

Table of Changes- Instructions
Form I-129S, Nonimmigrant Petition Based on Blanket L Petition
OMB No. 1615-0010
12/11/2012

Reason for Revision: Clarify language in some areas and add language to match L Supplement of Form I-129.

LOCATION	Current Text Form I-129S (Rev. 04/01/12)	Proposed Text Revision Form I-129S
Page 1	<p>*****</p> <p>What Is the Purpose of This Form?</p> <p>This form is for an employer to classify employees as L-1 nonimmigrant intra-company transferees under a blanket L petition approval.</p> <p>*****</p>	<p>*****</p> <p>What Is the Purpose of This Form?</p> <p>This form is for an employer to classify an employee as an L-1 nonimmigrant intra-company transferee under a blanket L petition (LZ) approval.</p> <p>*****</p>
Page 1	<p>Who May File?</p> <p>An employer who has already obtained approval of a blanket L-1 petition may file this form to classify employees outside the United States as executives, managers, or specialized knowledge professionals. If the employee is in the United States and you are requesting a change of status or extension of stay for that employee, use Form I-129, Petition for a Nonimmigrant Worker.</p> <p>General Instructions</p> <p>Please answer all questions by typing or printing in black ink. Indicate that an item is not applicable with "N/A." If the answer is "none," write "none."</p> <p>If you need extra space to answer any item, attach a sheet of paper with your name and Alien Registration Number (A-Number), if any, and indicate the number of the item to which the answer applies.</p>	<p>Who May File Form I-129S?</p> <p>An employer who has already obtained approval of a blanket L-1 petition may file this form to classify an employee outside the United States as an executive, manager, or specialized knowledge professional. If the employee is in the United States and you are requesting a change of status or extension of stay for that employee, use Form I-129, Petition for a Nonimmigrant Worker.</p> <p>General Instructions</p> <p>Each petition must be properly signed and filed. A photocopy of a signed petition or a typewritten name in place of a signature is not acceptable.</p> <p>Each petition must be accompanied by the appropriate filing fee.</p> <p>[See below in "How to Fill Out Form I-129S"]</p>

	<p>You must file your petition with the required Initial Evidence. Your petition must be properly signed. Retain a copy of the form and supporting documents for your records.</p> <p>Translations. Any foreign language document must be accompanied by a full English translation that at translator has certified as complete and correct. The translator must also certify that he or she is competent to translate the foreign language into English.</p> <p>Copies. If these instructions state that a copy of a document may be filed with this petition, and you choose to send us the original, we may keep that original for our records.</p> <p>If you need extra space to answer any item, attach a sheet of paper with your name and Alien Registration Number (A-Number), if any, and indicate the number of the item to which the answer applies.</p>	<p>Evidence. You must submit all required initial evidence along with all the supporting documentation with your petition at the time of filing. Retain a copy of the form and supporting documents for your records.</p> <p>Copies. Unless specifically required that an original document be filed with a petition, a legible photocopy may be submitted. Original documents submitted when not required may remain a part of the record and will not be automatically returned to you.</p> <p>Translations. Any document containing a foreign language submitted to United States Citizenship and Immigration Services (USCIS) must be accompanied by a full English language translation which the translator has certified as complete and accurate, and by the translator's certification that he or she is competent to translate from the foreign language into English.</p> <p>How To Fill Out Form I-129S</p> <ol style="list-style-type: none"> 1. Type or print legibly in black ink. 2. If extra space is needed to complete any item, attach a continuation sheet, write your name and Alien Registration Number (A-Number) (if any) at the top of each sheet of paper, indicate the Part and item number to which your answer refers, and date and sign each sheet. 3. Answer all questions fully and accurately. If an item is not applicable or the answer is "none," write "none."
Page 1 (cont.)	<p>*****</p> <p>Initial Evidence</p> <p>You must file your petition with:</p> <ol style="list-style-type: none"> 1. A copy of the approval notice for the blanket petition; 2. A letter from the alien's foreign qualifying employer detailing his or her dates of employment, job duties, qualifications, and salary. The letter must also show that the 	<p>*****</p> <p>Initial Evidence</p> <p>You must file your petition with:</p> <ol style="list-style-type: none"> 1. A copy of the approval notice for the blanket petition; 2. A letter from the alien's foreign qualifying employer detailing the alien's dates of employment, job duties, qualifications, and salary. The letter must also show that the

