## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 3:27 PM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A; Doherty, Shannon P
**Subject:** H1B CAP lottery update

Update at 430 pm; CSC has sent their barcoded manifest here, VSC is still completing theirs. It appears now that only ONE CAP filing was mistakenly received Monday and receipted Monday, vs. the earlier fear we had 3-4.

We should have the VSC spreadsheet ready to go in the morning, at worst. Hopefully we can run the RNG tomorrow and send them the selections for receipting on Wednesday night. With only 200 or so, they can complete it all on the second shift.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, December 22, 2009 4:18 PM
To: Collins, Mary Lou E; Loughlin, Stephen J; Stoddard, Becky M
Subject: RE: Monday receipts

All right, well this is not as bad as first indicated. The top one, received yesterday, has to be barcoded like all the others received yesterday. The bottom four are okay to go, with the corrections done in claims.

We have the CSC barcoding spreadsheet in, if the contractor finishes tonight, we need your spreadsheet early tomorrow morning to run the RNG. We want to send you the selected numbers tomorrow in time for all to be pulled and those not selected sent to reject processing.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 4:10 PM
To: Loughlin, Stephen J; Stoddard, Becky M; Peck, Denis R



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Subject: RE: Monday receipts

Denis -

Here is what I found on the five cases data entered with a 12/21 received date.

(b)(6) [redacted] Rec'd date is 12/21 - entered in error

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Thanks
Mary-Lou

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 9:09 AM
To: Collins, Mary Lou E; Stoddard, Becky M
Subject: Fw: Monday receipts
Importance: High

Asap please
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]
(b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J
Cc: Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
Sent: Tue Dec 22 09:07:49 2009
Subject: FW: Monday receipts

Steve,

We need you to research what happened with these 5 cases; did the contractor mistakenly enter Monday as the received date for work actually received last week, or did they in fact errorneously process a few that came in on Monday? Here are the receipt numbers.



2

If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing until we determine the best course of action.

Thanks,

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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From: Fitzsimmons, James
Sent: Tuesday, December 22, 2009 9:04 AM
To: Peck, Denis R
Cc: Young, Claudia F; Sweeney, Shelly A
Subject: Monday receipts

Denis,

Below are 5 receipt numbers from Monday.

On closer inspection, 170 H-1B cap numbers are left.

Jim

| RECEIPT | Recvdate | Rcptdate |
|---|---|---|
| [redacted] | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |

(b)(6)



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## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 8:38 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** H-1B cap numbers

Denis,

I am currently unable to tabulate cap counts due to computer software issues that may not be resolved today. Therefore, I would like to use VSC and CSC cap reports.
Are you still receiving them?

Jim

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 7:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 7:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 9:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 7:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |
| **COMBINED** | **74,900** | **10,000** | **84,900** | **83,300** | **6,500** | **91,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:10 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 1,400 cap numbers remain (84,300 minus 82,900). My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 16th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,700 | 8,200 | 59,000 | 57,600 | 5,200 | 64,200 | 92% | 48% | 17% |
| Masters | 23,700 | 1,900 | 25,500 | 25,300 | 1,400 | 26,400 | 95% | 32% | 9% |
| **COMBINED** | **74,400** | **10,100** | **84,500** | **82,900** | **6,600** | **90,600** | **93%** | **43%** | **15%** |

Data available as of close of business, December 16th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, December 14, 2009 8:55 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 2,900 cap numbers remain (84,300 minus 81,400). During the last five working days, the current volume was 2,200 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 11th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,100 | 7,500 | 57,600 | 56,000 | 4,700 | 63,400 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,000 | 1,300 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,600** | **9,300** | **82,900** | **81,400** | **6,000** | **89,600** | **94%** | **43%** | **15%** |

Data available as of close of business, December 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 15, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 2,300 cap numbers remain (84,300 minus 82,000). During the last five working days, the current volume was 2,100 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 14th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,300 | 7,900 | 58,200 | 56,800 | 5,000 | 63,600 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,200 | 1,400 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,800** | **9,700** | **83,500** | **82,000** | **6,400** | **89,800** | **93%** | **43%** | **15%** |

Data available as of close of business, December 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 16, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,700 cap numbers remain (84,300 minus 82,600). The most H-1B cap-eligible petitions were received on Monday (833) since the first week in April. During the last five working days (Tuesday through Monday), the current volume was 2,400 petitions. My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 15th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,500 | 8,200 | 58,700 | 57,300 | 5,300 | 63,900 | 92% | 48% | 17% |
| Masters | 23,600 | 1,900 | 25,500 | 25,300 | 1,400 | 26,300 | 95% | 32% | 9% |
| **COMBINED** | **74,100** | **10,100** | **84,200** | **82,600** | **6,700** | **90,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 15th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, December 10, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 3,300 cap numbers remain (84,000 minus 80,700). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Wednesday, December 16th.

The latest H-1B cap numbers for FY 2010 as of December 9th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,400 | 7,600 | 57,000 | 55,700 | 4,900 | 62,500 | 93% | 48% | 17% |
| Masters | 23,400 | 1,800 | 25,200 | 25,000 | 1,300 | 26,000 | 95% | 32% | 9% |
| **COMBINED** | **72,800** | **9,400** | **82,200** | **80,700** | **6,200** | **88,500** | **93%** | **43%** | **15%** |

Data available as of close of business, December 9th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 7:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 4,200 cap numbers remain.

The latest H-1B cap numbers for FY 2010 as of December 7th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,000 | 7,300 | 56,300 | 55,000 | 4,700 | 62,000 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,300** | **9,000** | **81,300** | **79,800** | **5,900** | **87,900** | **94%** | **43%** | **15%** |

Data available as of close of business, December 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, December 07, 2009 7:45 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,200. The FY 2010 cap will very likely be reached next week, probably by December 15.

The latest H-1B cap numbers for FY 2010 as of December 4th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,900 | 7,200 | 56,100 | 54,800 | 4,600 | 61,800 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,200** | **8,900** | **81,100** | **79,600** | **5,800** | **87,700** | **94%** | **43%** | **15%** |

Data available as of close of business, December 4th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, December 03, 2009 8:36 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** has risen 1,000 this week or 333 per day. Extrapolated for the week, the volume is 1,665, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of petitions pending), 5,600 cap numbers are left (84,000-78,400). If a daily volume of 333 continues, then the cap will be reached in 17 workdays or December 28th.

The latest H-1B cap numbers for FY 2010 as of December 2nd are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,100 | 6,900 | 55,000 | 53,800 | 4,200 | 61,000 | 94% | 49% | 18% |
| Masters | 23,200 | 1,600 | 24,800 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,300** | **8,500** | **79,800** | **78,400** | **5,400** | **86,800** | **94%** | **44%** | **15%** |

Data available as of close of business, December 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 7:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,000** | **8,400** | **79,400** | **78,000** | **5,300** | **86,500** | **94%** | **44%** | **15%** |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 01, 2009 8:17 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** rose 100 yesterday.

The latest H-1B cap numbers for FY 2010 as of November 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,600 | 6,700 | 54,300 | 53,100 | 4,000 | 60,500 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,700** | **8,300** | **79,000** | **77,600** | **5,100** | **86,200** | **94%** | **44%** | **15%** |

Data available as of close of business, November 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 30, 2009 8:48 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,000. Between November 13 and November 20, the corresponding increase was 1,300. If last week's volume continues in December, the FY 2010 cap will be reached by yearend.

The latest H-1B cap numbers for FY 2010 as of November 27th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,500 | 6,700 | 54,200 | 53,000 | 4,000 | 60,400 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,600** | **8,300** | **78,900** | **77,500** | **5,100** | **86,100** | **94%** | **44%** | **15%** |

Data available as of close of business, November 27th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 23, 2009 11:25 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 1,300. Between October 23 and November 13, the average weekly increase was 900.

The latest H-1B cap numbers for FY 2010 as of November 20th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 47,000 | 5,500 | 52,500 | 2,800 | 59,800 | 96% | 49% | 18% |
| Masters | 22,900 | 1,500 | 24,400 | 1,100 | 25,500 | 96% | 32% | 9% |
| **COMBINED** | **69,900** | **7,000** | **76,900** | **3,900** | **85,300** | **96%** | **44%** | **15%** |

Data available as of close of business, November 20th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 16, 2009 1:26 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 13th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 46,200 | 5,200 | 51,400 | 2,600 | 58,900 | 96% | 49% | 18% |
| Masters | 22,700 | 1,500 | 24,200 | 1,100 | 25,200 | 96% | 32% | 9% |
| **COMBINED** | **68,900** | **6,700** | **75,600** | **3,700** | **84,100** | **96%** | **44%** | **15%** |

Data available as of close of business, November 13th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 09, 2009 8:17 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 6th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 45,700 | 5,100 | 50,800 | 2,500 | 58,300 | 96% | 49% | 18% |
| Masters | 22,500 | 1,400 | 23,900 | 1,100 | 25,100 | 96% | 32% | 9% |
| **COMBINED** | **68,200** | **6,500** | **74,700** | **3,600** | **83,400** | **96%** | **44%** | **15%** |

Data available as of close of business, November 6th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 02, 2009 10:39 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,900 | 5,100 | 50,000 | 2,500 | 57,300 | 96% | 49% | 18% |
| Masters | 22,300 | 1,500 | 23,800 | 1,100 | 24,900 | 96% | 32% | 9% |
| **COMBINED** | **67,200** | **6,600** | **73,800** | **3,600** | **82,200** | **96%** | **44%** | **15%** |

Data available as of close of business, October 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, October 26, 2009 10:07 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 25th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,000 | 5,200 | 49,200 | 2,600 | 56,300 | 95% | 50% | 18% |
| Masters | 22,100 | 1,500 | 23,600 | 1,100 | 24,700 | 96% | 32% | 9% |
| **COMBINED** | **66,100** | **6,700** | **72,800** | **3,700** | **81,000** | **96%** | **44%** | **15%** |

Data available as of close of business, October 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 8:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 13, 2009 3:28 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

After returning from a lovely honeymoon on Victoria Island, I provide the latest H-1B cap numbers for FY 2010 as of October 12th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 42,300 | 5,600 | 47,900 | 2,800 | 54,400 | 95% | 50% | 18% |
| Masters | 21,700 | 1,500 | 23,200 | 1,100 | 24,300 | 96% | 32% | 9% |
| **COMBINED** | **64,000** | **7,100** | **71,100** | **3,900** | **78,700** | **95%** | **45%** | **15%** |

Data available as of close of business, October 12th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 11:01 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Austin, Deon T

**From:** Liang, Gwen
**Sent:** Monday, September 28, 2009 4:24 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 25th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 40,600 | 6,100 | 46,700 |
| Masters | 21,400 | 1,600 | 23,000 |
| **COMBINED** | **62,000** | **7,700** | **69,700** |

Data available as of close of business, September 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, September 21, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 18th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 39,600 | 6,400 | 46,000 | 2,300 | 52,300 | 96% | 51% | 18% |
| Masters | 21,200 | 1,500 | 22,700 | 1,000 | 23,700 | 96% | 33% | 8% |
| **COMBINED** | **60,800** | **7,900** | **68,700** | **3,300** | **76,000** | **96%** | **45%** | **15%** |

Data available as of close of business, September 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, September 14, 2009 8:59 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 11th. Note that RFE rate has been redefined as explained in superscript 6 below.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,900 | 6,600 | 45,500 | 2,000 | 51,900 | 96% | 51% | 18% |
| Masters | 21,000 | 1,500 | 22,500 | 900 | 23,500 | 96% | 33% | 8% |
| **COMBINED** | **59,900** | **8,100** | **68,000** | **2,900** | **75,400** | **96%** | **45%** | **15%** |

Data available as of close of business, September 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 08, 2009 9:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,200 | 7,100 | 45,300 | 1,900 | 51,500 | 96% | 10% | 17% |
| Masters | 20,800 | 1,600 | 22,400 | 900 | 23,400 | 96% | 3% | 8% |
| **COMBINED** | **59,000** | **8,700** | **67,700** | **2,800** | **74,900** | **96%** | **8%** | **14%** |

Data available as of close of business, September 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, August 31, 2009 3:17 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 28th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 37,200 | 7,900 | 45,100 | 1,900 | 50,900 | 96% | 12% | 17% |
| Masters | 20,700 | 1,600 | 22,300 | 900 | 23,300 | 96% | 3% | 8% |
| **COMBINED** | **57,900** | **9,500** | **67,400** | **2,800** | **74,200** | **96%** | **9%** | **14%** |

Data available as of close of business, August 28th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, August 24, 2009 8:23 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 21st

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 36,000 | 9,100 | 45,100 | 2,500 | 49,900 | 95% | 13% | 17% |
| Masters | 20,400 | 1,800 | 22,200 | 1,000 | 23,000 | 96% | 4% | 8% |
| **COMBINED** | **56,400** | **10,900** | **67,300** | **3,500** | **72,900** | **95%** | **10%** | **14%** |

Data available as of close of business, August 21st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, August 17, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 14th.

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 34,300 | 10,700 | 45,000 | 3,400 | 48,400 | 93% | 15% | 17% |
| Masters | 20,300 | 1,900 | 22,200 | 1,000 | 22,900 | 96% | 4% | 8% |
| **COMBINED** | **54,600** | **12,600** | **67,200** | **4,400** | **71,300** | **94%** | **12%** | **14%** |

Data available as of close of business, August 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, August 10, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 32,600 | 12,300 | 44,900 | 4,300 | 46,900 | 92% | 17% | 16% |
| Masters | 20,100 | 2,000 | 22,100 | 900 | 22,900 | 96% | 5% | 7% |
| **COMBINED** | **52,700** | **14,300** | **67,000** | **5,200** | **69,800** | **93%** | **13%** | **13%** |

Data available as of close of business, August 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Allowing for a projected 1,000 Chile and Singapore cap petitions under Free Trade Agreements, the maximum number for FY 2010 is **84,000** approved petitions counting towards combined H-1B regular and masters FY 2010 caps as of September 30, 2010. Revocations of previously approved FY 2010 cap petitions will increasingly occur during FY 2010, reducing the number of approved cap petitions.

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, July 30, 2009 12:10 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

EARLY UPDATE (before July 31)
NEXT UPDATE: August 10

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,800 | 14,100 | 44,900 | 4,400 | 46,100 | 91% | 21% | 15% |
| Masters | 19,700 | 2,300 | 22,000 | 1,100 | 22,500 | 96% | 6% | 7% |

Data available as of close of business, July 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, July 27, 2009 7:09 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 24th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,100 | 14,800 | 44,900 | 4,700 | 45,600 | 91% | 22% | 15% |
| Masters | 19,600 | 2,500 | 22,100 | 1,100 | 22,400 | 96% | 6% | 7% |

Data available as of close of business, July 24th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, July 20, 2009 8:26 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 17th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 28,300 | 16,600 | 44,900 | 4,900 | 44,900 | 90% | 26% | 15% |
| Masters | 19,200 | 2,900 | 22,100 | 1,100 | 22,200 | 95% | 8% | 6% |

Data available as of close of business, July 17th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, July 13, 2009 8:58 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 10th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 26,800 | 18,100 | 44,900 | 5,400 | 44,000 | 89% | 29% | 14% |
| Masters | 18,800 | 3,400 | 22,200 | 1,200 | 22,000 | 95% | 10% | 5% |

Data available as of close of business, July 10th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, July 06, 2009 9:12 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 3rd

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 24,800 | 20,200 | 45,000 | 6,400 | 42,700 | 87% | 32% | 14% |
| Masters | 18,300 | 4,000 | 22,300 | 1,300 | 21,900 | 94% | 12% | 5% |

Data available as of close of business, July 3rd

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 29, 2009 8:27 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 26th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 23,600 | 21,200 | 44,800 | 7,100 | 41,500 | 85% | 34% | 14% |
| Masters | 17,900 | 4,400 | 22,300 | 1,300 | 21,700 | 94% | 15% | 4% |

Data available as of close of business, June 26th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 23, 2009 8:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Nespor, Patrick D
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 19th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 22,000 | 22,500 | 44,500 | 8,400 | 39,800 | 83% | 35% | 14% |
| Masters | 17,300 | 5,100 | 22,400 | 1,300 | 21,600 | 94% | 18% | 3% |

Data available as of close of business, June 19th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 9:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 08, 2009 8:05 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 5th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 18,300 | 26,100 | 44,400 | 13,900 | 33,300 | 71% | 37% | 13.4% |
| Masters | 16,100 | 6,300 | 22,400 | 1,400 | 21,100 | 94% | 23% | 1.2% |

Data available as of close of business, June 5th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

NOTE----The potential cap count for regulars declined last week. A significant number of regular cases (from one employer in particular) were denied that had been RFEd. The number of denials exceeded by far the number of new filings that trickled in resulting in the potential cap count going down.

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 01, 2009 8:10 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 29th.

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 15,900 | 29,900 | 45,800 | 17,400 | 29,200 | 63% | 43% | 4.6% |
| Masters | 15,400 | 6,900 | 22,300 | 1,600 | 20,800 | 93% | 25% | 0.8% |

Data available as of close of business, May 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Austin, Deon T

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Monday, April 20, 2009 7:42 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Paar, Tom; Kruszka, Robert F
**Cc:** Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Subject:** H1B CAP numbers through April 17: 66,354
**Attachments:** HQ CAP report 4-20.xls

Through last Friday, all received filings have been opened and sorted.
Approximately 32,500 have been data entered.

Since the initial 5 days, we have received an average of 372 filings per day.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Kielsmeier, Lauren
Sent: Monday, April 20, 2009 8:15 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Barbara/Denis, I am interested in seeing the latest update on the H1B CAP numbers when you have them. Thanks.

Lauren

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 7:41 AM
To: Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Peck, Denis R
Subject: RE: For tomorrow morning.

I have asked Denis to provide the most up to date numbers we have. We will be posting weekly updates every Monday beginning next Monday.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

FOR OFFICIAL USE ONLY (FOUO)

This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

-----Original Message-----
From: Paar, Tom
Sent: Thursday, April 16, 2009 6:41 AM
To: Richardson, Gregory A
Cc: Kruszka, Robert F; Velarde, Barbara Q
Subject: FW: For tomorrow morning.

Greg,

Knowing who the "early birds" are around here, could you please address Lauren's email below...thanks.

Respectfully,

-----Original Message-----
From: Kielsmeier, Lauren
Sent: Thursday, April 16, 2009 6:04 AM
To: Neufeld, Donald
Cc: Jones, Rendell L; Paar, Tom
Subject: Fw: For tomorrow morning.

Hi Don, can you pls send me the most current H-1B numbers for WH report.
Possible to get more current figures, or is 4/9 the last count? Would be great to have this info by 10am - let me know.

Thanks,
Lauren

----- Original Message -----
From: Grossman, Jordan <Jordan.Grossman@dhs.gov>
To: Kielsmeier, Lauren <Lauren.Kielsmeier@dhs.gov>
Sent: Wed Apr 15 22:39:40 2009
Subject: For tomorrow morning.

Hi Lauren,

Could you let me know how many visas short you guys are for the WH report? The report is due at noon tomorrow.

Thanks!

---

From: Shlossman, Amy
Sent: Wednesday, April 15, 2009 10:24 PM
To: Grossman, Jordan
Subject: CIS

Did they send any updates on the HB-1 visas? Lauren mentioned this am that they still haven't reached their limit for the non-master degree category. Would be good to include in the WH report.

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2nd | Received on 3rd | Received on 6th | Received on 7th | Received on 8th | Received on 9th | Received on 10th | Received on 13th | Received on 14th | Received on 15th | Received on 16th | Received on 17th | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 | 308 | 313 | 426 | 340 | 312 | 183 | 148 | 32,927 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 | 14 | 35 | 9 | 52 | 23 | 55 | 48 | 11,401 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 | 69 | 50 | 58 | 49 | 28 | 27 | 15 | 15,575 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 | 8 | 7 | 8 | 18 | 16 | 12 | 13 | 6,451 |
| Total | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 | 399 | 405 | 499 | 459 | 379 | 277 | 224 | 66,354 |

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Friday, December 18, 2009 4:11 PM
**To:** Garner, Deanna L
**Cc:** Benavente, Jessy J; Loughlin, Stephen J; Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Bushey, Sandra T; Fries, Juliet M; Kruszka, Robert F; Richardson, Gregory A
**Subject:** H1B CAP plans for Monday

While I am out on Monday, with Dee acting branch chief, I will be monitoring my email. We are very close to being at the CAP limits for H1B. Jim Fitzsimmons runs a query in CISCORS in the morning to determine the current count. Vermont and California will have the contractor do a rack and stack of Monday's mail until we give them further notice on what to do. That decision will be based on Jim's numbers.

Rich Nicholson the CSC ACD is on leave, I believe Jessy is acting ACD on Monday. I have a few extra people copied just as insurance that this message is widely distributed as a precaution. We are under a severe storm watch through Sunday and there is a chance the government will not be open on Monday. If that happens we may not have an H1B count to send out. Just rack and stack Monday's CAP filings and we will be in touch no later than Tuesday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Fitzsimmons, James; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Greg,

The Service Centers received more than sufficient petitions to reach the regular cap yesterday. The SCs will begin bar coding those cap-subject petitions that were received yesterday (December 21) and run a lottery on those petitions. We will send OCOMM the cleared USCIS Update with the final receipt date of December 21 for posting today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 8:09 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Kruszka, Robert F; McConnell, James E
**Subject:** H-1B CAP rejects

Shelley,

You got the CSC count last week, here is Vermont's – 868 since we closed on December 21. This is for Bill Wright & Chris Bentley in OCOMM.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Stoddard, Becky M
**Sent:** Monday, February 01, 2010 8:40 AM
**To:** Peck, Denis R
**Subject:** FW: H-1B question

Denis,

Please see below counts, if you need any further information please let me know.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted]
(b)(6)

I-129 (H1B CAP) = 675
I-129 H1B (Master CAP) = 21
I-907/I-129 (Premium H1B CAP) = 159
I-907/I-129 (Premium Master H1B CAP) = 13

For a total of 868.

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**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 3:41 PM
**To:** McConnell, James E; Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

I can ask for the data on how many rejects we've done since December 21, but Wright did use the word denials in his message. The rejects dry up pretty fast though, once the Website posts that the CAP season is closed.

Rich – Steve – Can you get an updated count to us of how many CAP rejects we have done since December 21, including the ones from December 21 that lost out in the lottery?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** McConnell, James E
**Sent:** Thursday, January 28, 2010 3:35 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

Denis,

Can you get this info for Bill from the centers. The manual rejects are not in Claims, so Jim can not query these.

Thanks,
Jim

==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] - Voice (b)(6)
202-272-1543 - FAX
==========

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**From:** Wright, William G
**Sent:** Thursday, January 28, 2010 3:15 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** H-1B question

Jim – Got a call from CBS News in Los Angeles. Producer wants to know if we can give them a total number of petitions that were filed for the FY10 program that were not accepted/denied, etc. (she's mainly interested in those after the cap was reached).

Also (doubt you'll have this), can we determine from which countries those denials refer?

ThanX!
Bill

## Austin, Deon T

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Monday, April 27, 2009 10:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

(b)(5)

[redacted]

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

(b)(5)

[redacted]

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, May 04, 2009 10:54 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for May 4: 67,180

CAP filings remained at about a 250 per day level last week. The statistics through cob on Friday, May 1 are:

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,841 | 0 | 9,841 | 18,000 | 0 | 18,000 | 27,841 | 0 |
| | | | | | | | | |
| VSC | 12,404 | 14 | 12,418 | 25,763 | 1,158 | 26,921 | 38,167 | 1,172 |
| | | | | | | | | |
| TOTALS | 22,245 | 14 | 22,259 | 43,763 | 1,158 | 44,921 | 66,008 | 1,172 |

Other data; (b)(5)

For the week of April 27 we received 1,236 filings – 442 at CSC, 794 at VSC.

We have rejected 845 filings at CSC (2.95%) and 886 at VSC (2.20%).

We became current with receipting filings on April 30 at CSC and anticipate being current at close of business today at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

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**From:** Peck, Denis R
**Sent:** Monday, April 27, 2009 11:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 12:55 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
**Subject:** H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 12:02 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,
The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.
Therefore, racking and stacking should begin on Wednesday in order to be safe.
Jim

**H-1B cap Receipts approved or pending**

| | Saturday 22-Jan | Wednesday 19-Jan | Saturday 15-Jan |
|---|---|---|---|
| Prior to Jan 3 | 76,751 | 76,911 | 76,942 |
| Mon, 3 Jan 2011 | 419 | 419 | 418 |
| Tue, 4 Jan 2011 | 247 | 247 | 246 |
| Wed, 5 Jan 2011 | 430 | 431 | 430 |
| Thu, 6 Jan 2011 | 507 | 508 | 506 |
| Fri, 7 Jan 2011 | 556 | 556 | 545 |

| | | | |
|---|---|---|---|
| Mon, 10 Jan 2011 | 576 | 574 | 564 |
| Tue, 11 Jan 2011 | 466 | 452 | 446 |
| Wed, 12 Jan 2011 | 182 | 181 | 180 |
| Thu, 13 Jan 2011 | 591 | 564 | 457 |
| Fri, 14 Jan 2011 | 488 | 336 | 545 |
| Through Jan 14 | 81,213 | 81,179 | 81,279 |
| Tue, 18 Jan 2011 | 878 | 452 | |
| Wed, 19 Jan 2011 | 404 | 181 | |
| Thu, 20 Jan 2011 | 305 | 564 | |
| Through Jan 20 | 82,800 | 82,376 | |
| Fri, 21 Jan 2011 | 556 | 556 | |
| Mon, 24 Jan 2011 | 576 | 574 | |
| Tue, 25 Jan 2011 | 466 | 452 | |
| Wed, 26 Jan 2011 | 182 | 181 | |
| Thu, 27 Jan 2011 | 591 | 564 | |
| Fri, 28 Jan 2011 | 488 | 336 | |
| Through Jan 28 | **85,659** | **85,039** | |

Projections in red

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**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 9:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 28, 2011 10:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry (CTR); Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,
In case you have not heard, the H-1B cap season closed on November 22. A surge occurred early last week. Almost 3,000 petitions were received on Monday and another 2,000 on Tuesday.

Below is a table showing the latest cap counts. In the table below, the approval rates shown are based on April filings since nearly all of them have been adjudicated. As the far right column shows, if the approval rate on 34,400 petitions pending adjudication matches the approval rate on petitions filed in April, then the number of approvals for FY 2012 will be 65,100 for regular cap.
Jim

| | Approvals | Pending | Approval rate[1] | Future Approvals[2] | Cap Count[3] | Adjusted Cap Count[4] |
|---|---|---|---|---|---|---|
| Regular | 35,800 | 29,600 | 92% | 27,100 | 62,900 | **65,100** |
| Masters | 17,600 | 4,800 | 97% | 4,600 | 22,200 | **20,000** |
| Combined | 53,400 | 34,400 | 92% | 31,700 | 85,100 | **85,100** |

**Data available as of close of business, November 25**
Counts may not add due to rounding
[1] Percentage of petitions filed in April that have been approved
[2] Pending multiplied by approval rate
[3] Approvals plus estimated future approvals
[4] Adjusted for 22,200 masters rolling over into regular cap

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,
I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 11/18/2011 |

Masters are rolling over into regular cap

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 15, 2011 8:50 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 11/14/2011 |

Masters are rolling over into regular cap

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 11:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 11/2/2011 |

Masters are rolling over into regular cap.

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, October 31, 2011 9:02 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 10/28/2011 |

Masters are rolling over into regular cap.

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, October 24, 2011 10:24 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 10/21/2011 |

Masters are rolling over into regular cap.

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 9:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | **19,600** | 10/14/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 11, 2011 9:14 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, October 03, 2011 9:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, September 26, 2011 8:52 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, September 19, 2011 9:28 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, September 12, 2011 7:40 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 06, 2011 1:17 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, August 29, 2011 7:56 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 1:29 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, August 15, 2011 9:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,300 | 8/12/2011 |
| H-1B Master's Exemption | 20,000 | 14,700 | 8/12/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Friday, August 05, 2011 8:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
The counts are being sent today because I am on annual leave next week.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 9:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, July 25, 2011 9:22 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, July 18, 2011 7:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Friday, July 08, 2011 10:27 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 8:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 27, 2011 12:00 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 7:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 14, 2011 6:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

I am back! I brought this weather with me.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, June 02, 2011 7:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Friday, May 27, 2011 9:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, May 23, 2011 7:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 12,300 | 5/20/2011 |
| H-1B Master's Exemption | 20,000 | 8,500 | 5/20/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, May 09, 2011 9:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, May 02, 2011 12:11 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 9:46 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 8,000 | 4/22/2011 |
| H-1B Master's Exemption | 20,000 | 5,900 | 4/22/2011 |

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Friday, September 25, 2009 7:42 AM
**To:** McConnell, James E
**Cc:** Young, Claudia F; Tamanaha, Emisa T
**Subject:** H-1B/H-2B cap count webpage

Jim,

I was wondering who we could approach for updated H-1B and H-2B numbers for our weekly cap count webpage update while Jim F. is on leave.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer (Business Operations)
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 7:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, May 11, 2009 8:26 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 8th:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 9,300 | 35,600 | 44,900 | 28,200 | 16,800 | 44% | 0.8% |
| Masters | 13,600 | 8,300 | 21,900 | 3,000 | 18,900 | 28% | 0.3% |

Data available as of close of business, May 8th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, May 04, 2009 8:09 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 1st :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 6,700 | 36,200 | 42,900 | 30,700 | 12,200 | 45% | 0.7% |
| Masters | 12,300 | 9,500 | 21,800 | 5,000 | 16,800 | 27% | 0.2% |

Data available as of close of business, May 1st

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, April 27, 2009 7:35 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of April 24th :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 5,700 | 23,400 | 29,100 | 18,500 | 10,600 | 46% | 0.4% |
| Masters | 8,500 | 12,800 | 21,300 | 10,300 | 11,000 | 23% | 0.2% |

Data available as of close of business, April 24th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Proportion of petitions touched that are RFE's
[5] Proportion of petitions approved or denied that are denied

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:00 AM
**To:** Young, Claudia F; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: 2010 H1B CAP Reports

Wait until tomorrow and see if anyone notices.....

