



# Instructions for Petition for Nonimmigrant Worker: L Classification

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form I-129L  
OMB No. 1615-xxxx  
Expires xx/xx/20xx

## Purpose of Form I-129L

This petition is used by an employer to petition U.S. Citizenship and Immigration Services (USCIS) for an alien beneficiary to come temporarily to the United States as a nonimmigrant intracompany transferee. This petition is also used to request a blanket approval.

## Who May File Form I-129L?

A U.S. or foreign employer may file this petition to classify an alien in the L-1A or L-1B nonimmigrant classifications or to request a blanket approval.

## General Instructions

USCIS provides forms free of charge through the USCIS website. In order to view, print, or fill out our forms, you should use the latest version of Adobe Reader, which you can download for free at <http://get.adobe.com/reader/>. If you do not have internet access, you may order USCIS forms by calling the USCIS Contact Center at **1-800-375-5283**. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**Signature.** Each petition must be properly signed and filed. For all signatures on this petition, USCIS will not accept a stamped or typewritten name in place of a signature. A legal guardian may also sign for a mentally incompetent person. If the request is not signed or if the requisite signature on the request is not valid, USCIS will reject the request. See 8 CFR 103.2(a)(7)(ii)(A). If USCIS accepts a request for adjudication and determines that it has a deficient signature, USCIS will deny the request.

**Validity of Signatures.** USCIS will consider a photocopied, faxed, or scanned copy of the original handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.

**Filing Fee.** Each petition must be accompanied by the appropriate filing fee. (See the **What Is the Filing Fee** section of these Instructions.)

**Evidence.** At the time of filing, you must submit all evidence required by statute, regulations and/or these Instructions with your petition, as applicable. USCIS may reject or deny your petition for failure to submit evidence or supporting documents in accordance with 8 CFR 103.2(b)(1).

**Biometric Services Appointment for Certain Beneficiaries.** After receiving your petition and ensuring completeness, USCIS may inform you in writing if the beneficiary or beneficiaries must submit biometrics. Failure of a beneficiary to appear at a biometric services appointment may result in denial of your petition.

**Copies.** You should submit legible photocopies of documents requested, unless the Instructions specifically state that you must submit an original document. USCIS may request an original document at the time of filing or at any time during processing of a petition. If USCIS requests an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**NOTE:** If you submit original documents when not required or requested by USCIS, **your original documents may be immediately destroyed after we receive them.**

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**Translations.** If you submit a document with information in a foreign language, you must also submit a full English translation. The translator must sign a certification that the English language translation is complete and accurate, and that he or she is competent to translate from the foreign language into English. The certification must also include the translator's signature, printed name, the signature date, and the translator's contact information.

### How to Fill Out Form I-129L

1. Type or print legibly in black ink.
2. If you need extra space to complete any item within this petition, use the space provided in **Part 13. Additional Information** or attach a separate sheet of paper. Type or print the company or organization name at the top of each sheet; indicate the **Page Number**, **Part Number**, and **Item Number** to which your answer refers; and sign and date each sheet.
3. Answer all questions fully and accurately. If a question does not apply to you (for example, if you have never been married and the question asks, "Provide the name of your current spouse"), type or print "N/A" unless otherwise directed. If your answer to a question which requires a numeric response is zero or none (for example, "How many children do you have" or "How many times have you departed the United States"), type or print "None" unless otherwise directed.
4. You should submit a duplicate copy of the petition and all supporting documentation. **Failure to do so may result in delays in processing this petition or in visa processing abroad.**

### Information About Form I-129L

#### L-1 Nonimmigrants (Two Types)

##### L-1A classification:

**Aliens coming to the United States temporarily to perform services in a managerial or executive capacity** for the same employer (or for the parent, branch, subsidiary, or affiliate of the employer) that employed the alien abroad in a capacity that was managerial or executive in nature, or one that required specialized knowledge, for at least one continuous year within the last three years. In the case of an L-1A beneficiary who is coming to the United States to set up a new office, the one year of experience abroad must have been in an executive or managerial capacity.

##### L-1B classification:

**Aliens coming to the United States temporarily to perform services that require specialized knowledge** for the same employer (or for the parent, branch, subsidiary, or affiliate of the employer) that employed the alien abroad in a capacity that was managerial or executive in nature, or one that required specialized knowledge for at least one continuous year within the last three years.

**Specialized knowledge** is either:

1. Special knowledge of the petitioning employer's product, service research, equipment, techniques, management, or other interests and its application in international markets, or
2. An advanced level of knowledge or expertise in the employing organization's processes or procedures.

**In the case of blanket petitions**, the L-1B must be a specialized knowledge professional. However, there is no requirement that the person have acted in a "professional capacity" while abroad for purposes of meeting the one-year requirement.

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## General L Classification Requirements

Either a U.S. employer or foreign employer may file the petition, but the foreign employer must have a legal business entity in the United States.

The petition must be filed with:

1. Evidence establishing the existence of the qualifying relationship between the U.S. and foreign employer based on ownership and control. Such evidence may include, but is not limited to, organizational documents (for example, articles of incorporation, partnership agreement, operating agreement), an annual report, financial statements, or copies of equity certificates. Whether such evidence will be sufficient to meet the petitioner's burden of establishing such a qualifying relationship will depend on the quality and probative value of the evidence submitted;
2. Evidence of the beneficiary's employment for the required one year abroad in, as applicable, a managerial, executive, or specialized knowledge capacity. Such evidence may include, but is not limited to, a letter from the beneficiary's foreign qualifying employer detailing his or her dates of employment, job duties, and qualifications, along with supporting documentary evidence; and
3. A description of the proposed job duties and qualifications, and evidence showing that the proposed employment is in an executive, managerial, or specialized knowledge capacity. If filing on behalf of a specialized knowledge employee based on a blanket petition, provide evidence that the employee is a professional.