	<p>alien worked for the employer for at least 1 continuous year in the 3-year period preceding the filing of the petition in an executive, managerial, or specialized knowledge professional capacity; and</p> <p>3. If the alien is a specialized knowledge professional, a copy of a U.S. degree, a foreign degree equivalent to a U.S. degree, or evidence establishing that the combination of the beneficiary's education and experience is the equivalent of a U.S. degree.</p> <p>*****</p>	<p>alien worked for the employer for at least 1 continuous year in the 3-year period preceding the filing of the petition in an executive, managerial, or specialized knowledge professional capacity; and</p> <p>3. If the alien is a specialized knowledge professional, one of the following:</p> <p>a. A copy of the alien's U.S. degree;</p> <p>b. A copy of the alien's foreign degree equivalent to a U.S. degree; or</p> <p>c. Evidence establishing that the combination of the beneficiary's education and experience is the equivalent of a U.S. degree.</p> <p>*****</p>
Page 1	<p>Where to File?</p> <p>If the alien requires a visa, he or she should present the completed petition at a U.S. Embassy or consulate abroad.</p> <p>If the alien is not required to obtain a visa, he or she should file this petition at the Service Center of U.S. Citizenship and Immigration Services (USCIS) that approved the blanket petition.</p> <p>*****</p>	<p>[Page 2]</p> <p>Where to File?</p> <p>If the alien requires a visa, he or she should present the completed or previously approved petition at a U.S. Embassy or consulate abroad.</p> <p>If the alien is not required to obtain a visa, the petitioner should file this petition at the USCIS service center that approved the blanket petition.</p> <p>Petitioners seeking L-1 classification for citizens of Canada under the North American Free Trade Agreement (NAFTA) may also have the beneficiary present Form I-129S to an officer of U.S. Customs and Border Protection (CBP) in conjunction with an application for admission. This may only be done at either:</p> <p>a. A "Class A" port of entry located on the U.S.-Canada land border; or</p> <p>b. A U.S. pre-clearance/pre-flight inspection station in Canada.</p>
Page 1	<p>What is the Filing Fee?</p> <p>On or after March 8, 2005, a \$500 Fraud</p>	<p>Page 1, [Moved before "Where To File"]</p> <p>What is the Filing Fee?</p> <p>There is no base fee for this form. However,</p>

<p>Prevention and Detection fee must be submitted with form I-129S in certain situations. The Fraud Prevention and Detection Fee was mandated by the provisions of the L-1 Visa Reform Act of 2004.</p> <ol style="list-style-type: none"> 1. Visa Applications filed with the U.S. Department of State: The Secretary of State will collect the \$500 fee on an alien filing an application abroad for a visa authorizing admission to the U.S. as an L-1 nonimmigrant if the alien is covered under a blanket petition. 2. Visa-Exempt Petitions filed with the U.S. Department of Homeland Security: The Secretary of Homeland Security will collect the \$500 fee from a U.S. employer seeking <u>initial</u> approval of an L-1 nonimmigrant status for a beneficiary. <p>Those petitioners required to submit the \$500 Fraud Prevention and Detection fee are also required to submit an additional \$2,250 (L-1) fee mandated by Public Law 111-230 on or after August 14, 2010 if:</p> <ol style="list-style-type: none"> 1. The petitioner employs 50 or more individuals in the United States; 2. More than 50% of those employees are in H-1B, L-1A or L-1B nonimmigrant status; and 	<p>there are two fees that must be submitted with Form I-129S in certain situations.</p> <p>Fraud Prevention and Detection Fee</p> <p>The L-1 Visa Reform Act of 2004 mandates a \$500 Fraud Prevention and Detection fee. This fee must be submitted as outlined below.</p> <ol style="list-style-type: none"> 1. Visa Applications filed with the U.S. Department of State: The Secretary of State will collect the \$500 fee from the petitioner through an alien: <ol style="list-style-type: none"> a. Who applies at a U.S. Embassy or consulate for an L-1 visa; and b. On whose behalf the petitioner is seeking initial L-1 approval based on an approved blanket petition. 2. Visa-Exempt Petitions filed with the U.S. Department of Homeland Security (USCIS or CBP): The Secretary of Homeland Security will collect the \$500 fee from a petitioner who seeks: <ol style="list-style-type: none"> a. Initial approval of L-1 classification for a beneficiary; or b. Approval to employ an L-1 nonimmigrant currently working for another petitioner. <p>NOTE: For petitions filed with CBP, any applicable fees must be submitted to CBP in accordance with CBP guidelines.</p> <p>Public Law 111-230 Fee</p> <p>Pub. L. 111-230, as amended by Pub. L. 111-347, mandates a \$2,250 fee for L-1 petitions. The law requires a petitioner to pay the fee on or after August 14, 2010 if:</p> <ol style="list-style-type: none"> 1. The petitioner employs 50 or more individuals in the United States; 2. More than 50% of those employees are in H-1B, L-1A, or L-1B nonimmigrant status; and
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	<p>3. The petition is filed before October 1, 2014.</p> <p>To determine if the additional \$2,250 fee mandated by Public Law 111-230 is required, the petitioner must complete the two questions in Part 1A. If you responded “yes” to both questions in Part 1A of the Form I-129S, an additional fee of \$2,250 must be submitted. This \$2,250 fee was mandated by the provisions of Public Law 111-230 and should be submitted by separate check or money order.</p> <p>The Fraud Prevention and Detection Fee and Public Law 111-230 fee, when applicable, may not be waived, and each fee should be submitted in separate checks or money orders.</p>	<p>3. The petition is filed before October 1, 2015.</p> <p>To determine whether you must pay the Pub. L. 111-230 fee, complete the two questions in Part 1A of Form I-129S. The petitioner is required to pay this fee if:</p> <ol style="list-style-type: none"> It is required to pay the \$500 Fraud Detection and National Security fee, and A “yes” response was provided for both questions in Part 1A. <p>The Fraud Prevention and Detection Fee and Pub. L. 111-230 fee, when applicable, may not be waived. Each fee should be submitted in separate checks or money orders to either the Department of State or the Department of Homeland Security, as discussed in the Fraud Prevention and Detection Fee section above.</p> <p>*****</p> <p>How To Check If the USCIS Fees Are Correct</p> <p>Form I-129S fees and biometrics services fees are current as of the edition date in the lower right corner of this page. However, because USCIS fees change periodically, you can verify if the fees are correct by following one of the steps below.</p> <ol style="list-style-type: none"> Visit the USCIS Web site at www.uscis.gov, select “FORMS,” and check the appropriate fee; or Telephone the USCIS National Customer Service Center at 1-800-375-5283 and ask for fee information. For TDD (hearing impaired) call: 1-800-767-1833.
		<p>Page 3,</p> <p>Address Changes</p> <p>If you have changed your address, you must inform USCIS of your new address. For information on filing a change of address go to the USCIS Web site at www.uscis.gov/addresschange or contact the USCIS National Customer Service Center at 1-</p>