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Young, Claudia F
**Sent:** Monday, June 22, 2009 11:58 AM
**To:** Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R
**Subject:** RE: 2010 H1B CAP Reports

OK, folks, here's the issue:

We can give these numbers to OCOMM and update the webpage today with Jim's numbers below. However, due to the IT problems Jim is experiencing, we don't have the approved/pending numbers.

If we give these numbers and then find that there were more denials/withdrawals/revocations then next week's numbers will be lower and we will have to answer the "Why?" questions again.

I am thinking we hold off until at least tomorrow morning to see if IT can fix the issue so we can get a more accurate number. If the IT issue can't be fixed by tomorrow, we run with these numbers. What are your thoughts?

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Monday, June 22, 2009 11:52 AM
**To:** Young, Claudia F
**Subject:** RE: 2010 H1B CAP Reports

Claudia,

June 15-19 receipts

Regular cap cases 470
Masters cap cases 149

As of June 19th, count of potential regular cap receipts is approximately 44,700.
That is based on adding to 470 to 44,200 (last week's number).
I am not going to be able to provide approval counts today because of server storage issue resting with OIT.

Jim

---

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:30 AM
**To:** Fitzsimmons, James; Young, Claudia F
**Subject:** FW: 2009 H1B CAP Reports

Jim, here it is through Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Monday, June 22, 2009 10:47 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Hi Denis, Julie, please see attached for the CAP reports as of COB Friday. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Saturday, January 29, 2011 9:37 AM
**To:** Neufeld, Donald; McConnell, James E
**Cc:** Velarde, Barbara Q
**Subject:** RE: Bullets on H1B CAP

I think I misused the term applications. I know we had more denials and revokes than that. Jim F's target in past years was over 90,000 applications total.

He'll be in on Monday, but what he told me was with the approvals we already had , 69,000, plus about 16,500 pendings, taking out the denials that will happen, we would end up with the 85,000 approvals. He also reserves about 1,000 of the 85,000 for chile Singapore and that factors into his calculations.

-----Original Message-----
From: Neufeld, Donald
Sent: Friday, January 28, 2011 6:56 PM
To: Peck, Denis R; McConnell, James E
Cc: Velarde, Barbara Q
Subject: Fw: Bullets on H1B CAP

Jim and Denis - can you get this info next week?

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Sent: Fri Jan 28 18:05:35 2011
Subject: RE: Bullets on H1B CAP

This is very helpful, Don. Thank you very much.

It appears that we grant the great majority of petitions, right? We accept 85,550 for 85,000 slots.

Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(202) 272-1000

Alejandro.Mayorkas@dhs.gov

---

From: Neufeld, Donald
Sent: Friday, January 28, 2011 5:49 PM
To: Mayorkas, Alejandro N
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Subject: Bullets on H1B CAP

Ali,

I asked folks to put together just a few bullets that you might find informative relative to our reaching the cap:

* USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010

* On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.

* Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.

* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

Don

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, April 04, 2011 7:01 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP count CSC = approx 4300

I agree.

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:46 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** FW: CAP count CSC = approx 4300

Been forgetting to include you today. I don't think you need to plan on running the RNG this year.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

---

**From:** Tailor, Anisa M
**Sent:** Friday, April 01, 2011 01:56 PM
**To:** Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L
**Cc:** Nicholson, Richard E
**Subject:** CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 22, 2009 9:55 AM
**To:** Sweeney, Shelly A; Peck, Denis R; McConnell, James E; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I am too.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:53 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I'm available at 11. I believe that Claudia might be in a meeting right now.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM
**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

---

**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 9:53 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I'm available at 11. I believe that Claudia might be in a meeting right now.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM
**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

Denis Peck
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Washington, DC 20529

[redacted] (b)(6)
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---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

---

**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 10:49 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: CAP lottery reject replacements (24)

Congratulations to everyone involved. We are done with the intake portion of FY2011 CAP except for any cases still under CRU review from prior to last Wednesday or the rare appealed case that may still get accepted for good cause. The OCOMM posting is online since late Thursday and the applications still coming in should be dropping off very quickly.

We should reject back in date order; let's wait one more day and if there are no hitches the contractors can start rejecting these on Wednesday, with last Wednesday's unselected cases being the first to go back.

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Washington, DC 20529 (b)(6)
[redacted]
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---

**From:** Ashline, Heidi L
**Sent:** Monday, January 31, 2011 10:00 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has keyed both of the requested files below.

We are all set.

Thank you,

Heidi Ashline (b)(6)
VSC/SISA/CPAU
[redacted]

---

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 9:27 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Vermont, would you take the next two files off the spreadsheet – rows 25 and 26 – and receipt them in. CSC had two rejects from their replacement batch.

Note, row 27 is also one of your files so if 25 or 26 is a reject that one goes next.

This should finish us off. Let us know, thanks.

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Ashline, Heidi L
**Sent:** Friday, January 28, 2011 1:21 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E; Loughlin, Stephen J
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has processed all 12 of their cases.

Also, when should we start rejecting all other CAP cases received on the 26th and after?

Thank you,
Heidi

---

**From:** Peck, Denis R
**Sent:** Friday, January 28, 2011 11:22 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E
**Subject:** FW: CAP lottery reject replacements (24)

Both centers have completed processing the batch of 683 selectees from Wednesday's mail. There were 24 rejects. Accordingly, Jim prepared in advance this random sequence of the 283 remaining from Wednesday's mail to replace them. There are 12 VSC and 12 CSC barcodes randomly picked in order. Steve and Rich, have your center's 12 pulled and processed and let us know when complete.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 3:04 PM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers

Denis,
Attached is a randomly-generated list of "losers". Any additional winners should be selected from the top of the list, as we discussed.
Jim

---

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 1:30 PM
**To:** Velarde, Barbara Q; Harton, Frank A
**Cc:** Peck, Denis R; Richardson, Gregory A; McConnell, James E
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

I have just personally assured Frank that all is well cushioned in cap world.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 2:09 PM
To: Harton, Frank A; Fitzsimmons, James
Cc: Peck, Denis R; Richardson, Gregory A; McConnell, James E
Subject: Re: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Jim F is an absolute guru on this so I will take his cushion to the bank. His skill in calculating this is almost spooky.

----- Original Message -----
From: Harton, Frank A
To: Fitzsimmons, James
Cc: Peck, Denis R; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E
Sent: Thu Jan 27 14:07:07 2011
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

I don't have the experience Jim and Denis do at this, but I would think we need to hold for one more day (at this week's average daily rate) to get a sufficient cushion. Does that sound about right?

---

From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 1:44 PM
To: Velarde, Barbara Q; Peck, Denis R; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
Cc: McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

283

---

From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 1:40 PM
To: Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E

Cc: McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

How many if any are we holding for the cusion?

---

From: Peck, Denis R
Sent: Thursday, January 27, 2011 1:38 PM
To: Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
Cc: McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
Subject: FW: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Great; okay it's back to the centers. Pull and process these and let us know how many are rejects. The unselected barcodes should be held. Today's incoming should be held but no need to barcode.

Notice advising the public of the CAP being reached should be posted before cob today.

Thanks and we will wait to hear when processing is done.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James

Sent: Thursday, January 27, 2011 1:32 PM
To: Peck, Denis R
Cc: McConnell, James E
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,

Attached are the 633 winning barcodes: CSC 307; VSC 326.

Jim

---

From: Peck, Denis R
Sent: Thursday, January 27, 2011 11:54 AM
To: Loughlin, Stephen J; Ashline, Heidi L
Cc: Fitzsimmons, James; Nicholson, Richard E
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:41 AM
To: Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L

Cc: Fitzsimmons, James
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

Just a total count. One long barcoded spreadsheet of however many you received yesterday. Jim comment if you want anything different.

---

From: Nicholson, Richard E
Sent: Thursday, January 27, 2011 8:37 AM
To: Peck, Denis R
Subject: FW: CAP numbers
Importance: High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(949) 389-3168

---

From: Nicholson, Richard E
Sent: Thursday, January 27, 2011 5:36 AM
To: Peck, Denis R
Subject: RE: CAP numbers
Importance: High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per....ruff estimate.

Anyway I will get back to you with the official count.

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(949) 389-3168

---

From: Peck, Denis R
Sent: Thursday, January 27, 2011 4:21 AM
To: Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
Cc: Velarde, Barbara Q
Subject: CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 12:44 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

283

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, January 27, 2011 1:40 PM
**To:** Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
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**Cc:** McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
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Denis Peck
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Washington, DC 20529
[redacted]
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---

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**Sent:** Thursday, January 27, 2011 1:32 PM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,
Attached are the 633 winning barcodes: CSC 307; VSC 326.
Jim

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 11:54 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James; Nicholson, Richard E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

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Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Peck, Denis R
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**To:** Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Just a total count. One long barcoded spreadsheet of however many you received yesterday. Jim comment if you want anything different.

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**Importance:** High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson
Assistant Director Records/COTR
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USCIS
(949) 389-3168

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**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 5:36 AM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers
**Importance:** High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per....ruff estimate.

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Assistant Director Records/COTR

California Service Center
USCIS
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**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 4:21 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
**Cc:** Velarde, Barbara Q
**Subject:** CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 12:32 PM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.
**Attachments:** VSC WINNERS.xls; CSC WINNERS.xls

Denis,
Attached are the 633 winning barcodes: CSC 307; VSC 326.
Jim

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 11:54 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James; Nicholson, Richard E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

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Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per....ruff estimate.

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**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 4:21 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
**Cc:** Velarde, Barbara Q
**Subject:** CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

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The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

## Austin, Deon T

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Friday, April 10, 2009 11:36 AM
**To:** Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
**Cc:** Jones, Rendell L; Bentley, Christopher S; Wright, William G
**Subject:** RE: CAP summary: 21,730 Masters & 42,380 nonMasters through April 9
**Attachments:** HQ CAP report 4-10.xls

Combined total, 64,110.

The new filings on April 9 were 398. 76 Masters and 322 nonMasters.

21 of these were Premiums.

Since it appears it will be some time before this is over I won't send a daily summary after today unless I hear back that you require it. Data entry is going well and we will catch up and be current sooner than we anticipated. We data entered 3,778 yesterday – all premiums – and the total increases each day as the operators learning curve improves.

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---

**From:** Peck, Denis R
**Sent:** Thursday, April 09, 2009 9:39 AM
**To:** Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
**Cc:** Jones, Rendell L; Bentley, Christopher S; Wright, William G
**Subject:** CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day. There is a 4 count discrepancy between received and barcoded which we'll reconcile.

Denis Peck
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## California/Vermont Bar

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr | 9-Apr | |
|---|---|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Bar Coded on 8th | Bar Coded on 9th | **Total** |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | 220 | 308 | **31,205** |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | 14 | 14 | **11,175** |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | 93 | 69 | **15,354** |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | 3 | 7 | **6,376** |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **330** | **398** | **64,110** |

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Received on 8th | Received on 9th | Total |
|---|---|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 | 308 | 31,205 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 | 14 | 11,179 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 | 69 | 15,350 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 | 7 | 6,376 |
| **Total** | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 | 398 | 64,110 |

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 10:24 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP update through Day 5 = 10,456

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
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## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 24, 2009 6:16 AM
**To:** Velarde, Barbara Q; McConnell, James E; Kruszka, Robert F; Fitzsimmons, James; Johnson, Bobbie L; Young, Claudia F; Richardson, Gregory A
**Subject:** RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

All,

I've pulled together some draft responses to the Ombudsman's questions, but would like Jim to weigh in before I send to counsel as statistics and numbers are not my strong point. I didn't know how in-depth we should go on the approval and denial rates (ie. should we state exactly what rates we are using?), so at this point I left the response general. Jim, please let me know if I've got anything wrong.

1) 6,800 cap numbers are held in reserve each year for Chile/Singapore H-1B1s. The unused Chile/Singapore numbers are then rolled over into the next fiscal year's regular cap. For example, the unused Chile/Singapore numbers for FY08 were rolled into the FY09 regular cap and the unused Chile/Singapore numbers for FY09 were rolled into the FY10 regular cap and were made available on April 1, 2009.

2) There were approximately 6,100 unused Chile/Singapore H-1B1s in FY09. That number was added to the 58,200 regular cap numbers available for FY10 to get 64,300 regular cap visas available for FY10 (this excludes the 20,000 master's exemption). This year is different from previous years as we are able to use actual data on approvals to determine when to end the filing period for the regular cap. We apply historical data on approval, denial, withdrawal, etc. rates from the cases that have already been adjudicated to our pending cap-subject petitions to estimate how many of the pending petitions may be eligible for a cap number. We then add that number to the number of petitions that have already been approved for an FY10 cap number. When the estimated cap eligible number reaches 64,300, we close the filing period. We needed to run a lottery on the filings received on Monday, December 21st since we only needed a portion of those filings to reach the cap.

Thanks!

Shelly
-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, December 23, 2009 6:56 PM
To: McConnell, James E; Kruszka, Robert F; Fitzsimmons, James; Sweeney, Shelly A; Johnson, Bobbie L; Young, Claudia F
Subject: Fw: CISOMB Inquiry: Questions Regarding the H-1B Cap

Let's work on a response and then loop in counsel

----- Original Message -----
From: Neufeld, Donald
To: Velarde, Barbara Q
Sent: Wed Dec 23 18:53:21 2009
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

I think we should be as honest as we can, but you should really loop in Counsel on this.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, December 23, 2009 6:48 PM
To: Neufeld, Donald
Subject: Fw: CISOMB Inquiry: Questions Regarding the H-1B Cap

Do we really have to get so far into the weeds on this. I know we need to be transparent and we can answer the chile singapore question but I am concerned with the data on withdrawals denials etc as that can change as we are now seeing some initial spikes albeit small on rejects due to the lca etc. It gives me concern having gone though the 05 drill

----- Original Message -----
From: Harrison, Julia L
To: Kruszka, Robert F; Geary, Andrew C; Richardson, Gregory A
Cc: Velarde, Barbara Q; Farnam, Julie E; Davis, Marla J
Sent: Wed Dec 23 18:33:00 2009
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Hi Robert. We really need to get these answers to the CISOMB- can you ask the Branch Chief to respond by noon Monday please. Thanks!!

Julia Harrison

Domestic Operations

[redacted]

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From: Kruszka, Robert F
Sent: Friday, December 18, 2009 12:05 PM
To: Geary, Andrew C; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Drew:

I thought I had sent this to the correct branch, but can't seem to find that email. I just sent it again.

Robert F. Kruszka

Robert F. Kruszka

Deputy Chief, Service Center Operations

U.S. Citizenship and Immigration Services

Department of Homeland Security

---

From: Geary, Andrew C
Sent: Friday, December 18, 2009 11:41 AM
To: Kruszka, Robert F; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Good morning – just following up on this inquiry.

Thanks,

Drew

---

From: Geary, Andrew C
Sent: Wednesday, December 09, 2009 2:56 PM
To: Kruszka, Robert F; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: CISOMB Inquiry: Questions Regarding the H-1B Cap

Good afternoon,

We received the below inquiry from the CISOMB:

We have received very positive feedback from stakeholders regarding the weekly updates on the H-1B cap. As you likely are aware, recently USCIS stated that 61,100 cases have been filed. However, this information could be much more valuable if USCIS would also explain the total size of the pool against which cases are being counted. While the statutory H-1B cap is 65,000, there are two issues that make this number less clear:

(1) How are the H-1B1 numbers for Singapore and Chile counted? We know that the 6,800 numbers for this category are subtracted from the regular cap, reducing it to 58,200. Are the H-1B1 numbers being returned to the regular H-1B cap? If so, when and how many?

(2) We believe that USCIS accepts more H-1B petitions than there are cap numbers because of an assumption that a certain percentage of petitions will be denied or withdrawn. What is total number of filings that USCIS will accept this year to achieve the statutory number of H-1B approvals?

Without the answers to these questions, the USCIS cap reports do not allow employers to predict when the cap will be reached. Overly optimistic assumptions will make employers start on the process of extending job offers and filing LCAs. Overly pessimistic assumptions will make employers either prematurely decide not to proceed with an application or create an artificial panic leading to a surge of applications.

Can you assist with these questions?

Thanks,
Drew

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Friday, January 29, 2010 10:22 AM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2009

I have no dog in the fight with regards to the data or the format the you all need for the reports. My only concern is that I think we need to let them know up-front the report that we want. I don't think that we can wait until 4/6 or 4/7 to add elements or reports.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 28, 2010 12:05 PM
**To:** Peck, Denis R; Sweeney, Shelly A
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2009

Denis/Shelly
Attached is a workbook with three draft report forms for daily submission to SCOPS beginning in April:

- Daily Barcode & Receipts Report;
- Daily Data Entry Report; and
- Daily CRU Report.

Denis is probably also interested in assembly and box/envelop counts.

I am not sure whether manual rejects should be reported on both data entry and CRU reports.

Let's discuss on Monday.

Jim

---

**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 9:59 AM
**To:** Fitzsimmons, James; Sweeney, Shelly A
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2009

I would like to see a little more data than that, for my own purposes. For one, how many rejects each day. Also as far as reporting, upper mgt and OCOMM are bugging us by the morning of April 2 so it's necessary we get this report right from the start.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 28, 2010 8:13 AM

**To:** Peck, Denis R; Sweeney, Shelly A
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** FW: Daily Cap Reports for FY 2009

Denis/Shelly
My recommended report design was never implemented two years ago (or last year) probably because it was considered onerous and had little usefulness to service centers. However, if caps are not reached during the first week in April and a frontlog of petitions to be keyed develops, then this type of reporting is very useful for cap management. On the other hand, if caps are reached during first week in April, then this type of reporting is not important or very useful.

We could wait until April 6th or 7th to decide whether to go ahead with this type of reporting since it may not be necessary.

CSC and VSC daily reports on receipts should contain the same format and definitions so that they can be easily aggregated. I will take a refresher look at how they reported last year.
Jim

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, March 04, 2008 10:34 AM
**To:** Chiang, James Y
**Cc:** Liang, Gwen
**Subject:** Daily Cap Reports for FY 2009

James,

Attached are templates for the H-1B regular and masters daily cap reports. The emphasis is on mailroom dates.

Jim

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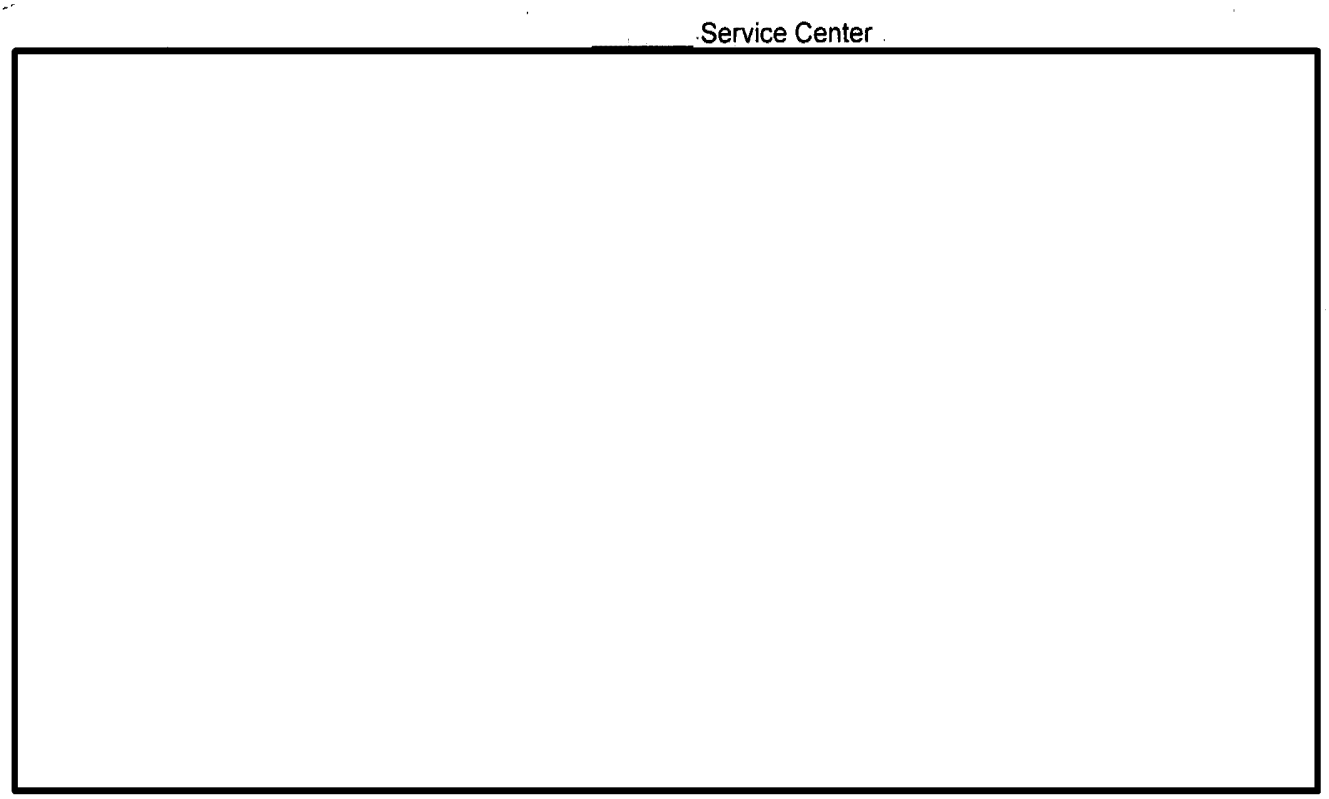

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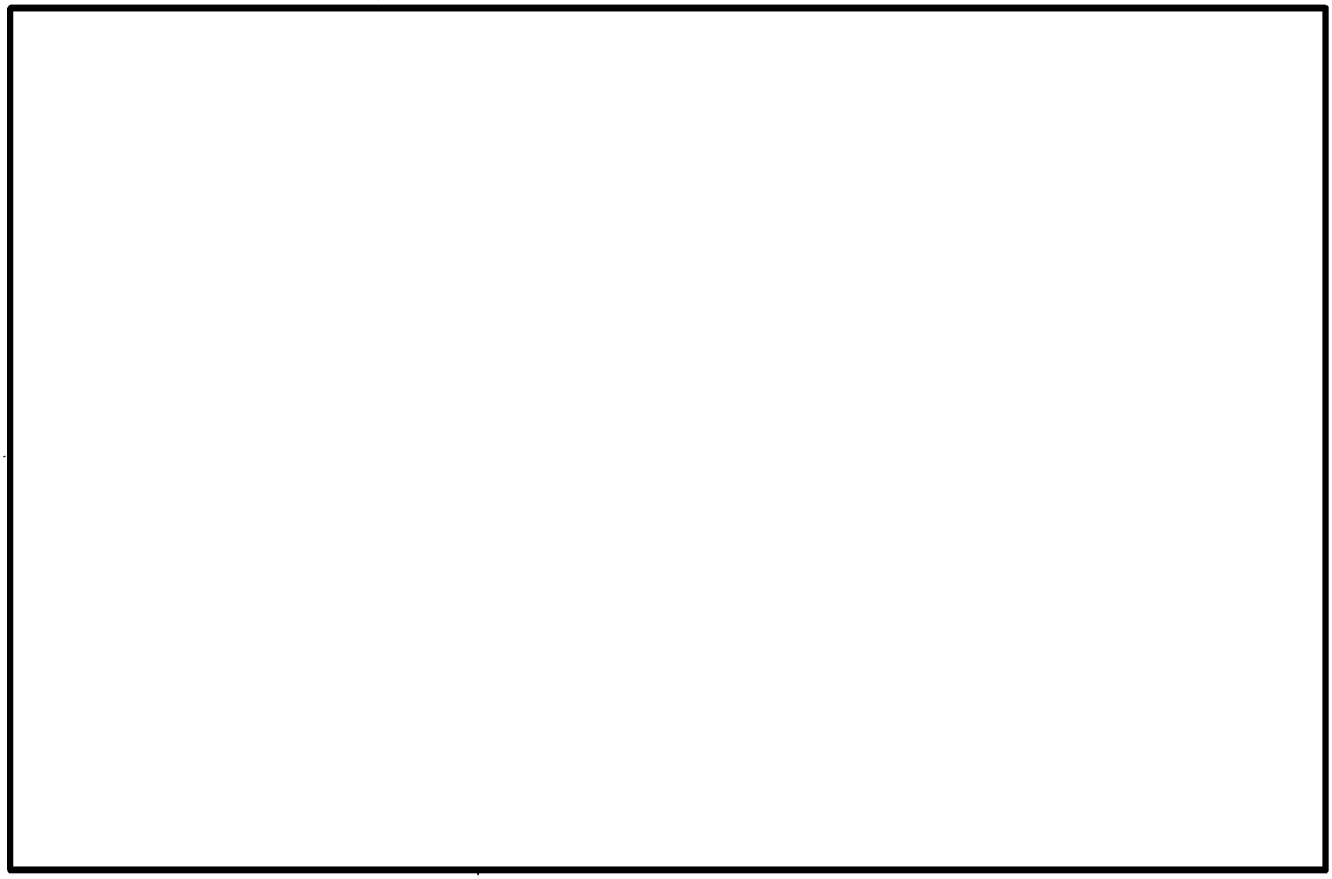
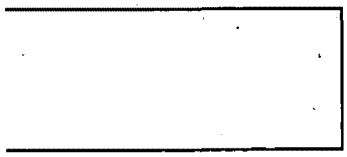
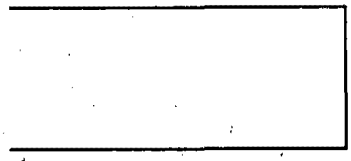
_____ Service Center



4/10/10 etc





(b)(5)

# ??? Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

Rev: 3/4/08

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, February 02, 2010 6:56 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2011

Shelly,
No problem.
The docs look okay to me.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, February 02, 2010 7:42 AM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2011

Jim and Denis,

Would it be ok for me to forward this to the Centers ahead of this afternoon's teleconference so that we can discuss any questions that they might have? Additionally, did you have any edits/comments on the acceptability criteria documents (in attached email)?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, February 01, 2010 3:23 PM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2011

Attached is the latest and greatest set of templates for H-1B cap reports. These slightly revised templates are based on a discussion with Denis this afternoon.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Friday, January 29, 2010 11:22 AM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** McConnell, James E; Johnson, Bobbie L
**Subject:** RE: Daily Cap Reports for FY 2009

I have no dog in the fight with regards to the data or the format the you all need for the reports. My only concern is that I think we need to let them know up-front the report that we want. I don't think that we can wait until 4/6 or 4/7 to add elements or reports.

---

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Friday, January 29, 2010 1:00 PM
**To:** Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L; Doherty, Shannon P
**Subject:** SC FY11 H-1B Acceptability Documents for Review
**Attachments:** Reject letter #5I-129 FY-'11 H1B Winner Reject Letter1-29-10.doc; Revised H1B Post RNG Draft Matrix_FY-11 1-29-10.doc; Draft FY-'11 H1B CSC Pre-RNG CAP Matrix 1-29-10.doc

All,

Attached are documents that the VSC had sent regarding last year's acceptability criteria for cap cases. They would like to know if they still are ok for this year. Please let me know of any edits or recommended changes prior to Tuesday's teleconference as I would like to include these as an item for discussion.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

U.S. Department of Homeland Security
P. O. Box 10129
Laguna Niguel, CA 92607-1012

Comment [sas1]: Ensure that proper SC address is included

U.S. Citizenship and Immigration Services

(b)(5)

Date:

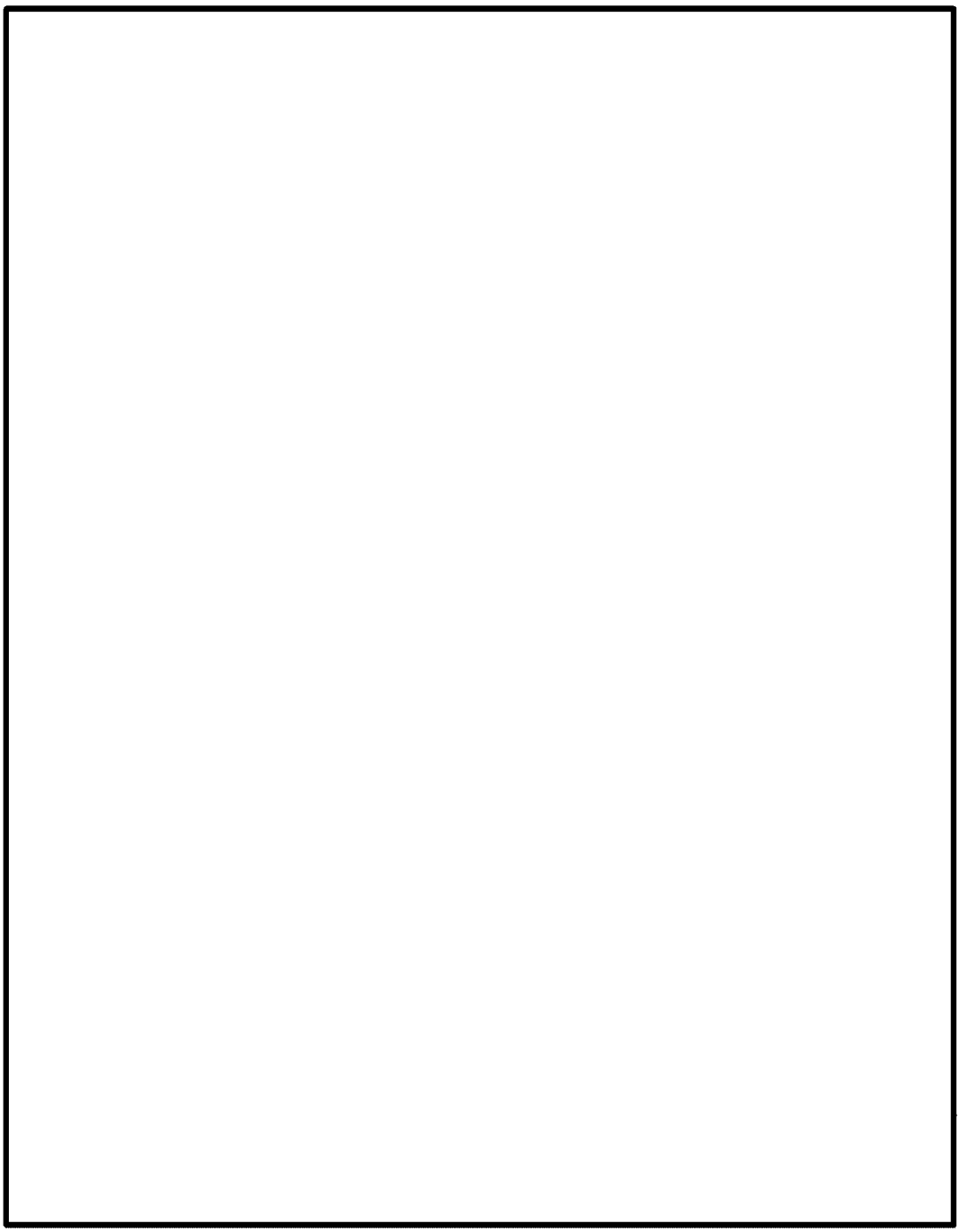
Comment [sas2]: Shouldn't this read "Only Form I-129/H1B Data Collection and Fee Exemption with a revision date of 3/17/05 or later can be accepted."?

