

RISCH

MAGAZINE



OCTOBER 2023
ISSUE # 03

SPECIAL EDITION

NET-ZERO ERA

**THE RISE OF HYDROGEN
PROPULSION**

INTERVIEW

**A FEDERAL CHIEF OF POLICE AND
FORMER HEAD OF INTERPOL IN
BRAZIL WITH THE U.S. GREEN CARD**

BRAZIL

**NATIONAL CONGRESS AFFIRMS
THAT BRAZILIANS HAVE NOT
LOST THEIR NATIONALITY**



www.therischlaw.com



CONTENTS NO.3

PAGE 3

PRINCIPAL ATTORNEY ARTICLES

The Common Law, and Risch's Vision

PAGE 4

EXCLUSIVE INTERVIEW

A Federal Chief of Police and former head of Interpol in Brazil with the U.S. Green Card

PAGE 6

NON-CITIZENS

The Pulitzer Prize will open doors in the upcoming editions

PAGE 7

BRAZIL

National congress affirms that Brazilians have not lost their nationality

PRINCIPAL ATTORNEY ARTICLES

GLOBAL BUSINESS AND THE AMERICAN LEGAL ADVANTAGE: RISCH LAW FIRM'S COMMITMENT

In the global business arena, the United States shines as a top choice for forging business contracts. This preference is largely attributed to the country's robust legal system firmly rooted in Common Law. At Risch Law Firm, our mission is not only to navigate this legal landscape but also to promote the principles of American law on the global stage.

The legal framework of the United States, built upon Common Law principles, enjoys international recognition for its fairness and effectiveness. It offers legal assurance, rendering the U.S. a dependable locale for entering into commercial agreements. Businesses and individuals embarking on contracts in the U.S. can rest assured that their rights will be safeguarded and that they will have access to a transparent and impartial legal process if the need arises.

The potency of a nation's legal system is inherently intertwined with its democratic underpinnings. In the United States, judicial independence stands as a linchpin for upholding democracy. The division of powers ensures that the legal apparatus operates autonomously, shielded from undue political influences. This fosters an environment where justice takes precedence, and everyone, irrespective of their background, gains access to an equitable legal system.

The advancement of a modern society invariably hinges on the efficacy of its judicial system. The United States has consistently channeled efforts into enhancing its legal infrastructure, culminating in a distinctive environment conducive to swift and efficient resolution of commercial disputes. This forms the bedrock for economic expansion and the attraction of foreign investments.



At Risch Law Firm, we are proud to contribute to the promotion of American law principles on the global stage. Our mission is not only to provide exceptional legal services but also to serve as ambassadors for the values and fairness embodied in the American legal system.

In sum, the significance of establishing business contracts in the United States transcends mere market opportunities. The Common Law-based legal framework of the United States serves as an exemplar for numerous nations globally. Beyond safeguarding the rights of involved parties, it contributes to the preservation of democracy and propels economic development. Opting for the United States as a destination for commercial agreements represents an investment not solely in business prospects, but also in securing a sturdy and equitable legal milieu that buttresses long-term growth, a mission we wholeheartedly embrace at Risch Law Firm.


MIGUEL NEGELISKII RISCH

The Principal Attorney of the Risch Law Firm





Photographer: Jerome Royes

Reinaldo de Almeida Cesar was a Federal Chief of Police and retired at the highest level of his career. In the Brazilian Federal Police, he held various positions and worked in several departments, including immigration and international police cooperation, where he headed the Interpol office in Brazil. He presided over the National Association of Federal Chief of Police, and served as the Secretary of Public Security in Paraná, in addition to working for the Institutional Security Office of the Presidency of the Republic, and the Presidency of the Federal Senate. He also served as the Secretary of Security for the Supreme Court of Justice. He graduated in Law from the Federal University of Paraná, where he was a professor of Criminal Law for several years, holds a postgraduate degree from the University of Brasília, and is a member of the Brazilian Bar Association. When he retired from the Federal Police, he decided to immigrate to the United States. In this interview, he tells us why.

