

FAQs: What to Expect of Your L-1 Status Processing at a Canadian Port of Entry

Here is a summary of our recommendations and answers to the most frequently asked questions about L-1A processing at a Canadian Port of Entry.

1. What fees will the applicant need to pay?

For an initial L-1 application, the applicant will be charged: the base \$460 I-129 Petition Processing Fee and a one-time \$500 Fraud Prevention and Detection Fee. Additional fees may apply, such as \$6 land/sea traveler's fee and in some limited occasions a \$4,500 USCIS fee is assessed to companies whose work force is 50 or more employees with 50% or more of them in H-1B or L-1 status.

2. How do I pay the required fees?

The fees are payable to the U.S. Customs and Border Protection (CBP). Acceptable payment methods are: cashier check, cash (USD), and credit card.

3. How much time should I allocate to this process?

The amount of time involved varies from case to case depending on the complexity of the filing and how busy CBP is at the time of the filing. We recommend allocating three to four hours for processing. Best time to go are Monday to Friday from 8 am to 4 pm.

If you have young children processing at the same time with you, be mindful of the potential long wait times and plan accordingly.

4. Are there specific ports of entry (POE) designated for optimized processing?

Yes. CBP has designed 14 ports, including 4 preclearance locations to optimize L-1 processing.

These ports are:

Detroit Canada Tunnel POE
Detroit Ambassador Bridge POE
Sweetgrass POE
Alexandria Bay POE
Champlain POE
Peace Bridge POE
Rainbow Bridge POE
Highgate Springs POE

Derby Line POE
Blaine Peace Arch POE
Calgary International Airport
Lester B. Pearson International Airport
Trudeau International Airport
Vancouver International Airport

*This material is not intended to substitute as legal advice.

For more information visit: <https://www.cbp.gov/travel/canadian-and-mexican-citizens/traveling-tn-or-11-visa-canada>

5. What documents should I present to the CBP officer?

You will need to submit various documents to support your application some of the most important are the following:

- Valid Canadian passport
- I-129 completed visa petition signed by your U.S. employer
- Employment support letter including duration and location of employment, proposed start date, your wages, title and duties.

Your application must be filed in duplicate with original signatures on both sets. We bind and hole punch one of the sets which CBP submits to USCIS, and hole punch the set for CBP.

6. What happens during the L-1 application interview?

When a Canadian citizen applies for admission, the CBP officer will review the I-129 Petition, or I-129S based on a Blanket L Petition, submitted in support of the L-1 status and all supporting documents.

The officer will

- Confirm Applicant's Canadian citizenship and otherwise eligibility for admission
- Determine that the qualifying relationship between the entities exists
- Verify that the applicant has been employed abroad by the Canadian entity in a qualifying capacity for at least one year during the 3 years immediately preceding the date of application for admission
- Determine that the position with the U.S. entity is in a qualifying managerial, executive or specialized knowledge capacity and
- Collect the required fee, place fee stamp, approval notice and officer's signature as required.

In the case of the 1-129S blanket, the approval notice of the petitioner's blanket L petition is sufficient to establish the qualifying relationship between the U.S. and foreign companies.

Once the CBP officer approves your case, they will prepare the Form I-94 multiple entry and provide you with an approved length of stay. If you are coming to a new office (i.e. a qualifying related entity that has been in business in the United States for less than 1 year), you are likely to be admitted for one year. If you are not coming to a new office, your initial length of stay is generally 3 years.

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You should receive an I-94 stamp noting your L-1 status and a receipt for the fees paid.

CBP will also submit the additional set of your file to USCIS for further processing. USCIS will later issue and mail a hard copy approval notice confirming your L-1 status.

7. What questions will I be asked?

Below is a sample of questions asked during the interview:

What company are you/will you be working for?

What is your current job title and role?

What will be your job title and role in the U.S.?

Which city would you be working in the U.S.?

What would be your salary in the U.S.?

Would you have people reporting directly to you?

Tell me about those reporting to you

How many of the direct reports would be in the U.S.?

How long do you intend to stay in the U.S.?

8. What about the processing for my family?

The spouse and children of an L-1 will be processed as L-2 nonimmigrant dependents. The L-2 must have the required family relationship with the L-1 and must present the required documents and have no inadmissibility issues.

A Canadian citizen spouse and children do not need individual applications such as Form I-539 when applying at the Port of Entry. A dependent spouse will need to present a copy of the Marriage Certificate and children need to present a Long-Form Birth Certificate which includes the names of the parents.

The L-2 will be admitted for the same period as the L-1 principal or until the passport expiry date.

9. Can my family process separately?

Yes. They will need to present evidence of your L-1 current status and also bring their current passport, marriage certificate and birth certificates (children).

10. What if my wife is not a Canadian citizen?

Under NAFTA, only the principal L-1 applicant needs to be a Canadian citizen.

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11. Can my wife and child work in the U.S.?

The L-2 spouse and children may attend school without changing status.

Following admission, the L-2 spouse may apply to USCIS for an employment authorization document, but the children of the L-1 principal alien may not work in L-2 status. We assist clients with this process.

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