

**Responses to 60-day FRN Public Comments**  
**Form I-129S Revision**

Comment #	Public Comments	USCIS Response
Comment 1.	Commenter: Intel	
Comment 1, Issue 1	<p><b>Request for Extension of Notice and Comment Period</b></p> <p>Although the Federal Register notice relating to changes to Form I-129S was published on January 31, 2018, announcing that the comment period would end 60 days later on April 2, 2018, the proposed revised form and instructions were not posted until one and one-half months later on March 16, 2018. The current comment period deadline allows interested parties a little over two weeks to review and evaluate the changes and to propose comments. Since Form I-129S is used by employer petitioners in connection with their requests to sponsor intracompany transferees for work authorization under the L-1 blanket process, those companies are typically the same companies that are filing H-1B visa petitions on April 2, 2018 under the annual H-1B lottery. The combination of having only 17 days to respond coinciding with the H-1B cap filings is certain to reduce the number and quality of comments provided from the primary stakeholders: The U.S. business community. Intel therefore respectfully requests that the notice be republished to allow interested parties a full sixty days to respond.</p>	<p><b>Response:</b></p> <p>USCIS will publish a Federal Register Notice permitting public comments for 30-days when we submit the revised form to OMB. That notice will allow for additional review and consideration of the proposed changes to the I-129S information collection.</p>
Comment 1, Issue 2	<p><b>The Information Requested in Form I-129 and its L Classification Supplement is Duplicative of the Information Requested in Form I-1298</b></p> <p>The fields contained in Form I-129 and its L Classification Supplement and Form I-129S are duplicative and redundant. The current process requires CBP officers to take one copy of the endorsed Form I-129S at the time of the applicant's initial entry in L-1 status and submit it to USCIS. While we do</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the Form I-129 L Classification Supplement and Form I-129S contain many of the same data elements. This does not, however, constitute duplication of information, as the Form I-129S and Form I-129 L Classification Supplement are not both required for all L-related filings. Since the forms are not always filed together, USCIS must ensure that all relevant information is collected on each individual form for those situations where only one or the</p>

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	<p>not believe that this is happening regularly, the burden of providing that form in the context of an L-1 extension should not then fall to petitioners. It is burdensome to require submission of a newly completed Form I-129S as well as the I-129 and L Classification Supplement in the context of applications for an extension or amendment of L-1 status acquired through an L blanket. The fact that an initial individual L-1 filed with USCIS, and the extension or amendment of an L-1 initially obtained through an individual USCIS filing, do not require submission of Form I-129S underscores that the information contained in Form I-129 and L Classification Supplement is sufficient to determine L-1 eligibility, thereby admitting to this redundancy.</p> <p>While Intel realizes that OMB's evaluation of the proposed changes is limited to the form and instructions, it is critical to understand the contexts in which USCIS has used and intends to use Form I-129S, in considering whether the collection of information is appropriate. When information requested is already included on another required form, this duplication raises doubt whether the information requested on Form I-129S is necessary for the proper performance of the functions of USCIS and whether that information will have practical utility or will burden petitioners.</p>	<p>other form is filed.</p>
<b>Comment 1, Issue 3</b>	<p><b>USCIS May Require Appearance at an Interview: Filings of Form 1-129S before U.S. Consulates</b></p> <p>The form instructions indicate that USCIS may require appearance of the beneficiary at an interview. First, since Form I-129S is primarily used in the context of L-1 blanket applications at U.S. consular posts abroad, which already require the visa applicant to attend an interview, suggesting that a second interview could possibly be required by USCIS would be redundant and burdensome. Second, the</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility.</p>