INTERVIEW

The Federal Chief of Police who spearheaded the modernization of public security, international intelligence, the Federal Police, and Interpol in Brazil.

Risch Magazine - After so many varied professional experiences in Brazil, what motivated you to immigrate to the United States?

Reinaldo Cesar - When I was nearing retirement from the Federal Police, I asked myself what I should do that would bring me enthusiasm in this new phase of life. The answer was easy, quick, and clear: to prepare for my teenagers' future and at the same time work on projects that motivated me. That's how, as a family, we decided to immigrate to the United States, a country with a wonderful historical background, admirable values, and full of opportunities.

Risch Magazine - How did you meet attorney Miguel Risch, and how did you come to work with him?

Reinaldo Cesar - Like all individuals with immigration plans, I conducted thorough research to select the best professional. I opted for his services based on his strong professional reputation and his evident integrity. He represented me before American immigration authorities, a decision my intuition proved right. Miguel Risch not only boasts a robust professional background, extensive experience, and a track record of success in immigration cases but also possesses a profound human sensitivity and unwavering dedication to his work. I followed his guidance meticulously, and everything he predicted came to pass. On a day etched in my memory, I joyfully embraced my wife and children, celebrating the acquisition of our Green Cards. I owe this remarkable achievement to Miguel Risch, an exceptional attorney.

INTERVIEW

Risch Magazine - Speaking of immigration, in your opinion, why do people feel they are not in a position to obtain a Green Card? Is it a lack of confidence or self-esteem?

Reinaldo Cesar - I see it differently. What I believe is that there's widespread misinformation on this topic. My own experience taught me that immigration law has objective criteria, although some subjectivity exists in application analysis. Demystifying the Green Card is essential. With an experienced attorney, a sound strategy, and strong evidence, a case becomes robust, increasing the chances of success. The United States, historically and culturally, welcomes immigrants, issuing thousands of Green Cards annually. In the last decade, 7.6 million people achieved American citizenship through naturalization. Politician legendary figures like Henry Kissinger and Madeleine Albright, who were naturalized citizens, not born in the U.S. Renowned entertainers like Sinatra and Tony Bennett were children of immigrants.

Risch Magazine - How did you start working at The Risch Law Firm, and what was the transition like from being a client to collaborating with the office?

Reinaldo Cesar - God's kindness has been abundant in my life. Upon obtaining my Green Card, I visited Miguel Risch's office to express my gratitude. To my delightful surprise, he extended an invitation to join his exceptional team. I accepted without hesitation, driven not only by my profound respect and trust in him but also by a sense of empathy, as I believe I can assist individuals seeking a trustworthy professional for immigration or international business endeavors. Helping others is consistently fulfilling, a spiritual reward.



“ ”

MANAGE ANXIETY AND EXERCISE PATIENCE, AS THE IMMIGRATION PROCESS HAS ITS OWN TIMELINES. THINGS HAPPEN IN DUE TIME.

Reinaldo de Almeida Cesar
Executive Advisor of the Risch
Law Firm

Risch Magazine - What advice would you give to those who are considering immigrating to the United States?

Reinaldo Cesar - I would advise them to follow this guide. It will greatly help in achieving success in obtaining a Green Card and adapting to the new life in the United States.

1. Strictly adhere to immigration laws.
2. Involve the entire family in the decision-making process.
3. Have a clear understanding of your professional goals in the USA.
4. Choose an experienced and trustworthy immigration lawyer.
5. Maintain direct communication with your lawyer.
6. Place full trust in your attorney.
7. Provide accurate information and be honest throughout the process.
8. Maintain disciplined organization of your documents and supporting materials.
9. Manage anxiety and exercise patience, as the immigration process has its own timelines. Things happen in due time.



PULITZER PRIZE OPENS TO NON-CITIZENS IN THE UNITED STATES

By Risch Magazine

In early September, the board overseeing the prestigious Pulitzer Prizes made a significant announcement.