Sincerely,

SERVICE CENTER DIRECTOR

## Acceptability Review for I-129 CAP

As we did last year, USCIS will review all filings before rejecting.



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**Comment [sas1]:** Per SCs, this was rejected last year.

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Page 4 - Part 6

Signature Field

> Signature anywhere in part 6 is acceptable

[redacted]

I-129 H1B Data Collection Supplement - Part B

Question #1 through #8

> Any question answered YES consider

[redacted]

Question #9

[redacted]

I-907 – Request for Premium:

[redacted]

FEES:

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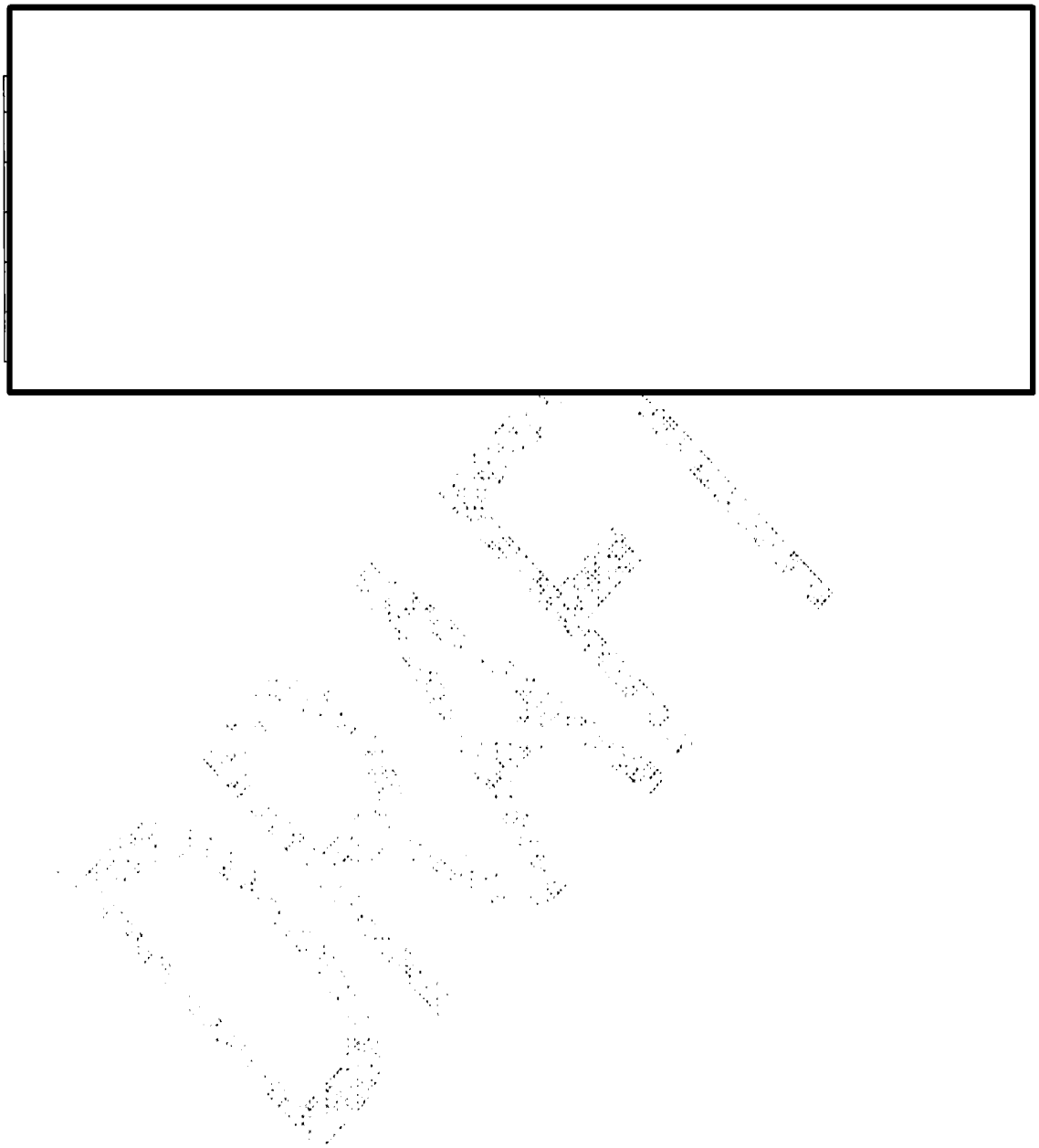

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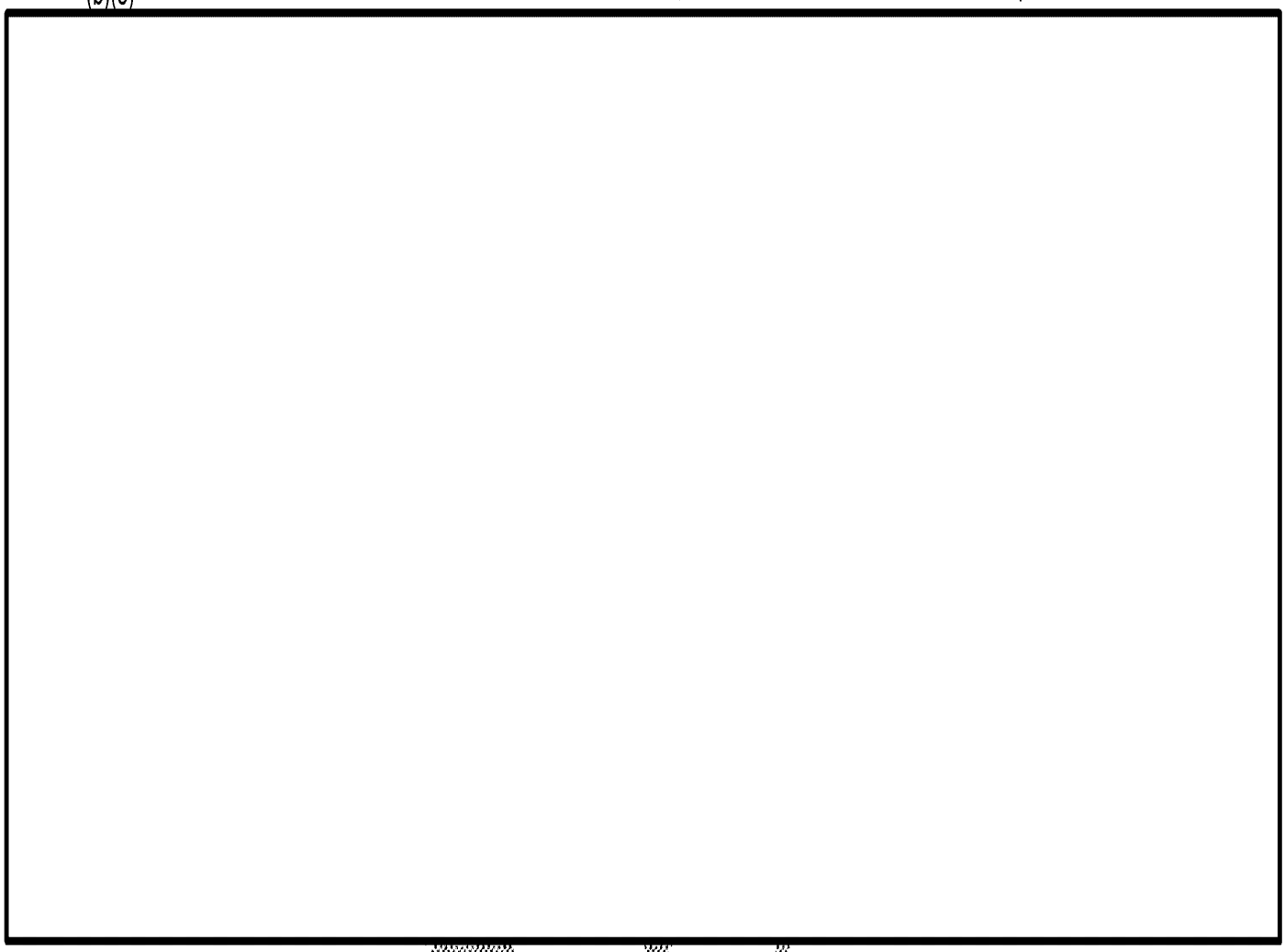
# Revised Draft CSC I-129 H1B PRE-RNG- FY-'10 CAP Case Determination Matrix

(b)(5)



DRAFT

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 6:41 AM
**To:** Fitzsimmons, James; McConnell, James E; Nespor, Patrick D; Young, Claudia F; Bacote, Robert R
**Cc:** Johnson, Bobbie L
**Subject:** RE: Draft SPC Paper H-1B Related or Affiliated Cap Exemption

Jim,

That's what I thought but I wanted to make sure that I wasn't missing something.

Patrick and Robert,

Approximately how long would it take to get the system modified to capture those questions particular in Part C? I need to be able to quantify with a time estimate on when systems could be ready as OP&S is projecting that a policy memo could potentially be issued in 1-3 months to implement this change. Are we talking approximately 18 months if this is not a table release? I know at one time you also gave an estimate for a table release but my brain is short circuiting and I can't remember the time frame for a table release.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 14, 2011 7:27 AM
**To:** Sweeney, Shelly A; McConnell, James E; Nespor, Patrick D; Young, Claudia F; Bacote, Robert R
**Cc:** Johnson, Bobbie L
**Subject:** RE: Draft SPC Paper H-1B Related or Affiliated Cap Exemption

Shelly/Claudia
Yes, I am back.

Shelly is right: creating separate definitions for related or affiliated non-profits for cap and fee exemptions purposes is a problem since only Part B (fee exemption) on H-1B Data Collection and Filling Fee Supplement is currently available in CISCORS. The seriousness of the problem grows with the frequency that the exemptions between the two are different.

Jim

---

**From:** Sweeney, Shelly A
**Sent:** Friday, June 10, 2011 3:07 PM
**To:** McConnell, James E; Fitzsimmons, James; Nespor, Patrick D; Young, Claudia F; Bacote, Robert R
**Cc:** Johnson, Bobbie L
**Subject:** RE: Draft SPC Paper H-1B Related or Affiliated Cap Exemption

Jim, Jim, Patrick, and Robert,

Attached are my initial comments/questions on this draft SPC paper. Essentially, I believe that the Agency is considering whether to apply a separate definition for cap exemption and ACWIA fee purposes. I think that operationally this causes a bit of a problem as we only track ACWIA fee question responses in the I-129W screen in C3, so we might need a C3 mod to capture both. OP&S has asked us to insert how long it might take to implement a C3 mod, if one is needed (see final section of the SPC paper). Can you assist? :-)

Claudia,

In addition to the attached comments and questions, I have a concern that I have voiced in the past on creating two different definitions (standards) for officers to use for the same phrase. It just creates confusion and the possibility of inconsistent adjudication. I recognize that inconsistent adjudication is what got us to this point in the first place, but just wanted to throw this out there again. I'm not trying to be a stick in the mud (really, I'm not), but I just want everyone to understand our potential issues, however small they might be.

Since Jim F. is out and he is the cap guru, is there any way we could get an extension until early next week from OP&S on C3 mod estimates or showstoppers?

Thanks!

Shelly

---

**From:** Viger, Steven W
**Sent:** Thursday, June 09, 2011 10:42 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Cox, Robert H; Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Levine, Laurence D; Cummings, Kevin J
**Subject:** Draft SPC Paper H-1B Related or Affiliated Cap Exemption
**Importance:** High

All,

Here is a draft of the SPC paper that will be circulated on Monday. Denise may have some edits to this current draft. If anyone has any showstopper edits, please get them to me and Larry by COB tomorrow.

Shelly: If you can, make a best guess to the timeframe for the CLAIMS change knowing that TPO has IT backed up.

Thanks.

Steven Viger
Adjudications Officer (Policy)
Office of Policy and Strategy
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Ave., NW
Washington, DC 20529
P: [redacted] (b)(6)
F: (202) 272-8518
steven.w.viger@dhs.gov

## Senior Policy Council – Briefing Paper

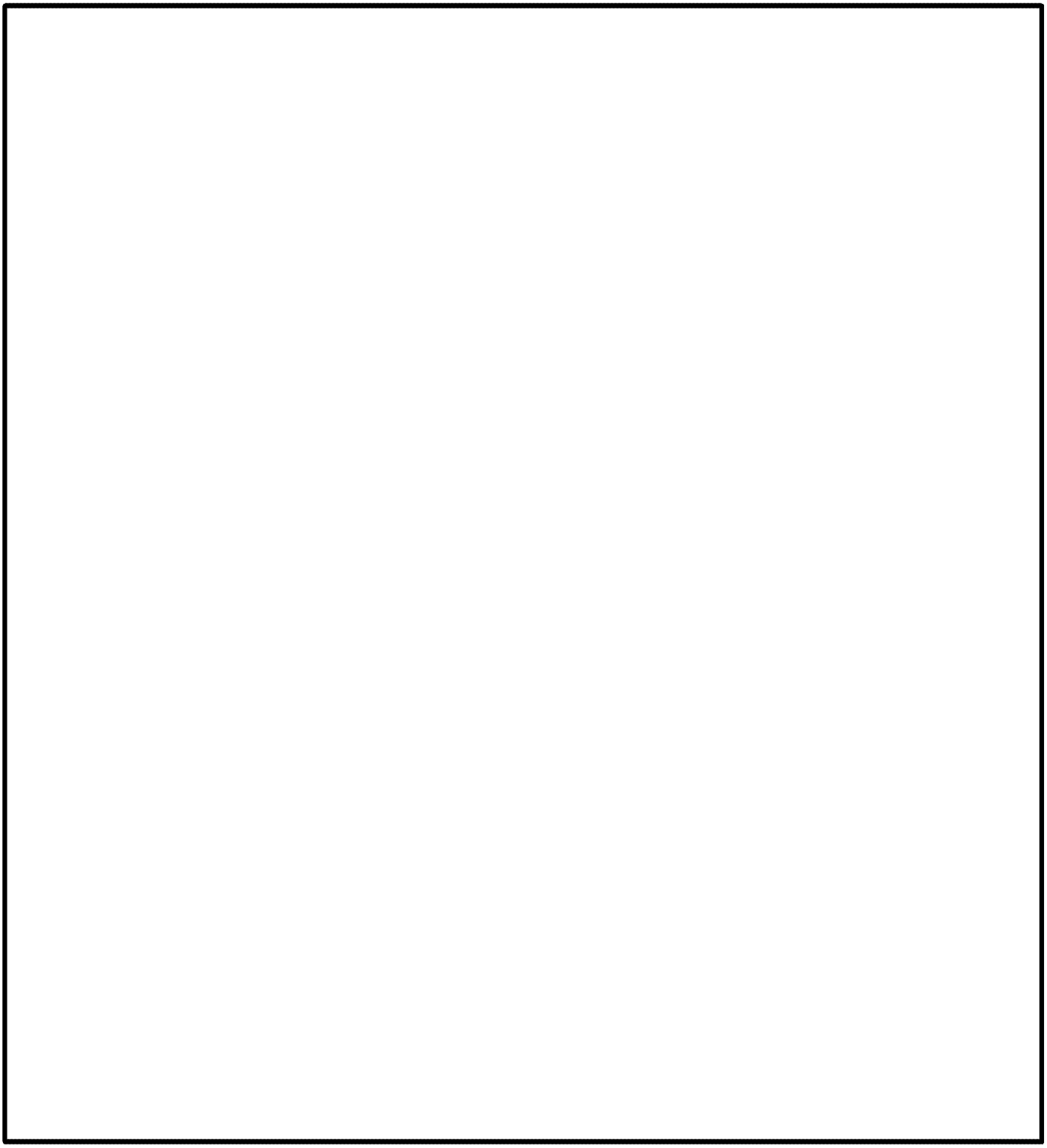
(b)(5)

***H-1B Cap Exemption for Related or Affiliated Nonprofit Entities***

Policy and Strategy – Steven Viger

Deliberative – Pre-decisional – Do Not Disclose

(b)(5)



## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

VSC is currently creating the extract file only on Saturday. With petitions trickling in, I don't think it is worth making a change. The file is going to be incomplete for CSC no matter what day it is created.

---

**From:** Johnson, Bobbie L
**Sent:** Monday, April 12, 2010 11:59 AM
**To:** Fitzsimmons, James; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

Adding Shelly. With the start of a new filing season, I'm wondering if we should move the weekly reporting day to Tuesday of each week. Would that make a difference (positive or negative or none) on the data you report weekly, Jim? For example, would you have complete data from CSC by tomorrow?

---

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P
**Subject:** FY 2011 H-1B Cap Count

All,

Below are the incomplete counts through April 9. CSC data for Friday was not captured in these counts.

Who should be on this email each week?

Jim

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 2,654 | 4/9/2010 |
| H-1B Master's Exemption | 20,000 | 2,459 | 4/9/2010 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:25 AM
**To:** Velarde, Barbara Q; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Barbara,
An announcement is not necessary soon since Masters petitions roll over into regular cap after Masters cap has been reached. I will talk to Shelly about modifying the cap webpage to reflect this situation. In 2010, the H-1B cap webpage showed the combined cap count after the Masters cap was reached.
Jim

---

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 10:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 11:27 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Denis,
I will provide them as soon as I can, either today or tomorrow.
Jim

---

**From:** Peck, Denis R
**Sent:** Monday, September 13, 2010 12:24 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Thanks Jim and glad to see you're back. As you can guess we are looking forward to getting your August receipt counts next.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 12:19 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 37,374 | 9/10/2010 |
| H-1B Master's Exemption | 20,000 | 13,654 | 9/10/2010 |

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 7:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

**FY 2011 Cap Counts by Category and Center**

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

**FY 2010 Cap Counts by Category and Center**

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|

| | | |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

**[1] Through August 13, 2010**
**[2] Through August 14, 2009**

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 10:51 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 21, 2010 1:13 PM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

My response in green.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 21, 2010 1:53 PM
**To:** Johnson, Bobbie L; Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests

Bobbie/Shelly/Denis
My comments are highlighted below:
Jim

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 12:55 PM
**To:** Zwiener, Sandra J; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good afternoon-

Thank you Sandra and OIT for you quick response and for all the information you have provided.

The 2 sub-bullets regarding the December 16th meeting have been addressed. The GAO is looking for further information regarding the following from December 16th:

- GAO is looking for standard operating procedures or regulations or guidance that describes the lottery process. During the meeting in December, it was mentioned that DHS has specific procedures for running a lottery in years such as April 2008 when a great deal more petitions were received beyond the number that were eligible for the cap. Further, it was stated that we would see what other guidance there might be for other years, such as those in which the cap has not been reached. The GAO is looking for documentation that would describe these types of processes in greater detail. At this meeting, it was pointed out that SOP doesn't exist for lottery since only one person performs this task.
  Below is a summary explanation of lottery process:

  **H-1B Lottery:**

  Can you explain the process? How are H-1B applications allocated to adjudicators?

  All I-129s are sorted upon receipt into 5 categories: regular cap, master's cap, premium regular cap, premium masters and Chile/Singapore. A bar code with a unique number identifier is placed on each case (the numeric series is specific to the sort). The random number generator is run against the bar code numbers that are used. The number generator places the bar code numbers into a random sequence of numbers, and the cases are pulled in that order for acceptability review. Once the cases are

found to be acceptable, they are data entered, fee receipted and routed to the division for adjudication. Premium cases are processed first.

The below information is still needed regarding the January 19th meeting:

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information) (Shelly)
  Petitioners should fully complete the form, including the H-1B Data Collection and Filing Fee Exemption Supplement (Denis, correct me if I am wrong, but I do not believe that a petition would be rejected for failure to complete these questions). If a petitioner leaves the questions that would identify the petition as exempt from the cap blank, the petition would be assumed subject to the cap and handled accordingly.
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap (See attachment.)
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers (Denis)

Thanks everyone for your assistance and please let me know if you have any questions or concerns.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq (b)(6)
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: [redacted]
holly.j.jackson@dhs.gov

---

**From:** Zwiener, Sandra J
**Sent:** Thursday, January 21, 2010 10:29 AM
**To:** Jackson, Holly Jo; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

December 16, 2010 Meeting (OIT)

In regards to question 1, are you looking for OIT to provide this information? The I-129 form captures the same fields no matter which "type". However, I do not think I have the information on how the business team DE's these cases.

January 19, 2010 Meeting (OIT)

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.

The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.

This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.

This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.

Thanks,

Sandra Zwiener, PMP, IPRC
C3/ICPS Program Manager
[redacted] | sandra.zwiener@dhs.gov (b)(6)

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 8:17 AM
**To:** Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Zwiener, Sandra J; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** GAO 130916: H-1B Visa Cap - information requests

Good morning everyone-

Acting on behalf of Carmen Nemeth while she is out of the office this week, I am following up in regards to requests for information from GAO following both the December 16th meeting, and the teleconference which took place Tuesday, January 19, 2010.

Outstanding items from the meeting held December 16, 2010 and subsequent emails:

- Documentation regarding the lottery process for the cap (e.g. standard operating procedures)

1) What fields from the I-129 L-Classification Supplement are captured in the CLAIMS3 data that was provided to GAO.

2) Based on the updated spreadsheet you provided, it looks like CLAIMS3 does not capture all fields from part C of the I-129 H-1B Data Collection and Filing Fee Exemption Supplement. How does DHS determine whether a firm (not a beneficiary) is exempt from the numerical limitation for the cap?

During the January 19, 2010 meeting, we agreed to provide the following information to GAO:

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.
  - *The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.*

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.
  - *This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.*
  - *This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.*

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

This information is needed ASAP for the December 16th information which has been previously requested. And the additional requests for information from the January 19th meeting are needed by **January 29, 2010**. Please let me know if you have any questions or concerns regarding the above requests.

Thank you!

*Holly Jo Jackson*
Program Support Analyst - Alutiiq

US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: [redacted]

(b)(6)

holly.j.jackson@dhs.gov

http://osi.uscis.dhs.gov

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## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Thursday, December 17, 2009 3:53 PM
**To:** Sweeney, Shelly A; Fitzsimmons, James
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

They'd better. Seriously, I think they know our plan.

We were 1400 under cap this morning, and we added 170 from CSC late data entry yesterday. That would make about 1230 under the cap. It sounded from the preliminary counts that we had 600-700 today maximum. Unless tomorrow is lighter than expected it should be the last date. Stay tuned.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 4:47 PM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

Denis,

I just wanted to double check to see how we will be proceeding tomorrow. I assume that the Centers will be following your Wednesday email, right?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:20 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A; Johnson, Bobbie L; McConnell, James E
**Subject:** RE: H1B Cap applications on December 17
**Importance:** High

Denis,
The cap was not reached yesterday, so it is okay to key today's receipts. Once I get the counts for today's receipts, I can determine whether the cap was reached today.
Jim

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A

**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 08, 2009 3:04 PM
**To:** Velarde, Barbara Q; Fitzsimmons, James; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: H-1B cap chart
**Attachments:** DRAFT Update H-1B Cap Reached (02Dec09).doc

We drafted a USCIS Update and have already sent it to OCOMM, OCC, and OP&S to start the clearance process. Draft is attached.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Tuesday, December 08, 2009 3:54 PM
To: Fitzsimmons, James; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
Subject: Re: H-1B cap chart

Do we have public material ready to go on this?

----- Original Message -----
From: Fitzsimmons, James
To: Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
Sent: Tue Dec 08 14:39:30 2009
Subject: H-1B cap chart

All,

This chart shows the monthly volume of H-1B cap petitions based on the mailroom date. The volume declined in May June, and July. Since August, the volume has continued to rise. At 6,000 petitions, November was double May volume. In each of the last two weeks, about 2,200 petitions have been received. It appears the cap will be reached next week.

Jim

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

(b)(5)

**USCIS Reaches FY 2010 H-1B Cap**

**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM.

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Monday, January 10, 2011 9:45 AM
**To:** Fitzsimmons, James
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** RE: H-1B cap counts

Ok. I can update the cap webpages a little more starting next week. I've already reached out to OCOMM to make sure that they've dusted off the USCIS Update.

I've never heard of the SSM history action code. Do we know how that is applied? Is it something that would be done at data entry? Or is it something that would be done by the adjudicator?

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 10:13 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** H-1B cap counts

Shelly,
FYI---I am going to provide H-1B cap counts each Monday and Wednesday this week and next. Then on 24th , I plan to begin providing daily counts.

By the way, have you ever heard of SSM ( Special Masters) historical action code?

Jim

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Tuesday, April 26, 2011 8:44 AM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** RE: H-1B cap numbers

No, there's been no real need. The last ones I got were April 15.

Can't we just wait until Ciscors is up and running?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 9:38 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** H-1B cap numbers

Denis,

I am currently unable to tabulate cap counts due to computer software issues that may not be resolved today. Therefore, I would like to use VSC and CSC cap reports.
Are you still receiving them?

Jim

## Austin, Deon T

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Monday, April 20, 2009 8:29 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
**Cc:** Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Subject:** RE: H1B CAP numbers through April 17: 66,354
**Attachments:** HQ CAP report 4-20.xls

Here is the sheet with the revision. I'll send this again next Monday unless anyone requires an update before then.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Neufeld, Donald
Sent: Monday, April 20, 2009 9:17 AM
To: Peck, Denis R; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: RE: H1B CAP numbers through April 17: 66,354

Thanks Denis. Please change the second line on the report to read "Premium CAP" instead of "Regular Premium".

-----Original Message-----
From: Peck, Denis R
Sent: Monday, April 20, 2009 8:42 AM
To: Velarde, Barbara Q; Neufeld, Donald; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: H1B CAP numbers through April 17: 66,354

Through last Friday, all received filings have been opened and sorted.
Approximately 32,500 have been data entered.

Since the initial 5 days, we have received an average of 372 filings per day.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

202-272-1542 FAX
-----Original Message-----
From: Kielsmeier, Lauren
Sent: Monday, April 20, 2009 8:15 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Barbara/Denis, I am interested in seeing the latest update on the H1B CAP numbers when you have them. Thanks.

Lauren

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 7:41 AM
To: Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Peck, Denis R
Subject: RE: For tomorrow morning.

I have asked Denis to provide the most up to date numbers we have. We will be posting weekly updates every Monday beginning next Monday.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Paar, Tom
Sent: Thursday, April 16, 2009 6:41 AM
To: Richardson, Gregory A
Cc: Kruszka, Robert F; Velarde, Barbara Q
Subject: FW: For tomorrow morning.

Greg,

Knowing who the "early birds" are around here, could you please address Lauren's email below...thanks.

Respectfully,

-----Original Message-----

From: Kielsmeier, Lauren
Sent: Thursday, April 16, 2009 6:04 AM
To: Neufeld, Donald
Cc: Jones, Rendell L; Paar, Tom
Subject: Fw: For tomorrow morning.

Hi Don, can you pls send me the most current H-1B numbers for WH report.
Possible to get more current figures, or is 4/9 the last count? Would be great to have this info by 10am - let me know.

Thanks,
Lauren

----- Original Message -----
From: Grossman, Jordan <Jordan.Grossman@dhs.gov>
To: Kielsmeier, Lauren <Lauren.Kielsmeier@dhs.gov>
Sent: Wed Apr 15 22:39:40 2009
Subject: For tomorrow morning.

Hi Lauren,

Could you let me know how many visas short you guys are for the WH report? The report is due at noon tomorrow.

Thanks!

---

From: Shlossman, Amy
Sent: Wednesday, April 15, 2009 10:24 PM
To: Grossman, Jordan
Subject: CIS

Did they send any updates on the HB-1 visas? Lauren mentioned this am that they still haven't reached their limit for the non-master degree category. Would be good to include in the WH report.