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	<p>policy of expeditious processing of blanket L-1s by avoiding a USCIS individual filing would be rendered moot. This is a significant issue which, if intended by USCIS, should be developed through formal notice and comment and not hidden within the context of changes to Form I-129S and its instructions.</p>	
<b>Comment 1, Issue 4</b>	<p><b>USCIS May Require Appearance at an Interview: Filings of Form 1-129S in Connection with USCIS Filings</b></p> <p>As noted above, Intel objects to USCIS's requirement that petitioners include the endorsed Form I-129S, plus a completed 2016 Form I-129S in addition to Form I-129 and the L Classification Supplement when extending or amending L status for intracompany transferees who initially entered under an L blanket. Intel similarly objects to the extent that the proposed instructions would reference a possible USCIS interview before the individual L petition could be approved. To Intel's knowledge, USCIS does not conduct interviews prior to approving petitions for any other nonimmigrant classification. To impose one in this context would be inappropriate and a major change requiring publication of a regulation with notice and the opportunity for public comment. USCIS already has the power to interview L-1 beneficiaries and petitioners through the Fraud Detection and National Security Directorate (FDNS) site visit program, which is funded by petitioners' \$500 fraud prevention fee.</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility.</p>
<b>Comment 1, Issue 5</b>	<p><b>USCIS May Require Appearance at an Interview: Filings of Form 1-129S in Connection with Canadian CBP Filings</b></p> <p>Intel understands that on March 26, 2018, USCIS Director L. Francis Cissna and CBP Assistant Director Michael Freeman held a stakeholder meeting at the Peace Arch in which they announced a pilot program that would start at the Blaine Port of Entry and require the filing of Canadian blanket Ls with USCIS before the beneficiaries could be admitted.</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility. This NAFTA L-visa pilot program does not increase the likelihood of an interview.</p>

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	<p>Although the pilot will be limited to the Blaine Port of Entry, this change is significant, in that Canadian blanket L applicants at that port will not be able to make a quick entry through a border application. This is contrary to the intent of Congress to allow for expeditious processing of blanket L applications and superimposes USCIS involvement where it has not previously existed in the blanket L process. This is of great concern to Intel. If the proposal of a possible USCIS interview requirement in the instructions is somehow linked to this pilot program, Intel finds it objectionable and worthy of a full regulatory notice and comment period in order to comply with the rule making process.</p>	<p>USCIS notes that the pilot program is voluntary. The program affords the petitioner the option of filing directly with USCIS, and receiving a decision before the beneficiary seeks entry at the border. Should the petitioner choose not to participate in the program, they may file at Blaine POE but it will be adjudicated by CBP at the nearest POE.</p> <p>Additional information about the Form I-129 Pilot Program for Canadian L-1 Nonimmigrants can be found on USCIS's website at <a href="https://www.uscis.gov/news/alerts/uscis-and-cbp-implement-form-i-129-pilot-program-canadian-l-1-nonimmigrants">https://www.uscis.gov/news/alerts/uscis-and-cbp-implement-form-i-129-pilot-program-canadian-l-1-nonimmigrants</a>.</p>
<b>Comment 1, Issue 6</b>	<p><b>Possible Requirement of USCIS Biometrics Appointments</b></p> <p>In addition to the possibility of a USCIS interview, the proposed Form Instructions also reference the possibility of USCIS biometrics. As with the possible interview requirement, requiring biometrics would be duplicative and unnecessary. Blanket L applicants at the Consulate are routinely required to undergo biometrics processing. To require such processing again through USCIS would be duplicative, add no value, and be unnecessarily burdensome. If USCIS plans to insert itself into the blanket L process, a formal regulation with notice and comment would be more appropriate than references on a proposed form.</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility.</p>
<b>Comment 1, Issue 7</b>	<p><b>Requirement of a United States Address</b></p> <p>Since Form I-129S is largely used by applicants for L-1 visas at U.S. consulates abroad, who by definition, do not yet have a U.S. address, requiring that the beneficiaries list a U.S. address does not have any practical utility and can only serve to frustrate and confuse petitioners and beneficiaries. Canadian blanket L applicants will similarly not have a U.S. address in many cases, but elicit the intended U.S. address on the 1-94 upon entry.</p>	<p><b>Response:</b></p> <p>The only U.S. address collected on Form I-129S for the beneficiary is the "Proposed Employment Address for the Beneficiary." All other addresses requested for the beneficiary are foreign addresses. USCIS is not making any changes to the instructions as a result of this comment.</p>

