

U.S. Department of Homeland Security
Mail Stop 1225
Washington DC 20528-1225



U.S. Citizenship and Immigration Services

April 24, 2016

[REDACTED]

Application: Form: I-129 Pursuant to section 101(a)(15)(L) of the immigration and Nationality Act, 8 U.S.C.

Purpose

This notice is reference to the your recently approved I-129 Petition for nonimmigrant worker under special investigation of L1A visa abuse cases. You have been randomly selected for further processing with regards to irregularity in benchmarked salary for L1A applicant in SFO Bay area.

Background

As per recent L1A visa applications in California SFO bay area, median salary for L1A intracompany transfer executives were around \$213,827 per annum, while your salary indicated in petition application was found lower and even variable in last 3 years tax filing. Such incidences are suspected cases where employer/petitioners are either fabricated executive positions or employer exploiting employer with below market wages, as they cannot opt for jobs changes.

Procedural Guidance

Please read and comply with those items requested and personally appear for interview at USCIS center to resubmit evidence and interrogation to the address listed below, including this letter, within 87 days. Please take appointment only after preparing all required documents.

USCIS,
CALIFORNIA SERVICE CENTER,
LAGUANA, NIGUEL CA 92607-0111
CUSTOMER SERVICE Telephone: (800) 375 5283

- Non- immigration status evidence

CIS adjudicators should review immigration status evidence like visa, I-129, passport and letter of employment.

- Net income

An application or petitioner **must** produce salary details including initial deputation letter, last 6 months paystub, W-2 on L1A duration, evidence of salary raise during L1A.

Fraud Detection Unit referrals

If the adjudicating officer doubts the veracity of the required evidence contained with the record, the case should be forwarded to the local Fraud Detection Unit (FDU) for review. The adjudicating officer must have articulable reasons for questioning the legitimacy of the document. FDU will provide advice on appropriate next steps.

Assurance

Your interview is to gather evidences against ongoing malpractice by employers in order to secure visas or exploiting employees under L1A category. Pursuant to California Labor Code Section 1102.5, you would be automatically protected under whistleblower protection if you are influenced by employer to fabricate any evidence before interview.

Result of interview and potential FDU review will **not** result into denial of your immigration status. USCIS can assure supporting petitioners that helps exposing employer visa malpractice can be recommended for fast tracked green card on case basis. This assurance is to ensure candid interview and transparent inquiry.

In the need of legal protection, you can contact California State Attorney General's Whistleblower Hotline at 1-800-952-5225.

Alternate

In case your employer recently raised your salary to match median SFO bay area for L1A petitioner or filed for green card, instead of interview, you may send letter to California support center with appropriate evidences.

Thank you,



Lori Scialabba,
Deputy Director,
U.S. Citizenship and Immigration Services