

## L Intracompany Transfers Pilot Program for Canadian Citizens

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USCIS and CPB at the Blaine, Washington, Port of Entry (POE) [have formally announced](#) that from April 30, 2018, until October 31, 2018, the [agencies jointly will implement a pilot program](#) for Canadian citizens seeking entry in L status pursuant to NAFTA.

L-1 admission is for intracompany transfers into the U.S. of managers, executives, and specialized knowledge employees who have been working outside the U.S. for your organization. Under NAFTA, Canadians may apply at the border for admission as an L-1, bypassing the service center filings and visa applications at U.S. consulates that apply to nationals of countries other than Canada.

Until now, the procedure for such application has been a same-day process in which the workers file the employer's Form I-129 Petition for Nonimmigrant Worker with supporting evidence at a Class A Port of Entry to the U.S., where the petition is adjudicated and admission granted or denied all in one procedure at the POE.

Under this new program, petitioners will first submit the Form I-129 and supporting evidence to the California Service Center (CSC) by mail or courier using a cover sheet annotated "Canadian L" to ensure quick identification. USCIS and CBP encourage participating petitioners to make the initial filing with the USCIS as early as possible to avoid delays. This will not be a same-day process since a CSC approval will be needed ahead of the grant of admission by CBP at the port of entry. The announcement contained no specific information about processing times.

Once the petition is approved, applicants must bring a copy of the Form I-129 approval to the POE at Blaine. The POE will continue to make the final admissibility determination. If the applicant appears at Blaine with only the I-129 receipt notice before USCIS has adjudicated the petition, there "may be delays while USCIS remotely adjudicates the form."

Although participation in the pilot program at Blaine is voluntary, it is "strongly encouraged" by USCIS and CBP. Any petitions filed at Blaine during the pilot period without the USCIS pre-filing will be adjudicated not at Blaine, but at the closest Class A POE optimized for L processing. Those stations are Point Roberts, Sumas, and Vancouver.

The stated purpose of the program is to facilitate Canadian L filings. At the conclusion of the six-month pilot, the agencies will determine the program's efficiency and shortcomings in order to improve the process. The expectation is that the goal is to expand this program.

During the pilot, Canadian applicants can, of course, choose not to apply at Blaine at all. They may still apply for admission at any [optimized Class A CBP POE or at an airport pre-clearance site](#).

There is still much more to know about how the pilot program will work particularly with regard to fees and timing. Jackson Lewis will provide updates as they become available.

The question whether to apply for L-1 admission through the pilot program or another procedure will vary depending on the facts and circumstances of your case and the options available at the time.

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