



Immigration

When it comes to U.S. immigration law . . . experience matters

The focus of Masuda Funai's immigration practice is business immigration oriented, so our clients are assured by the firm's eight decades of experience, providing comprehensive legal counsel in all aspects of this highly specialized area of practice. We know, from practical experience, that the right talent can significantly impact a company's business objectives. As a result, our attorneys consistently develop thoughtful and effectual immigration strategies that further each client's specific agenda through the employment of foreign nationals. Simply, we work with employers to set up and operate businesses in the U.S. and move their most important asset — people — across the border.

Our firm is among the larger immigration practices in the Midwest, annually representing hundreds of corporate employers from diverse global industries. Our clients include publicly traded companies, privately held corporations, educational institutions, not-for-profit organizations and individuals. Our attorneys file approximately 2,500 petitions and applications with the U.S. Citizenship and Immigration Services (USCIS), the Department of Labor (DOL) and the Department of States (DOS) each year. As proactive legal counsel, we also regularly conduct seminars and tutorials for corporate clients, educational institutions and industry associations on legal issues affecting businesses operating in the U.S., which are particularly of value to foreign-owned companies.

We begin with a multi-dimensional understanding of each client's industry, operations, culture, country of origin and corporate goals. We are dedicated to remaining at the forefront of immigration protocol. Employers know that immigration rules and regulations are ever-changing and increasingly aggressive audits and investigations by the DOL and Immigration and Customs Enforcement (ICE) are now common. In response, we work regularly and closely with government agencies, embassies, consulates and immigration offices while seeking to maintain positive working relationships with such agencies and their staff. We respond quickly and with meticulous attention to detail to regulatory requirements in support of our clients' immigration objectives, as well as make ourselves available through open communication, flexibility and multiple language capabilities across national and international time zones.

Our constant focus is to help our clients to effectively compete domestically and leverage the global market for talent. Whether investing in or starting a business in the U.S., relocating from abroad, transferring within the U.S. from another company, or joining the American workforce via student status, we propose inbound immigration strategies that consistently achieve long- and short-term goals and ably guide clients through the complex maze of U.S. immigration. We also assist our clients with their ongoing obligations in maintaining and documenting their domestic and foreign-based workforce, as well as provide counsel on immigration-related due diligence in mergers, acquisitions and other corporate transactions.

Range of Services

Nonimmigrant Visas

U.S. Immigration law presumes that every foreign national is an “intending immigrant”, unless they can demonstrate to the satisfaction of the admitting Immigration Officer that they are not. Therefore, the majority of foreign nationals need to obtain a nonimmigrant, temporary visa for the purpose of employment or schooling in the U.S. Such visas are also required for foreign business professionals and specialty workers with permanent residence outside the U.S. who are seeking to live and work in the U.S. on a temporary basis. Masuda Funai represents employers and individuals in obtaining, extending and renewing all types of nonimmigrant visas, as well as advises on the myriad issues affecting foreign nationals living in the U.S.

We understand all facets of nonimmigrant visas, a sampling of which includes treaty traders and investors (E-1 and E-2 visas); business and tourist, including entering the U.S. under the Visa Waiver Program (B-1/B-2 visas and WB/WT classifications); students and exchange visitors (F-1 and J-1 visas); and specialty occupation and training program participants (H-1B and H-3 visas). We also advise on temporary employment for skilled, unskilled and professional positions (H-2B visas), as well as intracompany transferees (L-1 traditional and blanket visas), individuals of extraordinary ability (O-1 visas), cultural entertainers (P-3 visas), religious workers (R-1 visas), and NAFTA professionals (TN visas).

In business, time is often a critical factor in measuring success. Our firm is known and valued for the ability to secure nonimmigrant worker visas quickly and efficiently, and in expedited time frames. We offer a proven track record of securing nonimmigrant work visas for individuals and professionals from virtually everywhere in the world. We understand the importance of accuracy and proper documentation as a means to avert the risks associated with detention and/or deportation, which can be disruptive for workers and their families and create serious financial and operational setbacks for business.