**Multiple locations.** A petition for aliens to perform services or labor in more than one location must include an itinerary with the dates and locations where the services will take place.

### Evidence for a New Office

In addition to the evidence required under the **General L Classification Requirements** section above, if the beneficiary is coming to the United States to open or to be employed in a new office in the United States, the petitioner must submit evidence to show the following.

#### For managerial or executive capacity (L-1A):

1. Sufficient physical premises to house the new office have been secured;
2. The beneficiary has been employed for one continuous year in the 3-year period preceding the filing of the petition in an executive or managerial capacity and that the proposed employment involves executive or managerial authority over the new operation; and
3. The intended U.S. operation, within one year of approval, will support an executive or managerial position. This statement should be supported by information regarding:
  - A. The proposed nature of the office describing the scope of the entity, its organizational structure, and its financial goals;
  - B. The size of the United States investment and the foreign entity's financial ability to remunerate the beneficiary and to commence doing business in the United States; and
  - C. The organizational structure of the foreign entity.

#### For specialized knowledge capacity (L-1B):

1. Sufficient physical premises to house the new office have been secured; and
2. The petitioner has the financial ability to remunerate the beneficiary and to commence doing business in the United States.

**NOTE:** There are additional fees associated with certain L-1A and L-1B petitions. Please see the **What is the Filing Fee** section of these Instructions for further information about these fees.

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## Filing An Individual Petition

The entity in the United States where the beneficiary will work and the entity that employed the beneficiary abroad must be qualifying organizations. A qualifying organization is a United States or foreign firm, corporation, or other legal entity which:

1. Meets exactly one of the qualifying relationships as a parent, branch, affiliate, or subsidiary as defined below;
2. Is or will be doing business (as defined below) as an employer in the United States and in at least one other country directly or through a parent, branch, affiliate, or subsidiary for the duration of the beneficiary's stay in the United States as an intracompany transferee, although engaging in international trade is not required; and
3. Otherwise meets the requirements of the Immigration and Nationality Act (INA) section 101(a)(15)(L).

*Doing business* means the regular, systematic, and continuous provision of goods and/or services by a qualifying organization and does not include the mere presence of an agent or office of the qualifying organization in the United States and abroad.

*Parent* means a firm, corporation, or other legal entity which has subsidiaries.

*Branch* means an operating division or office of the same organization housed in a different location.

*Subsidiary* means a firm, corporation, or other legal entity of which a parent owns, directly or indirectly, more than half of the entity and controls the entity; or owns, directly or indirectly, half of the entity and controls the entity; or owns, directly or indirectly, 50 percent of a 50-50 joint venture and has equal control and veto power over the entity; or owns, directly or indirectly, less than half of the entity, but in fact controls the entity.

*Affiliate* means:

1. One of two subsidiaries both of which are owned and controlled by the same parent or individual;
2. One of two legal entities owned and controlled by the same group of individuals, each individual owning and controlling approximately the same share or proportion of each entity; or
3. In the case of a partnership that is organized in the United States to provide accounting services along with managerial and/or consulting services and that markets its accounting services under an internationally recognized name under an agreement with a worldwide coordinating organization that is owned and controlled by the member accounting firms, a partnership (or similar organization) that is organized outside the United States to provide accounting services shall be considered to be an affiliate of the United States partnership if it markets its accounting services under the same internationally recognized name under the agreement with the worldwide coordinating organization of which the United States partnership is also a member.

## L Blanket Petition Filings

An L Blanket petition is for a petitioner seeking initial and/or continuing approval as qualifying organizations for itself, its parent, and its branches, subsidiaries, and affiliates.

### Evidence for a Blanket Petition

A request for a blanket approval must be accompanied by the following evidence:

1. A listing of all branches, subsidiaries, and affiliates seeking to transfer aliens to the United States;
2. Evidence to show qualifying relationships of all entities, to include percentages of ownership and control;
3. Evidence that the petitioner and each listed entity are engaged in commercial trade or services;
4. Evidence that the petitioner has an office in the United States that has been doing business for one year or more;
5. Evidence that the petitioner has three or more domestic and foreign branches, subsidiaries, or affiliates; and

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6. Evidence that the petitioner and other qualifying entities have obtained approval of petitioners for at least 10 L-1A or L-1B during the previous 12 months, have U.S. subsidiaries or affiliates with combined annual sales of at least \$25 million, or have a U.S. work force of at least 1,000 employees.

**Amended blanket petitions** must also be accompanied by evidence of changes in approved relationships or additional qualifying organizations, to include percentages of ownership and control.

**Extension blanket petitions** must also be filed:

1. Within the initial validity period of three years, otherwise the petitioner will be denied an extension and may not seek approval for a blanket petition for another three years;
2. With a copy of the previous approval notice and a report of admissions during the preceding three years, including positions held, employing entity and dates of initial admission and final departure of each alien;
3. With a statement from the petitioner whether it still meets the criteria for filing a blanket petition; and
4. With evidence of any changes in approved relationships and additional qualifying organizations, if applicable.

#### **All Classifications - Change of Status or Extension of Stay**

A petition requesting a change of status or an extension of stay for an employee in the United States must be filed with the evidence listed below. Consult the regulations that relate to the specific nonimmigrant classification sought.

