



Elissa Lu Discusses the Let Immigrants Kickstart Employment (LIKE) Act with EB-5 Investors Magazine

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In a recent interview, Elissa Lu, Managing Attorney of the Law Office of Lu & Associates, discussed the benefits of a newly proposed bill in Congress with EB-5 Investors Magazine. This bill, called the Let Immigrants Kickstart Employment (LIKE) Act, proposes an alternative path to permanent residency for foreign entrepreneurs.

“Both the LIKE Act and EB-5 visa give foreign business owners/founders a path to permanent residency if certain conditions are met. However, they are very different as well,” said Lu in the interview. The EB-5 visa, which is also known as “Green Card through investment”, is an immigrant visa category created in 1990 by Congress for immigrants who engage in a commercial enterprise that will benefit the U.S. economy and create at least 10 full-time jobs. Approximately 10,000 visa numbers are allocated annually to EB-5 investors. Pursuant to the EB-5 Immigrant Investor Program Modernization Final Rule (“Final Rule”), from November 21, 2019, the standard minimum investment level increased from \$1 million to \$1.8 million, or \$ 500,000 to \$900,000 if the investment is made in a Targeted Employment Area. On June 22, 2021, the U.S. District Court for the Northern District of California, in *Behring Regional Center LLC v. Wolf*, 20-cv-09263-JSC, vacated the Final Rule and restored the previous lower minimum investment amounts. On August 23, 2021,

USCIS filed a Notice of Appeal to challenge the June 22 court ruling. To know more about the EB-5 visa, please visit the Law Office of Lu & Associates's EB-5 Program page.

According to Lu, whose law firm specializes in immigration law, the LIKE Act provides three benefits: First, it proposes a way forward for start-up entrepreneurs that might not have as much capital as required by the EB-5 program. Instead, the LIKE Act would require applicants to have a minimum of 10% ownership interest in a start-up entity that has received \$250,000 from qualified U.S. investors or \$100,000 from government awards or grants. There is no minimum amount set for the applicants regarding how much himself/herself needs to invest. Second, the LIKE Act not only provides a dual intent W-1 visa to allow the applicants to temporarily work in the U.S. as a nonimmigrant, but also let them seek lawful permanent residency in the United States. Third, green cards under the LIKE Act will not be subject to numerical limitations under INA sections 201, 202, and 203. Therefore, unlike the EB-5 visa, it may not have severe backlog issues.

The Law Office of Lu & Associates provides a variety of legal services to individuals, corporations and non-for-profit organizations regarding matters of immigration. As can be seen on their website, these services include assistance with temporary work visa applications, such as H-1B, L, E, and O visas, employment based immigration petitions from EB-1 to EB-3 categories, investment immigration visas (also known as EB-5), family based green card applications, naturalization and more.

Readers interested in learning more about the various employment-based immigration programs available to aliens looking to become U.S. lawful permanent residents can click here to read more.

Elissa Lu and the team at the Law Office of Lu & Associates are located at 1 Sansome St Suite 3500, San Francisco, CA 94104. They can be reached during business hours by telephone at 415-992-8806, or they can be reached by email at info@uslulaw.com.

To request and schedule a free initial consultation, readers can visit the Law Office of Lu & Associates website (<https://www.uslulaw.com/>) and click the "Schedule Your Free Consultation" button.

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Law Office of Lu & Associates

At the Law Office of Lu & Associates, we provide legal services to individuals, corporations and non-for-profit organizations in immigration matters exclusively.

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