Immigrant Visas

Obtaining an immigrant visa to reside permanently in the United States and to work without restrictions can be a complex process that requires in-depth knowledge of U.S. immigration law and procedure. Masuda Funai has successfully represented a diverse business clientele to achieve this goal, while staying in compliance with complicated immigration and employment verification laws. We represent employers and employees and their families, located both in the U.S. and abroad, in obtaining lawful permanent resident status, commonly known as the “green card.”

Our representation includes guiding clients through the Department of Labor (DOL’s) PERM process and when possible, assisting multinational executives and managers, individuals of extraordinary ability and outstanding professors and researchers in avoiding the PERM process. We then counsel and assist clients on a case-by-case basis in completing the permanent residence process through either the adjustment of status procedure in the U.S. or through U.S. consular processing abroad. We also advise clients in obtaining lawful permanent resident status on the basis of family relationships as well as the diversity visa lottery.

With any immigrant visa, there are barriers to entry. Because our attorneys know the immigration process inside and out, we anticipate potential challenges well in advance of the evolution of initial problems turning into serious roadblocks to progress. We work tirelessly to ensure that our client's applications and/or petitions have the best chance of achieving the desired result.

Worksite Compliance

Immigration compliance for today's businesses can represent a complicated and daunting undertaking. Many employers are frequently surprised that despite their best efforts, diligence and specific attention to workplace compliance, they are not in compliance with immigration and labor laws and regulations. Masuda Funai counsels employers of all sizes and from an array of industries on all aspects of immigration-related record keeping and compliance requirements.

We advise on the immigration effects of corporate restructurings and work with employers to conduct internal audits of Form I-9, Employment Eligibility Verification Forms, as well as Public Access Files developed as part of an H-1B Labor Condition Application, to assure regulatory compliance with the U.S. Citizenship and Immigration Services (USCIS), Immigration and Customs Enforcement (ICE), and the U.S. Department of Labor (DOL). We also represent employers during DOL and ICE audits and investigations, as well as with regard to Social Security Administration inquiries.

Our firm is dedicated to remaining at the forefront of changing immigration laws that impact businesses. We understand how emerging trends and new or more aggressive approaches to enforcement shift immigration compliance "best practices" for employers. We work with our clients to mitigate potential liabilities associated with ongoing compliance by regularly adjusting and/or evolving their immigration protocol, policies and procedures as needed, ensuring as close to total compliance as possible.

Immigration Investment Strategies

The current economic climate for immigration is one of increased scrutiny, a tightening of the visa process on all fronts, and a heightened focus on domestic job creation and specifically, U.S. economic growth. Our veteran immigration and business lawyers are totally dedicated to remaining at the forefront of today's political uncertainty in immigration and foreign investment policy. Where many see obstacles and obstruction, we work tirelessly with our foreign-owned business and investment clients to identify opportunity amidst the tidal wave of change. At Masuda Funai, we are business lawyers who understand every facet of immigration law and foreign investment.

Our foreign clients appreciate the firm's many decades of experience working at the apex of inbound business investment and immigration law. We have successfully guided foreign-owned investors and companies from around the world and, in particular, from Japan and Europe, in devising robust business plans for U.S.-based investors and businesses. Regardless of the economic or political climate — and we have experienced

countless change over our many decades of practice in this area —our lawyers serve as practical legal strategists when it comes to accomplishing business objectives pertaining to immigrating to the U.S.

When foreigners invest in the U.S., ever-evolving requirements must be met in order to obtain the necessary visas. We know this process well, and understand every aspect of incoming investment and the requisite visas required. We work closely with foreign clients to obtain E-1, E-2, E-3, O, L-1 and EB-5 visas. We perform immigration-related due diligence pertaining to investment projects, and act as true counselors from conception through execution of the "bigger picture" project as a whole.

Often, our client seeks not only to invest in the U.S. or a domestic business, but also desires to live in America either temporarily or permanently. On many occasions, such clients also seek to hire and/or bring in foreign professionals to manage their investments and business. Our attorneys are at their best when advising on hybrid, multi-faceted business investment and immigration initiatives, providing full-service advice and strategy at every phase of development and in any commercial or political climate.