They've decided to broaden eligibility for the awards to include authors, playwrights, and composers who aren't U.S. citizens. Previously, most awards, such as those for books, drama, and music, were exclusively for American citizens. However, starting with the 2025 prizes, the board will consider works created by permanent residents and individuals with long-standing ties to the United States.

This expansion is a significant shift for the Pulitzers, established in 1917 by Hungarian immigrant and newspaper publisher Joseph Pulitzer to celebrate distinctly American works. While journalism awards have always been open to individuals of all nationalities working with American media outlets, literary categories, music, and drama awards were limited to American citizens, except for the history prize.

The decision to broaden eligibility came after discussions initiated in December, prompted by concerns raised by the jury for the memoir category. They argued that the citizenship requirement was excluding a significant portion of American culture. Marjorie Miller, the prizes' administrator, noted that the board quickly reached a consensus that it was time to revise the criterion. Miller emphasized, "This emphasizes the American nature of the work rather than the individual.

You can be American and create a book, play, or piece of music that's distinctly American without being a U.S. citizen." The board won't set strict definitions for long-term or permanent residency, leaving such determinations to authors and publishers.

Artists and writers who championed expanding the Pulitzer Prize celebrated this decision. Ingrid Rojas Contreras, a Pulitzer finalist for her memoir, "The Man Who Could Move Clouds," said, "We're just starting to recognize that migrant literature is American literature. These prizes play an immense role in curating the literature we'll read in the future.

"In August, authors urged the Pulitzer board to include immigrants and undocumented writers. The letter gained hundreds of signatures, including Nana Kwame Adjei-Brenyah, Angie Cruz, and Fatimah Asghar.

Javier Zamora, a signatory, expressed disappointment in a July Los Angeles Times piece that his memoir "Solito" couldn't qualify for a Pulitzer due to citizenship requirements. He hoped this change would make the American literary canon more inclusive for works by undocumented writers and immigrants, saying, "Your story matters too—that it can be part of a canon."

The Pulitzer Prizes now join other awards like the Academy of American Poets, the Poetry Foundation, the National Book Award, and the PEN/Faulkner Award, adjusting their citizenship requirements.

NATIONAL CONGRESS AFFIRMS THAT BRAZILIANS HAVE NOT LOST THEIR NATIONALITY



WASHINGTON, DC - On Tuesday, September 12th, the Chamber of Deputies approved a Constitutional Amendment Proposal (PEC) that puts an end to the automatic loss of Brazilian nationality for individuals who voluntarily acquire another nationality through naturalization. This change applies to those who have lived in a foreign country for several years.

Dubbed the "Expatriates' PEC," this legislation also permits the reacquisition of Brazilian nationality for those who willingly renounce it, with a simple request, without the need for a new application process. The PEC, originating from the Senate, is now on its way to being promulgated.

Under the new rules, the loss of Brazilian nationality will be restricted to two scenarios: when a citizen explicitly requests it – as long as this does not render them stateless, meaning they have no nationality recognized by any other country – or when a judicial sentence is passed due to fraud in the naturalization process or an attack against the constitutional order and democratic state.

Deputy Bia Kicis (PL-DF), who served as the rapporteur for the PEC in the special committee, estimates that approximately 4 million people will benefit from this measure.

Current Provisions in the Constitution

The Brazilian Constitution of 1988 currently stipulates that natural-born Brazilians who acquire another nationality can potentially lose their Brazilian citizenship, irrespective of whether they have committed crimes abroad or have been convicted for activities detrimental to national interests.

However, it's important to note that the loss of nationality is not automatic. To trigger this process for natural-born Brazilians, the Brazilian Ministry of Justice must initiate proceedings. This occurs infrequently, partly due to the lack of an information-sharing system with consular authorities from other countries.

Existing Exceptions for Dual Nationality

Up until now, only two legal exceptions have allowed Brazilians to hold more than one nationality: when they have an original right through blood ties with parents or ancestors, or when the acquisition of citizenship is required for Brazilians residing in a foreign country as a condition for their stay or for exercising civil rights in that foreign nation, such as the right to work.