A nonimmigrant who must have a passport to be admitted must maintain a valid passport during his or her entire stay. If a required passport is not valid, include a full explanation with your petition.

A petition requesting a change of status or an extension of stay must be filed with:

1. A copy of the beneficiary's Form I-94, Nonimmigrant Arrival/Departure Record, passport, travel document, or Form I-797;
2. A letter describing the proffered employment;
3. A copy of the beneficiary's last two pay stubs, most recent W-2, and Internal Revenue Service (IRS) transcripts of the beneficiary's federal individual income tax return for the three most recent tax years, if applicable; and
4. Evidence the beneficiary continues to meet the licensing requirements for the profession or occupation, if applicable.

**NOTE:** The beneficiary's dependent family members (generally, spouses and children under 21 years of age) should use Form I-539, Application to Change/Extend Nonimmigrant Status, to apply for a change of status or extension of stay.

The following nonimmigrants are not eligible to change status:

1. An alien admitted under a visa waiver program;
2. An alien in transit (C) or in transit without a visa (TWOV);
3. A crewman (D);
4. A fiancé(e) (K-1) or his or her dependent (K-2);
5. A spouse of a U.S. citizen (K-3) or his or her dependent (K-4);
6. A J-1 exchange visitor who was admitted in J-1 status for the purpose of receiving graduate medical training; and
7. A J-1 exchange visitor subject to the foreign residence requirement who has not received a waiver of that requirement.

#### **Special Instructions for Certain Beneficiaries in the CNMI**

An alien who was admitted to the Commonwealth of the Northern Mariana Islands (CNMI) prior to November 28, 2009 may not currently hold a Federal nonimmigrant classification that permits a change of status. However, in certain situations, a petitioner may request that the beneficiary be granted initial status in the CNMI. This will allow certain beneficiaries who were present in the CNMI prior to the transition date and are currently lawfully present in the CNMI in parole status to be granted an initial nonimmigrant status without having to depart the CNMI.

## Specific Instructions

### Part 1. Petitioner Information

**Item Number 1. Petitioning Company or Organization Name.** Provide the name of the petitioning company or organization.

**Item Number 2. Primary U.S. Office Address of Petitioner.** Provide the address of the petitioner's primary office within the United States. The primary U.S. office address must not be the address of petitioner's outside counsel or clients. Petitions filed with an address that is not the petitioner's U.S. office address may be rejected or denied. The location of your primary office may determine where the petition must be filed.

**Item Number 4. Mailing Address.** Provide the petitioner's mailing address, if different from the Primary U.S. Office Address.

**Item Numbers 6 - 8. Petitioner's Contact Information.** Provide the petitioner's contact information.

**Item Numbers 9 - 10. Tax Payer Identification Numbers.** Provide an Employer Identification Number (EIN), and/or Individual Taxpayer Identification Number (ITIN), as applicable.

**Item Numbers 11. - 13. E-Verify Information.** If the petitioner participates in E-Verify and will complete Form I-9 for this alien beneficiary to perform services or labor, or to receive training, provide the E-Verify Company ID or Client Company ID. E-Verify is an Internet-based system that compares information entered by an employer from an employee's Form I-9, Employment Eligibility Verification, to records available to DHS and the Social Security Administration to confirm employment eligibility. The E-Verify company ID number, which consists of four to seven numerical characters, is located on each page of the memorandum of understanding directly below the E-Verify logo. The E-Verify Contact Center is available to assist you if you have additional questions by emailing [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov).

### Part 2. Information About This Petition

**Item Number 1.** Select the type of petition.

**Item Number 2. Basis for Classification.** Select **only one** of the following options.

**Item A. New employment.** Select this box if the beneficiary:

1. Is outside the United States and holds no classification;
2. Will begin employment in the United States for a new employer in a different nonimmigrant classification than the beneficiary currently holds; **or**
3. Will work for the same employer but in a different nonimmigrant classification.

**NOTE:** Do not select this box if the beneficiary will work for the same employer in the same classification, but there is a material change in the terms and conditions of employment or the beneficiary's eligibility as specified in the original approved petition. Select the box for **Item F., Amended Petition**, instead.

**Item B. Continuation of previously approved employment without change with the same employer.** Select this box if you are applying to continue the employment of the beneficiary in the same nonimmigrant classification the beneficiary currently holds and there has been no change to the employment.

**Item C. Change in previously approved employment.** Select this box if you are notifying USCIS of a non-material change to the previously approved employment, such as a change in job title without a material change in job duties.

**Item D. New concurrent employment.** Select this box if you are applying for a beneficiary to begin new employment with an additional employer in the same nonimmigrant classification the beneficiary currently holds while the beneficiary will continue working for his or her current employer in the same classification.

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**Item E. Change of employer for a beneficiary already in the requested classification.** Select this box if you are applying for a beneficiary to begin employment working for a new employer in the same nonimmigrant classification that the beneficiary currently holds.

**Item F. Amended petition.** Select this box if you are applying to notify USCIS of a material change in the terms or conditions of employment, the beneficiary's eligibility as specified in the original approved petition, or to add or remove entities from an approved blanket petition.

**Item G. Blanket petition.** Select this box if you are applying for an initial blanket petition or seeking to extend a blanket petition's validity without any changes.

**Item Number 3. Receipt Number.** Provide the receipt number for the most recently filed petition or application submitted to USCIS for this beneficiary.