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2nd | Received on 3rd | Received on 6th | Received on 7th | Received on 8th | Received on 9th | Received on 10th | Received on 13th | Received on 14th | Received on 15th | Received on 16th | Received on 17th | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Regular GAP | 23,237 | 3,148 | 1,442 | 1,450 | 1,402 | 220 | 308 | 313 | 426 | 340 | 312 | 183 | 146 | 32,927 |
| Premium GAP | 10,028 | 674 | 165 | 188 | 98 | 14 | 14 | 35 | 9 | 52 | 23 | 55 | 48 | 11,401 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 | 88 | 50 | 56 | 49 | 28 | 27 | 15 | 15,575 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 | 6 | 7 | 8 | 18 | 16 | 12 | 13 | 6,451 |
| Total | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 | 389 | 405 | 499 | 459 | 379 | 277 | 224 | 66,354 |

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Tuesday, February 17, 2009 4:40 PM
**To:** Perkins, Robert M; Williams, Carol L
**Cc:** Fitzsimmons, James; Gooselaw, Kurt G; Nguyen, Carolyn Q; Cummings, Kevin J; Cox, Sophia; Collins, Mary Lou E; Manahan, Lisa F; Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Stoddard, Becky M; Nicholson, Richard E; McConnell, James E
**Subject:** RE: H-1B FY 2010 Cap Season call

Rob,

Yes, I would hope we could close all the remaining open items. Secondly, to help us here at HQ identify any shortcomings of the center specific plans the contractor drafted. I will send them these and they'll incorporate changes into their final plan, to be presented here on March 3 from 9-1. Again, we are not requiring the centers to send anyone to this meeting but it is open for anyone to attend. We can have a teleconference line running and each center can call to listen in on the presentation for their part, and we'll schedule Vermont from 9-11 and California 11-1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Perkins, Robert M
**Sent:** Tuesday, February 17, 2009 2:41 PM
**To:** Williams, Carol L; Peck, Denis R
**Cc:** Fitzsimmons, James; Gooselaw, Kurt G; Nguyen, Carolyn Q; Cummings, Kevin J; Cox, Sophia; Collins, Mary Lou E; Manahan, Lisa F; Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Stoddard, Becky M; Nicholson, Richard E; McConnell, James E
**Subject:** FW: H-1B FY 2010 Cap Season call

Carol and Denis,

Were you intending to address the outstanding H1B Cap agenda items (see attached Word document) at this Friday's conference call?

Thanks,

Robert Perkins
Assistant Center Director, VSC
802-527-4742

---

**From:** Williams, Carol L
**Sent:** Monday, January 26, 2009 5:04 PM
**To:** Williams, Carol L; Richardson, Gregory A; Cox, Sophia; Cummings, Kevin J; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E; Fitzsimmons, James; Peck, Denis R; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Williams, Carol L
**Subject:** RE: H-1B FY 2010 Cap Season call

All –

Attached please find the agenda for tomorrow's meeting. The call information is below.

1-888-453-0622

Participant: 6384919

Regards.

Carol L. Williams

-----Original Appointment-----
**From:** Williams, Carol L
**Sent:** Friday, January 23, 2009 5:28 PM
**To:** Williams, Carol L; Richardson, Gregory A; Cox, Sophia; Cummings, Kevin J; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E; Fitzsimmons, James; Peck, Denis R; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M
**Subject:** H-1B FY 2010 Cap Season call
**When:** Tuesday, January 27, 2009 3:00 PM-5:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:** Call in info will be provided on Monday

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, February 10, 2009 12:33 PM
**To:** Cox, Sophia; Williams, Carol L; Nespor, Patrick D; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** RE: Questions re: H-1B Cap SORN

Based on a conversation with Denis, I submit the following:

1) Will USCIS maintain or discard the paper-based registration form? Maintain for up to 7 years; treat like a receipt file. If USCIS is maintaining the form, please provide the location of the central file location? SCOPS.

2) Are the records stored in a locked/unlocked metal file cabinet, and/or magnetic, optical, or electronic media? 10 gig flash drive

3) Also, if information is stored on backups in a different format, note that here. Access database on CD

---

**From:** Cox, Sophia
**Sent:** Tuesday, February 10, 2009 1:05 PM
**To:** Williams, Carol L; Fitzsimmons, James; Nespor, Patrick D; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** RE: Questions re: H-1B Cap SORN

Carol – Unfortunately, I am not the best person to answer these storage questions. Denis – Apreciate your input since this impacts records and contracts folks (and storage issues). Thanks so much. --Sophia

---

**From:** Williams, Carol L
**Sent:** Tuesday, February 10, 2009 10:31 AM
**To:** Fitzsimmons, James; Nespor, Patrick D; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Cox, Sophia
**Cc:** Williams, Carol L
**Subject:** RE: Questions re: H-1B Cap SORN

All –

I'm following up on the email below. I don't mean to be a pest, but I need to respond to Ms. Hoots.

Thank you.

Carol

---

**From:** Fitzsimmons, James
**Sent:** Thursday, February 05, 2009 12:22 PM
**To:** Williams, Carol L; Nespor, Patrick D; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Cc:** Cox, Sophia
**Subject:** RE: Questions re: H-1B Cap SORN

Since these questions pertain to records management, perhaps Denis would like to weigh in.

---

**From:** Williams, Carol L
**Sent:** Thursday, February 05, 2009 10:43 AM

**To:** Nespor, Patrick D; Fitzsimmons, James; McConnell, James E; Richardson, Gregory A
**Cc:** Williams, Carol L; Cox, Sophia
**Subject:** FW: Questions re: H-1B Cap SORN

All –

Can you help with the below questions? Have these issues been decided? If not, can we meet quickly to discuss these items?

Thank you.

Carol

---

**From:** Hoots, Jenny L
**Sent:** Wednesday, February 04, 2009 1:21 PM
**To:** Williams, Carol L
**Subject:** Questions re: H-1B Cap SORN

Carol,

I have drafted the H-1B Cap Registration SORN. However, I am missing information that I thought you would be able to answer the questions below.

1) Will USCIS maintain or discard the paper-based registration form? If USCIS is maintaining the form, please provide the location of the central file location?

2) Are the records stored in a locked/unlocked metal file cabinet, and/or magnetic, optical, or electronic media?

3) Also, if information is stored on backups in a different format, note that here.

Please let me know if you have any questions or concerns.

Thank you,

Jenny Hoots
*TOMIS*
[redacted]

(b)(6)

## Austin, Deon T

**From:** Peck, Denis R
**Sent:** Thursday, April 02, 2009 10:35 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; McConnell, James E; Young, Claudia F; Cummings, Kevin J; Fitzsimmons, James
**Subject:** RE: VSC 2009 H1B CAP Report REVISED

Hold the news until I can get a better verification, but Vermont sent me a spreadsheet showing the package count for day one is now 34,000 vs 23,000. This would make the petition count more like 50,000 and our first day total with California 80,000. They said it was due to an updated manifest provided by FEDEX.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 11:24 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

See the updated counts. Stanley will have all PP mail opened and bar coded by this evening and then they will start on regular mail.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 11:00 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** RE: VSC 2009 H1B CAP Report

All,
I have just received an updated FedEx count for yesterday now that we have received the last manifests. Please see this update reflected in the above attached.

Thank you. (b)(6)

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOPS|☎ [redacted] 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 10:03 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 1, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted] 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

(b)(6)

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 8:13 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,718 | 1/7/2011 |
| H-1B Master's Exemption* | 20,000 | 20,971 | 1/7/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**Austin, Deon T**

**From:** Fitzsimmons, James
**Sent:** Monday, January 03, 2011 8:25 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,614 | 12/31/2010 |
| H-1B Master's Exemption* | 20,000 | 20,671 | 12/31/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Austin, Deon T

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 12:22 PM
**To:** Poulos, Christina; Renaud, Daniel M; Gregg, Bret S; Hazuda, Mark J
**Cc:** Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; McConnell, James E
**Subject:** USCIS Update (H-1B cap reached for FY2010)
**Attachments:** USCISUpdate(H-1BCap Reached)(22Dec09).doc

**Importance:** High

Chris, Dan, Bret and Mark,

The attached Update is being issued today since we received more than enough petitions yesterday to reach the cap. In addition to referencing the final receipt date, the Update also notifies the public that a lottery will be held for the petitions received on the final receipt date.

Thanks!

Shelly

---

**From:** Wright, William G
**Sent:** Tuesday, December 22, 2009 12:11 PM
**To:** Alfonso-Royals, Angelica M; Ash, Matthew L; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Cabrera, Marilu; Carpenter, Dea D; Carson, Rebecca S; Carter, Constance L; Chandler, Matthew; Chang, Carrol; Chung, Jane; Clark, Matthew J; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gitomer, Mariana; Humphrey, Buck H; Irazabal, Luz; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; Melero, Mariela; Metellus, Harry SJ; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Onyango, Paul O; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Scheidhauer, Sharon E; Sebrechts, Marie T; Tichacek, Katherine; Tintary, Ruth E; USCIS Web Publishing; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Wright, William G
**Cc:** Sweeney, Shelly A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P
**Subject:** USCIS Update (H-1B cap reached for FY2010)
**Importance:** High

Gents / Ladies -- USCIS has reached the FY2010 H-1B cap. Attached USCIS Update refers. Final receipt date is Dec. 21, 2009.

**Document:** USCIS Update

**Date for Release:** Tuesday, Dec. 22, 2009

**Guidance:**

- Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- Internal – For your information and your use as appropriate.
- Customer Service – For your information.
- New Media – Please post USCIS Update on the *News* page and on the H-1B cap page. Request **EXPEDITED** posting.

r/
Bill

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that Dec. 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after Dec. 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Dec. 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

## Austin, Deon T

**From:** Fitzsimmons, James
**Sent:** Tuesday, February 24, 2009 6:18 AM
**To:** Richardson, Gregory A; McConnell, James E; Cummings, Kevin J; Cox, Sophia; Peck, Denis R; Williams, Carol L
**Subject:** Will H-1B caps be reached during 1st week in April?

All,

See bottom of message below.

Jim

Foreign tech workers touchy subject in U.S. downturn
By Anupreeta Das
Reuters, February 19, 2009
http://uk.reuters.com/article/economyNews/idUKTRE51I60N20090219

New York (Reuters) -- U.S. technology companies, which are laying off thousands of employees, will likely have to water down their long-running campaign for permission to hire more foreign workers to avoid a political backlash this year.

The tech industry employs three out of every five foreign workers under the country's H-1B visa program, which lets U.S. companies hire up to 65,000 foreigners per year, according to U.S. Citizenship and Immigration Services data.

Tech companies have long argued that hiring should be tied to market needs and not capped artificially, seeing the ability to scoop up foreign talent as critical to America's competitiveness.

Through Compete America, an alliance whose members include Microsoft Corp (MSFT.O: Quote, Profile, Research), Oracle Corp (ORCL.O: Quote, Profile, Research) and Intel Corp (INTC.O: Quote, Profile, Research), the tech industry has lobbied for the right to employ foreigners freely to make up for domestic shortages of computer programmers, engineers and other skilled workers.

But the H-1B visa program has drawn new criticism amid a deepening recession, with the unemployment rate soaring to a 16-year high of 7.6 percent in January and nearly 600,000 jobs cut.

'The bloom is a bit off the rose politically' for tech companies enamored of foreign workers, said Neil Sims, a managing director at executive search firm Boyden.

Sims, who works in Boyden's technology practice, said it would be tough for corporate lobbyists to justify the need for foreign workers because the unemployment pool is brimming with laid-off American workers.

'Politically, it would be difficult to make that case to the American workforce right now,' Sims said.

Immigration lawyers and recruiters expect the annual firestorm around H-1B visa quotas, the applications for which are due in early April, to reignite in Washington this year.

Already, the U.S. Senate this month barred recipients of government bailout funds from hiring foreign workers if they laid off American employees in the past six months.

And in January, Sen. Charles Grassley, an Iowa Republican, sent a letter to Microsoft saying the world's biggest software maker had a 'moral obligation' to preserve the jobs of Americans ahead of H-1B workers.

The move came after Microsoft announced plans to cut 5,000 jobs. The company said in a statement that it is laying off both domestic and foreign workers, and will extend support to every affected employee. Microsoft is one of the largest employers of H-1B workers and Bill Gates has been a vocal proponent of the campaign to expand the program.

Still Fond of H-1Bs

Eric Thomas, a spokesman for Compete America, said in an email that the current situation is unlikely to change the campaign's 'basic message' but he would not comment on the alliance's strategy for this year.

'Because the IT migrant worker is such a critical part of the Valley, they're considered natives,' said Adam Charlson, senior partner at executive recruitment firm Korn/Ferry International Inc (KFY.N: Quote, Profile, Research), referring to the Northern California region that is home to many tech companies. 'But it will become an issue in the context of the wider economy.'

Norman Matloff, a professor of computer science at the University of California, Davis, and a fierce critic of the H-1B program, expects the tech industry to continue to push hard for an H-1B increase as it did in the aftermath of the dotcom bubble's bursting in 2000.

Matloff has argued that foreign workers are willing to work for lower wages and crowd out Americans. As long as companies focus on quarterly profits, they will push for cheaper foreign labor to bring down overall wages and save on costs, he said.

Still, lawyers say they are seeing fewer H-1B petitions this year as companies struggle through the worst financial crisis since the Great Depression. They also have a larger pool of domestic workers to choose from, after more than 2 million Americans lost their jobs in 2008, according to the Bureau of Labor Statistic.

In 2008, the USCIS received 163,000 H-1B petitions for 65,000 visas. This year, employers will probably file no more than 100,000 petitions, said Charles Kuck, president of the American Immigrant Lawyers Association, a group that favors expanding the H-1B program.

But that does not mean companies are getting cold feet, Kuck said, distinguishing between short-term exigencies created by weak overall hiring and the longer-term issue of a domestic shortage of highly skilled workers.

Kelly McCown, an immigration attorney at San Francisco-based McCown & Evans LLP, said a big technology company client is cutting H-1B applications by one-third.

'That's at least partly because they have a bigger pool to choose from for the skill sets they're looking for,' she said.

# FW: 4-9-10 CAP Report

Wednesday, February 10, 2016
9:45 AM

| | |
|---|---|
| Subject | **FW: 4-9-10 CAP Report** |
| From | Peck, Denis R |
| To | Arroyo, Susan K; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Lundquist, Mark E; Shiflett, Julie M |
| Sent | Monday, April 12, 2010 11:40 AM |
| Attachments | FY11 Cap r...<br>FY11 VSC ... |

478 new cases on Friday (311 VSC, 167 CSC); premiums are current in DE; we should be completely current in DE by end of this week or sooner.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Nicholson, Richard E
**Sent:** Monday, April 12, 2010 8:45 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R
**Subject:** FW: 4-9-10 CAP Report

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Nelson, Marvin E
**Sent:** Friday, April 09, 2010 11:50 PM
**To:** Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; Bobeng Jr, John W; Dinh, William H; Downing, Karen T; Fries, Juliet M; Herrera, Zonia; Lundquist, Lieda F; Ly, Pam P; Martin, James L; Nelson, Marvin E; Nguyen, Van T; Nhea, Chy; Nicholson, Richard E; Payne, Christopher; 'Peacock, Walter W.'; Printup, Maurice; Robbins, Bonnie M; Siesel, Gregory P; Valencia, Valerie L
**Subject:** 4-9-10 CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avila Road
Laguna Niguel, CA. 92677
[redacted] (949) 389-3487

(b)(6)

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 4,926 | 4926 | 4926 |
| (CRP) H1B CAP - Premium | 1,208 | 675 | 35 |
| (CMN) H1B Masters | 1,923 | 1923 | 1695 |
| (CMP) H1B Masters - Premium | 656 | 465 | 23 |
| Totals | 8,713 | 7,989 | 6,679 |
| Data Entry | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 511 | 612 |
| (CMN) H1B Masters | | 0 | 223 |
| (CMP) H1B Masters - Premium | | 186 | 427 |
| Totals | | 697 | 1262 |
| Rejects (System & Manual) | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 22 | 28 |
| (CMN) H1B Masters | | 0 | 5 |
| (CMP) H1B Masters - Premium | | 5 | 15 |
| Totals | | 27 | 48 |

| 4/9/10 | 4/10/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| | | | | | |
| 34 | | | | | |
| 33 | | | | | |
| 1249 | | | | | |
| 22 | | | | | |
| 1338 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 1 | | | | | |
| 2 | | | | | |
| 48 | | | | | |
| 1 | | | | | |
| 52 | 0 | 0 | 0 | 0 | 0 |

| 4/16/10 | 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/26/10 | 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/4/10 | 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/12/10 | 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/20/10 | 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/28/10 | 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 |
|---|---|---|---|---|---|
| 4891 | 4891 | 4891 | 4891 | 4891 | 4891 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 398 | 398 | 398 | 398 | 398 | 398 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 5,289 | 5,289 | 5,289 | 5,289 | 5,289 | 5,289 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/8/10 | 6/9/10 | 6/10/10 | etc |
|---|---|---|---|
| 4891 | 4891 | 4891 | |
| 0 | 0 | 0 | |
| 398 | 398 | 398 | |
| 0 | 0 | 0 | |
| 5,289 | 5,289 | 5,289 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011
CAP season

Grand total received in FY 2010
CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | | | | | | 37,065 |
| [redacted] | | | | | | |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | | | | | | 6,455 |
| 57 | | | | | | 1,688 |
| 77 | | | | | | 2,361 |
| 37 | | | | | | 976 |
| 311 | 0 | 0 | 0 | 0 | 0 | 11,480 |

0

11,480

58,265

-80.30%

# FW: 4-12-10 CAP Report; 473 filings received Monday

Wednesday, February 10, 2016
9:47 AM

| | |
|---|---|
| Subject | **FW: 4-12-10 CAP Report; 473 filings received Monday** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E |
| Sent | Tuesday, April 13, 2010 1:19 PM |
| Attachments | FY11 VSC ... FY11 Cap r... |

We have more than 11,600 data entered, over half. We will have everything current at the end of Friday. Jim, any checking you want to do on duplicates, if needed, can be done anytime after that.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 13, 2010 2:12 PM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** RE: 4-12-10 CAP Report

Sorry Denis,

Totally my fault on this one. I asked them to send it to me this morning and they did....

Sorry again, Walter

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, April 13, 2010 2:07 PM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** RE: 4-12-10 CAP Report

Walter nothing seems to be coming to HQ from Vermont; can you or Erin send their report from 4-12?
Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 13, 2010 8:36 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** FW: 4-12-10 CAP Report

Morning,

Monday update from CSC.

Thank you, Walter

**From:** CR Nelson, Marvin
**Sent:** Tuesday, April 13, 2010 2:39 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; CR Bobeng, John; Dinh, William H; Downing, Karen T; Fries, Juliet M; Herrera, Zonia; Lundquist, Lieda F; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Nguyen, Van T; Nhea, Chy ; Nicholson, Richard E; Payne, Christopher; Peacock, Walter W.; Printup, Maurice ; Robbins, Bonnie M; Siesel, Gregory P; Valencia, Valerie L
**Subject:** 4-12-10 CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avila Road
Laguna Niguel, CA 92677
[redacted] (949) 389-3487

(b)(6)

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | | | | | 43,884 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 97 | | | | | 6,552 |
| 57 | 58 | | | | | 1,746 |
| 77 | 15 | | | | | 2,376 |
| 37 | 17 | | | | | 993 |
| 311 | 187 | 0 | 0 | 0 | 0 | 11,667 |

0

11,667

58,265

-79.98%

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,155 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 0 | 1,035 | 50 | 45 | 29 |
| (CMN) H1B Masters | 0 | 1,597 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 0 | 573 | 29 | 23 | 11 |
| Total | 0 | 7,360 | 327 | 313 | 356 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,758 | 397 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 949 | 86 | 50 | 45 | 29 |
| (CMN) H1B Masters | 1,421 | 176 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 534 | 39 | 29 | 23 | 11 |
| Total | 6,662 | 698 | 327 | 313 | 356 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/8/10 | 4/9/10 | 4/12/10 | Total |
|---|---|---|---|
| | | | |
| [redacted] | | | |

| 4/8/10 | 4/9/10 | 4/12/10 | Total |
|---|---|---|---|
| 113 | 94 | 156 | 5,082 |
| 23 | 26 | 55 | 1,263 |
| 43 | 38 | 62 | 1,985 |
| 12 | 9 | 13 | 670 |
| 191 | 167 | 286 | 8,547 |
| [redacted] | | | |

| 4/8/10 | 4/9/10 | 4/12/10 | Total | (Info Only) CIS Review |
|---|---|---|---|---|
| 113 | 94 | 156 | 5,082 | 6 |
| 23 | 26 | 55 | 1,263 | 2 |
| 43 | 38 | 62 | 1,985 | 2 |
| 12 | 9 | 13 | 670 | 0 |
| 191 | 167 | 286 | 9,000 | 10 |

| | |
|---|---|
| | 10 |
| | 9,010 |
| | 43,796 |
| | -79.43% |

# FW: 4/13/10 CAP reports - 21,200 through 4/13

Wednesday, February 10, 2016
9:38 AM

| | |
|---|---|
| Subject | **FW: 4/13/10 CAP reports - 21,200 through 4/13** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James |
| Sent | Wednesday, April 14, 2010 9:32 AM |
| Attachments | FY11 VSC ... FY11 Cap r... |

We have 15,500 data entered or rejected. It's looking like they'll be current by cob Thursday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Wednesday, April 14, 2010 9:20 AM
**To:** 'Peck, Denis R'; 'Shiflett, Julie M'
**Cc:** Peacock, Walter W.
**Subject:** 4/13/10 CAP reports

Good morning! Attached please find yesterday's CAP updates; please contact us with any questions.

Thank you,
Erin

Erin Treacy
(b)(6) Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
[redacted] office
mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | | | | 49,157 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 98 | 193 | | | | 6,746 |
| 57 | 58 | 68 | | | | 1,814 |
| 77 | 15 | 79 | | | | 2,455 |
| 37 | 17 | 30 | | | | 1,023 |
| 311 | 188 | 370 | 0 | 0 | 0 | 12,038 |

0

12,038

58,265

-79.34%

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 5,180 | 5180 | 5180 |
| (CRP) H1B CAP - Premium | 1,270 | 737 | 109 |
| (CMN) H1B Masters | 2,030 | 2030 | 1803 |
| (CMP) H1B Masters - Premium | 693 | 502 | 49 |
| Totals | 9,173 | 8,449 | 7,141 |
| Data Entry | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 511 | 600 |
| (CMN) H1B Masters | | 0 | 222 |
| (CMP) H1B Masters - Premium | | 186 | 438 |
| Totals | | 697 | 1260 |
| Rejects (System & Manual) | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 22 | 28 |
| (CMN) H1B Masters | | 0 | 5 |
| (CMP) H1B Masters - Premium | | 5 | 15 |
| Totals | | 27 | 48 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|---|
| 5145 | 4122 | 2623 | 2623 | 2623 | 2623 |
| 74 | 19 | 0 | 0 | 0 | 0 |
| 506 | 230 | 209 | 209 | 209 | 209 |
| 26 | 12 | 0 | 0 | 0 | 0 |
| 5,751 | 4,383 | 2,832 | 2,832 | 2,832 | 2,832 |
| | | | | | |
| 34 | 1005 | 1463 | | | |
| 33 | 54 | 18 | | | |
| 1249 | 262 | 17 | | | |
| 22 | 14 | 10 | | | |
| 1338 | 1335 | 1508 | 0 | 0 | 0 |
| | | | | | |
| 1 | 18 | 36 | | | |
| 2 | 1 | 1 | | | |
| 48 | 14 | 4 | | | |
| 1 | 0 | 2 | | | |
| 52 | 33 | 43 | 0 | 0 | 0 |

| 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 | 5/12/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 2623 | 2623 | 2623 | 2623 | 2623 | 2623 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 209 | 209 | 209 | 209 | 209 | 209 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 2,832 | 2,832 | 2,832 | 2,832 | 2,832 | 2,832 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/9/10 | 6/10/10 | etc | |
|---|---|---|---|
| 2623 | 2623 | 2623 | |
| 0 | 0 | 0 | |
| 209 | 209 | 209 | |
| 0 | 0 | 0 | |
| 2,832 | 2,832 | 2,832 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

# FW: 4/14/10 CAP reports - only 2,300 left to DE

Wednesday, February 10, 2016
9:41 AM

| | |
|---|---|
| Subject | **FW: 4/14/10 CAP reports - only 2,300 left to DE** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James |
| Sent | Thursday, April 15, 2010 10:16 AM |
| Attachments | FY11 VSC ... FY11 Cap r... |

Looks like they will be finished tonight, one day ahead of schedule. 1,450 left at CSC and only 845 at VSC.

We received 184 Wednesday at VSC, 125 at CSC. 21,500 total so far. I'll send this update again tomorrow and after that, Jim can take over.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Thursday, April 15, 2010 10:26 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/14/10 CAP reports

Denis and Julie, attached please find yesterday's CAP reports; please contact us with any questions.

Thanks,
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
[redacted] office
mobile (b)(6)
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | | | 52,281 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 98 | 193 | 56 | | | 6,802 |
| 57 | 58 | 68 | 53 | | | 1,867 |
| 77 | 15 | 79 | 59 | | | 2,514 |
| 37 | 17 | 30 | 16 | | | 1,039 |
| 311 | 188 | 370 | 184 | 0 | 0 | 12,222 |

0

12,222

58,265

-79.02%

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 5,246 | 5246 | 5246 |
| (CRP) H1B CAP - Premium | 1,286 | 753 | 125 |
| (CMN) H1B Masters | 2,064 | 2064 | 1837 |
| (CMP) H1B Masters - Premium | 702 | 511 | 58 |
| Totals | 9,298 | 8,574 | 7,266 |
| Data Entry | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 511 | 600 |
| (CMN) H1B Masters | | 0 | 222 |
| (CMP) H1B Masters - Premium | | 186 | 438 |
| Totals | | 697 | 1260 |
| Rejects (System & Manual) | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 22 | 28 |
| (CMN) H1B Masters | | 0 | 5 |
| (CMP) H1B Masters - Premium | | 5 | 15 |
| Totals | | 27 | 48 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|---|
| 5211 | 4188 | 2689 | 1214 | 1214 | 1214 |
| 90 | 35 | 16 | 0 | 0 | 0 |
| 540 | 264 | 243 | 236 | 236 | 236 |
| 35 | 21 | 9 | 0 | 0 | 0 |
| 5,876 | 4,508 | 2,957 | 1,450 | 1,450 | 1,450 |
| | | | | | |
| 34 | 1005 | 1463 | 1,427 | | |
| 33 | 54 | 18 | 16 | | |
| 1249 | 262 | 17 | 7 | | |
| 22 | 14 | 10 | 9 | | |
| 1338 | 1335 | 1508 | 1459 | 0 | 0 |
| | | | | | |
| 1 | 18 | 36 | 48 | | |
| 2 | 1 | 1 | 0 | | |
| 48 | 14 | 4 | 0 | | |
| 1 | 0 | 2 | 0 | | |
| 52 | 33 | 43 | 48 | 0 | 0 |

| 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 | 5/12/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 1214 | 1214 | 1214 | 1214 | 1214 | 1214 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 236 | 236 | 236 | 236 | 236 | 236 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,450 | 1,450 | 1,450 | 1,450 | 1,450 | 1,450 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | 6/9/10 | 6/10/10 | etc | |
|---|---|---|---|---|
| | 1214 | 1214 | 1214 | |
| | 0 | 0 | 0 | |
| | 236 | 236 | 236 | |
| | 0 | 0 | 0 | |
| | 1,450 | 1,450 | 1,450 | 0 |
| | | | | |
| | 0 | 0 | 0 | 0 |
| | | | | |
| | 0 | 0 | 0 | 0 |

# FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

Wednesday, February 10, 2016
9:43 AM

| | |
|---|---|
| Subject | **FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K |
| Cc | Neufeld, Donald |
| Sent | Friday, April 16, 2010 9:29 AM |
| Attachments | FY11 VSC ... FY11 Cap r... |

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
[redacted] office
mobile (b)(6)
703-535-5065 fax

erin.treacy@stanleyassociates.com
*www.stanleyassociates.com*

| Dates | 4/7/10 | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Wednesday | Thursday | Friday |
| (VRN) H1B CAP | 6,134 | 6,311 | 5,452 |
| (VRP) H1B CAP - Premium | 441 | 57 | 0 |
| (VMN) H1B Masters | 2,218 | 1,569 | 717 |
| (VMP) H1B Masters - Premium | 711 | 0 | 7 |
| Totals | 9,504 | 7,937 | 6,176 |

| Data Entry Complete | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 4 | 892 |
| (VRP) H1B CAP - Premium | 1,159 | 415 | 67 |
| (VMN) H1B Masters | 0 | 715 | 856 |
| (VMP) H1B Masters - Premium | 228 | 639 | 27 |
| Totals | 1,387 | 1,773 | 1,842 |

| Completed Rejects (Manual) | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 0 | 0 |
| (VRP) H1B CAP - Premium | 0 | 0 | 0 |
| (VMN) H1B Masters | 0 | 0 | 0 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 |

nter

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Totals |
|---|---|---|---|---|
| Monday | Tuesday | Wednesday | Thursday | |
| 4,133 | 2,189 | 680 | 50 | |
| 2 | 0 | 0 | 0 | |
| 225 | 293 | 165 | 60 | |
| 0 | 0 | 0 | 0 | |
| 4,360 | 2,482 | 845 | 110 | |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1,417 | 2,070 | 1,562 | 771 | 6,716 |
| 56 | 38 | 29 | 22 | 1,786 |
| 507 | 3 | 172 | 169 | 2,422 |
| 24 | 11 | 15 | 9 | 953 |
| 2,004 | 2,122 | 1,778 | 971 | 11,877 |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1 | 3 | 3 | 44 | 51 |
| 11 | 24 | 24 | 0 | 59 |
| 1 | 0 | 15 | 21 | 37 |
| 21 | 15 | 1 | 0 | 37 |
| 34 | 42 | 43 | 65 | 184 |

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 5,373 | 5373 | 5373 |
| (CRP) H1B CAP - Premium | 1,323 | 790 | 162 |
| (CMN) H1B Masters | 2,108 | 2108 | 1881 |
| (CMP) H1B Masters - Premium | 718 | 527 | 74 |
| Totals | 9,522 | 8,798 | 7,490 |
| | | | |
| Data Entry | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 511 | 600 |
| (CMN) H1B Masters | | 0 | 222 |
| (CMP) H1B Masters - Premium | | 186 | 438 |
| Totals | | 697 | 1260 |
| | | | |
| Rejects (System & Manual) | | | |
| (CRN) H1B CAP | | 0 | 0 |
| (CRP) H1B CAP - Premium | | 22 | 28 |
| (CMN) H1B Masters | | 0 | 5 |
| (CMP) H1B Masters - Premium | | 5 | 15 |
| Totals | | 27 | 48 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|---|
| 5338 | 4315 | 2816 | 1341 | 351 | 351 |
| 127 | 72 | 53 | 37 | 0 | 0 |
| 584 | 308 | 287 | 280 | 139 | 139 |
| 51 | 37 | 25 | 16 | 0 | 0 |
| 6,100 | 4,732 | 3,181 | 1,674 | 490 | 490 |
| | | | | | |
| 34 | 1005 | 1463 | 1,427 | 935 | |
| 33 | 54 | 18 | 16 | 37 | |
| 1249 | 262 | 17 | 7 | 131 | |
| 22 | 14 | 10 | 9 | 16 | |
| 1338 | 1335 | 1508 | 1459 | 1119 | 0 |
| | | | | | |
| 1 | 18 | 36 | 48 | 55 | |
| 2 | 1 | 1 | 0 | 0 | |
| 48 | 14 | 4 | 0 | 10 | |
| 1 | 0 | 2 | 0 | 0 | |
| 52 | 33 | 43 | 48 | 65 | 0 |

| 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 | 5/12/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/9/10 | 6/10/10 | etc | |
|---|---|---|---|
| 351 | 351 | 351 | |
| 0 | 0 | 0 | |
| 139 | 139 | 139 | |
| 0 | 0 | 0 | |
| 490 | 490 | 490 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

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# Bloggings On Nurse And Allied Health Immigration

***by Christopher T. Musillo***

Editor's note: Here are the latest entries from Chris Musillo's blog

**April 07, 2010**

**H-1B numbers down dramatically**

Filing for the H-1B visa cap opened on April 1, 2010, and this year the filing numbers are down dramatically. Filing numbers are about one-third of last year's numbers and a staggering 10% from the H-1B filing numbers in the middle of the past decade.