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	<p>To the extent that USCIS wants this information in connection with extensions or amendments of L-1 status for individuals already in the U.S., that information is already elicited on Form 1-129.</p>	
<b>Comment 1, Issue 8</b>	<p><b>Admonition that Failure to Provide a Social Security Number May Result in Delays or a Denial</b></p> <p>While some individuals applying for a blanket L at a Consulate or port of entry may have worked in the U.S. previously and possess a social security number, many will not. It is unnecessary and potentially confusing for the disclosure to warn that failure to provide "the beneficiary's Social Security Number (if applicable)" could delay a final decision or result in a denial of the petition. Individuals who have a U.S. social security number should provide one in response to the question without this instruction. Individuals who do not have a U.S. social security number may be confused and worried about not providing one, which might result in provision of a national ID or other number in an attempt to be responsive and to avoid a delay or denial. Adding this language does not help USCIS, the Consulate or CBP in their adjudicatory functions and is more likely to frustrate the agencies and the beneficiaries. As Form I-129S already requests prior work history, the officer will know whether the applicant should already have a social security number or not.</p>	<p><b>Response:</b></p> <p>USCIS is required to provide notice that the Social Security number, if applicable and not provided, could impact adjudication of a petition. USCIS is not instructing anyone who does not have a Social Security number to obtain one in order to file this petition. The Social Security number field on Form I-129S states "(if any)," indicating that if a Social Security is available it should be provided, but that it is not required if not available.</p>
<b>Comment 1, Issue 9</b>	<p><b>Proposed Form Section 3, Page 2, Part 2</b></p> <p>Section 3, Page 2, Part 2 of the proposed form asks "(w)as the beneficiary of this petition in the United States during the last seven years? Y / N." This question is followed by a question asking for a listing of all prior stays in a work authorized capacity in the past seven years. It is unclear what USCIS seeks to elicit from this question. The only</p>	<p><b>Response:</b></p> <p>USCIS has edited the Form I-129S to clarify the question asked in Part 2, Section 3. The question has been reworded to ask, "Was the beneficiary of this petition in the United States <b>in a work-authorized capacity</b> during the last seven years?"</p>

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	<p>difference between the first question and the subsequent one is that the first question asks for "any" entries during the past seven years, not just those that were in a work authorized capacity, whereas the second question asks for a listing the specific work related entries.</p> <p>If USCIS seeks to obtain information on all entries in any nonimmigrant status for the purpose of understanding whether the beneficiary worked for a qualifying entity abroad for at least one year out of the three year qualifying period, then the question can be asked more specifically. For example, the form can ask the petitioner to define the three year period prior to the initial L-1 entry and add a chart in which the petitioner can list the entry and exit date for all U.S. entries during this period and list the corresponding status for each. If that is USCIS's desired result, they should further ask for the specific entry and exit dates and the nonimmigrant status pertaining to each trip. If instead, USCIS merely wants to know whether the beneficiary was in the U.S. in a work authorized capacity within the last seven years, this question is not needed because that information is elicited in the following question.</p>	
<b>Comment 1, Issue 10</b>	<p><b>Petitioner's or Authorized Signatory's Declaration and Certification</b></p> <p>Intel is concerned that the proposed language in this section would authorize release of "any information contained in this petition, including supporting documents, in my USCIS records, and in the petitioning organization's USCIS records, to USCIS or other entities and persons where necessary to determine eligibility for the immigration benefit sought or where authorized by law."</p> <p>Significant amounts of private, confidential, and proprietary information are required to establish L-1 eligibility.</p>	<p><b>Response:</b></p> <p>The commented on language is to authorize the release of information to adjudicate the request and not to authorize a release from files to the public or competitors. The release contains the phrase, "where necessary to determine eligibility for the immigration benefit sought or where authorized by law". USCIS often needs information from files related to previous encounters with USCIS, the other immigration components of DHS (ICE and CBP), or the Department of State to adjudicate petitions. It is limited to such uses and, unless required by law, will not be released to the general public or a competitor through a Freedom of Information Act (FOIA)</p>

