

L-1B Nonimmigrant Visa Intracompany Transferee (Specialized Knowledge)

Specialized Knowledge Intracompany Transferee Visa

The L-1B visa authorizes temporary employment of specialized knowledge employees transferred from a foreign company to a related U.S. company. The visa can be extended for a total of 5 years.

Visa Requirements

The L-1B visa requires (1) a foreign company and a U.S. company to be related as a parent branch, subsidiary or affiliate; (2) the companies must be currently doing business; (3) the employee must have at least one year of experience with the foreign company in a position requiring specialized knowledge; and (4) the employee must be employed in a similar position with the U.S. company.

Please note that L-1B visa employees are not allowed to be primarily stationed at the worksite of an unaffiliated employer. An additional CIS fee of \$500 must be paid for all L-1 applications for Fraud Prevention and Detection.

Specialized Knowledge

Specialized knowledge means special knowledge possessed by an employee of his or her petitioning company's product, service, research, equipment, techniques or management. The employee may be an expert in the company's processes and procedures or possess knowledge of other interest particular to the company which gives the company an edge in the international market. For example, the employee may work with the procedures or have extensive knowledge of products by the company.

Approval of the Visa

The CIS issues an approval notice as evidence of the employee's L-1B status. The visa allows the employee to work for the petitioning company only. The employee's dependants are issued approval notices as evidence of their L-2 visa status.

The employee must have an L-1B visa stamped in the employee's passport for travel out of and return to the U.S. This application is done at the U.S. consulates outside the United States and is referred to as visa consular processing.

Work Authorization for Spouses

The spouses of L-1 visa holders are allowed work authorization in the U.S. Spouses of L-1 visa holders file for work authorization with the CIS Service Center which will be granted for the period of authorized stay granted the L-1 principal.

“Visa” for international travel or “Change of Status” in the United States

To travel outside the US and return in the L-1B visa classification, you must apply for and be issued the L-1B visa, usually from the US Embassy or Consulate in your home country. If you are in the US in a different visa classification, you may have the option to file to “change status,” but this is not a visa to allow for travel.

L-1B Intracompany Transferee (Specialized Knowledge) Document Checklist

Employee

- Résumé (with detailed description of job duties and dates of employment)
- Beneficiary’s experience letter (title, dates of employment and qualifications)
- Beneficiary’s diplomas degrees, and certificates
- Evidence of Beneficiary’s status (visa, I-94, approval notices)
- Dependant’s information (date of birth, country of birth, relationship, current address)

U.S. Company

- Dun & Bradstreet registration for USCIS VIBE
- IRS, FEIN verification

- Stock certificates (showing total ownership)
- Business registration, business license, business permits, DBA’S
- Organizational chart

- Company information (history, facilities, products, number of employees, clients)
- Commercial lease
- Brochures, catalogs, promotional and product literature, and advertisements
- Invoices, contracts, bill of lading, and other business documentation
- Company letterhead

- Corporate tax returns (IRS 1120, IRS 941, TWC C-3)
- Financial statements (balance sheet, income statement, asset & deficit, payroll)
- Bank account statements

Foreign Company

- Certificate of Incorporation and Articles of Incorporation
- Business registration, business license, business permits
- Organizational chart
- Company information (history, facilities, products, # of employees, clients)
- Commercial lease
- Brochures, catalogs, promotional and product literature, and advertisements
- Invoices, contracts, bills of lading and other business documentation
- Corporate tax returns
- Financial statements (balance sheet, income statement, asset & deficit, payroll)
- Bank account statements

Fong•Ilagan, LLP works with clients to simplify the nonimmigrant visa process. Please contact our office at 713.772.2300.