Each year, the USCIS is allowed to approve 65,000 H-1B "regular" Petitions. USCIS is also allowed to approve 20,000 H-1B "Masters" Petitions; these are cases for foreign-workers who have graduated from a US-based University with at least a Masters degree. Any cases received at one of the two H-1B Service Centers before April 7 are treated as "Day One" filings.

Reports have indicated that the Vermont Service Center has received about 7,500 cap-subject "regular" H-1 Petitions and about 3,000 Masters Petitions. Yesterday's report, which is from an AILA member at a Vermont Service Center meeting, indicates that there were similar numbers received at the California Service Center.

All told, this means that fewer than 15,000 regular H-1B Petitions have been received and 6,000 US Masters degree H-1Bs. Last year the USCIS received a little more than 40,000 regular H-1 filings during the first week. In the middle of the decade it was common for the USCIS to receive over 100,000 H-1B petitions.

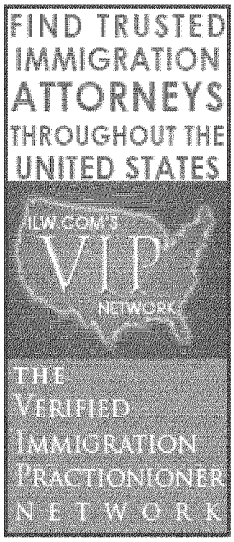
The H-1B is a common visa for healthcare professionals such as Physical Therapists, Occupational Therapists, Speech Language Pathologists, some nursing positions, and other professions ordinarily associated with a Bachelors degree or greater. The H-1B traditionally has been in great demand by the IT community.

Posted at 11:12 AM | Permalink | Comments (0) | TrackBack (0)

**April 01, 2010**

**Schumer and Graham on CIR**

*by Chris Musillo*




This past Sunday, Sens. Schumer and Graham were featured on NBC's *Meet The Press* (you can watch the four minute clip where the Senators talk immigration at NBC's website). Sen. Graham said that he would continue to work with Sen. Schumer to pass CIR. These two Senators have been leading the push for CIR. The conventional wisdom is that the House will not push forward on CIR unless the Senate acts firstly, which is why it is so important that these two are willing to move ahead.

Last week, Sen. Graham said that immigration would be the first casualty of partisanship if the Democrats pushed through the healthcare bill, which is exactly what the Democrats did. On *Meet The Press*, he backed off that position.

"I will keep working with Chuck on immigration [but] immigration's tough," said Sen. Graham. The Senator cautioned that unless President Obama leads the charge, "tough sledding lies ahead."

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Is immigration reform dead? "I don't think so," said Sen. Schumer. Sen. Schumer continued, "We're real close." The Senator then listed groups like labor, business, and religious entities that are ready to sign on.

Many are willing to come to the simple conclusion that CIR has no chance of passing in 2010. That is certainly the likely outcome. As I have said before, the pessimism may be misplaced. It helps nobody to be needlessly optimistic or pessimistic on CIR. The reality is that with hard work CIR can be passed and with targeted advocacy healthcare occupations can be part of the discussion. Have you called your Congressman?

Posted at 12:37 PM | Permalink | Comments (2) | TrackBack (0)

## About The Author

**Christopher T. Musillo** is a partner at MusilloUnkenholt Immigration Law. He is a graduate of Villanova University, Villanova, Pennsylvania. When not zealously representing his clients, Chris enjoys outdoor sports, listening to music, traveling and reading.

The opinions expressed in this article do not necessarily reflect the opinion of ILW.COM.

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# SC FY11 H-1B Acceptability Documents for Review

Wednesday, February 10, 2016
10:43 AM

| | |
|---|---|
| Subject | **SC FY11 H-1B Acceptability Documents for Review** |
| From | Sweeney, Shelly A |
| To | Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L; Doherty, Shannon P |
| Sent | Friday, January 29, 2010 12:59 PM |
| Attachments | Reject letter #5I-129 FY...<br>Revised H1B Post RNG ...<br>Draft FY-'11 H1B CSC Pr... |

All,

Attached are documents that the VSC had sent regarding last year's acceptability criteria for cap cases. They would like to know if they still are ok for this year. Please let me know of any edits or recommended changes prior to Tuesday's teleconference as I would like to include these as an item for discussion.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: Cap Count Web Page

Thursday, February 04, 2016
10:46 AM

| | |
|---|---|
| Subject | **FW: Cap Count Web Page** |
| From | Young, Claudia F |
| To | 'OCC-Clearance'; Salem, Claudia S; Choi, Sunny |
| Cc | Cummings, Kevin J; Williams, Carol L; Sweeney, Shelly A |
| Sent | Thursday, April 16, 2009 2:12 PM |
| Attachments | Cap Count... G-1019 H-... |

Hi, OCC. Just a friendly reminder that we are looking to hopefully have this cleared and posted to the web tomorrow as we have had attorneys requesting the page be updated. Please let us know if you have any comments or edits.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060 (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 15, 2009 10:34 AM
**To:** OCC-Clearance; Salem, Claudia S; Choi, Sunny
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L
**Subject:** Cap Count Web Page

OCC,

SCOPS has made some redlines to the H-1B/H-2B cap count web page to update it for the current fiscal year. We are seeking OCC's clearance on these changes. Please note that the statistical information for H-1Bs is currently highlighted as it will need to be reviewed prior to posting to include the most recent information. Right now, the information in the document reflects data that I received yesterday morning.

We would like comments/edits for concurrence by COB tomorrow, April 16 so that we can have this posted on Friday.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*

*Phone:* [redacted]
*Fax: (202) 272-1542*

(b)(6)

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

# Request for Web Publishing

Section A - To Be Completed by Requester

| 1. Document Title/Description:<br><br>Title: Cap Count for H-1B and H-2B Workers for Fiscal Year 2010<br><br>URL: http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=138b6138f898d010VgnVCM10000048f3d6a1RCRD&vgnextchannel=91919c7755cb9010VgnVCM10000045f3d6a1RCRD<br>Instructions for posting content must be provided - Please contact Web Content for guidance. | 2. To be published on:<br><br>☒ USCIS.gov (Public Internet)<br><br>☐ Intranet (Internal Intranet) |
|---|---|
| 3. Name, Phone & Email of Requester: Requester is usually the Point of Contact to the Web Content unit; Program Director is usually the Content Owner, and signs #14.<br>Shelly Sweeney (b)(6) Shelly.Sweeney@dhs.gov | 5. Date Submitted: |
| 6. Office Name and Location: | |
| 8. Action Requested:<br><br>☒ Revise Existing Document(s) ☐ New Document ☐ Other | |
| 9. Justification:<br>Information regarding the FY2010 H-1B cap count needs to be updated. | |
| 10. a) This content does not duplicate or conflict with existing USCIS.gov IntERnet or IntrAnet content: ☒<br><br>b) This content is consistent with the USCIS.gov Style Guide written in plain language: ☒ | |

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|---|---|
| 13. Counsel Comment, if any: | |

Section C - Approvals

| 14. Content Owner: Usually Program Director. Certifies that this document has been internally coordinated, cleared, and is ready for publication. | 15. Date: |
|---|---|
| 16. Web Content Management: Web Content Manager, or Director, Office of Communications | 17. Date: |

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Please submit, with content to be published, to Web Content, Office of Communications.

Form G-1019 (Rev. 12-15-05)Y

# RE: Cap Count Web Page

Tuesday, February 09, 2016
1:02 PM

| | |
|---|---|
| Subject | **RE: Cap Count Web Page** |
| From | Salem, Claudia S |
| To | Young, Claudia F; Cummings, Kevin J; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B |
| Cc | Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex |
| Sent | Friday, April 17, 2009 12:56 PM |
| Attachments | Cap Count... |

Hi,

[redacted]

Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1. (b)(6)
w2. [redacted]
email: claudia.salem@dhs.gov
fax 202-272-1405

**From:** Young, Claudia F
**Sent:** Friday, April 17, 2009 8:13 AM
**To:** Salem, Claudia S; Cummings, Kevin J; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: Cap Count Web Page
**Importance:** High

Claudia et all,
SCOPS has no issues with the red-line edits by OCC. We have also responded to each comment provided by OCC and incorporated Phil Busch's edit regarding H1B1.

We did think about a chart for the H1B Cap, however since it is going to take us awhile to hit the cap, we decided that just providing the numbers as we did was easier for everyone. When we were hitting the cap immediately, a chart definitely was more beneficial, but for this year, we believe this was the best approach.

If you could please review this morning and let me know if you are okay with this version, we will aim for posting this afternoon.

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Salem, Claudia S
**Sent:** Thursday, April 16, 2009 5:12 PM
**To:** Cummings, Kevin J; Young, Claudia F; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: Cap Count Web Page
**Importance:** High

Please see attached redline version with comments.

[redacted] (b)(5)

Thanks!
C
Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1. [redacted] (b)(6)
w2.
email: claudia.salem@dhs.gov
fax 202-272-1405

**From:** Cummings, Kevin J
**Sent:** Thursday, April 16, 2009 3:37 PM
**To:** Young, Claudia F; 'OCC-Clearance'; Salem, Claudia S; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A
**Subject:** RE: Cap Count Web Page

[redacted] (b)(5)

--Kevin
Please note that up to 6,800 visas may be set aside from the cap of 65,000 during the fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Any unused numbers set aside may be made available for H-1B use with start dates beginning on October 1, 2009, the start of FY 2010.

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted] (b)(6)
Cell: [redacted]
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Young, Claudia F
**Sent:** Thursday, April 16, 2009 3:12 PM
**To:** 'OCC-Clearance'; Salem, Claudia S; Choi, Sunny

**Cc:** Cummings, Kevin J; Williams, Carol L; Sweeney, Shelly A
**Subject:** FW: Cap Count Web Page
**Importance:** High

Hi, OCC. Just a friendly reminder that we are looking to hopefully have this cleared and posted to the web tomorrow as we have had attorneys requesting the page be updated. Please let us know if you have any comments or edits.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6)
[redacted]

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**Sent:** Wednesday, April 15, 2009 10:34 AM
**To:** OCC-Clearance; Salem, Claudia S; Choi, Sunny
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L
**Subject:** Cap Count Web Page

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We would like comments/edits for concurrence by COB tomorrow, April 16 so that we can have this posted on Friday.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone* [redacted] (b)(6)
*Fax: (202) 272-1542*

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# RE: Cap Count Web Page

Tuesday, February 09, 2016
1:12 PM

| Subject | **RE: Cap Count Web Page** |
|---|---|
| From | Sweeney, Shelly A |
| To | Young, Claudia F |
| Sent | Wednesday, April 15, 2009 9:21 AM |
| Attachments | Cap Count...<br>G-1019 H-... |

Okay, I made the addition regarding the subtraction of C/S H-1B1 visas from the cap to the section on H-1Bs. Let me know if you think it's ready to send.

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 15, 2009 9:27 AM
**To:** Young, Claudia F
**Subject:** Cap Count Web Page

Claudia, (b)(5)

[redacted]

Please let me know if you have any changes, etc.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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information shall not be distributed beyond the original addressees without prior authorization of the originator.

# RE: Cap Count Web Page

Tuesday, February 09, 2016
1:13 PM

| | |
|---|---|
| Subject | **RE: Cap Count Web Page** |
| From | Cummings, Kevin J |
| To | Salem, Claudia S; Young, Claudia F; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B; Rhatigan, Chris; Wright, William G; Bacon, William H |
| Cc | Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex; Kruszka, Robert F; Velarde, Barbara Q; Richardson, Gregory A; Bentley, Christopher S |
| Sent | Friday, April 17, 2009 1:11 PM |
| Attachments | Cap Count... |

All:

Here is the clean version of the cap count update that has been cleared by OCC.

OCOMM: Can you please post this to the cap count webpage? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office [redacted] (b)(6)
Cell:
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Salem, Claudia S
**Sent:** Friday, April 17, 2009 1:56 PM
**To:** Young, Claudia F; Cummings, Kevin J; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: Cap Count Web Page
**Importance:** High

Hi,

[redacted] (b)(5)

Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1 [redacted]
w2
email: claudia.salem@dhs.gov (b)(6)
fax 202-272-1405

**From:** Young, Claudia F

# Cap Count for H-1B, H-2B, and H-3 Workers for Fiscal Year 2010

## Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.

### What is a "cap"

The term "cap" in this USCIS Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. A cap controls the number of new aliens that can be issued a visa in a given fiscal year to be admitted into the United States pursuant to a particular nonimmigrant classification. A cap also controls the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

### H-1B

The H-1B visa program is used by U.S. employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent. Typical H-1B occupations include architects, engineers, computer programmers, accountants, doctors and college professors. The H-1B visa program also includes certain fashion models of distinguished merit and ability and up to 100 persons who will perform services of an exceptional nature in connection with Department of Defense (DOD) research and development projects or coproduction projects. The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

### H-1B Employer Exemptions

H-1B nonimmigrants who are employed, or who have received an offer of employment, by institutions of higher education or a related or affiliated nonprofit entity, as well as those employed, or who will be employed, by a nonprofit research organization or a governmental research organization are exempt from the H-1B cap.

### H-1B Advanced Degree Exemption

The H-1B Visa Reform Act of 2004 makes available 20,000 new H-1B visas for foreign workers with a Master's or higher level degree from a U.S. academic institution. For each fiscal year, 20,000 beneficiaries of H-1B petitions on behalf of persons who hold such credentials are statutorily exempted from the H-1B cap.

**Duplicate H-1B Petitions Filed Requesting Fiscal Year 2010 Employment**

USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one filing is discovered. If multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

As of April 13, 2009, approximately 43,000 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits, taking into account the fact that some of these petitions may be denied, revoked, or withdrawn.

**H-1B1**

An H-1B1 nonimmigrant is a national of Chile or Singapore coming to the United States to work temporarily in a specialty occupation. The law defines an H-1B1 specialty occupation as a position that requires theoretical and practical application of a body of specialized knowledge. The beneficiary must have a bachelor's degree or higher (or equivalent) in the specific specialty. The combined statutory limit is 6,800 per year. The cap for H-1B1 for FY2010 has not been reached as of the date of this Update.

**H-2B**

The H-2B visa category allows U.S. employers in industries with peak load, seasonal or intermittent needs to augment their existing labor force with temporary workers. The H-2B visa category also allows U.S. employers to augment their existing labor force when necessary due to a one-time occurrence which necessitates a temporary increase in workers. Typically, H-2B workers fill labor needs in occupational areas such as construction, health care, landscaping, lumber, manufacturing, food service/processing, and resort/hospitality services.

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. As of FY 2010, an H-2B petition may not be filed more than 120 days before the date of the actual need for the H-2B worker's labor/services identified on the labor certification. As

a result, USCIS normally begins receiving H-2B petitions with employment start dates in October in June.

**What is the H-2B numerical limit set by Congress?**

The H-2B numerical limit set by Congress per fiscal year is 66,000. Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the numerical limit. An alien who changes nonimmigrant status to H-2B is counted against the annual H-2B cap.

As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

| Cap Type | Cap Amount | Beneficiaries Approved | Beneficiaries Pending | Beneficiaries Target [1] | Total | Date of Last Count |
|---|---|---|---|---|---|---|
| H-2B 1st Half | 33,000 | ------ | ------ | ------ | ------ | ------ |
| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ------ |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
[2] A shortfall in the 1st half would be made up in the 2nd half.
[3] Visas issued plus beneficiaries changing status already in the United States.

**H-3**

The H-3 nonimmigrant visa category is for aliens who are coming temporarily to the U.S. to receive training (other than graduate medical education or training) that is not available in their home countries. The training may be provided by a business entity, academic, or vocational institute. The H-3 nonimmigrant visa category also includes aliens who are coming temporarily to the U.S. to participate in a special education training program for children with physical,

mental, or emotional disabilities. There is a limit of 50 visas per fiscal year allocated to H-3 aliens participating in special education training programs. As of March 30, 2009, three of these H-3 visas had been approved with a start date in FY 2009.

# Cap Count Web Page

Thursday, February 04, 2016
10:33 AM

| Subject | **Cap Count Web Page** |
|---|---|
| From | Sweeney, Shelly A |
| To | Young, Claudia F |
| Sent | Wednesday, April 15, 2009 8:26 AM |
| Attachments | Cap Count... G-1019 H-... |

Claudia,

[redacted] (b)(5)

Please let me know if you have any changes, etc.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone* [redacted] (b)(6)
*Fax: (202) 272-1542*

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# FW: Cap Count Webpage

Wednesday, February 10, 2016
9:51 AM

| | |
|---|---|
| Subject | **FW: Cap Count Webpage** |
| From | Cox, Robert H |
| To | Sweeney, Shelly A; Harton, Frank A |
| Cc | Salem, Claudia S; Dalal-Dheini, Sharvari P; OCC-Clearance; Ald; Morgan, Carmen J |
| Sent | Tuesday, December 28, 2010 5:06 PM |
| Attachments | FY11 H-1B ... |

Hi Shelly,

We are ok with revised cap count webpage (of course the chart on page 1 will have to be updated with the most recent numbers).

Thanks,

Robert H. Cox, Jr.
*Associate Counsel, Adjudications Law Division*
*USCIS Office of the Chief Counsel*
*US Department of Homeland Security*
*20 Massachusetts Avenue, N.W. Suite 4210*
*Washington, D.C. 20529-2120*
*Office:* [redacted] (b)(6)
*Cell:*
*Robert.H.Cox@dhs.gov*

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**From:** Sweeney, Shelly A
**Sent:** Monday, December 27, 2010 11:02 AM
**To:** Dalal-Dheini, Sharvari P; Cox, Robert H
**Cc:** Harton, Frank A
**Subject:** FW: Cap Count Webpage

Shev and Robert,

Hope you had a wonderful holiday weekend!

We're very, very close to hitting the master's exemption so I was wondering if you guys had a chance to take a look at this. We haven't gotten the figures yet from last week but we were only about 300 petitions short the week before last, so I figured it might be best to be prepared. :-)

Thanks!

Shelly

**From:** Sweeney, Shelly A

**Sent:** Friday, December 17, 2010 1:11 PM

**To:** Dalal-Dheini, Sharvari P; Cox, Robert H

**Cc:** Harton, Frank A; 'Salem, Claudia S (claudia.salem@dhs.gov)'; Doherty, Shannon P

**Subject:** RE: Cap Count Webpage

Shev and Robert,

I've provided responses/additional edits based on your comments. Please let me know if you have any other comments/edits or if you are ok with this.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P

**Sent:** Wednesday, December 15, 2010 11:25 AM

**To:** Sweeney, Shelly A; Cox, Robert H

**Cc:** Harton, Frank A; Salem, Claudia S (claudia.salem@dhs.gov)

**Subject:** RE: Cap Count Webpage

Shelly,

Attached are our comments and edits on the Update for your review.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: (202) 272-1414 (b)(6)
Cell: [redacted]
Fax:
Email: Sharvari.Dalal-Dheini@dhs.gov
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Thank you.

**From:** Sweeney, Shelly A
**Sent:** Monday, December 13, 2010 4:29 PM
**To:** Dalal-Dheini, Sharvari P; Cox, Robert H
**Cc:** Harton, Frank A
**Subject:** Cap Count Webpage

Shev and Robert,

We're starting to get very close to meeting the advanced degree exemption. The current count as of Friday is at approximately 19,100. SCOPS would like to make sure that we're ready to update the cap count webpage to let the public know that we're still accepting advanced degree petitions, but that they are now going to count against the regular cap. I have drafted the attached redlines for your review. Tweak away!

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# Cap Documents

Wednesday, February 10, 2016
8:59 AM

| | |
|---|---|
| Subject | **Cap Documents** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Cc | Young, Claudia F |
| Sent | Tuesday, January 05, 2010 2:23 PM |
| Attachments | DRAFT H-1... DRAFT Opt... DRAFT Q&... DRAFT Q&... |

Bobbie,

I've finally finished pulling together the draft cap documents for your review. Please note that I am also concurrently running the cap gap document through John in Sophia's branch since it has to do with F-1s. Please let me know of any changes you would like to make before I forward to the field for their input.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# CAP first five day filings total- 19,206

Wednesday, February 10, 2016
9:03 AM

| | |
|---|---|
| Subject | **CAP first five day filings total- 19,206** |
| From | Peck, Denis R |
| To | Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K; Shiflett, Julie M; Lundquist, Mark E |
| Sent | Thursday, April 08, 2010 8:25 AM |
| Attachments | FY11 VSC ... FY11 Cap r... |

I count 4,293 Premiums – 22.35%

The master-nonmasters breakdown looks like 5,631 masters and 13,575 regular.

Our comparable five day total last year was just under 64,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | |
| | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 |
| | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| etc. | Total |
|---|---|
| | 26,126 |
| | |
| etc. | Total |
| | 6,134 |
| | 1,600 |
| | 2,218 |
| | 939 |
| 0 | 10,891 |
| | |
| etc. | Total |
| | 6,134 |
| | 1,600 |
| | 2,218 |
| | 939 |
| 0 | 10,891 |

0

10,891

58,265

-81.31%

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 4,719 | 4719 | 4719 |
| (CRP) H1B CAP - Premium | 1,122 | 602 | 602 |
| (CMN) H1B Masters | 1,842 | 1842 | 1842 |
| (CMP) H1B Masters - Premium | 632 | 445 | 445 |
| Totals | 8,315 | 7,608 | 7,608 |

| Data Entry | |
|---|---|
| (CRN) H1B CAP | 0 |
| (CRP) H1B CAP - Premium | 510 |
| (CMN) H1B Masters | 0 |
| (CMP) H1B Masters - Premium | 185 |
| Totals | 695 |

| Rejects (System & Manual) | |
|---|---|
| (CRN) H1B CAP | 0 |
| (CRP) H1B CAP - Premium | 10 |
| (CMN) H1B Masters | 0 |
| (CMP) H1B Masters - Premium | 2 |
| Totals | 12 |

| 4/9/10 | 4/10/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/16/10 | 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/26/10 | 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/4/10 | 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/12/10 | 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/20/10 | 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/28/10 | 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 |
|---|---|---|---|---|---|
| 4719 | 4719 | 4719 | 4719 | 4719 | 4719 |
| 602 | 602 | 602 | 602 | 602 | 602 |
| 1842 | 1842 | 1842 | 1842 | 1842 | 1842 |
| 445 | 445 | 445 | 445 | 445 | 445 |
| 7,608 | 7,608 | 7,608 | 7,608 | 7,608 | 7,608 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/8/10 | 6/9/10 | 6/10/10 | etc |
|---|---|---|---|
| 4719 | 4719 | 4719 | |
| 602 | 602 | 602 | |
| 1842 | 1842 | 1842 | |
| 445 | 445 | 445 | |
| 7,608 | 7,608 | 7,608 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

# Cap Gap H-1B Update

Wednesday, February 10, 2016
9:05 AM

| | |
|---|---|
| Subject | **Cap Gap H-1B Update** |
| From | Sweeney, Shelly A |
| To | Baldwin, John T |
| Cc | Cox, Sophia; Johnson, Bobbie L |
| Sent | Tuesday, January 05, 2010 2:37 PM |
| Attachments | DRAFT Q&... |

John,

I have started pulling together the H-1B FY11 cap season press package (Update, Q&A and processing worksheet) and I thought it might be nice to dust off the cap gap Q&As. Sophia kindly forwarded the FY10 version to me and I have updated the dates. Can you review and let me know of any changes you believe need to be made?

I am planning on sending the full press package to the field for their review and then on to OCC for clearance.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: Cap Gap Info

Wednesday, February 10, 2016
10:00 AM

| | |
|---|---|
| Subject | **FW: Cap Gap Info** |
| From | Doherty, Shannon P |
| To | Thomen, Graciela M |
| Cc | Johnson, Bobbie L; Sweeney, Shelly A; Clark, Matthew J; Cox, Sophia; Parisi, Thomas; McKenzie, Trish H; Wheeler, Shannon L |
| Sent | Wednesday, March 31, 2010 12:33 PM |
| Attachments | H-1B-Filin... |

Wow, that looks great!

Shannon

**From:** Thomen, Graciela M
**Sent:** Wednesday, March 31, 2010 1:18 PM
**To:** Clark, Matthew J; Doherty, Shannon P; Parisi, Thomas
**Cc:** McKenzie, Trish H; Cox, Sophia; Wheeler, Shannon L
**Subject:** RE: Cap Gap Info

Hi Shannon,
Attached please find the banner for H-1B cap season. Let me know if the message is clear or needs other text.
Comments and changes are welcome.
Thanks,
Graciela

**From:** Clark, Matthew J
**Sent:** Wednesday, March 31, 2010 1:14 PM
**To:** Doherty, Shannon P; Parisi, Thomas
**Cc:** McKenzie, Trish H; USCIS Web Publishing; Cox, Sophia; Wheeler, Shannon L; Thomen, Graciela M
**Subject:** RE: Cap Gap Info

I'll defer to Tom's shop on the banner.

*Matthew J. Clark*
Communications Strategist
Office of Communications
(b)(6)
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office
Blackberry
www.uscis.gov

**From:** Doherty, Shannon P

**Sent:** Wednesday, March 31, 2010 1:09 PM
**To:** Clark, Matthew J; Parisi, Thomas
**Cc:** McKenzie, Trish H; USCIS Web Publishing; Cox, Sophia; Wheeler, Shannon L
**Subject:** RE: Cap Gap Info

Ok, thanks.

One other thing, are we all set for a "Banner" to be posted announcing the opening of the H-1B cap season tomorrow?

Shannon

**From:** Clark, Matthew J
**Sent:** Wednesday, March 31, 2010 1:07 PM
**To:** Doherty, Shannon P; Parisi, Thomas
**Cc:** McKenzie, Trish H; USCIS Web Publishing; Cox, Sophia; Wheeler, Shannon L
**Subject:** RE: Cap Gap Info

It's not been posted, our Office Chief has to clear everything before we can post and has yet to do so. He had it in his hand on the way to his last meeting so hopefully it won't be long. As soon as he gives me the nod, the web team can post it.

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
(b)(6) U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office
Blackberry
www.uscis.gov

**From:** Doherty, Shannon P
**Sent:** Wednesday, March 31, 2010 1:02 PM
**To:** Parisi, Thomas
**Cc:** McKenzie, Trish H; Clark, Matthew J; USCIS Web Publishing; Cox, Sophia
**Subject:** Cap Gap Info

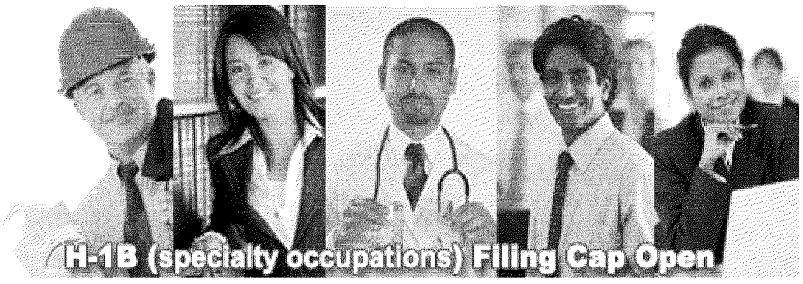
Hi OCOMM,

I'm filling in for Shelly today. She asked me to double-check that the "Cap Gap" info has been posted on uscis.gov

I can't seem to find it. Can you help me? (Maybe I'm looking in the wrong place)

Thanks,

Shannon


H-1B (specialty occupations) Filing Cap Open

# FW: Cap Gap Q&A

Wednesday, February 10, 2016
10:03 AM

| | |
|---|---|
| Subject | **FW: Cap Gap Q&A** |
| From | Sweeney, Shelly A |
| To | Clark, Matthew J |
| Sent | Thursday, March 25, 2010 3:21 PM |
| Attachments | DRAFT QA ... |

-----Original Message-----
From: Sweeney, Shelly A
Sent: Thursday, March 04, 2010 11:49 AM
To: Clark, Matthew J; Baldwin, John T; Ash, Matthew L; Cox, Sophia
Cc: Parisi, Thomas
Subject: RE: Cap Gap Q&A

Here it is.