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	<p>Establishing specialized knowledge often requires providing information regarding highly proprietary and secret information, which if leaked to Intel's competitors, could significantly harm our competitiveness. Establishing managerial capacity often requires listing all reports, their positions, educational and salary levels, and performance evaluations, all of which is private and confidential and should not be shared beyond the agency to which it was submitted and for the limited purpose of adjudicating the petition. The suggestion that all information contained in the petition and supporting documents could be released for a broader purpose within USCIS or possibly be made available to "other entities or persons" such as to the general public or a competitor through a Freedom of Information Act (FOIA) request or other means should not be allowed. Intel urges that this language be stricken.</p>	<p>request.</p>
<b>Comment 2.</b>	<b>Commenter:</b> American Immigration Lawyers Association	
<b>Comment 2, Issue 1</b>	<p><b>Timing of Notice and Comment Period</b>        The Federal Register notice announcing the changes to Form I-129S was published on January 31, 2018, with a 60-day comment period ending April 2, 2018. However, the draft form and instructions detailing the proposed changes were not made publicly available until March 16, 2018, a mere 17 days before the end of the comment period. Therefore, in addition to considering comments received on or before April 2, 2018, DHS should also extend the comment period to provide a full 60 days from the time the draft form and instructions were published on <a href="http://www.regulations.gov">www.regulations.gov</a>. Given that many U.S. employers and their attorneys have been fully engaged in the preparation of H-1B petitions for filing on April 2, 2018, routine users of Form I-129S have not had a sufficient opportunity to review and meaningfully comment on the many proposed changes. Though we</p>	<p><b>Response:</b>        USCIS will publish a Federal Register Notice permitting public comments for 30-days when we submit the revised form to OMB. That notice will allow for additional review and consideration of the proposed changes to the I-129S information collection.</p>

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	submit these comments today, we too would benefit from additional time to provide more thorough and thoughtful comments.	
<b>Comment 2, Issue 2</b>	<p><b>Instructions: Ambiguous Use of the Pronoun “You”</b></p> <p>The form instructions use the word “you” interchangeably to refer to petitioners, beneficiaries, representatives, and interpreters. For example, on page 1, under “Evidence,” the instructions state, “At the time of filing, <b>you</b> must submit all evidence and supporting documents....” (emphasis added). Under “Biometric Services Appointment,” the instructions state, “USCIS may require that <b>you</b> appear for an interview or provide biometrics....” Although as noted at the top of page 1, Form I-129S is completed by “an employer (petitioner) to classify an employee (beneficiary) as an L-1 intracompany nonimmigrant transferee under a blanket L petition (LZ) approval,” use of the pronoun “you,” without specifying to which party or parties the instruction specifically pertains, is confusing.</p> <p>In addition, on page 8, under “Requests for Interview,” the instructions state that “[w]e may request that <b>you</b> appear at a USCIS office for an interview based on your petition.” (emphasis added). Given that the possibility of an interview has, to our knowledge, not previously been contemplated in connection with the blanket L petition process, it is unclear whether the beneficiary, the petitioner, or both may be expected to attend an interview. Therefore, we recommend that the instructions use the nouns “petitioner,” “beneficiary,” “representative,” or “interpreter” as appropriate, in lieu of the pronoun “you.”</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility. We have modified the language to replace the ambiguous “you” with “petitioner and/or beneficiary.”</p>
<b>Comment 2, Issue 3</b>	<p><b>Instructions: Validity of Signatures</b></p> <p>On page 1, the proposed instructions state, “USCIS will consider a photocopied, faxed, or scanned copy of the original, handwritten signature valid for filing purposes. The</p>	<p><b>Response:</b></p> <p>Thank you for your comment.</p>

