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USCIS Posts Updated L-1B Adjudications Policy for Public Feedback

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Submitted by Editor on Mar 30th 2015

U.S. Citizenship and Immigration Services (USCIS) Director León Rodríguez today announced the release of an updated policy memorandum on the L-1B nonimmigrant visa classification for workers with specialized knowledge [2]. The memorandum, which clarifies for USCIS officers how L-1B petitioners may demonstrate that an employee has specialized knowledge, will be posted on-line for a 45-day public feedback period. The memorandum will go into effect on August 31, 2015.

?This policy memorandum, once it goes into effect, will help companies in the United States better use the skills of talented employees in the global marketplace,? said Rodríguez. ?These changes maintain the integrity of the L-1B program while recognizing the fluid dynamics of the 21st century business world. We listened to the concerns of our partners to develop this policy and look forward to the public?s feedback.?

Issuing a final policy memorandum on L-1B adjudications is one of the executive actions on immigration that President Obama announced in November 2014. Release of the memorandum is part of the Administration?s effort to modernize, improve and clarify visa programs to grow the U.S. economy and create jobs.

The policy memorandum consolidates previous guidance and provides updated guidance to USCIS officers in adjudicating petitions filed by employers seeking to transfer employees to the United States. Employees who work in any industry and serve in any type of position may be classified as L-1B nonimmigrants, so long as the position described in the L-1B petition requires specialized knowledge.

Officers make the adjudications on a case-by-case assessment, based on the totality of the circumstances and a preponderance of the evidence presented.

Team Notes:

Agency:

USCIS [3]

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Links:

[1] <https://immigration.com/news/uscis-posts-updated-l-1b-adjudications-policy-public-feedback>

[2]

<http://www.uscis.gov/sites/default/files/USCIS/Outreach/Draft%20Memorandum%20for%20Comment/2015-0324-Draft-L-1B-Memo.pdf>

[3] <https://immigration.com/agencies/agency/dhs/uscis>

[4] <https://immigration.com/visa/nonimmigrant-visas/l-visa>

[5] <https://immigration.com/visa/nonimmigrant-visas/l-visa/l-1-visa/l-1b-visa>