**Item Number 4. Requested Action.** The following information explains the actions petitioners/employers may request on their petition. Select only one action.

**Item A. Notify the office listed in Part 5, so the beneficiary can apply for and obtain a visa or be admitted, if eligible.** Select this box if the beneficiary is outside of the United States, or, if the beneficiary is currently in the United States, but he or she will leave the United States to obtain a visa/admission abroad.

**Item B. Change the status and extend the stay of the beneficiary because the beneficiary is now in the United States in another status.** Select this box if the beneficiary is currently in the United States in a different nonimmigrant classification and is applying to change to a new nonimmigrant status.

**Item C. Extend the stay of the beneficiary because the beneficiary now holds this status.** Select this box if the beneficiary is currently in the United States in a nonimmigrant classification and is requesting an extension of his or her stay in the same nonimmigrant classification.

**Item D. Amend the stay of the beneficiary because the beneficiary now holds this status.** Select this box if the beneficiary is currently in the United States in the same nonimmigrant classification and you are notifying USCIS of any material changes in the terms and conditions of employment or the beneficiary's eligibility as specified in the original approved petition, but you are not seeking a change in previously approved validity dates.

**Item E. Initial blanket petition approval.**

**Item F. Extend the validity of a current blanket petition.**

**Item G. Amend the validity period of a current blanket petition.**

**Item Numbers 5 - 6.** If your response to both **Item Numbers 5** and **6**, is "Yes," you must pay the **\$4,500** fee mandated by Public Law 114-113, unless you are filing an amended petition without an extension of stay request. Public Law 114-113 requires all petitioners who employ 50 or more employees in the United States to submit an additional fee of **\$4,500** for all L-1A and L-1B petitions if more than 50 percent of the petitioner's employees, in the aggregate, are in H-1B, L-1A, or L-1B nonimmigrant status, **except** when filing an amended petition without an extension of stay request. **These fees, when applicable, may not be waived.** You must include payment of the fees with your submission of this form. Failure to submit the fees when required will result in rejection or denial of your submission. Each of these fees should be paid by separate checks or money orders.

### **Part 3. Beneficiary Information**

**Item Numbers 1 - 11.** Provide the information requested about the beneficiary for whom you are filing.

**Item Number 12. Form I-94, Arrival-Departure Record.** If U.S. Customs and Border Protection (CBP) or USCIS issued the beneficiary a Form I-94, Arrival-Departure Record, provide the beneficiary's Form I-94 number and date that the beneficiary's authorized period of stay expires or expired (as shown on the beneficiary's Form I-94). The Form I-94 number also is known as the Departure Number on some versions of Form I-94.

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**NOTE:** If the beneficiary was admitted to the United States by CBP at an airport or seaport after April 30, 2013, CBP may have issued them an electronic Form I-94 instead of a paper Form I-94. The beneficiary may visit the CBP website at [www.cbp.gov/i94](http://www.cbp.gov/i94) to obtain a paper version of an electronic Form I-94. CBP **does not** charge a fee for this service. Some travelers admitted to the United States at a land border, airport, or seaport after April 30, 2013, with a passport or travel document, who were issued a paper Form I-94 by CBP, may also be able to obtain a replacement Form I-94 from the CBP website without charge. If the beneficiary cannot obtain the Form I-94 from the CBP website, the beneficiary may obtain it by filing Form I-102, Application for Replacement/Initial Nonimmigrant Arrival-Departure Record, with USCIS. USCIS **does** charge a fee for this service. See the USCIS website at [www.uscis.gov/I-102](http://www.uscis.gov/I-102) for more information.

**Passport and Travel Document Numbers.** If the beneficiary used a passport or travel document to travel to the United States, enter either the passport or travel document information in the appropriate space on the petition, even if the passport or travel document is currently expired.

**Item Number 14. Beneficiary's Current U.S. Residential Address.** You must provide the beneficiary's current address if the beneficiary is in the United States. USCIS will use this address, unless otherwise updated through the AR-11 process, to notify the beneficiary if USCIS denies a request to change status or extend stay submitted on Form I-129L.

#### **Part 4. Information About The Beneficiary's Public Benefits**

On July 29, 2020, the U.S. District Court for the Southern District of New York (SDNY) in *State of New York, et al. v. DHS, et al. and Make the Road NY et al. v. Cuccinelli, et al.* enjoined the Department of Homeland Security (DHS) from enforcing, applying, implementing, or treating as effective the Inadmissibility on Public Charge Grounds Final Rule ("Public Charge Final Rule") for any period during which there is a declared national health emergency in response to the COVID-19 outbreak. (84 FR 41292, Aug. 14, 2019, final rule; as amended by 84 FR 52357, Oct. 2, 2019, final rule correction). Subsequently, on August 12, 2020, the U.S. Court of Appeals for the Second Circuit, in *State of New York, et al. v. DHS, et al. and Make the Road NY et al. v. Cuccinelli*, granted an administrative stay of the July 29, 2020 nationwide injunction in all states outside of the Second Circuit, i.e. all states except New York, Connecticut, and Vermont. This stay allows DHS to continue implementing the Public Charge Final Rule everywhere except in New York, Connecticut, and Vermont.