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	<p>photocopy, fax, or scan must be of the original document containing the handwritten, ink signature.” We applaud USCIS for allowing submission of Form I-129S with a photocopied, faxed, or scanned copy of an original handwritten signature. Such a change is long-awaited, in line with modern practices, and will streamline filing procedures for attorneys, petitioners, beneficiaries, and other parties.</p>	
<b>Comment 2, Issue 4</b>	<p><b>Instructions: In-Person Interviews and Biometrics</b></p> <p>The General Instructions and the Processing Information state that “USCIS may require that you appear for an interview or provide biometrics....” Under 8 CFR §103.2(b) (9), “USCIS may require any applicant, petitioner, sponsor, beneficiary, or individual filing a benefit request, or any group or class of such persons submitting requests, to appear for an interview and/or biometric collection.” However, as explained above, it is unclear whether for purposes of the interview, “you” refers to the petitioner or the beneficiary. The only guidance provided is that an interview might be necessary to “obtain additional information.”</p> <p>In addition, the General Instructions state that persons who appear for biometrics capture will also be required to sign an oath confirming, <i>inter alia</i>, that he or she provided or authorized all information contained in the petition, and that the information is complete, true, and correct. It is assumed, as a matter of logic, that the party ordered to appear for biometrics capture would be the beneficiary. However, Form I-129S gathers information about both a business entity and an individual applicant, and it is unclear how a beneficiary would be expected to have access to commercial information relating to the petitioner. It is also unclear how a beneficiary would be in a position to know</p>	<p><b>Response:</b></p> <p>The likelihood of an interview or biometrics collection on the basis of filing Form I-129S is very small. Still, when a form requires an ASC visit, USCIS will obtain an additional level of authentication of the filing when the applicant appears at the ASC. This second level of authentication is important for forms filed electronically. While the requirement applies to few forms and applicants, USCIS is including the notice of the potential for this requirement in all of our forms because it will reduce the procedural requirements for form instruction changes as we transition more forms to electronic filing. Because an individual will receive personal notice of a biometrics or interview appointment, instructions that provide that such an appointment could be but is not always required are not overtly confusing. Therefore, we will maintain the subject standard instruction to ensure awareness of the possibility of the oath at the ASC.</p>

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	<p>whether the petitioner has made the determinations necessary to complete Part 6 of the form relating to compliance with EAR and ITAR obligations.</p> <p>In addition, we note that the possibility of an interview is the latest in a trend of USCIS shifting additional and unnecessary burdens on petitioners and beneficiaries of blanket L extensions. In 2016, USCIS began requiring applicants for an extension of L-1 status who initially entered the U.S. based on an approved blanket L petition to provide:</p> <ul style="list-style-type: none"><li>• Form I-129, Petition for a Nonimmigrant Worker;</li><li>• Form I-129S, Nonimmigrant Petition Based on Blanket L Petition (06/02/16 ed.); and</li><li>• A copy of their previously approved Form I-129S.</li></ul> <p>These requirements are duplicative and unnecessary for several reasons. First, under the current process, CBP is required to provide USCIS with the endorsed I-129S upon initial admission of the intracompany transferee. The fact that this may not be consistently happening should not shift additional burdens to employers. Second, the information elicited on the I-129S form is duplicative of the information contained in Form I-129 and the L Classification Supplement. The current proposed revisions to Form I-129S contemplate that USCIS intends to call in for biometrics and interview any individual or employer seeking a blanket L-1 extension or amendment which places further burdens on the L-1 process and is redundant and excessive. Should USCIS have specific concerns that would compel it to meet with the petitioner and/or beneficiary, it already has the authority to do so through the FDNS site visit process, which is funded by the \$500 fraud prevention fee filed with the L-1 petition.</p>	
<b>Comment</b>	<b>Instructions: USCIS Resources to Conduct Interviews</b>	<b>Response:</b>

