for individuals seeking permanent residency (“green cards”) by investing in the United States.

• E-1 & E-2 Treaty Trader & Treaty Investor

- E-1 “Treaty Traders” are persons engaging in substantial trade between the U.S. and their home country
- E-2 “Treaty Investors” are persons coming to the U.S. to develop and direct enterprises in the U.S. in which they are investing a substantial amount of capital

• L-1 Intra-company Transferees

Available for employees who have been employed by a multinational company abroad that seeks to open new business operations in the United States or transfer the employee to an existing business that is related to the company abroad

- **L-1A for Managers/Executives**
- **L-1B for Employees with Specialized Company Knowledge**
- **L-1 regulations also recognize a visa may be issued for opening a “new office”**

TEMPORARY WORKERS

There are a variety of visas available to U.S. employers seeking to employ foreign nationals temporarily in the United States. Several H nonimmigrant visa categories used for this purpose include visas available for professional workers, temporary workers in shortage occupations, nurses and trainees. The H status is designed principally to help employers meet an immediate and temporary need for labor.

• H-1B Specialist/Professional

Designed to help employers in the United States meet an immediate and temporary need for labor in “specialty occupations”

- H-1B1 for Non-Immigrant Professionals from Chile and Singapore

- H-1C for Registered Nurses in Shortage Areas
- H-2A for Temporary or Seasonal Agricultural Workers
- H-2B for Temporary Non-Agricultural Workers
- H-3 for Trainees

• **O-1 Persons with “Extraordinary Ability”** in the fields of science, art, education, business, or athletics

• **P Visas** for Internationally Recognized Athletes, Artists, or Members of Recognized Entertainment Groups

STUDENTS & EXCHANGE VISAS

Our office can provide assistance to prospective students seeking to enter a high-school, college or university program, an exchange program, language training in the United States, or a vocational or non-academic course or program.

• F-1 Students and J-1 Exchange Visitors

• **M Visas** for Vocational or Non-Academic students seeking to enter the U.S. temporarily to pursue a full course of study at an established or recognized vocational or other non-academic institution

FIANCÉ(E)S AND SPOUSES OF U.S. CITIZENS (K)

IMMIGRANT VISAS

Issued to those who intend to reside permanently in the U.S. (“Green Card” holders) Under U.S. law, immigrant visas are generally reserved for individuals who are close relatives of either U.S. citizens or Lawful Permanent Residents (LPRs) in the United States, or for people hired to work in jobs in which it has been determined that there are not enough skilled Americans to perform.

EMPLOYMENT BASED IMMIGRANT VISAS

Foreign nationals who are skilled or educated and who have job offers have the possibility of immigrating to the United States.