During the injunction, petitioners requesting an extensions of stay or change of status using Form I-129L on behalf of a beneficiary using Form I-129L, in which the petitioner/employer has a physical address or in which the beneficiary physically resides in New York, Connecticut, or Vermont, should not provide information requested in **Part 4.**

#### **Information About The Beneficiary's Public Benefits.**

In general, a condition of the approval of a request to extend the beneficiary's stay or change the beneficiary's status is that the beneficiary must demonstrate that, since obtaining the nonimmigrant status that you seek to extend or from which you seek to change on behalf of the beneficiary, he or she has not received one or more public benefits as set forth in 8 CFR 212.21(b) (and listed below), for more than 12 months in the aggregate within any 36-month period (such that, for instance, receipt of two benefits in one month counts as two months). This condition only applies to beneficiaries who are seeking to change status or extend their stay in the United States. Therefore, you only have to complete the information in Part 4. if you are also requesting an extension of the beneficiary's stay in the United States or a change of the beneficiary's status with this petition. If you are filing this petition without a request for the beneficiary's change of status or extension of stay, you may skip **Part 4.**

**Item Number 1. Public Benefits.** Provide the information requested about the beneficiary's receipt or the beneficiary's current certification for receipt of public benefits, as defined in 8 CFR 212.21(b) (and which are listed below), unless the nonimmigrant classification you are seeking for the beneficiary is exempt from the public charge inadmissibility ground under INA 212(a)(4). Provide the requested information and documentation.

**Item Number 2.** You must provide information about all public benefits as defined in 8 CFR 212.21(b) (and which are listed below) received by the beneficiary in his or her current nonimmigrant status regardless of how long the beneficiary has received the public benefit, or the beneficiary's current certification for receipt of public benefits. USCIS will calculate the duration of each public benefit to be considered. If the beneficiary received public benefits intermittently

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throughout the year, provide each instance separately. For example, if the beneficiary received Supplemental Nutrition Assistance Program (SNAP) from January to February and June to December, list the information separately. If you require additional space, use the space provided in **Part 13. Additional Information**.

Receipt means when a benefit-granting agency provides a public benefit to the beneficiary whether in the form of cash, voucher, services, or insurance coverage. Only the public benefits received by or attributable to the beneficiary will be considered.

Indicate whether the beneficiary has received or been certified to receive the following public benefits, since having obtained the nonimmigrant status that you seek to extend or that you seek to change on behalf of the beneficiary. You need to respond even if the beneficiary falls within one of the categories of individuals for whom receipt of public benefits will not be considered - see table below for evidence that must be provided to document that the beneficiary qualifies for the exclusion):

- Any Federal, state, local, or tribal cash assistance for income maintenance;
- Supplemental Security Income (SSI);
- Temporary Assistance for Needy Families (TANF);
- Federal, state or local cash benefit programs for income maintenance (often called "General Assistance" in the state context, but which may exist under other names);
- Supplemental Nutrition Assistance Program (SNAP, formerly called "Food Stamps");
- Section 8 Housing Assistance under the Housing Choice Voucher Program;
- Section 8 Project-Based Rental Assistance (including Moderate Rehabilitation);
- Public Housing under the Housing Act of 1937, 42 U.S.C. 1437 et seq.; and
- Federally-Funded Medicaid.

**NOTE:** You need only to report public benefits received by the beneficiary on or after October 15, 2019 but not any received by the beneficiary before October 15, 2019.

If the beneficiary has not received any of the public benefits listed above, please select that option.

If the beneficiary is currently not certified to receive any of the public benefits listed above, please select that option.

If the beneficiary has received or is certified to receive the public benefits but requested disenrollment, please provide, in addition to providing the information about any exclusions below, evidence of the disenrollment or the request to disenroll if the public benefit-granting agency has not processed the request.

Unless the beneficiary qualifies for certain exclusions listed in the table below, the beneficiary is ineligible for extension of stay and change of status if the beneficiary has received, since obtaining the nonimmigrant status that you seek to extend or which you seek to change on behalf of the beneficiary, the public benefits listed above for more than 12 months in the aggregate within any 36-month period (such that, for instance, receipt of two public benefits in one month counts as two months).

The following is a list of exclusions from the public benefit considerations listed above. If the beneficiary belongs to one of the following categories, submit the evidence listed for the applicable categories.

Exclusion	Description	Evidence you must submit for the beneficiary to qualify for exclusion (as applicable)
U.S. Armed Forces Service Members	<p>At the time the public benefit was received or at the time you file the Form I-129, or at time of adjudication of the I-129, the beneficiary is:</p> <ul style="list-style-type: none"> <li>• An alien enlisted in the U.S. Armed Forces, serving in active duty or in the Ready Reserve component of the U.S. Armed Forces;</li> <li>• The spouse or child of the service member (listed above); or</li> <li>• The spouse or child of an individual enlisted in the U.S. Armed Forces, or serving in active duty or in the Ready Reserve component of the U.S. Armed Forces.</li> </ul>	<ul style="list-style-type: none"> <li>• Service Members: Certified evidence of alien's enlistment/service issued by the authorizing official of the executive department in which service member is serving.</li> <li>• Spouses and Children of Service Members: Copy of Form DD-1173, United States Uniformed Services Identification and Privilege Card (Dependent).</li> </ul>
Federally-funded Medicaid	<ul style="list-style-type: none"> <li>• Receipt by an alien child under 21 years of age;</li> <li>• The recipient of Medicaid payment(s) for an "emergency medical condition";</li> <li>• The receipt of Medicaid for services provided under the Individuals with Disabilities Education Act (IDEA); or</li> <li>• Receipt during pregnancy and during the 60-day period after the last day of the pregnancy.</li> </ul>	<ul style="list-style-type: none"> <li>• A statement with information regarding the "emergency medical condition" determination (if applicable);</li> <li>• Documentation of payments under the IDEA or school-based service; or</li> <li>• Pregnancy verification letter from medical professional including estimated duration of pregnancy.</li> </ul>
Children Who Will Naturalize under INA 322	<ul style="list-style-type: none"> <li>• Child currently residing abroad who entered the United States with a nonimmigrant visa to attend N-600K, Application for Citizenship and Issuance of Certificate Under INA Section 322 interview.</li> </ul>	<ul style="list-style-type: none"> <li>• A copy of N-600K interview notice.</li> </ul>
Public Benefits While in Immigration Category Exempt from Public Charge	<ul style="list-style-type: none"> <li>• Received public benefits while in a category that is exempt from public charge inadmissibility; or</li> <li>• Received public benefits while in a category for which the applicant had received a waiver for public charge inadmissibility.</li> </ul>	<p>Information that evidences the applicant's status or that the applicant received a waiver for the public charge ground of inadmissibility, such as:</p> <ul style="list-style-type: none"> <li>• Approval notice (Form I-797, Notice of Action); or</li> <li>• Form I-94, Arrival/Departure Record.</li> </ul>