For instance, Germany does not require foreigners who want to work or live within its territory to undergo naturalization, although some civil rights are exclusive to German citizens.

In Brazil, the eligibility for certain public offices, such as President and Vice President of the Republic, Armed Forces officers, or diplomatic career civil servants, is limited to natural-born Brazilians—those born in Brazil or registered abroad as the children of Brazilian parents.



Written by **FERNANDO HESSEL**, Communications Director of the Risch Law Firm, journalist, MBA in New Business Management, Chief Observer at The White House and The Pentagon

THE EB-2 VISA PATHWAY

Opportunity Awaits Exceptional Immigrant Entrepreneurs With “The Right Stuff”

By DEEPAN DUTTA - Weston, Florida

Continuing our series on the Paths to American Citizenship for Immigrant Entrepreneurs, in this second part we focus on one of the most popular and successful routes for professionals with decorated careers seeking to build their grand enterprise in the United States:

EB-2 Employment-Based Second Preference - Exceptional Ability or Advanced Degree Professional with National Interest Waiver (NIW)

The EB-2 immigrant visa category is for professionals with Advanced Degrees or individuals with Exceptional Ability in the sciences, arts, or business. The achievement standard for this category is not as rigorous as that for the EB-1A category, but still requires demonstration of highly advanced skills and/or an advanced degree, as well as significant achievements and recognition of excellence in the candidate’s field of employment.

This category is meant for foreign professionals who have proven themselves time and again to have “**The Right Stuff**” – the prestige, talent and skills above and beyond the competition, with a special moxie of daring and dedication that is at the core of the American spirit. Ordinarily, the EB-2 visa requires a job offer from a sponsoring employer and a labor certification issued by the U.S. Department of Labor (DOL). This certification process can be very laborious and time-consuming, often taking a year or more before resolving.



ENTREPRENEURS

However, Entrepreneurs are generally prohibited from receiving a permanent labor certification from the DOL, and must self-petition for this visa. This means the process is different from the traditional approach to applying for the EB-2 category.

Instead of going through the labor certification process, immigrating Entrepreneurs seeking to forge their own path to the United States under the EB-2 category must first obtain a National Interest Waiver (NIW), which waives the need for a job offer, and thus the labor certification requirement.

However, obtaining this Waiver is no easy task – earning a National Interest Waiver requires credible proof that:

- The petitioner’s proposed mission and goals for immigrating to the United States are of Substantial Merit and of National Importance;
- The petitioner is Well-Positioned to accomplish this mission – meaning they have the abilities, experience, skills and specific plan necessary to see it through; and
- On balance, it would be beneficial to the United States to waive the requirements of a job offer, and thus the labor certification.



It is critical for self-petitioning Entrepreneurs seeking an EB-2 visa through a National Interest Waiver to employ the advocacy and impeccable organization of an experienced, skilled business immigration attorney who will prepare and present the best possible case for their client.

At Risch Law Firm, we have helped hundreds of clients obtain their EB-2 approval with a National Interest Waiver through our most zealous representation and vast experience. We recognize the soaring potential and promise of Entrepreneurs, and provide the expert tailored services that elevate our clients above the competition in this exclusive category.

If you are an Entrepreneur seeking a EB-2 visa, Risch Law Firm will prove without any doubt that you have The Right Stuff, so that you may build your grand enterprise in the United States - and achieve your American Dream.



Written by **DEEPAN DUTTA** - licensed attorney in Florida and Colorado, known for award-winning journalism at the Summit Daily News in Frisco, Colorado. Specializing in immigration and international business law, wills, probate, real estate, and criminal defense.



THE RISE OF HYDROGEN PROPULSION

Pathbreaking Views on Net-Zero Propulsion Monitored by the Risch Law Firm in Toulouse, France

By THOMAS HESSEL - Toulouse, France

Sustainable fuels were often doubted for their effectiveness, especially in aviation. However, this perception is about to change. Aviation is an industry where it has long been agreed that net-zero goals were unachievable within our lifespans, given factors such as the need for propulsion mechanisms meeting the demand for long-range capabilities and high potency.