-----Original Message-----
From: Clark, Matthew J
Sent: Thursday, March 04, 2010 11:48 AM
To: Sweeney, Shelly A; Baldwin, John T; Ash, Matthew L; Cox, Sophia
Cc: Parisi, Thomas
Subject: RE: Cap Gap Q&A

Can someone send me the Q&A?

Matt

-----Original Message-----
From: Sweeney, Shelly A
Sent: Thursday, March 04, 2010 11:46 AM
To: Baldwin, John T; Ash, Matthew L; Cox, Sophia
Cc: Parisi, Thomas; Clark, Matthew J
Subject: RE: Cap Gap Q&A

Adding Matthew Clark, who is working on the FY11 cap package.

-----Original Message-----
From: Baldwin, John T
Sent: Thursday, March 04, 2010 11:30 AM
To: Ash, Matthew L; Cox, Sophia
Cc: Parisi, Thomas; Sweeney, Shelly A
Subject: RE: Cap Gap Q&A

Matt, Tom,

This is one of the four FY11 H-1B Cap Documents and should be posted, I assume, on the external USCIS website with the other three documents:

Optional Processing Worksheet for H-1B Filings

USCIS to Accept H-1B Petitions for FY 2011 Beginning April 1, 2010 Information for Completing and Submitting an FY 2011 H-1B Cap Case

USCIS to Accept H-1B Petitions for FY 2011 Beginning April 1, 2010 Petitioners are Reminded to Follow Regulatory Requirements

John T. Baldwin
Adjudications Officer
Family and Status Branch
Service Center Operations

[redacted] (b)(6)

-----Original Message-----
From: Ash, Matthew L
Sent: Thursday, March 04, 2010 11:22 AM
To: Cox, Sophia
Cc: Parisi, Thomas; Baldwin, John T; Sweeney, Shelly A
Subject: RE: Cap Gap Q&A

Sophia, John,
Is this a request for posting on the uscis.gov external website? If so, Tom Parisi, cc'd above, can help. If this is for Internal Use Only, I can be of assistance. Please clarify, thanks, Matt

Matthew Ash
Chief, Internal Communications Division
USCIS Office of Communications
matthew.ash@dhs.gov

[redacted] (b)(6)

-----Original Message-----
From: Cox, Sophia
Sent: Wednesday, March 03, 2010 5:19 PM
To: Ash, Matthew L
Cc: Baldwin, John T; Sweeney, Shelly A
Subject: FW: Cap Gap Q&A
Importance: High

Hi, Matthew. We would like to get the attached cap gap Q and As for students transitioning to H-1B posted to the web as soon as possible. OCC has cleared. We are doing this effort jointly with the H-1B posting. These Q and As have been on the web for the past 2 or 3 years; we merely wish to update them. I will not be in the office tomorrow, but if you need anything, please contact John Baldwin, my Student SME, who will also be acting for me. To ensure that everyone is in the loop, I have also copied Shelly Sweeney, our H-1B SME, as well as Bobbie Johnson and Claudia Young, the Business Branch Chiefs for SCOPS. Many thanks in advance. --Sophia

Sophia Cox
Branch Chief, Family and Status
Service Center Operations
U.S. Citizenship and Immigration Services 20 Massachusetts Avenue, N.W., Room 2132 Washington, D.C. 20529

(b)(6)

# FW: Cap Gap Q&A

Wednesday, February 10, 2016
10:02 AM

| | |
|---|---|
| Subject | **FW: Cap Gap Q&A** |
| From | Cox, Sophia |
| To | Ash, Matthew L |
| Cc | Baldwin, John T; Sweeney, Shelly A |
| Sent | Wednesday, March 03, 2010 4:19 PM |
| Attachments | DRAFT QA ... |

Hi, Matthew. We would like to get the attached cap gap Q and As for students transitioning to H-1B posted to the web as soon as possible. OCC has cleared. We are doing this effort jointly with the H-1B posting. These Q and As have been on the web for the past 2 or 3 years; we merely wish to update them. I will not be in the office tomorrow, but if you need anything, please contact John Baldwin, my Student SME, who will also be acting for me. To ensure that everyone is in the loop, I have also copied Shelly Sweeney, our H-1B SME, as well as Bobbie Johnson and Claudia Young, the Business Branch Chiefs for SCOPS. Many thanks in advance. --Sophia

Sophia Cox
Branch Chief, Family and Status
Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, N.W., Room 2132 Washington, D.C. 20529

(b)(6)

# Cap Met USCIS Update

Wednesday, February 10, 2016
9:07 AM

| | |
|---|---|
| Subject | **Cap Met USCIS Update** |
| From | Sweeney, Shelly A |
| To | Fitzsimmons, James |
| Sent | Tuesday, January 11, 2011 7:49 AM |
| Attachments | USCISUpd... |

Jim,

OCOMM is aware that we're getting closer to reaching the cap and has dusted off their old USCIS Update. I made one comment and one minor edit, but wanted to run this by you before I send back to OCOMM. Is there anything that you would recommend removing/changing?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: CAP numbers

Wednesday, February 10, 2016
10:04 AM

| | |
|---|---|
| Subject | **FW: CAP numbers** |
| From | Shiflett, Julie M |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Peck, Denis R |
| Cc | Salter, Heidi M; Bonnett, Gale C |
| Sent | Monday, April 05, 2010 7:12 AM |
| Attachments | FY11 Cap r... |

Good Morning All,

FYI. Please see the message below and attached report. Day 1 and Day 2 for CSC are estimates... I say estimates because NFTS has been down... will report more as the updates roll in...

Many Thanks,
:)

---

Julie Shiflett| Management and Program Analyst /COTR
Contracts Management/Acquisition Branch
USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ [redacted] (202) 272-1542 Julie.Shiflett@dhs.gov

(b)(6)

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 8:21 PM
**To:** 'denis.peck@dhs.gov'; Shiflett, Julie M
**Cc:** 'Peacock, Walter W.'; Treacy, Erin; Petherbridge, Dan R; Siesel, Gregory P; 'Siesel, Gregory P.'
**Subject:** FW: CAP numbers

Denis/Julie,

Walter asked me to send the updated CAP numbers for Day 1 and 2.

Unfortunately, NFTS is down and the CSC CAP counts are estimates.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

If NFTS comes back up; my night crew audit team will run the CAP box ranges and I will send you an updated total for each day.

Hope this answers the mail.

Have a great weekend.

Regards,

Greg Siesel
Site Manager
CSC Stanley SCOSS Team

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |
| | | | | | |
| Bar Coding Progress | | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 0 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 0 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 |
| Total | 7,932 | 833 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| | |

| 4/7/10 | Total |
|---|---|
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |

| r bucket) | |
|---|---|
| 4/7/10 | Total |
| 0 | 5,254 |
| 0 | 1,047 |
| 0 | 1,789 |
| 0 | 675 |
| 0 | 8,765 |

| | |
|---|---|
| | 0 |
| | 8,765 |
| | 43,796 |
| | 79.99% |

# FW: CAP Rejects - letter

Wednesday, February 10, 2016
10:07 AM

| | |
|---|---|
| Subject | **FW: CAP Rejects - letter** |
| From | Peck, Denis R |
| To | Sweeney, Shelly A |
| Cc | Young, Claudia F |
| Sent | Tuesday, February 01, 2011 8:18 AM |
| Attachments | H1BReject |

Is there anything more you would want in the reject letters about to be used than this language? Is there any need for the lottery losers from Wednesday to have different language in the letter?

Denis Peck
Branch Chief, Service Center Records Management SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

-----Original Message-----
From: Ashline, Heidi L
Sent: Tuesday, February 01, 2011 9:14 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J
Subject: RE: CAP Rejects

Denis,

Please find attached the Reject Letter we use here at VSC for CAP cases. We do not have a separate letter for cases received Wed. and cases received after that. Let me know what you think.

Thank you,

Heidi Ashline
VSC/SISA/CPAU
(b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, February 01, 2011 9:11 AM
To: Ashline, Heidi L
Subject: Fw: CAP Rejects

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

----- Original Message -----
From: Peck, Denis R
To: Nicholson, Richard E
Cc: Loughlin, Stephen J
Sent: Tue Feb 01 09:08:47 2011
Subject: RE: CAP Rejects

First we need to see the reject letters. Do we have a different letter for those not selected from Wednesday's mail vs. all the days after Wednesday? There really should be a specific reject letter just for them.

I'm going to check here with Shelly Sweeney.

But in any case we were going to start Wednesday.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

[redacted]

202-272-1542 FAX

---

From: Nicholson, Richard E
Sent: Tuesday, February 01, 2011 8:40 AM
To: Peck, Denis R
Subject: CAP Rejects

Denis: We can start rejecting today correct?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(949) 389-3168

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

**Notice of Action**
Page 1 of 1

| **Applicant/Petitioner A#** | | **Application/Petition** |
|---|---|---|
| **Receipt #** | | **Applicant/Petitioner** |
| **Notice Date** | **Page** 1 | **Beneficiary** |

APPLICANT
ATTORNEY
ADDRESS

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

CIS received sufficient numbers of H1-B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H1-B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning CIS forms and filing instructions is available from the CIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the CIS internet website at www.uscis.gov.

If you believe that your case has been rejected in error, you may resubmit it along with an explanation to the following address:

Vermont Service Center
Attention: CRU Supervisor
Improperly Rejected
75 Lower Welden Street
St Albans VT 05479

**NOTE:** Since the reorganization of the INS into three new agencies under the Department of Homeland Security, there has been confusion regarding who remittances should be made payable to. Unless specified above, your application is not being rejected for incorrect payee information, however to ensure proper processing of future applications, please make checks and/or money orders payable to ***"Department of Homeland Security"*** or ***"U.S. Citizenship and Immigration Services."***

You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
ST. ALBANS, VT 05479-0001 UU

**Customer Service Telephone: (800) 375-5283**

Form I-797 (8/03/90) Y

# FW: CAP Rejects - letter

Wednesday, February 10, 2016
10:08 AM

| | |
|---|---|
| Subject | **FW: CAP Rejects - letter** |
| From | Harton, Frank A |
| To | Sweeney, Shelly A |
| Sent | Monday, February 07, 2011 10:53 AM |
| Attachments | H1BReject |

-----Original Message-----
From: Harton, Frank A
Sent: Tuesday, February 01, 2011 1:54 PM
To: Peck, Denis R
Cc: Young, Claudia F
Subject: FW: CAP Rejects - letter

I suggest two changes:

1. Change all instances of "H1-B" to "H-1B."
2. Change all instances of "CIS" to "USCIS."

Other than that, I think this is sufficient. I don't see any reason why a petitioner needs to know that they were "almost selected" for the cap. They should receive the same letter as all other petitioners who didn't make it.

Frank

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, February 01, 2011 9:54 AM
To: Harton, Frank A
Subject: FW: CAP Rejects - letter

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(202)272-8163

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, February 01, 2011 9:19 AM
To: Sweeney, Shelly A
Cc: Young, Claudia F
Subject: FW: CAP Rejects - letter

Is there anything more you would want in the reject letters about to be used

# FW: CAP report (4/6/10) - 18,503 through Tuesday

Wednesday, February 10, 2016
10:11 AM

| | |
|---|---|
| Subject | **FW: CAP report (4/6/10) - 18,503 through Tuesday** |
| From | Peck, Denis R |
| To | Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K |
| Cc | Shiflett, Julie M; Lundquist, Mark E; Schmidt, Bruce H |
| Sent | Wednesday, April 07, 2010 10:17 AM |
| Attachments | FY11 4-7-1... FY11 Cap r... |

Yesterday's volume was only 323 at VSC, 307 CSC, 630 total.

I asked them to get numbers through Wednesday to me very early tomorrow morning so we can include the total filing count in the news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, April 07, 2010 11:06 AM
**To:** Peck, Denis R
**Subject:** RE: CAP report (4/6/10)

Morning Denis,

Please find the latest report from VSC.

Understand the importance of the report for tomorrow and will work at getting the completed reports to you late tonight or early tomorrow morning.

Thanks, Walter

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | |
| | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 0 |
| | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 4,759 | 696 | 340 | 168 | |
| (VRP) H1B CAP - Premium | 1,275 | 165 | 67 | 51 | |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 95 | |
| (VMP) H1B Masters - Premium | 786 | 78 | 36 | 9 | |
| Totals | 8,363 | 1,327 | 525 | 323 | 0 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| etc. | Total |
|---|---|
| | 26,126 |
| [redacted] | |
| etc. | Total |
| | 5,963 |
| | 1,558 |
| | 2,108 |
| | 909 |
| 0 | 10,538 |
| [redacted] | |
| etc. | Total |
| | 5,963 |
| | 1,558 |
| | 2,108 |
| | 909 |
| 0 | 10,538 |

0

10,538

58,265

-81.91%

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,175 | 156 | 172 | 0 |
| (CRP) H1B CAP - Premium | 0 | 1,006 | 47 | 43 | 0 |
| (CMN) H1B Masters | 0 | 1,595 | 80 | 69 | 0 |
| (CMP) H1B Masters - Premium | 0 | 569 | 30 | 23 | 0 |
| Total | 0 | 7,345 | 313 | 307 | 0 |

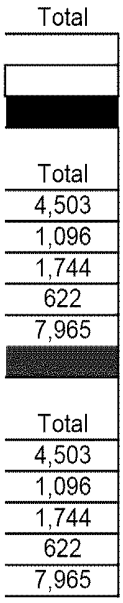
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,768 | 407 | 156 | 172 | 0 |
| (CRP) H1B CAP - Premium | 917 | 89 | 47 | 43 | 0 |
| (CMN) H1B Masters | 1,420 | 175 | 80 | 69 | 0 |
| (CMP) H1B Masters - Premium | 530 | 39 | 30 | 23 | 0 |
| Total | 6,635 | 710 | 313 | 307 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts




| | |
|---|---|
| | 0 |
| | 7,965 |
| | 43,796 |
| | -81.81% |

# FW: CAP report (4/5/10) - 17,310 barcoded

Wednesday, February 10, 2016
10:09 AM

| | |
|---|---|
| Subject | **FW: CAP report (4/5/10) - 17,310 barcoded** |
| From | Peck, Denis R |
| To | Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James |
| Sent | Tuesday, April 06, 2010 7:25 AM |
| Attachments | FY11 Cap r... FY11 4-5-1... |

Vermont has finished totaling their first two days (9,654) and California their first three (7,656). Of the total 3,954 are premium.

We should have Vermont's Monday data by early afternoon.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP report (4/5/10)

Morning,

Please find attached the updated CSC report which now includes Monday's receipts.

Thank you, Walter

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 05, 2010 10:15 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Payne, Christopher; Printup, Maurice; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L; Siesel, Gregory P
**Subject:** RE: CAP report (4/5/10)

Walter/Rich,

Attached is the CSC 4-5-10 CAP report.

Please let me know if you have any questions about the numbers.

Regards,

Greg

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,170 | 161 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 1,006 | 47 | 0 | 0 |
| (CMN) H1B Masters | 0 | 1,593 | 80 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 569 | 30 | 0 | 0 |
| Total | 0 | 7,338 | 318 | 0 | 0 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,768 | 407 | 156 | 0 | 0 |
| (CRP) H1B CAP - Premium | 917 | 89 | 47 | 0 | 0 |
| (CMN) H1B Masters | 1,418 | 175 | 80 | 0 | 0 |
| (CMP) H1B Masters - Premium | 530 | 39 | 30 | 0 | 0 |
| Total | 6,633 | 710 | 313 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| Total |
| --- |
| |
| |
| |
| Total |
| 4,331 |
| 1,053 |
| 1,673 |
| 599 |
| 7,656 |
| |
| Total |
| 4,331 |
| 1,053 |
| 1,673 |
| 599 |
| 7,656 |

0

7,656

43,796

-82.52%

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | | | |
| | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 116 | 5,251 | 62 | | |
| (VRP) H1B CAP - Premium | 876 | 548 | 13 | | |
| (VMN) H1B Masters | 87 | 1,795 | 41 | | |
| (VMP) H1B Masters - Premium | 354 | 498 | 13 | | |
| Totals | 1,433 | 8,092 | 129 | 0 | 0 |
| | | | | | |
| Estimated Daily Receipts * | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 4,736 | 693 | | | |
| (VRP) H1B CAP - Premium | 1,274 | 163 | | | |
| (VMN) H1B Masters | 1,537 | 386 | | | |
| (VMP) H1B Masters - Premium | 786 | 79 | | | |
| Totals | 8,333 | 1,321 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

* These numbers will lag as initially we will be unable to open and identify everything on the day it is rec

| etc. | Total |
|---|---|
| | 16,365 |
| | |
| etc. | Total |
| | 5,429 |
| | 1,437 |
| | 1,923 |
| | 865 |
| 0 | 9,654 |
| | |
| etc. | Total |
| | 5,429 |
| | 1,437 |
| | 1,923 |
| | 865 |
| 0 | 9,654 |

0

9,654

58,265

-83.43%

:eived.

# FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions

Wednesday, February 10, 2016
9:27 AM

| | |
|---|---|
| Subject | **FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions** |
| From | Irazabal, Luz |
| To | OCC-Clearance; Salem, Claudia S; Carpenter, Dea D; Blauvelt, Sally; Stolte, Christen L; Herrmann, Mary K; McCament, James W; Roles, Rebecca J; Rodriguez, Miguel E; Cummings, Kevin J; Kuncaitis-Wall, Sara E |
| Cc | Bentley, Christopher S; Wright, William G; Wheeler, Shannon L; Clark, Matthew J; Johnson, Bobbie L; Sweeney, Shelly A |
| Sent | Wednesday, April 07, 2010 12:12 PM |
| Attachments | DRAFT - U... |

Colleagues:

Requesting your review by COB today…

This USCIS Update reminds the public that the cap has not been reached and USCIS and continues to accept H-1B petitions for FY2011.

Please let me know if you have any questions.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office (b)(6)
[redacted] Cell
luz.irazabal@dhs.gov

# FW: CSC CAP report / estimate (April 1st)

Wednesday, February 10, 2016
10:35 AM

| | |
|---|---|
| Subject | **FW: CSC CAP report / estimate (April 1st)** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Sent | Friday, April 02, 2010 9:21 AM |
| Attachments | FY11 Cap r... |

Please don't look at this today. Just wanted you to have it. Get better soon!

**From:** Nicholson, Richard E
**Sent:** Friday, April 02, 2010 10:09 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Poulos, Christina; Gregg, Bret S
**Cc:** Loughlin, Stephen J; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** FW: CSC CAP report / estimate (April 1st)
**Importance:** High

Our first numbers.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS (b)(6)

**From:** Siesel, Gregory P
**Sent:** Thursday, April 01, 2010 5:27 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Treacy, Erin; Petherbridge, Dan R; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Nicholson, Richard E; Valencia, Valerie L
**Subject:** CSC CAP report / estimate (April 1st)

Walter/Rich,

Attached is the CSC CAP report and Day 1 estimate (7,843 total). Number will be refined as we start to scan into boxes.

Regards,

Greg

Site Manager
CSC Stanley SCOSS Team

(b)(6)

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |
| | | | | | |
| Bar Coding Progress | | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 0 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 0 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 4,672 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,507 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,222 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 442 | 0 | 0 | 0 | 0 |
| Total | 7,843 | 0 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| | |

| 4/7/10 | Total |
|---|---|
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| | |

r bucket)

| 4/7/10 | Total |
|---|---|
| 0 | 4,672 |
| 0 | 1,507 |
| 0 | 1,222 |
| 0 | 442 |
| 0 | 7,843 |

0

7,843

43,796

82.09%

# FW: CSC CAP report / estimate (April 1st)

Wednesday, February 10, 2016
10:34 AM

| | |
|---|---|
| Subject | **FW: CSC CAP report / estimate (April 1st)** |
| From | Nicholson, Richard E |
| To | Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Poulos, Christina; Gregg, Bret S |
| Cc | Loughlin, Stephen J; Nguyen, Carolyn Q; Gooselaw, Kurt G |
| Sent | Friday, April 02, 2010 9:08 AM |
| Attachments | FY11 Cap r... |

Our first numbers.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Siesel, Gregory P
**Sent:** Thursday, April 01, 2010 5:27 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Treacy, Erin; Petherbridge, Dan R; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Nicholson, Richard E; Valencia, Valerie L
**Subject:** CSC CAP report / estimate (April 1st)

Walter/Rich,

Attached is the CSC CAP report and Day 1 estimate (7,843 total). Number will be refined as we start to scan into boxes.

Regards,

Greg

Site Manager
CSC Stanley SCOSS Team
[redacted]

(b)(6)

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |
| | | | | | |
| Bar Coding Progress | | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 0 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 0 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 4,672 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,507 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,222 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 442 | 0 | 0 | 0 | 0 |
| Total | 7,843 | 0 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| | |

| 4/7/10 | Total |
|---|---|
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| | |
| r bucket) | |
| 4/7/10 | Total |
| 0 | 4,672 |
| 0 | 1,507 |
| 0 | 1,222 |
| 0 | 442 |
| 0 | 7,843 |

0

7,843

43,796

82.09%

# FW: DRAFT FY11 Cap Updates

Wednesday, February 10, 2016
11:06 AM

| | |
|---|---|
| Subject | **FW: DRAFT FY11 Cap Updates** |
| From | Howrigan, Tanya L |
| To | Sweeney, Shelly A |
| Cc | Perkins, Robert M; Sweeney, Mark M |
| Sent | Friday, March 19, 2010 10:48 AM |
| Attachments | DRAFT US... DRAFT US... DRAFT US... DRAFT US... FW Maste... |

Shelly –

I am responding for Rob because he is out of the office today. I have included our comments on the attachments.

One comment we have is about the "cushion" cases. We did not have "cushion" cases last year. Last year Jim had a magic number of filings we would accept for both the master's cap as well as the regular cap (see attached email traffic). I believe Jim calculated these numbers based on the amount of filings from previous years. Jim's recommendations last year were to accept 24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total of 100,000.

Thanks.

**Tanya L. Howrigan**|Senior Adjudications Officer (ISO 3)| Vermont Service Center |USCIS | ☎: [redacted] |🖷 802.527.4843
|✉: tanya.howrigan@dhs.gov

(b)(6)

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**From:** Perkins, Robert M
**Sent:** Wednesday, March 17, 2010 4:43 PM
**To:** Howrigan, Tanya L; Sweeney, Mark M
**Subject:** FW: DRAFT FY11 Cap Updates

Comments?

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 17, 2010 4:19 PM
**To:** Perkins, Robert M; Loughlin, Stephen J; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E
**Cc:** Johnson, Bobbie L; Hazuda, Mark J; Gregg, Bret S
**Subject:** DRAFT FY11 Cap Updates

VSC and CSC,

I want to start the ball rolling on review for the USCIS Update(s) that will need to be issued at the end of the 5-day filing window. Since we don't know whether we will meet the cap or not, I have drafted two different sets of documents. I know that things could go either way (though it *seems* likely that we will not meet the cap), but I didn't want to wait until the filing period starts to begin drafting and review as we will all be extremely busy at that time. I would like to get your Center's comments/edits by **COB Friday (3/19)** so that I can send to OCOMM and OPE for them to initiate USCIS component clearance.

The first document is a draft USCIS Update if we do not meet the cap. I have also included alternative language in it for a scenario in which we don't meet the regular cap, but we do get sufficient advanced degree petitions.

The remaining documents are drafts of Updates in the event we do meet the cap. These are all based on documents that were issued for the FY09 filing season. I think the cap met and estimate documents could be combined if the filing is not extraordinarily heavy, but perhaps I am wrong.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Perkins, Robert M
**Sent:** Friday, April 17, 2009 6:27 AM
**To:** Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L
**Subject:** FW: Masters Cap?

---

**From:** Manahan, Lisa F
**Sent:** Friday, April 17, 2009 7:04 AM
**To:** Perkins, Robert M
**Cc:** Hazuda, Mark J
**Subject:** RE: Masters Cap?

Yes, I agree. Rich and I will keep monitoring the numbers and let everyone know when we are close to the 24,000.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Perkins, Robert M
**Sent:** Thursday, April 16, 2009 4:59 PM
**To:** Manahan, Lisa F
**Cc:** Hazuda, Mark J
**Subject:** RE: Masters Cap?

Lisa,

Jim did not answer Barbara's question below, however, I believe once we hit the 24K Master figure, Stanley should be informed to enter "STD" into the "Prior petition or App:" field in CLAIMS and not "MAS".

Rob

Part 2. Information about this petition.
1. Nonimmigrant Class: 1B1 I-129W Attached? Y
2. Basis for Class:
A New employment
3 or 4. Prior petition or App: MAS Premium Processing? Y
5. Requested Action: B Change of status and extension
6. Total number of Workers in petition: 1

---

**From:** Hazuda, Mark J
**Sent:** Thursday, April 16, 2009 4:47 PM
**To:** Perkins, Robert M; Manahan, Lisa F
**Subject:** FW: Masters Cap?

FYI

---

1

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 4:37 PM
**To:** Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

Sounds good.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 16, 2009 12:53 PM
**To:** Gregg, Bret S; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

My recommendation is:

24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total is 100,000.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 3:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Makes sense rolling them into the regular cap.

We do need some type of cushion in the regular cap though because we will have denials/withdrawals, etc. What's our overall magic number?

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, April 16, 2009 12:46 PM
**To:** Gregg, Bret S; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Jim says our magic number is 24K for the masters so we are okay. We don't need a cushion because they just fold into the regular cap. It is my understanding we just close the cap when we hit it. I am including Jim in case I am saying something wrong. Also, Denis once we hit the master's cap do we update differently to roll into the regular cap?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 12:58 PM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| **Totals** | **27576** | **38261** | **65837** | |

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted]

(b)(6)

# FW: Draft H1B Update

Thursday, February 04, 2016
10:52 AM

| | |
|---|---|
| Subject | **FW: Draft H1B Update** |
| From | Sweeney, Shelly A |
| To | Cummings, Kevin J; Young, Claudia F; Hale, Paola Rodriguez; Williams, Carol L |
| Sent | Tuesday, April 07, 2009 12:19 PM |
| Attachments | H-1B FY 20... |

FYI...I just spoke with Chris Rhatigan. She said that she has been working to translate the update into plain language and will send back to SCOPS. Once that has occurred she will send out for clearance with a notation that this needs to be turned around today so that it can be released tomorrow morning.

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 11:17 AM
**To:** Bentley, Christopher S; Rhatigan, Chris; Wright, William G
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
**Subject:** Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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# FW: FY11 Optional Cap Processing Worksheet

Wednesday, February 10, 2016
12:12 PM

| | |
|---|---|
| Subject | **FW: FY11 Optional Cap Processing Worksheet** |
| From | Sweeney, Shelly A |
| To | Ammerman, Michael J |
| Sent | Friday, June 11, 2010 9:45 AM |
| Attachments | DRAFT Opt... |

As promised...

**From:** Sweeney, Shelly A
**Sent:** Friday, February 12, 2010 11:17 AM
**To:** Weidemann, James
**Cc:** Johnson, Bobbie L
**Subject:** FY11 Optional Cap Processing Worksheet

James,

Last year, an optional form was created for the FY2010 H-1B cap filing season, M-735.

http://www.uscis.gov/files/form/m-735.pdf

We would like to do the same for the FY11 season (which begins on April 1). The attached updated version, in Word form, has been vetted through OP&S and OCC. SCOPS has a meeting with OPE, OCOMM, OP&S and OCC regarding H-1B cap outreach on Wednesday afternoon at 1. Do you think that it would be possible to create an updated M-735 from the attached by then? I realize that this is reaching for the stars, but I have to try. :-)

Thanks!

Shelly

# FW: : DRAFT USCIS Update for H-1B Cap

Thursday, February 04, 2016
10:41 AM

| | |
|---|---|
| Subject | **FW: : DRAFT USCIS Update for H-1B Cap** |
| From | Atwater, Barbara A |
| To | Sweeney, Shelly A |
| Cc | Aikoo, Shaunice; Davis, Marla J; Arroyo, Susan K |
| Sent | Thursday, December 10, 2009 4:02 PM |
| Attachments | DRAFT Up... |

Shelly,

DOMO Concurs as long as the embedded questions are addressed.

