



Instructions for Nonimmigrant Petition Based on Blanket L Petition

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

USCIS
Form I-129S
OMB No. 1615-0010
Expires 06/30/2015

What Is the Purpose of This Petition?

This petition is for an employer to classify an employee as an L-1 nonimmigrant intracompany transferee under a blanket L petition (LZ) approval.

Who May File Form I-129S?

An employer with an approved blanket L-1 petition may file Form I-129S to classify an employee, who is outside the United States, as an executive, manager, or specialized knowledge professional.

If the employee is in the United States and an employer is requesting a change of status or extension of stay for that employee, the employer should file Form I-129S **with** Form I-129, Petition for a Nonimmigrant Worker.

General Instructions

U.S. Citizenship and Immigration Services (USCIS) provides forms free of charge through the USCIS Web site. 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 call the USCIS National Customer Service Center at **1-800-375-5283** and ask that we mail a form to you. 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.

Validity of Signatures for Form I-129S only. For Form I-129S only, we will consider an original, photocopied, faxed, or scanned copy of the 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 and supporting documentation listed in the **What Evidence Should You Submit** section of these Instructions.

Copies. You may 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 an application, petition, or request. If you submit original documents when not required, the documents may remain a part of the record, and USCIS will not automatically return them to you.

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.

How To Fill Out Form I-129S

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 10. Additional Information** or attach a separate sheet of paper; type or print **the beneficiary's** name and Alien Registration Number (A-Number) (if any) 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** (for example, if the **beneficiary has** never been married and the question asks "Provide the name of your current spouse"), type or print "N/A," unless otherwise directed. If **the** 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.

Specific Instructions

Part 1. Information About The Employer (Petitioner)

Item Number 1. Name of the Petitioner. Provide the full legal name of the company or organization that is petitioning for classification of an employee as an L-1A (Manager or Executive) or L-1B (Specialized Knowledge) professional nonimmigrant.

Item Numbers 2.a. - 3. Petitioner's Mailing Address. Provide the U.S. mailing address for the **petitioner**. Also indicate whether the **petitioner's** mailing address is the same as its physical address.

Item Numbers 4.a. - 4.e. Petitioner's Physical Address. Provide the U.S. physical address for the **petitioner**.

Item Numbers 5. - 8. Petitioner's Contact Information. Provide the **petitioner's** telephone and fax numbers as well as the business email and Web site addresses (if any).

Item Numbers 9. - 10. Petitioner's Employees in the United States. Indicate whether the **petitioner** employs more than 50 individuals in the United States and if more than half of those employees (50 percent) are in H-1B, L-1A, or L-1B nonimmigrant status.

Part 2. Information About the Proposed Position and Prior Periods of Stay in the United States

Item Numbers 1.a. - 1.b. Proposed Employment. Select the appropriate box to indicate the nature of the beneficiary's position or proposed employment in the United States if the petition to classify the beneficiary is approved.

Item Numbers 2.a. - 2.b. Dates of Proposed Employment. Provide the beneficiary's dates of proposed employment.

Item Numbers 3.a. - 6. Prior Periods of Stay in the United States. If the beneficiary was previously in the United States in a work-authorized capacity during the last seven years, provide the dates of employment and the beneficiary's nonimmigrant status.

Part 3. Information About the Beneficiary

Item Number 1. Alien Registration Number (A-Number) (if any). Provide the beneficiary's A-Number (if any). The beneficiary's A-Number is the number used to identify if USCIS already has any immigration records for the beneficiary.

Item Number 2. USCIS ELIS Account Number (if any). If the beneficiary previously filed an application, petition, or request using the USCIS Electronic Immigration System (USCIS ELIS), provide the USCIS ELIS Account Number the beneficiary was issued by the system. The USCIS ELIS Account Number is **not** the same as an A-Number. If the beneficiary was issued a USCIS ELIS Account Number, enter it in the space provided.

Item Number 3. U.S. Social Security Number (if any). Provide the beneficiary's U.S. Social Security number.

Item Numbers 4.a. - 4.c. Beneficiary's Full Name. Provide the beneficiary's full legal name.

Item Numbers 5.a. - 5.c. Other Names Used. Provide all other names the beneficiary has ever used, including aliases, maiden name, names from all previous marriages, and nicknames.

