

Instructions for Form I-129S, Nonimmigrant Petition Based on Blanket L Petition

What Is the Purpose of This Form?

This form is for an employer to classify employees as L-1 nonimmigrant intra-company transferees under a blanket L petition approval.

Who May File?

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.

General Instructions

Please answer all questions by typing or clearly printing in black ink. Indicate that an item is not applicable with "N/A." If the answer is "none," write "none."

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.

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.

Translations. Any foreign language document must be accompanied by a full English translation that a 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.

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.

Initial Evidence

You must file your petition with:

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 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

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.

Where To File?

If the alien requires a visa, he or she should present the completed petition at a U.S. Embassy or consulate abroad.

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.

What Is the Filing Fee?

On or after March 8, 2005, a **\$500** Fraud 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.

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 initial approval of an L-1 nonimmigrant status for a beneficiary.

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:

1. The petitioner employs 50 or more individuals in the United States;
2. More than 50% of those employees are in H-1B or L nonimmigrant status; **and**

3. The petition is filed before October 1, 2014.

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.

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.

Processing Information

Any form that is not signed or accompanied by the correct fee will be rejected with a notice that the form is deficient. You may correct the deficiency and resubmit the form. An application or petition is not considered properly filed until accepted by USCIS.

Initial processing. Once a form has been accepted, it will be checked for completeness, including submission of the required initial evidence. If you do not completely fill out the form, or file it without the required initial evidence, you will not establish a basis for eligibility, and we may deny your form.

Requests for more information or interview. We may request more information or evidence, or we may request that you appear at a USCIS office for an interview. We may also request that you submit the originals of any copies. We will return these originals when they are no longer required.

Decision. The decision on a form involves a determination of whether you have established eligibility for the requested benefit. You will be notified of the decision in writing.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with this form, we will deny the form and may deny any other immigration benefit.

In addition, you will face severe penalties provided by law and may be subject to criminal prosecution.

Privacy Act Notice

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.

USCIS Forms and Information

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.

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.

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 OMB control number. The public reporting burden for this collection of information is estimated at 35 minutes per response, including the time for reviewing instructions and completing and submitting the form. 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., N.W., Washington, D.C. 20529-2020, OMB No. 1615-0010. **Do not mail your application to this address.**