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## Documentation

If the beneficiary has received or is currently certified to receive, any of the public benefits listed above, submit evidence in the form of a letter, notice, certification, or other agency documents that contain the following:

1. Beneficiary's name;
2. Name and contact information for the public benefit granting agency;
3. Type of public benefit;
4. Date the beneficiary started receiving the public benefit or, if certified, date the beneficiary will start receiving the public benefit; and
5. Date the benefit or coverage ended or expires (mm/dd/yyyy).

If the beneficiary has received or is currently certified to receive public benefits, please indicate whether an exclusion applies to the beneficiary in **Item Number 3.**, and provide the evidence listed in the chart above to demonstrate why the benefit should not be considered.

## Part 7. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States

### Item Number 1. U.S. Export Controls on Release of Controlled Technology or Technical Data to Foreign Persons.

The Export Administration Regulations (EAR) (15 CFR Parts 770-774) and the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 120-130) require U.S. persons to seek and receive authorization from the U.S. Government before releasing to foreign persons in the United States controlled technology or technical data. Under both the EAR and the ITAR, release of controlled technology or technical data to foreign persons in the United States, even by an employer, is deemed to be an export to that person's country or countries of nationality. One implication of this rule is that a U.S. company must seek and receive a license from the U.S. Government before it releases controlled technology or technical data to its nonimmigrant workers employed as L-1 beneficiaries.

**Requirement to Certify Compliance with U.S. Export Control Regulations.** The U.S. Government requires each company or other entity that files a Form I-129L to certify that to the best of its knowledge at the time of filing it has reviewed the EAR and ITAR and determined whether it will require a U.S. Government export license to release controlled technology or technical data to the beneficiary.

If an export license is required, the company or other entity must further certify that it will not release or otherwise provide access to controlled technology or technical data to the beneficiary until it has received the required authorization from the U.S. Government.

The petitioner must indicate whether or not a license is required in **Part 7. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States** of Form I-129L.

**Controlled Technology and Technical Data.** The licensing requirements described above will affect only a small percentage of petitioners because most types of technology are not controlled for export or release to foreign persons. The technology and technical data that are, however, controlled for release to foreign persons are identified on the EAR's Commerce Control List (CCL) and the ITAR's U.S. Munitions List (USML). The CCL is found at 15 CFR Part 774, Supp. 1. See [http://www.access.gpo.gov/bis/ear/ear\\_data.html#ccl](http://www.access.gpo.gov/bis/ear/ear_data.html#ccl). The USML is at 22 CFR 121.1. See [http://www.pmdtc.state.gov/regulations\\_laws/itar.html](http://www.pmdtc.state.gov/regulations_laws/itar.html). The EAR-controlled technology on the CCL generally pertains to that which is for the production, development, or use of what are generally known as "dual-use" items. The ITAR-controlled technical data on the USML generally pertains to that which is directly related to defense articles.

The U.S. Department of Commerce's Bureau of Industry and Security administers the CCL and is responsible for issuing licenses for the release to foreign persons of technology controlled under the EAR. The U.S. Department of State's Directorate of Defense Trade Controls (DDTC) administers the USML and is responsible for issuing licenses for the release to foreign persons of technical data controlled under the ITAR. Information about the EAR and how to apply for a license from BIS are at [www.bis.doc.gov](http://www.bis.doc.gov). Specific information about EAR's requirements pertaining to the release of controlled technology to foreign persons is at [www.bis.doc.gov/index.php/policy-guidance/deemed-exports](http://www.bis.doc.gov/index.php/policy-guidance/deemed-exports). Information about the ITAR and how to apply for a license from DDTC are at [www.pmdtc.state.gov](http://www.pmdtc.state.gov).

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## Part 8. Filing An Individual Petition

**Item Numbers 1. - 20.** Provide the requested information only if you are filing an individual petition.

## Part 9. Filing A Blanket Petition

**Item Number 1.** Provide the requested information only if you are filing a blanket petition.

## Part 10. Petitioner's or Authorized Signatory's Statement, Contact Information, Certification, and Signature.

Select the appropriate box to indicate whether you read this petition yourself or whether you had an interpreter assist you. If someone assisted you in completing the petition, select the box indicating that you used a preparer. Further, you must sign and date your petition. If **Part 10.** is being completed by an authorized signatory, then the authorized signatory must provide his or her daytime telephone number, mobile telephone number (if any), and email address (if any). Every petition **MUST** contain the signature of the petitioner (or parent or legal guardian, if applicable) or an authorized signatory. A stamped or typewritten name in place of a signature is not acceptable.

