

## L-1 and H-1B Visas: A Comparison

	<b>L-1 Status</b>	<b>H-1B Status</b>
<b>Summary</b>	Available to individuals who have been employed on a full-time basis by a foreign corporation outside of the U.S. for at least one year during the preceding three-year period in either a managerial, executive (L-1A), or specialized knowledge (L-1B) capacity. Individual “transfers” to affiliated U.S. entity.	Available to individuals who work in specialty occupations whose services are sought by U.S. employers for positions requiring such skills. A specialty occupation requires highly specialized knowledge in a particular field, usually demonstrated by attainment of at least a Bachelor’s degree or its equivalent in a specific field.
<b>Eligibility</b>	Available to all nationalities.	Available to all nationalities.
<b>Procedure</b>	All nationalities must file at a Service Center within the U.S. and apply for nonimmigrant visa at a U.S. Consulate abroad upon approval.	All nationalities must file at a Service Center within the U.S. and apply for nonimmigrant visa at a U.S. Consulate abroad upon approval.
<b>Government Fees</b>	\$320 petition \$500 one-time anti-fraud \$6 I-94 card issuance	\$500 fraud prevention fee \$320 filing fee \$750 or \$1,500 fee based on company size* \$1,000 fee for optional premium processing
<b>Duration</b>	One to three years initially, L-1As may obtain seven years total and L-1Bs five years total. After maximum time limits have been reached, status may be renewable in one year increments indefinitely provided individual maintains required foreign residence abroad and is in the U.S. less than 183 days.	H-1B petitions may be approved for an initial period of three years, with an extension permitted for an additional three years. The total period of stay may reach six years.
<b>Dependents</b>	Spouse and children under age 21 may be admitted to the U.S. in L-2 status. Spouses holding L-2 status may apply for employment authorization from CIS to work within the U.S.	Spouses and children under age 21 may be admitted to the U.S. in H-4 status. Dependents are not eligible to apply for employment authorization and if they wish to work in the U.S., they must qualify under their own employment-authorized nonimmigrant status.
<b>Can I obtain a green card?</b>	Category allows for “dual intent” meaning individual may apply for permanent residency and hold nonimmigrant status simultaneously. Managers and executives may be eligible to file immigrant petition without first obtaining labor certification which streamlines green card process.	Category does not allow for “dual intent” so potential issues may arise from applying for permanent residency while holding temporary status. Individual must first obtain labor certification before applying for green card status which requires “testing” the job market for qualified U.S. workers.
<b>Required documentation</b>	Generally requires extensive corporate documentation and detailed personal information to prepare petition for filing.	Requires less extensive corporate documentation and detailed personal information to prepare petition for filing.

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