Item Numbers 6.a. - 7. Beneficiary's Foreign Mailing Address. Provide the beneficiary's foreign mailing address. Also indicate whether the beneficiary's foreign mailing address is the same as his or her foreign physical address.

Item Numbers 8.a. - 8.h. Beneficiary's Foreign Physical Address. Provide the beneficiary's foreign physical address.

Item Number 9. Date of Birth. Provide the beneficiary's date of birth in mm/dd/yyyy format.

Item Number 10. Gender. Indicate whether the beneficiary is a male or female.

Item Numbers 11. - 13. Place of Birth. Provide the name of the city or town, province or state, and country where the beneficiary was born.

Item Number 14. Country of Citizenship or Nationality. Provide the country where the beneficiary is currently a citizen or national. If the beneficiary does not have citizenship in any country, indicate "stateless."

Part 4. Information About the Proposed United States Employment

Item Number 1. Blanket L Petition Receipt Number. Provide the receipt number for the approved blanket L petition upon which this petition is based.

Item Number 2. Forms Filed with Form I-129S. Indicate whether you are filing Form I-129 with this petition.

Item Numbers 3.a. - 3.e. Proposed Employment Address for the Beneficiary. Provide the U.S. address where the beneficiary will perform work as an L-1A or L-1B professional nonimmigrant.

Item Numbers 4. - 6. Wages, and Hours of Proposed Employment. Provide the wages per year the beneficiary will receive and the number of hours the beneficiary will work each week for the proposed employment. Also describe any other compensation the beneficiary will receive, including dollar value (if applicable).

Item Numbers 7. - 8. Proposed Job Title and Duties. Provide the job title the beneficiary will hold and the duties he or she will perform while in the United States. Also indicate how much time the beneficiary will spend performing those duties on a daily basis.

Item Numbers 9. - 11. Primary Worksite. If the beneficiary will perform work as an L-1B specialized knowledge professional, indicate whether the beneficiary will work primarily offsite and, if yes, who will supervise and control the beneficiary's work and the amount of time they will spend overseeing the beneficiary's work. Also, explain how the beneficiary's specialized knowledge is related to the petitioner and how the offsite placement is not an arrangement to provide "labor for hire."

Part 5. Information About Foreign Employment

Item Numbers 1.a. - 1.c. Qualifying Foreign Position. Select the appropriate box to indicate the nature of the beneficiary's qualifying position while working for a qualifying foreign employer for the requisite one continuous year out of three years. Visit the USCIS Web site at www.uscis.gov/eir/visa-guide/l-1-intracompany-transferee/l-1-visa for more information.

Item Numbers 2. - 3.f. Qualifying Foreign Employer Name and Address. Provide the foreign addresses where the beneficiary worked for a qualifying foreign employer for the required one continuous year out of three years.

Item Numbers 4. - 13. Other Information About the Beneficiary's Foreign Employment. Provide the job titles the beneficiary held while working for the qualifying foreign employer, the dates of such employment, the duties he or she performed during the required one continuous year out of three years, the wages he or she earned per year, and the hours he or she worked per week.

Part 6. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States

Item Numbers 1. - 2. Indicate whether the sponsoring company or organization must obtain a license to release technology or technical data to the beneficiary. For a description of the requirements based on the Export Administration Regulations (EAR) and the International Traffic In Arms Regulations (ITR), see the **Certification Pertaining to the Release of Controlled Technology or Technical Data to Foreign Persons in the United States** section in these [Instructions](#).

Part 7. Statement, Contact Information, Certification, and Signature of the Petitioner or Authorized Signatory

Item Numbers 1.a. - 8.b. Select the appropriate box to indicate that you, [the petitioner or authorized signatory](#), either read this petition yourself or someone interpreted this petition for you from English to a language in which you are fluent. If applicable, select the box to indicate if someone prepared this petition for you. Further, [an authorized signatory must sign and date the petition and provide his or her name, title, daytime telephone number, mobile telephone number \(if any\), and email address \(if any\).](#) Every petition **MUST** contain the signature of the petitioner [or authorized signatory](#). A stamped or typewritten name in place of a signature is not acceptable.

NOTE: For Form I-129S only, we will consider an original, photocopied, faxed, or scanned copy of the handwritten signature valid for filing purposes. The photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.

