



September 2009 Immigration Update: L-1B to L-1A conversions; Expansion of Global Entry Program; H-2B Petitions; R-1 Visas; ICE Enforcement News; I-9 Form Extensions; and Federal Contractor E-Verify

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Conversions from L-1B to L-1A. The California Service Center (CSC) of U.S. Citizenship and Immigration Services (USCIS) recently issued a reminder on the appropriate steps to take when converting from the L-1B to the L-1A classification. First, these cases are considered to be a change in condition of employment, and not "change of status," therefore the \$500 fraud fee is not required. Additionally, the CSC advised that the L-1B beneficiary will need to have the L-1A extension petition approved at least six months prior to the final five year L-1B maximum period of stay in order to obtain the seven year maximum granted to the L-1A classification. The L-1A approval requirement does not fully correlate with prior USCIS Headquarters statements, but CSC wants practitioners to know their current thinking on this issue. Employers are cautioned to plan early and consider making the decision to change an employee's status from "specialized knowledge" L-1B to "manager" L-1A no later than the start of the worker's fourth year with the company.

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