

From the USA to Spain: Pathways to permanent residency

Our Global Mobility team has observed growing interest among Spanish-speaking residents of the United States who wish to explore legal alternatives for residence in Europe, especially in Spain, given the uncertainty of their current immigration processes.

In recent months, many people under Temporary Protected Status (TPS), in the process of adjusting their status (Form I-485), with approved labour petitions (Form I-140, categories EB-1 or EB-2) or Advance Parole holders, have expressed concern about the long waiting times and lack of legal stability in the United States.

It is also common for professionals, students, or families with visas such as H-1B, F-1 or B1/B2, some already expired or about to expire, to seek alternative routes that allow them to maintain regular status and continue developing their personal or work projects without the risk of being left out of the US immigration system.

Against this backdrop, Spain presents itself as a solid, accessible and safe option, combining legal certainty, economic stability and cultural affinity, and offering various routes to residency and nationality tailored to different profiles.

Why Spain?

Spain has established itself as one of the most stable and secure destinations for those seeking a new start in Europe. Its immigration system offers various routes to residency and work adapted to different profiles: professionals, families, students, entrepreneurs, and international remote workers. Added to this is a similar cultural environment, solid legal security, and a high quality of life, factors that make Spain a particularly attractive option for Spanish-speaking citizens.

One of the great advantages of the Spanish system is the speed and predictability of its procedures. Most residence and work permits are processed within approximately three months, with the option of applying in person or electronically, both from within Spain and from abroad. This framework facilitates an orderly, quick and safe transition, in contrast to the long waiting times that characterise other immigration systems.

In addition, many Latin American countries have agreements that allow entry into Spain without a visa for stays of up to 90 days. This period is ideal for getting to know the environment, exploring job or academic opportunities and preparing, with the right advice, for the most convenient immigration process.

In the medium term, Spain offers an exceptional benefit: nationals of Argentina, Andorra, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Philippines, Portugal, Uruguay and Venezuela can apply for Spanish nationality after only two years of legal and continuous residence. This possibility, combined with the cultural and historical affinity between both sides of the Atlantic, reinforces Spain's position as the most accessible and secure destination for those who wish to settle legally, stably and permanently in Europe.

What are the most requested permits and visas?

1
Authorised residency for
Highly Qualified
Professionals (PAC)

2
Authorised residency for
International Remote workers
(Digital Nomad)

3
Authorised residency for
Intra-company transfer

4
Study Visa or Authorised
stay for Studies

5
Non-Lucrative
residency Visa

6
Authorised residency for
entrepreneurs

1 Authorised residency for Highly Qualified Professionals (PAC)

Allows professionals with university training or accredited experience who receive a qualified job offer to reside and work in Spain. This permit is regulated by Law 14/2013 on support for entrepreneurs.

Main requirements:

- Agreement or job offer in a highly qualified position.
- University degree (bachelor's degree or equivalent) or demonstrable professional experience.
- Documentation from the hiring company.

Duration and deadlines:

- Initial authorisation for up to 3 years, renewable for periods of 2 years.
- Decision period of 20 working days.

2 Authorised residency for International Remote workers (Digital Nomad)

Aimed at professionals who work remotely for foreign companies or carry out international freelance work from Spain.

Main requirements:

- Employment or professional relationship with a foreign company (minimum 3 months).
- University degree, professional training or minimum work experience of 3 years.
- Proof of sufficient financial means.
- Health insurance, among others.

Duration and deadlines:

- Initial visa (if applied for from abroad) for 1 year.
- Residence permit for up to 3 years, renewable for 2 years.
- Decision period of 20 working days.

3 Authorised residency for Intra-company transfer

Allows foreign companies to temporarily transfer their employees to a subsidiary or branch in Spain.

Main requirements:

- Prior employment or professional relationship of at least 3 months with the business group.
- Qualifications or professional experience appropriate to the position.
- Proof of the link between the companies.

Duration and deadlines:

- For executives or specialists, up to 3 years.
- For those in training, up to 1 year.
- Decision period of 20 working days.

4 Study Visa or Authorised stay for Studies

Allows one to remain legally in Spain while studying, participating in exchanges, internships or research at academic centres, schools, or recognised institutions.

Main requirements:

- Enrolment in an authorised educational or training centre.
- Proof of financial means.
- Medical insurance, among others.

Duration and deadlines:

- Valid for the duration of the studies. It can be renewed and converted into residence and work at the end.
- Decision period is usually 1 month, contingent on various factors.

5 Non-Lucrative residency Visa

Allows you to reside in Spain without engaging in work or professional activities. Ideal for retirees or people with their own resources to get to know the country and, in the future, stay to work by means of modifying the corresponding authorisation.

Main requirements:

- Proof of sufficient financial resources for the applicant and their family.
- Public or private health insurance, among others.

Duration and deadlines:

- Initial authorisation for 1 year, renewable for 2 years.
- Decision period generally 1 to 3 months.

6 Authorised residency for entrepreneurs

Aimed at those who wish to develop an innovative project in Spain with special economic or technological interest, evaluated by ENISA or the competent body.

Duration and deadlines:

- Presentation of a viable and innovative business plan.
- Professional profile appropriate to the project.
- Proof of financial resources.
- Health insurance, among others.

Duración y plazos:

- Initial authorisation for 3 years, renewable for 2 years.
- Decision period of 20 working days.

General requirements for all authorisations:

- Valid passport or travel document, valid for at least six months.
- No criminal record in Spain or in the countries where you have resided during the last five years for offences classified under Spanish law.
- Not be listed as inadmissible in the Schengen area or be subject to a ban on entry into Spain.
- Proof of sufficient financial means to cover the costs of your stay and living expenses, and, where applicable, those of accompanying family members.
- Pay the administrative fees corresponding to the requested procedure.

In certain cases, the following may also be required:

- A health certificate, issued within the last three months, certifying that you do not suffer from any diseases that could affect public health in accordance with the International Health Regulations.
- Proof of adequate accommodation in Spain, depending on the type of authorisation or visa.

At Seegman Legal Services, we put our experience at the service of those who wish to take this step with legal support and clarity in every procedure.



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