Part 8. Interpreter's Contact Information, Certification, and Signature

Item Numbers 1.a. - 6.b. If you, [the petitioner](#), 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, and his or her email address (if any). The interpreter must sign and date the petition.

Part 9. Contact Information, Certification, and Signature of the Person Preparing this Petition, If Other Than the Petitioner

Item Numbers 1.a. - 8.b. 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 8.** and **Part 9.** 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 prepare 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 must also 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 10. Additional Information

Item Numbers 1.a. - 7.d. If you, [the petitioner](#), need extra space to provide any additional information within this petition, use the space provided in **Part 10. Additional Information**. If you need more space than what is provided in **Part 10.**, you may make copies of **Part 10.** to complete and file with your petition, or attach a separate sheet of paper. Include [the beneficiary's](#) name and A-Number (if any) 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 petition to review in the future and for your records.

What Evidence Should You Submit?

You must submit all evidence requested in these Instructions with your petition. If you fail to submit required evidence, USCIS may reject or deny your petition for failure to submit requested evidence in accordance with 8 CFR 103.2(b)(1) and these Instructions.

You must file your petition with the following documents:

1. A copy of the approval notice for the blanket L petition; **and**
2. A letter from the beneficiary's foreign qualifying employer detailing the beneficiary's dates of employment, job duties, qualifications, and salary. The letter must also show that the beneficiary worked for the employer for at least the required one continuous year out of three years in an executive, managerial, or specialized knowledge professional capacity. Visit the USCIS Web site at www.uscis.gov/eir/visa-guide/l-1-intracompany-transferee/l-1-visa for more information about the one continuous year out of three years requirement.

What Is the Filing Fee?

There is **no base filing fee** for Form I-129S. However, there are two fees that **the petitioner must submit** with Form I-129S in certain situations.

Fraud Prevention and Detection Fee

The L-1 Visa Reform Act of 2004 requires a **\$500** Fraud Prevention and Detection Fee. **The petitioner must submit this fee as outlined below.**

1. **Visa Applications filed with the U.S. Department of State.** The Secretary of State will collect the \$500 fee from the petitioner through a beneficiary:
 - A. Who applies at a U.S. Embassy or U.S. Consulate for an L-1 visa; and
 - B. On whose behalf the petitioner is seeking L-1 approval based on an approved blanket L petition.
2. **Visa-Exempt Petitions filed with the U.S. Department of Homeland Security (USCIS or U.S. Customs and Border Protection (CBP)).** The Secretary of Homeland Security will collect the \$500 fee from a petitioner who seeks:
 - A. Initial approval of L-1 classification for a beneficiary; or
 - B. Approval to employ an L-1 nonimmigrant currently working for another petitioner.

Public Law 111-230 Fee

Public Law (Pub. L.) 111-230, as amended by Pub. L. 111-347, requires that the petitioner pay a **\$2,250** fee for certain L-1 petitions. The law requires a petitioner to pay the fee on or after August 14, 2010, if:

1. The petitioner employs 50 or more individuals in the United States;
2. More than 50 percent of those employees are in H-1B, L-1A, or L-1B nonimmigrant status; **and**
3. The petition is filed before October 1, 2015.

To determine whether you must pay the Pub. L. 111-230 fee, complete **Item Numbers 9. and 10. in Part 1. Information About The Employer (Petitioner)** of Form I-129S. A petitioner is required to pay this fee if:

1. The petitioner is required to pay the \$500 Fraud Prevention and Detection fee; and
2. The petitioner answered "Yes" in response to both **Item Numbers 9. and 10. in Part 1.** of Form I-129S.

NOTE: The **Fraud Prevention and Detection Fee** and **Pub. L. 111-230 Fee**, when applicable, may not be waived. **The petitioner should submit each fee in a separate check or money order** to either the Department of State or the Department of Homeland Security, as described in the **Fraud Prevention and Detection Fee** section above. **DO NOT MAIL CASH.** You must submit all fees in the exact amount. The **Fraud Prevention and Detection Fee** and **Pub. L. 111-230 Fee** are not refundable, regardless of any action **taken** on this petition.

Use the following guidelines when you prepare your checks or money orders for the Fraud Prevention and Detection Fee and Public L. 111-230 Fee to USCIS:

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 either the **Department of State** or **U.S. Department of Homeland Security**, respectively.

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

3. If you live outside the United States, contact the nearest U.S. Embassy or U.S. Consulate for instructions on the method of payment.

