



The Intracompany Transferee (L-1) Visa

The L-1 visa is intended for individuals who are currently employed outside of the United States and who are to be transferred to a subsidiary or affiliate of their employer in the United States.

Requirements

- The employee must intend to leave the United States after the transfer period expires (so-called non-immigrant intent);
- The transferred employee must be a manager or executive (L-1A) or an employee with specialized knowledge (L-1B);
- The employee must be qualified for the managerial or specialized knowledge position by virtue of his or her experience and education;
- The transferred employee must have been employed outside of the United States with the transferring employer for at least one continuous year out of the past three years (time spent in the United States on business during that year does not count towards the one year requirement);
- The transferring company must be doing business in the United States and abroad during the entire period of the transfer; and
- The transferring company must be an affiliate or subsidiary of the US company.

Documentation Required

In order to apply for the L-1 visa we would require copies of the following documents (please do not send original documents, as the INS accepts photocopies)

- Passport;
- Complete resume, providing detail as to the applicant's qualifications for an executive or managerial position or providing technical support and training for US employees, the applicant's responsibilities in his or her current position, and the applicant's cities of residence for the past five years;
- Description of the position to be held in the United States and the duties for that position;
- List of trips to the United States in the past three years, with duration and purpose;

- Educational credentials;
- Documentation about the parent company abroad, showing that it has been and remains an active business;
- A copy of the stock certificate showing ownership of the US corporation by the parent abroad (if there is a holding company which also owns the parent, then evidence showing that ownership is also required);
- Documentation showing that the US subsidiary is a viable, operating business and any information as to current and future revenue, staffing, and expansion which is available (a general overview of the company, its employees, and its plans for growth); and
- Pay statements for the first pay period with the parent and a recent pay statement, or other documentation showing at least one year of employment outside of the United States.

For subsequent applications, only information regarding the individual beneficiary is required.

Procedure

The application is filed with the United States Immigration and Naturalization Service (“INS”) here in the United States, and usually takes between one and three months to process. Please note that INS processing times can vary significantly, so it is impossible to accurately predict approval times.

Once the approval is given, a visa application is submitted at a consulate in the parent company’s home country. Processing times vary considerably.