**Part 11. Interpreter's Contact Information, Certification, and Signature.** If you used anyone as an interpreter to read the Instructions and questions on this petition to you in a language in which you are fluent, the interpreter must fill out this section; provide his or her name, the name and address of his or her business or organization (if any), his or her daytime telephone number, his or her mobile telephone number (if any), and his or her email address (if any). The interpreter must sign and date the petition.

**Part 12. Contact Information, Declaration, and Signature of the Person Preparing this Petition, if Other Than the Petitioner or Authorized Signatory.** This section must contain the signature of the person who completed your petition, if other than you, the petitioner. If the same individual acted as your interpreter **and** your preparer, that person should complete both **Part 11.** and **Part 12.** If the person who completed this petition is associated with a business or organization, that person should complete the business or organization name and address information. Anyone who helped you complete this petition **MUST** sign and date the petition. A stamped or typewritten name in place of a signature is not acceptable. If the person who helped you prepare your petition is an attorney or accredited representative, he or she may also need to submit a completed Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative, or Form G-28I, Notice of Entry of Appearance as Attorney In Matters Outside the Geographical Confines of the United States, along with your petition.

## Part 13. Additional Information

**Item Numbers 1. - 6.** If you need extra space to provide any additional information within this petition, use the space provided in **Part 13. Additional Information.** If you need more space than what is provided in **Part 13.,** you may make copies of **Part 13.** to complete and file with your petition, or attach a separate sheet of paper. Type or print your company or organization name at the top of each sheet; indicate the Page Number, Part Number, and Item Number to which your answer refers; and sign and date each sheet.

**We recommend that you print or save a copy of your completed application to review in the future and for your records.**

### What Is the Filing Fee?

The filing fee for Form I-129L is **\$805.**

**NOTE:** The filing fee is not refundable, regardless of any action USCIS takes on this petition. **DO NOT MAIL CASH.** You must submit all fees in the exact amounts. USCIS will reject or deny your Form I-129L if you fail to submit required fees when you submit your petition. You should pay the filing fee and each additional fee with separate checks or money orders.

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## Fraud Prevention and Detection Fee

A petitioner seeking initial approval of an L nonimmigrant status for a beneficiary, or seeking approval to employ an L nonimmigrant currently working for another petitioner, must submit a **\$500** Fraud Prevention and Detection fee.

## Public Law 114-113 Fee

All petitioners who employ 50 or more employees in the United States must submit an additional fee of **\$4,500** mandated by Public Law 114-113 for all L-1A and L-1B petitions if more than 50 percent of the petitioner's employees are in H-1B, L-1A, or L-1B nonimmigrant status, **except** when filing an amended petition without an extension of stay request.

You must include payment of the fees with your submission of this petition. Failure to submit the fees when required will result in rejection or denial of your submission.

**NOTE:** The Fraud Prevention and Detection fee and Public Law 114-113 fee, when applicable, may not be waived. Each fee should be submitted in a separate check or money order.

## Payments by Checks or Money Orders

Use the following guidelines when you prepare your checks or money orders for the Form I-129L filing fee and additional fees:

1. The checks or money orders must be drawn on a bank or other financial institution located in the United States and must be payable in U.S. currency; **and**
2. Make the checks or money orders payable to **U.S. Department of Homeland Security**.

**NOTE:** Spell out U.S. Department of Homeland Security; do not use the initials "USDHS" or "DHS."

**Notice to Those Paying by Check.** If you send USCIS a check, we will convert it into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually take 24 hours and your bank will show it on your regular account statement.

You will not receive your original check back. We will destroy your original check, but will keep a copy of it. If USCIS cannot process the EFT for technical reasons, you authorize us to process the copy in place of your original check. If your check is returned as unpayable, we may reject your petition.

## How To Check If the Fees Are Correct

Form I-129L's filing fee and additional fees are current as of the edition date in the lower left corner of this page. However, because USCIS fees change periodically, you can verify that the fees are correct by following one of the steps below.

1. Visit the USCIS website at [www.uscis.gov](http://www.uscis.gov), select "FORMS," and check the appropriate fee; or
2. Visit the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to get answers to your questions and connect with a live USCIS representative. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

## When to File?

Generally, you may not file Form I-129L more than six months prior to the date employment is scheduled to begin. Petitioners should review the appropriate regulatory provisions in 8 CFR that relate to the nonimmigrant classification sought.

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## Where to File?

Please see our website at [www.uscis.gov/I-129L](http://www.uscis.gov/I-129L) or visit the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) to connect with a USCIS representative for the most current information about where to file this petition. Petitions filed in the incorrect location may be rejected or denied. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

### **Premium Processing:**

To determine if your petition is eligible for Premium Processing, visit the USCIS website at [www.uscis.gov/forms/how-do-i-use-premium-processing-service](http://www.uscis.gov/forms/how-do-i-use-premium-processing-service). If your Form I-129L is eligible for and you are requesting Premium Processing Services, you **must** also file Form I-907, Request for Premium Processing Service. **Send Form I-129L and Form I-907 together according to the filing instructions for Form I-907.** Please see our website at [www.uscis.gov/I-907](http://www.uscis.gov/I-907).