Thanks

Barbara A. Atwater
Executive Administrative Assistant
to the Acting Associate Director
USCIS/DOMOPS
[redacted] (b)(6)
(202) 272-1718 (Fax)

**From:** Sweeney, Shelly A

**Sent:** Tuesday, December 08, 2009 9:55 AM

**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Irazabal, Luz

**Cc:** Johnson, Bobbie L; Young, Claudia F

**Subject:** FW: DRAFT USCIS Update for H-1B Cap

OCC, OP&S and OCOMM,

Although the H-1B cap has not yet been reached, we are getting close. SCOPS has pulled together the attached draft to notify the public that the cap has been reached (again, it has not been reached...we are just being proactive). As the holidays (and leave) are coming up, we would like to begin review of the language in order to ensure that an Update can be posted immediately after the final receipt date has been determined.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: : DRAFT USCIS Update for H-1B Cap

Thursday, February 04, 2016
10:42 AM

| | |
|---|---|
| Subject | **FW: : DRAFT USCIS Update for H-1B Cap** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Cc | Young, Claudia F |
| Sent | Wednesday, December 09, 2009 8:30 AM |
| Attachments | DRAFT Up... |

FYI

**From:** Davis, Marla J
**Sent:** Wednesday, December 09, 2009 9:27 AM
**To:** Moore, Joseph; Quimby, Chris M; Bulger, Jack M; Zaragoza, Conrad J; Howie, Craig S; Brown, Meddie; Lacot, Rosalina; Hernandez, Efren; Drosick, Sandor
**Cc:** Sweeney, Shelly A; Kruszka, Robert F; Richardson, Gregory A; Arroyo, Susan K; Harrison, Julia L; Dedvukaj, Mick; Atwater, Barbara A
**Subject:** : DRAFT USCIS Update for H-1B Cap
**Importance:** High

Team:

SCOPS requesting a last review of the attached - comments are to be sent to Barbara Atwater and me NLT Friday, December 11th.

Thanks!
Marla

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 9:15 AM
**To:** Arroyo, Susan K; Davis, Marla J
**Cc:** Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: DRAFT USCIS Update for H-1B Cap

Susan and Marla,

My apologies. I did not intend to forget you all when I sent this out for preliminary review.

Once again, my apologies.

Thanks!

Shelly

**From:** Sweeney, Shelly A

**Sent:** Tuesday, December 08, 2009 9:55 AM

**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Irazabal, Luz

**Cc:** Johnson, Bobbie L; Young, Claudia F

**Subject:** FW: DRAFT USCIS Update for H-1B Cap

OCC, OP&S and OCOMM,

Although the H-1B cap has not yet been reached, we are getting close. SCOPS has pulled together the attached draft to notify the public that the cap has been reached (again, it has not been reached...we are just being proactive). As the holidays (and leave) are coming up, we would like to begin review of the language in order to ensure that an Update can be posted immediately after the final receipt date has been determined.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: F-1 Cap Numbers

Wednesday, February 10, 2016
11:10 AM

| | |
|---|---|
| Subject | **FW: F-1 Cap Numbers** |
| From | Shuttle, Peter J |
| To | Sweeney, Shelly A |
| Sent | Thursday, October 07, 2010 2:47 PM |
| Attachments | H1B_OT |

Shelly,

Here is our production from last Thursday through Monday.

(b)(6)

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]

**From:** Lloyd, David K
**Sent:** Wednesday, October 06, 2010 2:29 PM
**To:** Shuttle, Peter J
**Cc:** Murphy, George H; Viens, Mary P
**Subject:** RE: F-1 Cap Numbers

Pete,

No action on Sunday 3-Oct, but see attached for Monday.

Caveat: 12 employees w/missing hours in NOVA, but stats are available.

| ACTION DATE | AG | EMPLOYEE_DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS | TOTAL_ACTIONS | FINAL ACTIONS | APH | CPH | STD APH | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | | 2 | 301.25 | 20.75 | 3.50 | | 325.50 | 662 | 523 | 2.03 | 1.61 | 2.65 | STD APH |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | | 8 | 226.50 | 77.25 | 8.25 | | 312.00 | 584 | 456 | 1.87 | 1.46 | 2.65 | STD APH |
| 20100925 | | 32 | ISO (2) | I129 H1B | | | | | | | 4.00 | 179.75 | 0.75 | | 184.50 | 0 | | 0.00 | 0.00 | 2.65 | STD APH |
| 20100926 | | 23 | ISO (2) | I129 H1B | | 38 | | | | | | 137.75 | | | 137.75 | 38 | 38 | 0.28 | 0.28 | 2.65 | STD APH |
| 20100927 | | 51 | ISO (2) | I129 H1B | 2 | 806 | 171 | 26 | | 8 | 213.25 | 68.75 | 2.25 | | 284.25 | 1013 | 832 | 3.56 | 2.93 | 2.65 | STD APH |
| 20100928 | | 75 | ISO (2) | I129 H1B | | 1117 | 275 | 26 | | 8 | 293.75 | 73.00 | 1.25 | | 368.00 | 1426 | 1143 | 3.88 | 3.11 | 2.65 | STD APH |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 | 230 | 13 | | 3 | 336.00 | 122.25 | 0.25 | | 458.50 | 1059 | 835 | 2.33 | 1.82 | 2.65 | STD APH |
| 20100930 | | 65 | ISO (2) | I129 H1B | 2 | 1032 | 239 | 29 | | 6 | 364.75 | 98.75 | 1.00 | | 464.50 | 1308 | 1061 | 2.82 | 2.28 | 2.65 | STD APH |
| 20101001 | | 48 | ISO (2) | I129 H1B | 1 | 388 | 106 | 19 | | 1 | 205.50 | 0.00 | 2.50 | | 208.00 | 515 | 407 | 2.48 | 1.96 | 2.65 | STD APH |
| 20101002 | | 15 | ISO (2) | I129 H1B | | 119 | 40 | | | | 43.50 | 0.00 | 13.50 | | 57.00 | 159 | 119 | 2.79 | 2.09 | 2.65 | STD APH |
| 20101003 | | 0 | | | | | | | | | | 0.00 | | | 0.00 | 0 | | | | | |
| 20101004 | | 50 | ISO (2) | I129 H1B | 1 | 541 | 134 | 25 | | 5 | 251.00 | 0.00 | 5.25 | | 256.25 | 706 | 566 | 12 ISOs w missing hours | | | |
| **SEP23rd-OCT4th** | **1,2,3,5,6,CTU** | **515** | **ISO (2)** | **I129 H1B** | **11** | **5793** | **1448** | **187** | | **41** | **2239.50** | **778.25** | **38.50** | | **3056.25** | **7480** | **5980** | **2.45** | **1.96** | **2.65** | **STD APH** |
| **SEP23rd-OCT2nd** | **ADJ 3 ONLY** | **29** | **ISO (1)** | **CIS REVIEW** | | | | | | | **152.25** | **198.25** | | | **350.50** | | | | | | |

**David K. Lloyd | Immigration Services Analyst | Data Reporting Group |**
**Vermont Service Center |DHS - USCIS |**
[redacted]

(b)(6)

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**From:** Shuttle, Peter J
**Sent:** Wednesday, October 06, 2010 1:33 PM
**To:** Lloyd, David K
**Cc:** Murphy, George H; Viens, Mary P
**Subject:** RE: F-1 Cap Numbers

David,

Hate to be a pain but can you get the report to continue from where your last one left off (10/2)? This way we have the production for the entire period so far, and can then factor out what was done in the last week. So the report would start on 9/23 and go through 10/4.

| ACTION DATE | AG | EMPLOYEE_DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS | TOTAL_ACTIONS | FINAL ACTIONS | APH | CPH | APH RANK | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | | 2 | 301.25 | 20.75 | 3.50 | | 325.50 | 662 | 523 | 2.03 | 1.61 | 2.65 | STD APH |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | | 8 | 226.50 | 77.25 | 8.25 | | 312.00 | 584 | 456 | 1.87 | 1.46 | 2.65 | STD APH |
| 20100925 | | 32 | ISO (2) | I129 H1B | | | | | | | 4.00 | 179.75 | 0.75 | | 184.50 | 0 | 0 | 0.00 | 0.00 | 2.65 | STD APH |
| 20100926 | | 23 | ISO (2) | I129 H1B | | 38 | | | | | 0.00 | 137.75 | 0.00 | | 137.75 | 38 | 38 | 0.28 | 0.28 | 2.65 | STD APH |
| 20100927 | | 51 | ISO (2) | I129 H1B | 2 | 606 | 171 | 26 | | 8 | 213.25 | 68.75 | 2.25 | | 284.25 | 1013 | 832 | 3.56 | 2.93 | 2.65 | STD APH |
| 20100928 | | 75 | ISO (2) | I129 H1B | | 1117 | 275 | 26 | | 8 | 293.75 | 73.00 | 1.25 | | 368.00 | 1426 | 1143 | 3.88 | 3.11 | 2.65 | STD APH |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 | 230 | 13 | | 3 | 336.00 | 122.25 | 0.25 | | 458.50 | 1069 | 835 | 2.33 | 1.82 | 2.65 | STD APH |
| 20100930 | | 65 | ISO (2) | I129 H1B | 2 | 1032 | 239 | 29 | | 6 | 364.75 | 98.75 | 1.00 | | 464.50 | 1308 | 1061 | 2.82 | 2.28 | 2.65 | STD APH |
| 20101001 | | 48 | ISO (2) | I129 H1B | 1 | 388 | 106 | 19 | | 1 | 205.50 | 0.00 | 2.50 | | 208.00 | 515 | 407 | 2.48 | 1.96 | 2.65 | STD APH |
| 20101002 | | 15 | ISO (2) | I129 H1B | | 119 | 40 | | | | 43.50 | 0.00 | 13.50 | | 57.00 | 159 | 119 | 2.79 | 2.09 | 2.65 | STD APH |
| **SEP23rd-OCT2nd** | **1,2,3,5,6,CTU** | **465** | **ISO (2)** | **I129 H1B** | **10** | **5252** | **1314** | **162** | | **36** | **1988.50** | **778.25** | **33.25** | | **2800.00** | **6774** | **5414** | **2.42** | **1.93** | **2.65** | **STD APH** |
| **SEP23rd-OCT2nd** | **ADJ 3 ONLY** | **29** | **ISO (1)** | **CIS REVIEW** | | | | | | | **152.25** | **198.25** | | | **350.50** | | | | | | |

Thanks,
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]

**From:** Lloyd, David K (b)(6)
**Sent:** Wednesday, October 06, 2010 11:50 AM
**To:** Shuttle, Peter J
**Cc:** Murphy, George H; Viens, Mary P
**Subject:** RE: F-1 Cap Numbers

Pete,

I will be able to run through 4-Oct-2010, but will have to wait until tomorrow for 5-Oct-2010
as IT does not have the ordered tables and history beyond 08:00 on server SCRDB04..

David

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 06, 2010 11:11 AM
**To:** Lloyd, David K; Murphy, George H; Viens, Mary P
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** RE: F-1 Cap Numbers

Let's go from last Wednesday (9/29 through yesterday 10/5).

Thanks,
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3** (b)(6)
[redacted]

**From:** Lloyd, David K
**Sent:** Wednesday, October 06, 2010 11:05 AM
**To:** Shuttle, Peter J; Murphy, George H; Viens, Mary P
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** RE: F-1 Cap Numbers

Pete,

Please give specific start-date and end-date for your inquiry.

David Lloyd

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 06, 2010 10:51 AM
**To:** Murphy, George H; Lloyd, David K; Viens, Mary P
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** FW: F-1 Cap Numbers
**Importance:** High

George,

Turns out HQ would like to get a report of our completions for the past week (for a call tomorrow at 3 pm), any chance this type of report or a paired down version of it showing total completions for the AG can be produced?

Thanks and sorry for the short notice.
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3** (b)(6)
[redacted]

**From:** Lloyd, David K
**Sent:** Thursday, September 30, 2010 9:36 AM
**To:** Murphy, George H; Shuttle, Peter J
**Cc:** Slocombe, Peter C; Viens, Mary P
**Subject:** RE: F-1 Cap Numbers

Pete,

Attached is a six day summary of H1B adjudications including OT statistics.

**David K. Lloyd | Immigration Services Analyst | Data Reporting Group |**
Vermont Service Center |DHS - USCIS |
[redacted] (b)(6)

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**From:** Murphy, George H
**Sent:** Wednesday, September 29, 2010 11:18 AM
**To:** Shuttle, Peter J
**Cc:** Lloyd, David K
**Subject:** RE: F-1 Cap Numbers

Hi, Pete ~ David's getting close...

~ George

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 3:21 PM
**To:** Murphy, George H
**Subject:** FW: F-1 Cap Numbers

George,

See the questions below from Dan, is this something that could be scraped? My guess is this type of data (what is worked daily on O/T) would not be easy to identify. We can easily get the overall resources but who works O/T and how much is worked on O/T seems tough.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] (b)(6)

**From:** Renaud, Daniel M
**Sent:** Tuesday, September 28, 2010 2:50 PM
**To:** Shuttle, Peter J
**Subject:** RE: F-1 Cap Numbers

No big deal for right now, but the piece that might be nice going forward is daily completions (or actions) on H1B cases to underscore our shift of resources in that direction.

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 2:49 PM
**To:** Renaud, Daniel M
**Subject:** RE: F-1 Cap Numbers

No, I'm not sure how quickly George's shop could come up with that.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] (b)(6)

**From:** Renaud, Daniel M
**Sent:** Tuesday, September 28, 2010 2:48 PM
**To:** Shuttle, Peter J
**Subject:** RE: F-1 Cap Numbers

Do we have OT completion data?

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 2:38 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Renaud, Daniel M; Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Madore, Matthew T
**Subject:** F-1 Cap Numbers
**Importance:** High

Shelly,

The report is a little off from what I sent yesterday but what you'll see below is

most of our Cap that is older than 60 days is either with officers or already processed (RFE/Approval). We have 699 Cap cases that are dated prior to 8/1/2010 that are not with officers yet (lower numbers).

The F-1 numbers have dropped significantly since yesterday's report.

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | **854** |
| With Officer | 757 |
| With Contractor | 0 |
| ADJ Staged | 72 |
| Other | 25 |

Here is an estimation of the cases remaining in initial receipts that are not with an officer.
I have not included cases that clearly show movement to an rfe shelf or approval shelf yesterday or today.

| **Remaining Monthly initial receipts not with officers** | |
|---|---|
| April | 55 |
| May | 83 |
| June | 258 |
| July | 303 |
| August | 4390 |
| September | 1522 |
| **Grand Total** | **6611** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]

(b)(6)

| ACTION DATE | AG | EMPLOYEE _DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS |
|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 |
| 20100925 | | 32 | ISO (2) | I129 H1B | 0 | 0 |
| 20100926 | | 23 | ISO (2) | I129 H1B | 0 | 38 |
| 20100927 | | 51 | ISO (2) | I129 H1B | 2 | 806 |
| 20100928 | | 75 | ISO (2) | I129 H1B | 0 | 1117 |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 |
| 20100930 | | 65 | ISO (2) | I129 H1B | 2 | 1032 |
| 20101001 | | 46 | ISO (2) | I129 H1B | 1 | 388 |
| 20101002 | | 15 | ISO (2) | I129 H1B | 0 | 119 |
| 20101003 | | 0 | | | 0 | 0 |
| 20101004 | | 50 | ISO (2) | I129 H1B | 1 | 541 |
| **SEP23rd-OCT4th** | **1,2,3,5,6,CTU** | **515** | **ISO (2)** | **I129 H1B** | **11** | **5793** |
| **SEP23rd-OCT2nd** | **ADJ 3 ONLY** | **29** | **ISO (1)** | **CIS REVIEW** | 0 | 0 |

| RFES | DENIALS | RELOCS | COS_ EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS | TOTAL_A CTIONS |
|---|---|---|---|---|---|---|---|---|---|
| 134 | 35 | 0 | 2 | 301.25 | 20.75 | 3.50 | 0.00 | 325.50 | 662 |
| 119 | 14 | 0 | 8 | 226.50 | 77.25 | 8.25 | 0.00 | 312.00 | 584 |
| 0 | 0 | 0 | 0 | 4.00 | 179.75 | 0.75 | 0.00 | 184.50 | 0 |
| 0 | 0 | 0 | 0 | 0.00 | 137.75 | 0.00 | 0.00 | 137.75 | 38 |
| 171 | 26 | 0 | 8 | 213.25 | 68.75 | 2.25 | 0.00 | 284.25 | 1013 |
| 275 | 26 | 0 | 8 | 293.75 | 73.00 | 1.25 | 0.00 | 368.00 | 1426 |
| 230 | 13 | 0 | 3 | 336.00 | 122.25 | 0.25 | 0.00 | 458.50 | 1069 |
| 239 | 29 | 0 | 6 | 364.75 | 98.75 | 1.00 | 0.00 | 464.50 | 1308 |
| 106 | 19 | 0 | 1 | 205.50 | 0.00 | 2.50 | 0.00 | 208.00 | 515 |
| 40 | 0 | 0 | 0 | 43.50 | 0.00 | 13.50 | 0.00 | 57.00 | 159 |
| 0 | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 |
| 134 | 25 | 0 | 5 | 251.00 | 0.00 | 5.25 | 0.00 | 256.25 | 706 |
| **1448** | **187** | **0** | **41** | **2239.50** | **778.25** | **38.50** | **0.00** | **3056.25** | **7480** |
| 0 | 0 | 0 | 0 | **152.25** | **198.25** | 0.00 | 0.00 | **350.50** | |

| FINAL ACTIONS | APH | CPH | STD APH | |
|---|---|---|---|---|
| 523 | 2.03 | 1.61 | 2.65 | STD APH |
| 456 | 1.87 | 1.46 | 2.65 | STD APH |
| 0 | 0.00 | 0.00 | 2.65 | STD APH |
| 38 | 0.28 | 0.28 | 2.65 | STD APH |
| 832 | 3.56 | 2.93 | 2.65 | STD APH |
| 1143 | 3.88 | 3.11 | 2.65 | STD APH |
| 835 | 2.33 | 1.82 | 2.65 | STD APH |
| 1061 | 2.82 | 2.28 | 2.65 | STD APH |
| 407 | 2.48 | 1.96 | 2.65 | STD APH |
| 119 | 2.79 | 2.09 | 2.65 | STD APH |
| 0 | | | | |
| 566 | 12 ISOs w/missing hours | | | |
| **5980** | **2.45** | **1.96** | **2.65** | **STD APH** |

# FW: F-1 Cap regular and O/T production - VSC

Wednesday, February 10, 2016
11:12 AM

| | |
|---|---|
| Subject | **FW: F-1 Cap regular and O/T production - VSC** |
| From | Sweeney, Shelly A |
| To | Richardson, Gregory A |
| Sent | Thursday, September 30, 2010 9:47 AM |
| Attachments | H1B_OT_6... |

FYI...I haven't opened this yet.

**From:** Shuttle, Peter J
**Sent:** Thursday, September 30, 2010 10:37 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T
**Subject:** F-1 Cap regular and O/T production - VSC
**Importance:** High

Shelly/Barb,

Attached is our production on O/T and regular hours since last Thursday (9/23).

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]
(b)(6)

| ACTION DATE | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS |
|---|---|---|---|---|---|---|---|---|
| 20100923 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | 0 | 2 |
| 20100924 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | 0 | 8 |
| 20100925 | ISO (2) | I129 H1B | 0 | 0 | 0 | 0 | 0 | 0 |
| 20100926 | ISO (2) | I129 H1B | 0 | 38 | 0 | 0 | 0 | 0 |
| 20100927 | ISO (2) | I129 H1B | 2 | 806 | 171 | 26 | 0 | 8 |
| 20100928 | ISO (2) | I129 H1B | 0 | 1117 | 275 | 26 | 0 | 8 |
| **23rd-28th** | **ISO (2)** | **I129 H1B** | **6** | **2891** | **699** | **101** | **0** | **26** |
| **23rd-28th** | **ISO (1)** | **Pre-Processing** | 0 | 0 | 0 | 0 | 0 | 0 |

| REG HOURS | OT HOURS | COST OT | CREDIT HOURS | TOTAL PRODHOURS | TOTAL_ACTIONS | FINAL ACTIONS |
|---|---|---|---|---|---|---|
| 301.25 | 20.75 | | 3.50 | 325.50 | 662 | 523 |
| 226.50 | 77.25 | | 8.25 | 312.00 | 584 | 456 |
| 4.00 | 179.75 | | 0.75 | 184.50 | 0 | 0 |
| 0.00 | 137.75 | | 0.00 | 137.75 | 38 | 38 |
| 213.25 | 68.75 | | 2.25 | 284.25 | 1013 | 832 |
| 293.75 | 73.00 | | 1.25 | 368.00 | 1426 | 1143 |
| **1038.75** | **557.25** | **$ 33,560.12** | **16.00** | **1612.00** | **3723** | **2992** |
| **54.75** | **133.75** | **$ 6,427.55** | 0.00 | **188.50** | | |

# F-1 Cap regular and O/T production - VSC

Wednesday, February 10, 2016
9:24 AM

| | |
|---|---|
| Subject | **F-1 Cap regular and O/T production - VSC** |
| From | Shuttle, Peter J |
| To | Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M |
| Cc | Perkins, Robert M; Madore, Matthew T |
| Sent | Thursday, September 30, 2010 9:36 AM |
| Attachments | H1B_OT_6... |

Shelly/Barb,

Attached is our production on O/T and regular hours since last Thursday (9/23).

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]

(b)(6)

| ACTION DATE | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS |
|---|---|---|---|---|---|---|---|---|
| 20100923 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | 0 | 2 |
| 20100924 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | 0 | 8 |
| 20100925 | ISO (2) | I129 H1B | 0 | 0 | 0 | 0 | 0 | 0 |
| 20100926 | ISO (2) | I129 H1B | 0 | 38 | 0 | 0 | 0 | 0 |
| 20100927 | ISO (2) | I129 H1B | 2 | 806 | 171 | 26 | 0 | 8 |
| 20100928 | ISO (2) | I129 H1B | 0 | 1117 | 275 | 26 | 0 | 8 |
| **23rd-28th** | **ISO (2)** | **I129 H1B** | **6** | **2891** | **699** | **101** | **0** | **26** |
| **23rd-28th** | **ISO (1)** | **Pre-Processing** | 0 | 0 | 0 | 0 | 0 | 0 |

| REG HOURS | OT HOURS | COST OT | CREDIT HOURS | TOTAL PRODHOURS | TOTAL_ACTIONS | FINAL ACTIONS |
|---|---|---|---|---|---|---|
| 301.25 | 20.75 | | 3.50 | 325.50 | 662 | 523 |
| 226.50 | 77.25 | | 8.25 | 312.00 | 584 | 456 |
| 4.00 | 179.75 | | 0.75 | 184.50 | 0 | 0 |
| 0.00 | 137.75 | | 0.00 | 137.75 | 38 | 38 |
| 213.25 | 68.75 | | 2.25 | 284.25 | 1013 | 832 |
| 293.75 | 73.00 | | 1.25 | 368.00 | 1426 | 1143 |
| **1038.75** | **557.25** | **$ 33,560.12** | **16.00** | **1612.00** | **3723** | **2992** |
| **54.75** | **133.75** | **$ 6,427.55** | 0.00 | **188.50** | | |

# FW: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions

Wednesday, February 10, 2016
11:18 AM

| | |
|---|---|
| Subject | **FW: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Sent | Wednesday, April 07, 2010 12:22 PM |
| Attachments | FW H-1B A... |

Just to tag onto this, I got a call from Luz after lunch. She was wondering if the update could be issued on Friday instead of Thursday. I indicated that it is necessary that we issue the update Thursday (tomorrow). There must have been a miscommunication somewhere along the line as to the actual date that we wanted the Update to go out. I guess that I was not quite clear in my original message to OCOMM (see attached).

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 07, 2010 1:18 PM
**To:** Irazabal, Luz
**Cc:** Johnson, Bobbie L
**Subject:** RE: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions

Luz,

I apologize. The sentence regarding the advanced degree exemption can be removed entirely as we are not close to having met the advanced degree exemption (we were last year at this time).

We will get numbers to you ASAP tomorrow.

Thanks!

Shelly

**From:** Irazabal, Luz
**Sent:** Wednesday, April 07, 2010 1:12 PM
**To:** OCC-Clearance; Salem, Claudia S; Carpenter, Dea D; Blauvelt, Sally; Stolte, Christen L; Herrmann, Mary K; McCament, James W; Roles, Rebecca J; Rodriguez, Miguel E; Cummings, Kevin J; Kuncaitis-Wall, Sara E
**Cc:** Bentley, Christopher S; Wright, William G; Wheeler, Shannon L; Clark, Matthew J; Johnson, Bobbie L; Sweeney, Shelly A
**Subject:** FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions
**Importance:** High

Colleagues:

Requesting your review by COB today…

This USCIS Update reminds the public that the cap has not been reached and USCIS and continues to accept H-1B petitions for FY2011.

Please let me know if you have any questions.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] (b)(6)
luz.irazabal@dhs.gov

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 06, 2010 8:09 AM
**To:** Clark, Matthew J
**Cc:** Johnson, Bobbie L
**Subject:** FW: H-1B April 8 Updates
**Attachments:** DRAFT USCIS Update FY11 Cap Still Open 3-17-10.doc

Matt,

We will not have any accurate numbers until Thursday, but it is apparent at this point that we will not meet the cap in the first five business days. As such, the Update notifying the public that the cap is still open needs to be ready for posting on April 8 as soon as we can provide numbers.

Let me know if you need anything else from SCOPS.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Monday, March 22, 2010 9:18 AM
**To:** Clark, Matthew J
**Cc:** Johnson, Bobbie L
**Subject:** H-1B April 8 Updates

Matt,

As promised, below here is some draft language for USCIS Update(s) that will need to be issued at the end of the 5-day filing window. Since we don't know whether we will meet the cap or not, SCOPS has drafted two different sets of language.

The first document is a draft USCIS Update if we do not meet the cap. We also included alternative language in it for a scenario in which we don't meet the regular cap, but we do get sufficient advanced degree petitions.

The remaining documents are drafts of Updates in the event we do meet the cap. These are all based on documents that were issued for the FY09 filing season. I think the cap met and estimate documents can be combined if the filing is not extraordinarily heavy (so much so that we can't get an accurate estimate by April 8), but perhaps I am wrong.

I have not run this by any of the USCIS components as I wanted to let OCOMM have the opportunity to work your magic on the wording.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 9:27 AM
**To:** Clark, Matthew J; Herrmann, Mary K
**Cc:** Johnson, Bobbie L
**Subject:** H-1B Filing Address Reminder

1

Matt and Mary,

There has been a change from last year's VSC H-1B cap filing locations from 1A Lemnah to 4 Lemnah as the VSC. The I-129 direct filing chart webpage has reflected this change since February, but unfortunately, we are still working on getting the form instructions updated. The Service Center has informed the major couriers (ie. FedEx) of this change, but we want to be proactive in ensuring that all of our stakeholders get the message. As such, SCOPS was wondering if it would be appropriate to issue a USCIS Reminder or use some other web mechanism to get this information out to the public. We, of course, defer to you as to the what is the most appropriate means of doing so. Attached is a document with some draft language for your review/editing. We'd like to get this information out to the public as quickly as possible since April 1 is less than two weeks away.

Matt, I haven't forgot that I owe you some language for USCIS Updates for the two scenarios at the end of the filing season--we meet the cap or we don't. I hope to send you those documents no later than first thing on Monday so that you all can work you magic on them.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions

Wednesday, February 10, 2016
11:19 AM

| | |
|---|---|
| Subject | **FW: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions** |
| From | Sweeney, Shelly A |
| To | OCC-Clearance; Salem, Claudia S |
| Sent | Wednesday, April 07, 2010 12:23 PM |
| Attachments | DRAFT - U... |

Claudia,

I had one small additional edit. I wanted to make sure that OCC has my edit.

Thanks!

Shelly

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 07, 2010 1:18 PM
**To:** Irazabal, Luz
**Cc:** Johnson, Bobbie L
**Subject:** RE: FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions

Luz,

I apologize. The sentence regarding the advanced degree exemption can be removed entirely as we are not close to having met the advanced degree exemption (we were last year at this time).

We will get numbers to you ASAP tomorrow.

Thanks!

Shelly

**From:** Irazabal, Luz
**Sent:** Wednesday, April 07, 2010 1:12 PM
**To:** OCC-Clearance; Salem, Claudia S; Carpenter, Dea D; Blauvelt, Sally; Stolte, Christen L; Herrmann, Mary K; McCament, James W; Roles, Rebecca J; Rodriguez, Miguel E; Cummings, Kevin J; Kuncaitis-Wall, Sara E
**Cc:** Bentley, Christopher S; Wright, William G; Wheeler, Shannon L; Clark, Matthew J; Johnson, Bobbie L; Sweeney, Shelly A
**Subject:** FOR CLEARANCE: USCIS Continues to Accept FY 2011 H-1B Petitions
**Importance:** High

Colleagues:

Requesting your review by COB today…

This USCIS Update reminds the public that the cap has not been reached and USCIS and continues to accept H-1B petitions for FY2011.

Please let me know if you have any questions.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office
[redacted] Cell
luz.irazabal@dhs.gov

(b)(6)

# For Your Review-H-1B 2011 Cap Season Materials

Wednesday, February 10, 2016
9:28 AM

| | |
|---|---|
| Subject | **For Your Review-H-1B 2011 Cap Season Materials** |
| From | Clark, Matthew J |
| To | OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally |
| Cc | Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H |
| Sent | Wednesday, February 24, 2010 12:51 PM |
| Attachments | USCIS Upd... 2011 H-1B... |

All,

For your review are the attached USCIS Update and Webpage for the 2011 H-1B cap season. The webpage has replaced the previously drafted Q&A and will serve as a central location on USCIS.gov for all information regarding the 2011 Cap filing season.

The target date for releasing this was March 1, I realize this is a short turnaround and ask that comments and/or edits be returned to me by **COB Monday, March 1**, in order to get this posted early next week, allowing enough time for information to get out prior to the filing season opening on April 1.

Thank you in advance.

