

Intracompany Transferee (Executive or Upper Level Manager) Immigrant Visa

The intracompany transferee visa is for the permanent residence of an executive or upper level manager transferred from a foreign company to a qualifying related U.S. company. The spouse and minor children (under age 21) of the employee are eligible for derivative status as permanent residents.

Requirements of the Intracompany Transferee Immigrant Visa

The intracompany transferee visa requires **(1)** a foreign company and a U.S. company be related as a parent company, branch, subsidiary or affiliate; **(2)** the companies be currently doing business; **(3)** the employee must have been employed by the foreign company for at least one year in an executive or upper level managerial position; and **(4)** the employee must be employed by the U.S. company in an executive or upper level managerial position.

- 1. *Relationship of the companies.*** The companies must be related to each other as either; parent, branch, subsidiary, or affiliate. Evidence of the corporate relationship includes; stock certificates, company registrations, joint venture agreements or affidavits from corporate counsel or officers.
- 2. *Doing business.*** The companies must be operational and financially stable. Evidence of doing business includes; certificate of incorporation, business registration, business licenses, contracts, and invoices. Evidence of financial operations includes corporate tax returns, financial statements, bank account statements and wire transfers. The company must submit information about the foreign and U.S. company including; the type of business, organizational structure, financial and operational goals and the extent of the U.S. investment.
- 3. *Executive experience of the employee with the foreign company.*** The petition requires evidence of one year of executive or upper level managerial experience of the employee. The experience letter from the foreign company should include dates of employment, a detailed description of the employee's position, level of authority, the job titles of the employees supervised and qualifications of the Beneficiary.
- 4. *Executive position of the employee with the U.S. company.*** The petition requires the U.S. position to be in an executive or upper level managerial capacity. The support letter from the U.S. company should include a detailed job description of the employee's position including the level of authority and the job title of the employees supervised.

Intracompany Transferee (Executive or Manager) Document Checklist

Employee

- Résumé (with detailed description of job duties and dates of employment)
- Experience letter (job title, dates of employment, level of authority and qualifications)
- Diplomas, degrees, and certificates
- Evidence of beneficiary's status (Visa, I-94, approval notices)
- Information about dependents (date of birth, country of birth, relationship, current address)

U.S. Company

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

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

- Corporate tax returns (IRS 1120, IRS 941, TWC C-3)
- Financial statements (balance sheet, income statement, asset & liabilities, payroll ledger)
- Bank account statements

Foreign Company

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

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

- Corporate tax returns
- Financial statements (balance sheet, income statement, asset & deficit, payroll ledger)
- Bank account statements

Fong•Ilagan, LLP works with clients to simplify the nonimmigrant visa process. Please contact our office at 713.772.2300.