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<b>t 2, Issue 5</b>	<p>Blanket L petitions are filed at USCIS Service Centers. These are regional, remote locations that are not accessible to the public. The instructions list locations where an individual may be instructed to appear for biometrics appointments if they are outside of the United States. The proposed instructions are silent, however, about where a petitioner or beneficiary may be requested to appear for an interview in connection with a blanket L petition.</p> <p>Almost three decades ago, the legacy Immigration and Naturalization Service consolidated jurisdiction for adjudication of nonimmigrant worker petitions with the regional service centers to create a cadre of officers with subject-matter expertise and to enhance the consistency of adjudications. USCIS Field Offices do not adjudicate nonimmigrant petitions of any kind. Referral of petitioners or beneficiaries to such offices for an interview in connection with a blanket L application would mean either review by officers without any expertise relating to the benefit being sought or creating a need to retrain a completely new set of officers. In addition, requiring field office interviews for such petitions would add significant costs and administrative burdens to both USCIS and the U.S. businesses that utilize the efficiencies that the blanket L process was designed to create.</p>	<p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility.</p>
<b>Comment 2, Issue 6</b>	<p><b>Instructions: Certified Translations</b></p> <p>The General Instructions on page 2 have been changed from “the certification should also include...” to “DHS recommends the certification contain....” We note, however, that a recommendation can be ignored with no detriment while ignoring a requirement would result in a potential request for evidence or denial of the benefit sought. If the requested information from the translator is in fact a requirement, it should be clearly stated as such in</p>	<p><b>Response:</b></p> <p>Thank you for this comment. USCIS has revised the language in the instructions regarding certification of translations to indicate that the translator’s contact information is required.</p>

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	the instructions.	
<b>Comment 2, Issue 7</b>	<p><b>Instructions: Use of Form I-129S in the Context of Canadian L-1 Blanket Filings before CBP</b></p> <p>On March 26, 2018, USCIS and CBP announced an I-129 pilot program for Canadian L applicants at the Blaine, Washington port of entry. The pilot asks applicants seeking L-1 admission at the Blaine port of entry to first file a petition with USCIS. We are concerned that this change would undermine the speed and agility of Canadian blanket L entries, contrary to Congress's intent. We are also concerned that the proposed revisions to Form I-129S, specifically those requiring biometrics and a USCIS interview, may have been added in conjunction with plans for the Canadian blanket L pilot and its possible expansion. For these reasons, the proposed form revisions relating to biometrics and interviews should be suspended unless and until full notice and comment is provided to the public.</p>	<p><b>Response:</b></p> <p>USCIS acknowledges that the likelihood of an interview being requested on the basis of a Form I-129S petition is very small. However, 8 CFR 103.2(b)(9) provides USCIS with the authority to interview individual petitioners or beneficiaries, so we will maintain the standard instruction to ensure awareness of the possibility.</p>
<b>Comment 2, Issue 8</b>	<p><b>Form: Prior Periods of Stay in the United States</b></p> <p>The proposed section 3 on page 2, part 2 asks "Was the beneficiary of this petition in the United States during the last seven years? Y/N." The instructions for this section provide that a person answering "yes" must include all periods of stay in the U.S. in a work authorized capacity. We suggest that this question be reworded to state: "Was the beneficiary of this petition in the United States in a work-authorized status in the past seven years?" This will clarify that a person in the U.S. in the past seven years in a status that did not provide work authorization may answer "no."</p> <p>To the extent that the proposed question is intended to elicit whether the applicant was in the U.S. in any nonimmigrant status during the prior three years to determine whether the applicant physically spent one full year abroad during the qualifying period, the question</p>	<p><b>Response:</b></p> <p>USCIS has edited the Form I-129S to clarify the question asked in Part 2, Section 3. The question has been reworded to ask, "Was the beneficiary of this petition in the United States <b>in a work-authorized capacity</b> during the last seven years?"</p>