These factors have always turned the thought of using any clean alternative into an unattainable solution. Nonetheless, companies are now demonstrating that the 21st century has arrived, bringing with it technological advancements that will most definitely put a halt to the use of fossil fuels.

This is precisely what Rolls-Royce aimed to challenge by showcasing its newly developed hydrogen engine at the Aerospace Test and Development Show hosted in Toulouse, France.

ROLLS-ROYCE'S HYDROGEN AVIATION ADVANCEMENTS

Gathering high-level aviation executives from around the world, Rolls-Royce has once again proven that the use of hydrogen as a propellant is reliable, potent, and, above all, environmentally sustainable. Naming it 'Project Lavoisier,' Rolls-Royce has paved the way for the reconciliation of sustainability and efficacy in an exciting and foreseeable future.

While using hydrogen as fuel was already being experimented with in cars, Rolls-Royce has now, for the first time, been able to implement this technology in a modern jet engine. It is important to note that, although promising, hydrogen-powered engines face challenges, notably with high associated costs.

HYDROGEN CHALLENGES AND LEGAL OUTLOOK

One of the most prominent ones being the production and storage of hydrogen in its liquid form at approximately -253° Celsius, altogether with establishing a safe and efficient hydrogen distribution network that also poses a strong logistical challenge.

Despite these challenges, hydrogen holds promise for various applications beyond aviation, including industrial use, residential heating, and electricity generation.

With such news, manufacturers will now be racing to innovate and enhance the efficiency, safety, and affordability of hydrogen-powered engines. Consequently, the legal community shall play a crucial role in establishing a legal and regulatory framework to ensure fair competition and the responsible development and commercialization of these technologies.

It is of the utmost interest for law firms to now actively engage and anticipate the legal needs and challenges that this evolving industry will present, thus creating an environment prone for the development of a sustainable future.



Written by **THOMAS HESSEL**, entrepreneur, President of World Funding - a humanitarian and global sustainability organization, expert in business aviation, and Legal Assistant of the Risch Law Firm,

MESSI: AN IMMIGRATION AND FINANCIAL CHOICE

By FERNANDO HESSEL - Fort Lauderdale, FL



Artwork by: Jeff Cole

The soccer universe was rocked when Lionel Messi, widely deemed as the greatest player of all time, made the surprising move of joining Inter Miami, an American soccer team based in Broward County, United States—an affluent haven for billionaires in South Florida, where cities such as Weston are located. Messi's arrival in the United States marked a watershed moment in the world of sports, bringing a significant impact on the development of South Florida and the broader U.S.

This impact encompasses three key aspects: the improvement of the athletics industry, economical enhancement, and the bringing of credibility to the sports practice in the United States. His contract with Inter Miami for the substantial remuneration of \$50 to \$60 million dollars per year justifies the benefits he is bringing to the country as a unique individual who has moved masses of people based on his extraordinary ability in the soccer field.

The High-Value Agreement

Messi's contract with Inter Miami stands as one of the most lucrative deals in the history of sports. In addition to his base salary, Messi also secured additional endorsements, such as compensation linked to Apple's sales of Major League Soccer (MLS) subscriptions and an equity stake in Inter Miami.

These contract details highlight the tremendous confidence and vision that both the club and its investors have in Messi. He is not just seen as a player, but as an iconic figure with the potential to enhance both the team's financial prosperity and its athletic triumphs.

Messi's Immigration Choice

Messi's relocation to the United States had significant immigration implications and made a considerable impact on both soccer and the local economy. His decision wasn't just about his sporting career; it was also about improving his family's quality of life.

Impact on U.S. Soccer

Messi's arrival transformed Inter Miami. The team went from a nine-game losing streak to an 11-game unbeaten run, winning the Leagues Cup, their first championship. Off the field, Messi's presence sparked an economic boost. Inter Miami received a \$75 million investment from Area Development, and real estate developers initiated additional condominium projects in South Florida. This property surge attracted interest from Latin American and Mexican buyers, thanks to Messi's presence in the region.