PART II. How To Bring Your Employees to the U.S.

There are basically three types of non-immigrant business visas
E category, H category and L category

Visa	*Description*
E	E1 requires substantial trade with the U.S. E2 requires a substantial investment E is based on a treaty between the U.S. and the foreign country ("treaty requirement"). *Conditions to treaty requirement to qualify for the E category* *1) majority ownership or control of the investing or trading company must be held by nationals of South Korea; and 2) the employee and principal of the company must be a Korean national.*
H	Specialty Occupation visa (requires bachelor's degree or equivalency) Due to new quotas, which have been capped for the FY2007, H visas are generally not available. The United States Citizenship and Immigration Services ("USCIS") will begin accepting applications for FY2008 H visas on, or about, April 1, 2007. *** Note: There are a limited amount of additional H1B visas available for qualifying candidates with a master's degree earned in the U.S.*
L	Intracompany Transferee visa 2 subcategories of L visas L-1A: for executive or multinational manager, subject to a maximum term of 7 years L-1B: for the special skills worker, subject to a maximum term of 5 years

*** A qualifying relationship must exist between the Korean company and its U.S. company.*
Qualifying relationships include:
1. The Korean company must control a majority of the U.S. company; or
2. The same individual or group of individuals must own the U.S. company and the Korean company.
3. If a Korean company joint ventures with a U.S. company and has majority control.
4. A branch office of the Korean company also qualifies.

Also, the following must exist:
1. The company must be "doing business" in the U.S.
2. The individual must have worked at the Korean company for at least one year within the last 3 preceding years.
3. The individual must be coming over in an executive or managerial capacity, or have specialized knowledge.

Visa's are extended in 2 year increments. If you are not a "new office" situation, the first term that is given is 3 years. If you are a "new office" situation, the first term that is given is 1 year. If an individual is able to qualify for an L-1A visa, this is the best platform to apply for employment based permanent residency in the future.

PART III. Taking Care of "Business" After Arriving in the United States

General matters:
- Open a bank account in the United States.
- Find space to conduct business (lease agreement or purchase agreement). Attorneys can assist with negotiating lease agreements or purchasing real estate.
- Letterhead and stationary, business cards, telephone accounts, etc.
- File for Michigan State taxes (if applicable).
- Meet with a certified public accountant for tax issues.
- Individual transferees should apply for a state driver's license, social security number, and any required insurance

Disclosure:
This outline is provided only as general information and shall not be relied upon as a legal consultation. The specific circumstances of a business or individual will determine the best choice for legal entity and whether an individual is eligible for a non-immigrant visa. Please consult with appropriate legal counsel.

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SKYE SUH, PLC is a full service firm assisting its multinational clientele in establishing and growing their businesses in the United States. Please call for a courtesy consultation.

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