Comment [CT1]: Front office requested that this should be changed to “described”. 12/27/12

		800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833.
Page 3	<p>USCIS Forms and Information</p> <p>To order USCIS forms, call our toll-free number at 1-800-870-3676. You can also get USCIS forms and information on immigration laws, regulations, and procedures by telephoning our National Customer Service Center at 1-800-375-5283 or visiting our Internet Web site at www.uscis.gov/I-129S.</p> <p>As an alternative to waiting in line for assistance at your local USCIS office, you can now schedule an appointment through our Internet-based system, InfoPass. To access the system, visit our Web site. Use the InfoPass appointment scheduler and follow the screen prompts to set up your appointment. InfoPass generates an electronic appointment notice that appears on the screen.</p>	<p>Page 3, [Moved before Penalties section]</p> <p>USCIS Forms and Information</p> <p>You can get USCIS forms and immigration-related information on the USCIS Internet Web site at www.uscis.gov. You may order USCIS forms by calling our toll-free number at 1-800-870-3676. You may also obtain forms and information by calling our USCIS National Customer Service Center at 1-800-375-5283. For TDD (hearing impaired) call: 1-800-767-1833.</p> <p>[Removed]</p>
Page 3	<p>Privacy Act Notice</p> <p>We ask for the information on this form, and associated evidence, to determine if you have established eligibility for the immigration benefit for which you are filing. Our legal right to ask for this information can be found in the Immigration and Nationality Act, as amended. We may provide this information to other government agencies. Failure to provide this information, and any requested evidence, may delay a final decision or result in denial of your form.</p>	<p>Page 3,</p> <p>USCIS Privacy Act Statement</p> <p>AUTHORITIES: The Immigration and Nationality Act, 8 U.S.C. §§ 222, 1103, 1184, and 8 CFR parts 103 and 214 authorize USCIS to collect the information and associated evidence requested on this benefit petition. Additionally, Pub. L. 111-230, as amended by Pub. L. 111-347, requires the collection of information regarding the number of H-1B and L-1 employees in the United States.</p> <p>PURPOSE: The primary purpose for providing the information on this benefit petition is to request classification of alien employees as L-1 nonimmigrant intra-company transferees under a previously approved blanket L petition. The information you provide will be used to grant or deny this benefit.</p>

Comment [CT2]: Front office requested this to be deleted. 12/27/2012.

		<p>DISCLOSURE: The information you provide is voluntary. However, failure to provide required evidence, or evidence requested in order to establish eligibility for the benefit sought, may delay a final decision or result in denial of your benefit request.</p> <p>ROUTINE USES: The information you provide on this benefit petition may be shared with other federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices [DHS-USCIS-007 - Benefits Information System, which can be found at www.dhs.gov/privacy]. The information may also be made available, as appropriate for law enforcement purposes or in the interest of national security.</p>
Page 3	<p>Paperwork Reduction Act</p> <p>An agency may not conduct ... 20529-2020, OMB No 1615-0010. Do not mail your application to this address.</p>	<p>Page 4, Paperwork Reduction Act</p> <p>An agency may not conduct ... 20529-2140; OMB No 1615-0010.</p> <p>The public reporting burden for this collection of information is estimated at 1.5 hours...</p> <p>Do not mail your completed Form I-129S to this address.</p>

Comment [CT3]: Changed from 35 minutes to 1.5 hours per front office. 12/27/12