NOTE: Petitioners filing Form I-129S with CBP or Department of State should contact those agencies directly regarding payment guidelines.

Notice to Those Making Payment by Check. If you send us a check, USCIS 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 USCIS cannot complete the EFT because of insufficient funds, we may try to make the transfer two additional times.

How to Check If the USCIS Fees Are Correct

The Fraud Prevention and Detection Fee and Pub. L. 111-230 Fee 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 Web site at www.uscis.gov, select “FORMS,” and check the appropriate fee; or
2. Call the USCIS National Customer Service Center at **1-800-375-5283** and ask for fee information. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Where To File?

Please see our Web site at www.uscis.gov/I-129S or call our National Customer Service Center at **1-800-375-5283** for the most current information about where to file this petition. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

Beneficiaries Who Must Obtain a Nonimmigrant Visa Overseas. If the beneficiary requires a nonimmigrant visa, he or she should present the completed or previously approved petition at a U.S. Embassy or a U.S. Consulate abroad.

Beneficiaries in the United States Who Choose to Extend/Change Nonimmigrant Status. If the beneficiary is in the United States and would like to extend or change nonimmigrant status, file this petition at the USCIS service center that approved the blanket L petition along with Form **I-129**.

Citizens of Canada under NAFTA. Petitioners who seek 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 a CBP officer in conjunction with an application for admission. **The beneficiary may do this** at either:

1. A “Class A” port-of-entry located on the U.S./Canada land border; or
2. A U.S. pre-clearance/pre-flight inspection station in Canada.

Certification Pertaining to the Release of Controlled Technology or Technical Data to Foreign Persons in the United States

U.S. Export Controls on the 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 **as** an export to that person’s country or countries of citizenship or 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 to certify that it has reviewed the EAR and ITAR and determine 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, then 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 from the U.S. Government the required authorization to do so. The petitioner must indicate whether or not a license is required on **Part 6. Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States.**

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 export or 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 774, Supp. 1 and www.access.gpo.gov/bis/ear/ear_data.html#ccl. The USML is at 22 CFR 121.1 and 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 (BIS) 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. Specific information about EAR’s requirements pertaining to the release of controlled technology to foreign persons is at www.bis.doc.gov/deemedexports. Information about the ITAR and how to apply for a license from DDTC are at www.pmdtc.state.gov. Specific information about the ITAR’s requirements pertaining to the release of controlled technical data is at www.pmdtc.state.gov/faqs/license_foreignpersons.html.

Address Change

The beneficiary must notify USCIS of his or her new address within 10 days of moving from his or her previous residence. 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 **1-800-375-5283**. For TTY (deaf or hard of hearing) call: **1-800-767-1833**.

NOTE: Do not submit a change of address request to USCIS Lockbox facilities because these facilities do 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. We 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. USCIS will return any requested originals when they are no longer needed.

Decision. The decision on Form I-129S 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.

USCIS Forms and Information

To ensure you are using the latest version of this petition, visit the USCIS Web site at 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 our toll-free number at **1-800-870-3676**. You may also obtain forms and information by calling the USCIS National Customer Service Center at **1-800-375-5283**. 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 now schedule an appointment through our online system, **InfoPass**, at infopass.uscis.gov. 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.

Penalties

If you knowingly and willfully falsify or conceal a material fact or submit a false document with your Form I-129S, we will deny your Form I-129S 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 Privacy Statement

AUTHORITIES: The information requested on this petition, and the associated evidence, is collected under the Immigration and Nationality Act, 8 U.S.C. sections 1103, 1184, and 1202 and 8 CFR parts 103 and 214. 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.

PURPOSE: The primary purpose for providing the requested information on this petition is to determine if you have established eligibility to request classification of alien employees as L-1 nonimmigrant intra-company transferees under a previously approved blanket L petition. DHS will use 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, and any requested evidence, may delay a final decision in your case or result in denial of your petition.

ROUTINE USES: DHS may share the information you provide on this petition 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-007 - Benefits Information System and DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records], which you can find at www.dhs.gov/privacy. DHS may also share the 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 OMB control number. The public reporting burden for this collection of information is estimated at 3 hours per response, 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, D.C. 20529-2140; OMB No. 1615-0010. **Do not mail your completed Form I-129S to this address.**