

SUPPORTING STATEMENT

Nonimmigrant Petition Based on Blanket L Petition

Form I-129S

(OMB No. 1615-0010)

A. JUSTIFICATION.

- 1.** Sections 214(c)(2) and 101(a)(15)(L) of the Immigration and Nationality Act (Act) establishes a blanket petition process to allow certain businesses with significant past records of importing nonimmigrant intra-company transferees, to file a blanket L petition to resolve many of the issues surrounding eligibility, to expedite the process when they identify an individual worker later. Under 8 CFR 214.2(l)(5)(ii)(C), when a qualifying organization seeks to transfer an alien to the United States against a blanket petition, the qualifying organization completes the Form I-129S. The alien must provide the consular officer, or a U.S. Citizenship and Immigration Service (USCIS) officer, with a completed Form I-129S for a visa-exempt alien or involves a change of status.
- 2.** USCIS uses the data collected on this form to gather information employers use to classify employees outside the United States as executives, managers, or specialized-knowledge professionals, as nonimmigrant intra-company transferees pursuant to a previously approved blanket petition under sections 214(c)(2) and 101(a)(15)(L) of the Act.
- 3.** The use of this form provides the most efficient means for collecting and processing the required data. Currently, USCIS does not have the automated capability in place to accept electronic submission of application. This form can

be completed electronically but cannot be submitted electronically. However, this form has been designated for e-filing under the Business Transformation Project.

4. A review of the USCIS's Forms Inventory Report revealed no duplication of effort, and there is no other information currently available which can be used for this purpose.
5. This collection of information does not have an impact on small businesses or other small entities.
6. Without this information collection, foreign-based businesses would be unable to establish businesses or transfer/locate employees within the United States. This information collection is used by employers to classify employees outside the United States as executives, managers, or specialized-knowledge professionals as nonimmigrant intra-company transferees pursuant to a previously approved blanket petition in accordance with sections 214(c)(2) and 101(a)(15)(L) of the Act.
7. There are no special circumstances applicable to this information collection.
8. On September 6, 2011, USCIS published a 60-day notice in the Federal Register at 76 FR 55081. No comments were received in connection with that publication. On November 18, 2011, USCIS published a 30-day notice in the Federal Register at 76 FR 71582. No comments have been received in connection with this notice to the date.
9. USCIS does not provide payments or gifts to respondents in exchange for a benefit sought.

10. There is no assurance of confidentiality. The system of record notice associated with this information collection is United States Citizenship and Immigration Services Benefits Information System, which was published in the **Federal Register** on September 29, 2008 at 73 FR 56596. The privacy impact assessment associated with this information collection is USCIS Benefits Processing of Applicants other than Petitions for Naturalization, Refugee Status, and Asylum.

11. There are no questions of a sensitive nature.

12. Annual Reporting Burden:

a.	Number of Respondents	42,000
b.	Number of Responses per Respondent	1
c.	Total Annual Responses	42,000
d.	Hours per Response	.583
e.	Total Annual Reporting Burden	24,486

The total annual reporting burden hours are 24,486. This figure was derived by multiplying the number of respondents (42,000) x number of responses (1) x .583 hours (35 minutes) per response.

13. There are no capital or start-up costs associated with this information collection. Any cost burdens to respondents as a result of this information collection are identified in item 14. There is a \$500 fraud prevention and detection fee associated with the collection of this information.

14. Annualized Cost Analysis:

a.	Printing Cost	\$ 25,000
b.	Collection and Processing Cost	\$ 1,680,000

c.	Total Cost to Program	\$ 1,705,000
d.	Fee Charge	0
e.	Total Cost to Government	\$ 1,705,000

Government Cost

Government Cost.

The estimated annual cost to the Government is \$1,705,000. This figure is calculated by multiplying the estimated number of respondents 42,000 x 1 hour (time required to collect and process information) x \$40 (suggested average hourly rate for clerical, officer, and supervisory time with benefits). In addition, this figure includes the estimated overhead cost for printing, stocking and distributing the form, which is \$25,000.

Public Cost

The total annual burden hour cost for respondents is \$752,700. This is based on the number of respondents (42,000) x number of responses (1) x .583 (35 minutes) per response x \$30.74 (average hourly rate).

The total annual cost burden is \$21,000,000

This is based on the number of respondents (42,000) x number of responses (1) x \$500 fee, the required fraud prevention and detection fee.

15. There has been no increase or decrease in the estimated burden hours or costs associated with the collection of this information.

16. USCIS does not intend to employ the use of statistics or the publication thereof for this collection of information.

17. USCIS will display the expiration date in the information collection in accordance with OMB regulations.
18. USCIS does not request an exception to the certification of this information collection.

B. Collection of Information Employing Statistical Methods.

Not Applicable.

C. Certification and Signature.

PAPERWORK CERTIFICATION

In submitting this request for OMB approval, I certify that the requirements of the Privacy Act and OMB directives have been complied with including paperwork regulations, statistical standards or directives, and any other information policy directives promulgated under 5 CFR 1320.

Sunday Aigbe,
Chief,
Regulatory Products Division,
Office of the Executive Secretariat,
U.S. Citizenship and Immigration Services,
Department of Homeland Security.

Date