

Michael Cataliotti, a New York City business immigration attorney and partner in Cataliotti, P.C., explains that, “it is possible to apply under the agent H-Series visa to work for your own company, but it is only permitted under strict limitations.” These limitations should be discussed with an attorney experienced in immigration law for businesses. Immigration attorneys that practice family immigration law are likely unfamiliar with business immigration law, thus it’s important to find the right professional for advice.

Another drawback is that the H1B visas are limited in number and the application must be made starting April 1st of each year. The visas are given out by lottery, and the application process usually takes months. Thus, it is a grueling process that Cataliotti describe as a “legal Black Friday for visas.”

O-Series Visas

The O-Series visas are meant for individuals with extraordinary abilities or achievement. Usually, this means athletes and celebrities, but it also includes entrepreneurs. For example, if you’ve achieved notable press releases and you’re recognized as an expert in the industry, then you would qualify under the visa. The benefit of this visa is that the application is open to the public all year, and the processing may be as fast as two weeks.

L-Series Visas

The L-Series visas are meant for individuals who worked as an executive, manager or employee of the company for at least three years prior to their applying to work in the United States. Thus, if you’re an entrepreneur who has an established company overseas, you may apply to work for your company in the United States.

E-Series Visas

The E-Series visas allow foreign entrepreneurs to operate their own companies in the United States. But, you must be a citizen of a country that has a “treaty of commerce and economics” and have enough money to sustain your company as well as your personal expenses. India and China are nations that do not have a treaty of commerce and economics with the United States. Most European countries have treaties with the United States, but few Asian countries can say the same.

Conclusion

Each visa above has the potential to allow foreign entrepreneurs the opportunity to work for themselves and succeed in the United States. The visa that provides the most flexibility is likely the O-Series visa for foreign entrepreneurs because of its criteria and the speed of its processing.

A national conversation about immigration is necessary because having the best people around the world working in the United States to create new businesses generates jobs and wealth in the United States. If someone is going to make a profit, then it might as well be here where we can tax it and put people to work. It’s that simple.

Anji Ismail is a French national who cofounded a successful company in France, but sought to move to the United States in 2013. Anji, CEO of [Doz.com](#), received \$1.5 million in investment funding that he sought to use to immediately to hire three Americans full-time to expand their operations. But, the United States immigration system failed to support his company, and it delayed the company's expansion into the country for about a year. That means that there were three Americans who lost their wages for an entire year.

This is only one of many examples where our laws have failed entrepreneurs. The American spirit is entrepreneurial, and allowing the world's entrepreneurs to flourish here can only mean a brighter future for everyone.