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	should be rewritten to focus on that period only.	
<b>Comment 2, Issue 9</b>	<p><b>Form: Disclosure of Social Security Number (SSN)</b></p> <p>Form I-129S was initially created for beneficiaries who apply for an L-1 visa at a U.S. consulate under the blanket process. While some beneficiaries may have worked in the U.S. previously and would possess an SSN, that is often not the case. Although Form I-129S currently requests the beneficiary's SSN, most blanket L-1 beneficiaries do not have one. Prior U.S. work history is already disclosed on the form, which should enable the government to glean whether or not the applicant already possesses an SSN and can generate further inquiry during the consular interview, when warranted. There is no value to making this change and it is confusing when most applicants who use this form do not possess an SSN.</p>	<p><b>Response:</b></p> <p>USCIS is required to provide notice that the Social Security number, if applicable and not provided, could impact adjudication of a petition. USCIS is not instructing anyone who does not have a Social Security number to obtain one in order to file this petition. The Social Security number field on Form I-129S states "(if any)," indicating that if a Social Security is available it should be provided, but that it is not required if not available.</p>
<b>Comment 2, Issue 10</b>	<p><b>Form: Petitioner's or Authorized Signatory's Declaration and Certification</b></p> <p>We are concerned with the addition of language that would authorize the release of "any information contained in this petition, including supporting documents, in my USCIS records, and in the petitioning organization's USCIS records, to USCIS or other entities and persons where necessary to determine eligibility for the immigration benefit sought or where authorized by law." Significant documentation is required to establish L-1 eligibility, and that which is related to specialized knowledge is often of a highly sensitive and proprietary nature. We are concerned that this could make it easier for the general public and for U.S. companies' competitors to access confidential and trade secret information and could jeopardize U.S. competitiveness, as well as compromise beneficiaries' personally identifiable information, through a Freedom of Information Act (FOIA) request or similar means. From a privacy perspective, it is unsettling that the proposed authorization extends to</p>	<p><b>Response:</b></p> <p>The commented on language is to authorize the release of information to adjudicate the request and not to authorize a release from files to the public or competitors. The release contains the phrase, "where necessary to determine eligibility for the immigration benefit sought or where authorized by law". USCIS often needs information from files related to previous encounters with USCIS, the other immigration components of DHS (ICE and CBP), or the Department of State to adjudicate petitions. It is limited to such uses and, unless required by law, will not be released to the general public or a competitor through a Freedom of Information Act (FOIA) request.</p>

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	"other entities and persons" without specifically enumerating which entities or persons might have access to this information.	
<b>Comment 3.</b>	<b>Commenter:</b> Jean Publieee	
	<p>THIS BLANKET PETITION SHOULD BE SHUT DOWN. WE DONT WANT COMPANIES GETTING BLANKET APPROVAL. EVERY PERSON WHO TRIES TO COME TO THIS COUNTRY CAN BE A POTENTIAL TERRORIST. THEY ALL LOOK GENUINE AND THEN THEY DRIVE THEIR CAR INTO AN INNOCENT PEDESTRIAN AND KILL THEM. WE DONT WANT BLANKET PETITIONS. WE NEED TO INTERVIEW AND MAKE SURE OF THE BACKGROUND OF EVERY PERSON WHO COMES HERE. AND IN ADDITION WE HAVE FAKE COMPANIES LIKE THE INDIAN INTERNET PROVIDERS WHO LIE ALL OF THE TIME, BRINGING EMPLOYEES HERE AND PAYING THEM LESS THAN AMERICANS SHOULD GET IN THOSE JOBS. THESE COMPANIES ARE WELL SKILLED IN SKIRTING ANY RULES. WE WANT BACKGROUND CHECKS AND INTERVIEWS ON EVERYBODY. NO COMPANY SHOLD BEEEXEMPT AND GET BLANKET OK FROMM OUR IMMIGRAITON AUTHORITIES. IS THIS A BACK DOOR DEAL THAT CROOKED POLS MADE WITH RICH CORPORATIONS SO THEY GET SPECIAL DEALS. I AM NOT IN FAVOR OF SPECIAL DEALS BECAUSE THAT IS HOW A COUNTRY GETS INTO TROUBLE. WE WANT FULL INVESTIGATION OF ALL WHO SEEK TO COME TO THIS COUNTRY. WE ARE SICK OF THIS KIND OF NEGLIGENCE AND CARELESSNESS TO ALLOW THIS KIND OF PEEKABOO INVESTIGAITON. THIS IS DEADLY.</p> <p>THESE PEOPLECOMING HERE ARE DEADLY. ALL OF THEM NEED A GOOD INVESTIGATION BEFORE THEY SHOW UP IN THIS COUNTRY. THEY ARE HERE TO HURT US, FAR TOO MANY OF THEM ARE HERE TO HURT US.</p>	<p><b>Response:</b></p> <p>The 60-day Federal Register Notice solicited feedback on Form I-129 and its associated instructions. As this comment does not provide substantive feedback on the information collection, but an opinion on immigration matters generally, USCIS is not making any changes as a result of the comment.</p>