



Immigration Plan Experts

EB1-C Business Plans

# EB1-C Business Plans

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# EB1-C Business Plans

Do you qualify as an EB1-C multinational executive or manager?

The EB1-C multinational executive or manager is defined under section 203(b)(1)(C) by their role in the organization, as follows:

**Executive capacity means an assignment within an organization in which the employee primarily:**

- Directs the management of the organization or a major component or function of the organization;
- Establishes the goals and policies of the organization, component, or function;
- Exercises wide latitude in discretionary decision-making; and
- Receives only general supervision or direction from higher level executives, the board of directors, or stockholders of the organization.

**Managerial capacity means an assignment within an organization in which the employee primarily:**

- Manages the organization, or a department, subdivision, function, or component of the organization;
- Supervises and controls the work of other supervisory, professional, or managerial employees, or manages an essential function within the organization, or a department or subdivision of the organization;
- If another employee or other employees are directly supervised, has the authority to hire and fire or recommend those as well as other personnel actions (such as promotion and leave authorization), or, if no other employee is directly supervised, functions at a senior level within the organizational hierarchy or with respect to the function managed; and

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- Exercises direction over the day-to-day operations of the activity or function for which the employee has authority.

## Non-Inclusive List of Documentation You Will Need

Documents proving that the U.S. employer is either the same legal entity or in an affiliate or subsidiary relationship with the overseas employer, and has been doing business for at least a year, including such documents as:

### **DOCUMENTATION TO VALIDATE US AFFILIATE/SUBSIDIARY HAS BEEN IN BUSINESS FOR AT LEAST A YEAR**

- Articles of incorporation
- By-laws
- Business license
- EIN (Employer Identification Number)
- Stock certificates
- Validation that Affiliate/Subsidiary can pay beneficiary's salary
- Audited accounting reports (e.g., balance sheets, profit and loss statements, and cash flow reports)
- Income tax filings for the last year
- Corporate income tax return, if any
- Quarterly report, if any
- Description of company business
- Commercial contracts, invoices, bills of lading, and letters of credit
- Organizational chart showing company structure, the company's total number of employees, the position to be held by the transferee, and the company's plans to expand (e.g., acquire new employees)
- Lease or purchase documents for location
- Pictures of the main office, interior and exterior, and the company's other buildings, if such photos are not included in a company brochure or product introduction

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## **DOCUMENTATION TO VALIDATE THAT FOREIGN COMPANY HAS BEEN IN BUSINESS FOR AT LEAST THREE YEARS**

- Tax returns
- Records of stock ownership
- Detailed organizational charts
- Articles of incorporation
- By-laws
- Stock certificates
- Audited accounting reports (e.g., balance sheets, profit and loss statements, and cash flow reports)
- Income tax filings for the three years prior to filing
- Corporate income tax return, if any
- Quarterly report, if any
- Description of company business, including descriptive brochures or websites
- Pictures of the main office, interior and exterior, and the company's other buildings
- Organizational chart showing company structure, the company's total number of employees, the position to be held by the transferee, and the company's plans to expand (e.g., acquire new employees)

## **EMPLOYEE'S PERSONAL DOCUMENTATION**

- Resume
- Diploma
- Passport
- Valid visa to the United States (within three years)

## **DOCUMENTS VALIDATING THE BENEFICIARY'S EMPLOYMENT STATUS**

- Document(s) proving employment as an executive or manager with the parent or affiliate company for at least one of the past three years outside of the U.S. (or, if the employee is already in the U.S., for one of the three years before arrival).

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- Full-time employment verification letter from the foreign affiliate
- Signed statements from authorized representatives of the US company and foreign company explaining the qualifying relationship between the foreign company and the US company
- Signed statements from authorized representatives of the US company and foreign company clearly explaining the foreign workers job description and daily duties with percentages of time spent on each task.
- Board resolution or other business documents verifying the company's decision to transfer the employee
- Any other documents demonstrating the transferee's ability to conduct business in an executive or managerial position

## Assistance We Offer with Documentation

If you decide to work with us, we will provide you with a list of documents you need to assemble. Should you need help with any of these items, let us know and we will give you a quote that includes the \$1,750 cost for the basic EB1-C business plan plus services such as the following. If you need help with something that is not listed, let us know. If you would like more information about our additional services, get in touch and tell us what you need: [swbsconsultants@gmail.com](mailto:swbsconsultants@gmail.com).

*1. We can help with translations. Any information not in English must be translated by a certified translator.*

*2. Sometimes it can be difficult to know what to put in a required letter to make it compliant. We can draft letters to fill the requirements below that can be put on letterhead and signed by the appropriate party.*

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### *3. Additional Documentation*

- Articles of Incorporation and By-laws (If you have established your business as a corporation but have not filed these, we may be able to help)
- Description of company business, including descriptive brochures or websites (If you have not developed a description of your business, we may be able to help you create an attractive picture of the business)
- Organizational chart showing company structure, the company's total number of employees, the position to be held by the transferee, and the company's plans to expand (We can help you with the graphics and content of this).

## EB1-C Business Plan

Our reasonably-priced business plans are highly-professional and USCIS compliant. We have years of experience creating plans that are attractive, well-documented and well accepted by the USCIS. Our flat fee quotes are

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fair and ensure that you know the cost for the plan up front. We work with petitioners, beneficiaries and attorneys.

*Our overriding focus with an EB1-C plan is to provide a rock-solid validation of the petitioner's request to ensure that the burden of proof is met.*

## **2019 Estimated Processing Times for Form I-140**

I-140 Immigrant Petition for Alien Worker

**Premium Filing:** Three Weeks

**Non-Premium Filing:** 5.3 Months

## Pricing

**VIBE:** All plans include a free VIBE certificate validating the relationship between the foreign company and the US affiliate/subsidiary.

## **EB1-C Business Plan with All Required Documentation Provided Complete by Client**

**\$1,750**

**Prepaid Plans: \$1,663 (5% Discount)**

**Terms:** Unless prepaid, 50% to initiate project; 50% balance due upon delivery.

**Turnaround Time:** Seven business days from the time deposit/full payment is made and all required documentation is received.

## **EB1-C Business Plan with Quote for Any Additional Documentation Services Required (e.g., Writing Letters for Signature)**

**\$1,750 Plus Flat Fee Quote for Additional Services**

**Terms:** Unless prepaid, 50% to initiate project; 50% balance due upon delivery.

**Turnaround Time:** No turnaround time is given for this option since the time required for the additional documentation services cannot be established at the outset.

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## Resources

[§ 204.5 Multinational Executives and Managers](#), which contains definitions and requirements for this category.

[§ 204.5 Petitions for Employment-Based Immigrants Full Text](#)

[Employment-Based Immigration: First Preference EB-1](#)

[EB-1 Explore My Options](#)