## Address Change

A petitioner or beneficiary who is not a U.S. citizen must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. USCIS will use the most recent address to notify the beneficiary that a petition requesting an extension of stay or change of status has been denied. For information on filing a change of address, go to the USCIS website at [www.uscis.gov/addresschange](http://www.uscis.gov/addresschange) or reach out to the USCIS Contact Center at [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter) for help. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

**NOTE:** Do not submit a change of address request to the USCIS Lockbox facilities because the Lockbox does not process change of address requests.

## Processing Information

**Initial Processing.** Once USCIS accepts your petition, we will check it for completeness. If you do not completely fill out this petition, you will not establish a basis for your eligibility and USCIS may reject or deny your petition.

**Requests for More Information.** USCIS may request that you provide more information or evidence to support your petition. We may also request that you provide the originals of any copies you submit. If we request an original document from you, it will be returned to you after USCIS determines it no longer needs your original.

**Requests for Interview.** We may request that you appear at a USCIS office for an interview based on your petition. At the time of any interview or other appearance at a USCIS office, we may require that you provide your biometrics to verify your identity and/or update background and security checks.

**Decision.** The decision on Form I-129L involves a determination of whether you have established eligibility for the immigration benefit you are seeking. USCIS will notify you of the decision in writing.

A petition that is not properly filed may be rejected. A petition is not considered properly filed until accepted by USCIS. Some reasons a petition may be rejected include that it is not properly signed, is not accompanied by the correct fee, or was not properly filed with the correct Service Center. If rejected, USCIS will return the petition along with a notice that identifies the basis for rejection. You may correct the deficiency and resubmit the petition, in most circumstances.

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## USCIS Forms and Information

To ensure you are using the latest version of this petition, visit the USCIS website at [www.uscis.gov](http://www.uscis.gov) where you can obtain the latest USCIS forms and immigration-related information. If you do not have internet access, you may order USCIS forms by calling the USCIS Contact Center at **1-800-375-5283**. The USCIS Contact Center provides information in English and Spanish. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Instead of waiting in line for assistance at your local USCIS office, you can schedule an appointment online at [www.uscis.gov](http://www.uscis.gov). Select "Tools," then under "Self Service Tools," select "Make an Appointment" and follow the screen prompts to set up your appointment. Once you finish scheduling an appointment, the system will generate an appointment notice for you.

## Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-129L, we will deny your Form I-129L and may deny any other immigration benefit. In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

## USCIS Compliance Review and Monitoring

By signing this petition, you have stated under penalty of perjury (28 U.S.C. section 1746) that all information and documentation submitted with this petition are complete, true, and correct. You also authorize the release of any information from your records that USCIS may need to determine your eligibility for the immigration benefit you are seeking and consent to USCIS verifying such information.

The U.S. Department of Homeland Security (DHS) has the authority to verify any information you submit to establish eligibility for the immigration benefit you are seeking at any time. USCIS' legal authority to verify this information is in 8 U.S.C. sections 1103, 1155, and 1184, and 8 CFR parts 103, 204, 205, and 214. To ensure compliance with applicable laws and authorities, USCIS may verify information before or after your case is decided.

Agency verification methods may include, but are not limited to: review of public records and information; contact through written correspondence, the internet, fax, other electronic transmission, or telephone; unannounced physical site inspections of residences and locations of employment; and interviews. USCIS will use information obtained through verification to assess your compliance with the laws and to determine your eligibility for an immigration benefit.

Subject to the restrictions under 8 CFR 103.2(b)(16), USCIS will provide you with an opportunity to address any adverse or derogatory information that may result from a USCIS compliance review, verification, or site visit after a formal decision is made on your case or after the agency has initiated an adverse action which may result in revocation or termination of an approval.

## Grace Periods

When available to an L beneficiary who is already in the United States and is seeking a change of status or an extension of stay, the Form I-94 attached to your approval notice will include any grace period (or additional period of admission) that is provided by USCIS. Employment generally will not be authorized during the grace period.

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## DHS Privacy Notice

**AUTHORITIES:** The information requested on this petition, and the associated evidence, is collected under the INA sections 101, 214, 222, and 248 and 8 CFR parts 103, 214, and 248.

**PURPOSE:** The primary purpose for providing the requested information on this petition is to petition USCIS for an alien to temporarily enter the United States as an L nonimmigrant worker. This petition is also used to request LZ blanket approval. Additionally, an employer (or agent, where applicable) will also use this petition to request an extension of stay of an L nonimmigrant worker or to change the status of an alien currently in the United States as a nonimmigrant to L classification. DHS uses the information you provide to grant or deny the immigration benefit you are seeking.

**DISCLOSURE:** The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in a rejection or denial of your petition.

**ROUTINE USES:** DHS may share the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System, DHS/USCIS-007 Benefits Information System, and DHS/USCIS-018 Immigration Biometric and Background Check] and the published privacy impact assessment [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems] which you can find at [www.dhs.gov/privacy](http://www.dhs.gov/privacy). DHS may also share this information, as appropriate, for law enforcement purposes or in the interest of national security.

## Paperwork Reduction Act

An agency may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid Office of Management and Budget (OMB) control number. The public reporting burden for this collection of information is estimated at 3 hours, including the time for reviewing instructions, gathering the required documentation and information, completing the petition, preparing statements, attaching necessary documentation, and submitting the petition. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: U.S. Citizenship and Immigration Services, Regulatory Coordination Division, Office of Policy and Strategy, 20 Massachusetts Ave NW, Washington, DC 20529-2140; OMB No 1615-XXXX. **Do not mail your completed Form I-129L to this address.**

09/04/2020