Respectfully,

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
(b)(6) [redacted] office
Blackberry
www.uscis.gov

# FW: Friday Cap Reports

Wednesday, February 10, 2016
11:26 AM

| | |
|---|---|
| Subject | **FW: Friday Cap Reports** |
| From | Peck, Denis R |
| To | Fitzsimmons, James; Sweeney, Shelly A |
| Sent | Monday, April 19, 2010 11:13 AM |
| Attachments | 4-16-10 FY... 4-16-10 FY... |

FYI.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Monday, April 19, 2010 12:06 PM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** Friday Cap Reports

Afternoon,

Please find attached the CAP reports for Friday, April 16th.

Thank you, Walter

*Walter Peacock*
Stanley Senior Program Manager
DHS/USCIS SCOSS
6363 Walker Lane, Suite 401
Alexandria, VA 22310

Phone:
Mobile: [redacted] (b)(6)

Walter.Peacock@stanleyassociates.com

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | 3,374 | 4,353 | 60,008 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 98 | 193 | 56 | 141 | 89 | 7,032 |
| 57 | 58 | 68 | 53 | 22 | 26 | 1,915 |
| 77 | 15 | 79 | 59 | 64 | 57 | 2,635 |
| 37 | 17 | 30 | 16 | 9 | 22 | 1,070 |
| 311 | 188 | 370 | 184 | 236 | 194 | 12,652 |

0

12,652

58,265

-78.29%

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,155 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 0 | 1,035 | 50 | 45 | 29 |
| (CMN) H1B Masters | 0 | 1,597 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 0 | 573 | 29 | 23 | 11 |
| Total | 0 | 7,360 | 327 | 313 | 356 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,758 | 397 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 949 | 86 | 50 | 45 | 29 |
| (CMN) H1B Masters | 1,421 | 176 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 534 | 39 | 29 | 23 | 11 |
| Total | 6,662 | 698 | 327 | 313 | 356 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| | | | | | | | |

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|
| 113 | 94 | 156 | 98 | 66 | 127 | 40 | 5,413 |
| 23 | 26 | 55 | 7 | 16 | 37 | 24 | 1,347 |
| 43 | 38 | 62 | 45 | 34 | 44 | 33 | 2,141 |
| 12 | 9 | 13 | 23 | 9 | 16 | 17 | 735 |
| 191 | 167 | 286 | 173 | 125 | 224 | 114 | 9,636 |

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total | (Info Only) CIS Review |
|---|---|---|---|---|---|---|---|---|
| 113 | 94 | 156 | 98 | 66 | 127 | 40 | 5,413 | 5 |
| 23 | 26 | 55 | 7 | 16 | 37 | 24 | 1,347 | 2 |
| 43 | 38 | 62 | 45 | 34 | 44 | 33 | 2,141 | 2 |
| 12 | 9 | 13 | 23 | 9 | 16 | 17 | 735 | 0 |
| 191 | 167 | 286 | 173 | 125 | 224 | 114 | 9,636 | 9 |

9

9,645

43,796

-77.98%

# FW: Cap FY11

Wednesday, February 10, 2016
9:59 AM

| | |
|---|---|
| Subject | **FW: Cap FY11** |
| From | Nguyen, Carolyn Q |
| To | Sweeney, Shelly A |
| Cc | Harvey, Mark E; Gooselaw, Kurt G |
| Sent | Thursday, January 21, 2010 10:16 AM |
| Attachments | DRAFT H-1... DRAFT Opt... DRAFT QA ... |

Hi Shelly,

Here are comments from Adjudications.

Thanks.

**From:** Harvey, Mark E
**Sent:** Thursday, January 21, 2010 6:27 AM
**To:** Nguyen, Carolyn Q
**Subject:**

Good morning,

Here they are.

Mark

# RE: FY10 H1B CAP analysis summary spreadsheet

Tuesday, February 09, 2016
1:23 PM

| | |
|---|---|
| Subject | **RE: FY10 H1B CAP analysis summary spreadsheet** |
| From | Sweeney, Shelly A |
| To | Fitzsimmons, James; Peck, Denis R |
| Cc | Johnson, Bobbie L |
| Sent | Friday, January 15, 2010 9:39 AM |
| Attachments | H1B CAP e... |

Jim,

Wow. It makes my head hurt trying to compare the two. Perhaps you could pick the one that is easiest to analyze and ask them to both use that version for next year. I suppose that would go over like a lead brick...

With regards to a VSC question, I do not see one either. I'm pretty sure that they've taken care of this, but it might be best to check.

Denis,

Can you confirm that the non-selected 12/21 H-1B cap-subject petitions have all been rejected? I believe so. Your message that we are finished was dated 12/29, but the statement below that Tom was asking for assistance with is dated 1/4. As such, I'm being a little paranoid and just want to double check.

Thanks!

Shelly

**From:** Fitzsimmons, James
**Sent:** Thursday, January 14, 2010 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R
**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

Shelly,
Every year, I stress the importance of cap reports from CSC and VSC having the same table layouts. To what extent do you think they succeeded with respect to FY 2010 cap?

See the attachment for FY 2010 cap reports. Notice that CSC's workbook is entitled "2009 H-1B Cap Report".

From the reports, I conclude there were 4,200 manual rejects of FY 2010 cap-eligible petitions.

As far as the email below is concerned, I cannot find a question from VSC. Rather I read a statement of intent regarding unselected Dec 21 receipts. This matter has already been resolved.

Jim

**From:** Shiflett, Julie M
**Sent:** Thursday, January 14, 2010 2:05 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Alexander,

Bruce R
**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

**Denis/Jim,**

**I'm a little behind on emails, but please see the final H1B CAP Reports from CSC and VSC. Can we confirm or deny Vermont's question below?**

Many Thanks,
:)

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave.,
Room 2246, Washington, D.C. 20529-2060
(b)(6) [redacted] |Julie.Shiflett@dhs.gov

**From:** Collins, Thomas C. [mailto:thomas.collins@stanleyassociates.com]
**Sent:** Monday, January 04, 2010 9:08 AM
**To:** Shiflett, Julie M; Peacock, Walter W.; Treacy, Erin
**Cc:** Siesel, Gregory P; Petherbridge, Dan R
**Subject:** RE: FY10 H1B CAP analysis summary spreadsheet

Julie,

Please find the VSC and CSC report.

Dan has stated for VSC:

"Please note that we are holding approximately 380 CAP filings received on 12/21 until we receive confirmation that there will be no additional pulls from this and that they can be rejected. Currently, these are included in the Manual Rejects line on the DAAG."

Please let us know of any questions about the reports. Thanks and have a great day.

Tom

**From:** Shiflett, Julie M [mailto:julie.shiflett@dhs.gov]

**Sent:** Tuesday, December 29, 2009 2:47 PM

**To:** Peacock, Walter W.; Treacy, Erin; Collins, Thomas C.

**Cc:** Siesel, Gregory P; Petherbridge, Dan R

**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

Hi Walter,

Now that we've finished with the final receipting, can we get final versions for the above CAP Reports through December 21st please?.

Also, for December 21 we only want to have the rejects recorded for reasons other than not being selected in the lottery. They should have recorded approximately 27 rejects for December 21. The remaining rejects being sent back for non-selection are not relevant for future analysis.

If you have any questions on this let me or Denis know.

Thanks,

☺

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave.,
Room 2246, Washington, D.C. 20529-2060
☎ [redacted] |✉Julie.Shiflett@dhs.gov
202-272-1542 FAX (b)(6)

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Tuesday, June 16, 2009 5:04 PM
**To:** Shiflett, Julie M; Peck, Denis R
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Hi Denis, Julie, please find the CAP reports as of COB Monday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065
Cell [redacted] (b)(6)
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 1:23 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Johnson, Bobbie L; Young, Claudia F; Fitzsimmons, James; Shiflett, Julie M; Sweeney, Shelly A
**Subject:** H1B CAP end

We receipted 26 of the final batch – 1 reject at each center – Jim I hope this does not RUIN our results!

Thus ends another CAP season. Just think in 30 days or so we will be teleconferencing on next season.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 2:19 PM
**To:** Peck, Denis R
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Totals just came in. We data entered 20 and will reject one.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 2:16 PM
**To:** Collins, Mary Lou E
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

21 should not take long. CSC did their 7 (6 receipted, 1 reject) and it would be nice to see how your batch came out by cob today.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 1:05 PM
**To:** Peck, Denis R
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Denis –

I did see the second list and have sent it onto Stanley – they should be data entering them as we speak.

Thanks
Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 12:48 PM
**To:** Collins, Mary Lou E
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Thanks Mary Lou. I sent Steve a message earlier on the second round of H1B lottery selections you can pull and I need to make sure he is in today – can you confirm that?

Just as an FYI VSC has 21 additional applications to pull.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 10:08 AM
**To:** Lundquist, Mark E; Peck, Denis R; Shiflett, Julie M; Summers, Janice D; Yandow, Jackie D; Putnam, Anne F; Loughlin, Stephen J
**Subject:** FW: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Mark-

Attached are the screen prints/PDF files of the logs that Stanley maintains. Please let me know if you have any questions.

Thanks
Mary-Lou

---

**From:** Lundquist, Mark E
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Anderson, Toni D; Bamford, Reno C; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Garner, Deanna L; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Summers, Janice D
**Subject:** Please Respond by COB 12/30: Sanitized Screenshots of Logs

Records ACDs,

Can you please send me a one page sanitized screen shot or PDF image of the logs that the contractor maintains by COB 12/30/09.

**Examples:**
Reject Log
Void log
Deposit log
Mail Meter log
Expedite Log

Other.....

Please include Janice Summers on the reply.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: [redacted] Fax: (202) 272-1542

(b)(6)

# FW: FY11 CAP

Wednesday, February 10, 2016
11:37 AM

| | |
|---|---|
| Subject | **FW: FY11 CAP** |
| From | Peck, Denis R |
| To | Sweeney, Shelly A; Fitzsimmons, James |
| Sent | Thursday, March 04, 2010 10:04 AM |
| Attachments | DRAFT Optional P... DRAFT QA H-1B FY11 ... California CAP Plan 1... |

fyi

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Nicholson, Richard E
**Sent:** Tuesday, February 02, 2010 1:36 PM
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY11 CAP
**Importance:** High

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted]

**From:** Siesel, Gregory P
**Sent:** Tuesday, January 19, 2010 7:15 PM
**To:** Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Nicholson, Richard E; Valencia, Valerie L
**Cc:** Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** FY11 CAP

Rich,

Per your request, attached are:

Updates to the CSC FY11 CAP Plan.
Update recommendations to FY11 CAP Q&A
Update recommendations to FY11 CAP processing worksheet.

Updates are annotated in RED (CSC CAP PLAN) or green (Q&A, processing worksheet).

You should have received all of our CAP supply requests via 514s.

Please let me know if you have questions.

Regards,

Greg Siesel
Site Manager
Stanley SCOSS Team
California Service Center
[redacted]

(b)(6)

# FW: FY11 CAP documents from CSC

Wednesday, February 10, 2016
11:34 AM

| | |
|---|---|
| Subject | **FW: FY11 CAP documents from CSC** |
| From | Peck, Denis R |
| To | Sweeney, Shelly A; Doherty, Shannon P; Fitzsimmons, James |
| Sent | Tuesday, February 02, 2010 2:57 PM |
| Attachments | DRAFT Optional P... <br> DRAFT QA H-1B FY11 ... <br> California CAP Plan 1... |

Besides the contractor's plan it appears CSC has begun updating last years FAQs and Processing Worksheet as well.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Nicholson, Richard E
**Sent:** Tuesday, February 02, 2010 1:36 PM
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY11 CAP
**Importance:** High

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Siesel, Gregory P
**Sent:** Tuesday, January 19, 2010 7:15 PM
**To:** Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Nicholson, Richard E; Valencia, Valerie L
**Cc:** Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** FY11 CAP

Rich,

Per your request, attached are:

Updates to the CSC FY11 CAP Plan.
Update recommendations to FY11 CAP Q&A
Update recommendations to FY11 CAP processing worksheet.

Updates are annotated in RED (CSC CAP PLAN) or green (Q&A, processing worksheet).

You should have received all of our CAP supply requests via 514s.

Please let me know if you have questions.

Regards,

Greg Siesel
Site Manager
Stanley SCOSS Team (b)(6)
California Service Center
[redacted]

# FW: FY11 Cap Documents

Wednesday, February 10, 2016
11:29 AM

| | |
|---|---|
| Subject | **FW: FY11 Cap Documents** |
| From | Perkins, Robert M |
| To | Sweeney, Shelly A |
| Cc | Gooselaw, Kurt G; Nguyen, Carolyn Q; Johnson, Bobbie L; Young, Claudia F; Fitzsimmons, James; Loughlin, Stephen J; Nicholson, Richard E; Sweeney, Mark M; Howrigan, Tanya L; Collins, Mary Lou E |
| Sent | Thursday, January 21, 2010 6:32 AM |
| Attachments | DRAFT H-1... DRAFT Opt... DRAFT Q&... DRAFT QA ... |

Shelly,

Here are the consolidated comments from VSC. I will send a summary of issues/questions down separately.

The VSC H1B Cap POCs for FY11 will be:

| Name | Title | Section | Phone Number |
|---|---|---|---|
| Robert Perkins | ACD | Adjudications | [redacted] |
| Mark Sweeney | SISO | Adjudications | [redacted] |
| Tanya Howrigan (3) | ISO Adjudications | | [redacted] |
| Stephen Loughlin | ACD | Records | [redacted] |
| Mary Lou Collins | SISA | Records | [redacted] |
| Becky Stoddard (2) | ISA Records | | [redacted] |
| Janice Cullen (2) | ISA Records | | [redacted] |

(b)(6)

(b)(6)

Thanks,

**Robert M. Perkins| Assistant Center Director**| Vermont Service Center |USCIS | ☎: [redacted]

**From:** Howrigan, Tanya L
**Sent:** Tuesday, January 19, 2010 1:29 PM
**To:** Perkins, Robert M
**Cc:** Sweeney, Mark M
**Subject:** FW: FY11 Cap Documents

Rob -

In many of the attachments there are specific references to page numbers on the forms. Because we have more than one acceptable version of the I129 form it is suggested all references to page numbers be removed, unless clarification is going to be provided as to which form USCIS is referencing.

I will send our summary of issues for HQ in a separate message.

**Tanya L. Howrigan** | Senior Adjudications Officer (ISO 3) | Vermont Service Center | USCIS | ☎: [redacted] 802.527.4843 (b)(6)
| ✉: tanya.howrigan@dhs.gov
*WARNING: This document is FOR OFFICIAL USE ONLY (FOUO). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information. This information shall not be distributed beyond the original addressees without prior authorization of the originator.*

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 14, 2010 8:34 AM
**To:** Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FY11 Cap Documents

Rob, Kurt, and Carolyn,

As we are getting ready to ramp up for the next cap season, I wanted give the Centers the opportunity to review and comment on our draft cap package. These documents were drafted based on last year's package. I would like comments/edits by COB 1/22.

I would also like to schedule a teleconference on the afternoon of 1/25 to deal strictly with the FY11 cap. Please advise if this date or timeframe does not work for you.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: FY11 CAP

Wednesday, February 10, 2016
11:29 AM

| | |
|---|---|
| Subject | **FW: FY11 CAP** |
| From | Nicholson, Richard E |
| To | Sweeney, Shelly A |
| Cc | Gooselaw, Kurt G; Nguyen, Carolyn Q; Johnson, Bobbie L; Young, Claudia F; Fitzsimmons, James; Loughlin, Stephen J; Nicholson, Richard E; Sweeney, Mark M; Howrigan, Tanya L; Collins, Mary Lou E; Perkins, Robert M |
| Sent | Thursday, January 21, 2010 8:35 AM |
| Attachments | Comments... CSC Comm... |

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Benavente, Jessy J
**Sent:** Thursday, January 21, 2010 6:14 AM
**To:** Nicholson, Richard E
**Subject:** FW: FY11 CAP

Our comments.

**From:** Mehta, Dilipkumar N
**Sent:** Wednesday, January 20, 2010 3:44 PM
**To:** Benavente, Jessy J
**Cc:** Bennett, Linda J; Villahermosa, April L; Robbins, Bonnie M
**Subject:** RE: FY11 CAP

Jessy,

I inserted my comments in blue in the attached documents.

Please review.

Dilip Mehta
Immigration Services Analyst
California Service Center, Laguna Niguel, California
[redacted] (b)(6)

**From:** Benavente, Jessy J

**Sent:** Thursday, January 14, 2010 5:45 AM

**To:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'

**Cc:** Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Nguyen, Van T

**Subject:** FW: FY11 Cap Documents

For comment

**From:** Nicholson, Richard E
**Sent:** Thursday, January 14, 2010 5:40 AM
**To:** Benavente, Jessy J
**Subject:** FW: FY11 Cap Documents

FYI note conference call below....

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 14, 2010 5:34 AM
**To:** Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FY11 Cap Documents

Rob, Kurt, and Carolyn,

As we are getting ready to ramp up for the next cap season, I wanted give the Centers the opportunity to review and comment on our draft cap package. These documents were drafted based on last year's package. I would like comments/edits by COB 1/22.

I would also like to schedule a teleconference on the afternoon of 1/25 to deal strictly with the FY11 cap. Please advise if this date or timeframe does not work for you.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: FY11 H-1B Cap Documents

Wednesday, February 10, 2016
11:39 AM

| | |
|---|---|
| Subject | **FW: FY11 H-1B Cap Documents** |
| From | Johnson, Bobbie L |
| To | Baldwin, John T; Cox, Sophia |
| Cc | Young, Claudia F; Sweeney, Shelly A |
| Sent | Tuesday, February 16, 2010 1:56 PM |
| Attachments | DRAFT QA ...<br>DRAFT H-1...<br>DRAFT Opt... |

This is the last I've seen from Shelly. I'll also forward OCC's response as of 2/12.

**From:** Sweeney, Shelly A
**Sent:** Friday, February 12, 2010 10:22 AM
**To:** Dalal-Dheini, Sharvari P
**Cc:** Salem, Claudia S; Johnson, Bobbie L; OCC-Clearance
**Subject:** RE: FY11 H-1B Cap Documents

Shev,

Please see the addition for EOS and the money orders (both in the Q&A document). If OCC is ok with the optional processing worksheet, I can send to the forms group to have them start drafting the pdf.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P

**Sent:** Friday, February 05, 2010 11:49 AM

**To:** Sweeney, Shelly A

**Cc:** Salem, Claudia S; Johnson, Bobbie L; OCC-Clearance (b)(5)

**Subject:** RE: FY11 H-1B Cap Documents

Shelly,

[redacted]

we have properly endorsed money orders as well.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office
Cell: (b)(6)
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov
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Thank you.

**From:** Sweeney, Shelly A

**Sent:** Friday, February 05, 2010 10:14 AM

**To:** Dalal-Dheini, Sharvari P

**Cc:** Salem, Claudia S; Johnson, Bobbie L; OCC-Clearance

**Subject:** RE: FY11 H-1B Cap Documents

Shev,

Please see the answers and additional edits made in response to your comments. FAST is currently reviewing the cap gap Q&A comments/edits. Once I have responses on the comments to that document I will forward separately.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P

**Sent:** Thursday, February 04, 2010 3:46 PM

**To:** Sweeney, Shelly A

**Cc:** Salem, Claudia S; Johnson, Bobbie L; Cox, Sophia; Baldwin, John T; OCC-Clearance; McBroom, Warren E

**Subject:** RE: FY11 H-1B Cap Documents

Dear Shelly, (b)(5)

Please let me know if you have any additional questions.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120 (b)(6)
Office

(b)(6)

Cell: [redacted]
Fax:
Email: Sharvari.Dalal-Dheini@dhs.gov
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Thank you.

**From:** Sweeney, Shelly A

**Sent:** Tuesday, February 02, 2010 7:40 AM

**To:** Dalal-Dheini, Sharvari P

**Cc:** Salem, Claudia S; Johnson, Bobbie L; Cox, Sophia; Baldwin, John T

**Subject:** RE: FY11 H-1B Cap Documents

Shev,

My apologies. I was out of the office yesterday. I received comments back from OP&S on the cap gap Q&A (I am assuming that Warren will need to review the student portion, right?) and the optional processing worksheet. I have attached the versions of the documents with their comments.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P

**Sent:** Monday, February 01, 2010 9:37 AM

**To:** Sweeney, Shelly A

**Cc:** Salem, Claudia S

**Subject:** RE: FY11 H-1B Cap Documents

(b)(5)

Hi Shelly,

[redacted]

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
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Office: [redacted]
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Email: Sharvari.Dalal-Dheini@dhs.gov
This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, the reader is hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.
Thank you.

**From:** Sweeney, Shelly A

**Sent:** Monday, January 25, 2010 11:41 AM

**To:** Salem, Claudia S; Dalal-Dheini, Sharvari P; Cummings, Kevin J; Kuncaitis-Wall, Sara E; Brown, John W

**Cc:** OCC-Clearance; Johnson, Bobbie L; Young, Claudia F

**Subject:** FY11 H-1B Cap Documents

OCC and OP&S,

SCOPS has drafted the attached documents in preparation for opening of the FY11 H-1B cap season. These are based on the documents that were issued last year for the FY10 cap. I would like to have your comments/edits/concerns by COB 1/29 so that the update and Q&As can be sent to OCOMM for their clearance process and the optional processing worksheet can be sent to Business Systems and Forms Requirements. I am unsure of whether there are additional OCC and OP&S POCs that need to review the cap gap Q&A. Please feel free to forward that document to the appropriate individual.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: FY11 H-1B Cap Documents

Wednesday, February 10, 2016
11:45 AM

| | |
|---|---|
| Subject | **FW: FY11 H-1B Cap Documents** |
| From | Cummings, Kevin J |
| To | Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Brown, John W |
| Sent | Monday, February 01, 2010 9:33 AM |
| Attachments | DRAFT QA ...<br>DRAFT Opt... |

Shelly,

Please see attached comments from Sara. Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

**From:** Kuncaitis-Wall, Sara E
**Sent:** Monday, February 01, 2010 10:25 AM
**To:** Cummings, Kevin J
**Cc:** Brown, John W
**Subject:** FW: FY11 H-1B Cap Documents

Not sure if you have responded yet, but attached are my comments. Nothing earth shaking, just some suggested clarifications.

**From:** Sweeney, Shelly A
**Sent:** Monday, January 25, 2010 11:41 AM
**To:** Salem, Claudia S; Dalal-Dheini, Sharvari P; Cummings, Kevin J; Kuncaitis-Wall, Sara E; Brown, John W
**Cc:** OCC-Clearance; Johnson, Bobbie L; Young, Claudia F
**Subject:** FY11 H-1B Cap Documents

OCC and OP&S,

SCOPS has drafted the attached documents in preparation for opening of the FY11 H-1B cap season. These are based on the documents that were issued last year for the FY10 cap. I would like to have your comments/edits/concerns by COB 1/29 so that the update and Q&As can be sent to OCOMM for their clearance process and the optional processing worksheet can be sent to Business Systems and Forms Requirements. I am unsure of whether there are additional OCC and OP&S POCs that need to review the cap gap Q&A. Please feel free to forward that document to the appropriate individual.

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# USCIS Update (H-1B cap reached for FY2010)

Tuesday, February 09, 2016
3:42 PM

| | |
|---|---|
| Subject | **USCIS Update (H-1B cap reached for FY2010)** |
| From | Sweeney, Shelly A |
| To | Poulos, Christina; Renaud, Daniel M; Gregg, Bret S; Hazuda, Mark J |
| Cc | Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; McConnell, James E |
| Sent | Tuesday, December 22, 2009 12:21 PM |
| Attachments | USCISUpd... |

Chris, Dan, Bret and Mark,

The attached Update is being issued today since we received more than enough petitions yesterday to reach the cap. In addition to referencing the final receipt date, the Update also notifies the public that a lottery will be held for the petitions received on the final receipt date.

Thanks!

Shelly

**From:** Wright, William G
**Sent:** Tuesday, December 22, 2009 12:11 PM
**To:** Alfonso-Royals, Angelica M; Ash, Matthew L; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Cabrera, Marilu; Carpenter, Dea D; Carson, Rebecca S; Carter, Constance L; Chandler, Matthew; Chang, Carrol; Chung, Jane; Clark, Matthew J; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gitomer, Mariana; Humphrey, Buck H; Irazabal, Luz; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; Melero, Mariela; Metellus, Harry SJ; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Onyango, Paul O; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Scheidhauer, Sharon E; Sebrechts, Marie T; Tichacek, Katherine; Tintary, Ruth E; USCIS Web Publishing; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Wright, William G
**Cc:** Sweeney, Shelly A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P
**Subject:** USCIS Update (H-1B cap reached for FY2010)
**Importance:** High

Gents / Ladies -- USCIS has reached the FY2010 H-1B cap. Attached USCIS Update refers. Final receipt date is Dec. 21, 2009.

**Document:** USCIS Update

**Date for Release:** Tuesday, Dec. 22, 2009

**Guidance:**

- Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- Internal – For your information and your use as appropriate.

- Customer Service – For your information.
- New Media – Please post USCIS Update on the *News* page and on the H-1B cap page. Request **EXPEDITED** posting.

r/
Bill

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that Dec. 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after Dec. 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Dec. 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

# FW: H-1B April 8 Updates

Wednesday, February 10, 2016
12:16 PM

| | |
|---|---|
| Subject | **FW: H-1B April 8 Updates** |
| From | Sweeney, Shelly A |
| To | Clark, Matthew J |
| Cc | Johnson, Bobbie L |
| Sent | Tuesday, April 06, 2010 8:09 AM |
| Attachments | DRAFT US... |

Matt,

We will not have any accurate numbers until Thursday, but it is apparent at this point that we will not meet the cap in the first five business days. As such, the Update notifying the public that the cap is still open needs to be ready for posting on April 8 as soon as we can provide numbers.

Let me know if you need anything else from SCOPS.

Thanks!

Shelly

**From:** Sweeney, Shelly A
**Sent:** Monday, March 22, 2010 9:18 AM
**To:** Clark, Matthew J
**Cc:** Johnson, Bobbie L
**Subject:** H-1B April 8 Updates

Matt,

As promised, below here is some draft language for USCIS Update(s) that will need to be issued at the end of the 5-day filing window. Since we don't know whether we will meet the cap or not, SCOPS has drafted two different sets of language.

The first document is a draft USCIS Update if we do not meet the cap. We also included alternative language in it for a scenario in which we don't meet the regular cap, but we do get sufficient advanced degree petitions.

The remaining documents are drafts of Updates in the event we do meet the cap. These are all based on documents that were issued for the FY09 filing season. I think the cap met and estimate documents can be combined if the filing is not extraordinarily heavy (so much so that we can't get an accurate estimate by April 8), but perhaps I am wrong.

I have not run this by any of the USCIS components as I wanted to let OCOMM have the opportunity to work your magic on the wording.

Thanks!

Shelly

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 9:27 AM
**To:** Clark, Matthew J; Herrmann, Mary K
**Cc:** Johnson, Bobbie L

**Subject:** H-1B Filing Address Reminder

Matt and Mary,

There has been a change from last year's VSC H-1B cap filing locations from 1A Lemnah to 4 Lemnah as the VSC. The I-129 direct filing chart webpage has reflected this change since February, but unfortunately, we are still working on getting the form instructions updated. The Service Center has informed the major couriers (ie. FedEx) of this change, but we want to be proactive in ensuring that all of our stakeholders get the message. As such, SCOPS was wondering if it would be appropriate to issue a USCIS Reminder or use some other web mechanism to get this information out to the public. We, of course, defer to you as to the what is the most appropriate means of doing so. Attached is a document with some draft language for your review/editing. We'd like to get this information out to the public as quickly as possible since April 1 is less than two weeks away.

Matt, I haven't forgot that I owe you some language for USCIS Updates for the two scenarios at the end of the filing season--we meet the cap or we don't. I hope to send you those documents no later than first thing on Monday so that you all can work you magic on them.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# RE: H-1B cap chart

Tuesday, February 09, 2016
1:36 PM

| | |
|---|---|
| Subject | **RE: H-1B cap chart** |
| From | Sweeney, Shelly A |
| To | Velarde, Barbara Q; Fitzsimmons, James; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L |
| Sent | Tuesday, December 08, 2009 3:04 PM |
| Attachments | DRAFT Up... |

We drafted a USCIS Update and have already sent it to OCOMM, OCC, and OP&S to start the clearance process. Draft is attached.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Tuesday, December 08, 2009 3:54 PM
To: Fitzsimmons, James; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
Subject: Re: H-1B cap chart

Do we have public material ready to go on this?

----- Original Message -----
From: Fitzsimmons, James
To: Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
Sent: Tue Dec 08 14:39:30 2009
Subject: H-1B cap chart

All,

This chart shows the monthly volume of H-1B cap petitions based on the mailroom date. The volume declined in May June, and July. Since August, the volume has continued to rise. At 6,000 petitions, November was double May volume. In each of the last two weeks, about 2,200 petitions have been received. It appears the cap will be reached next week.

Jim

# FW: H-1B Cap Count Page Final Update

Tuesday, February 09, 2016
9:09 AM

| | |
|---|---|
| Subject | **FW: H-1B Cap Count Page Final Update** |
| From | Sweeney, Shelly A |
| To | McConnell, James E; Fitzsimmons, James |
| Sent | Tuesday, December 22, 2009 10:32 AM |
| Attachments | AR-M455... Cap Count... |

There is something seriously wrong with me. I thought that I had double and triple checked, but I forgot to copy you in.

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** USCIS Web Publishing
**Cc:** Office Of Communications; Parisi, Thomas; McKenzie, Trish H; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Wright, William G; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Count Page Final Update

USCIS Web Publishing,

Attached is the final USCIS webpage update for the H-1B cap numbers to notify the public that the cap has been reached. You will continue to receive regular weekly updates to this page for the H-2B cap numbers.

Please post this **simultaneously** with the USCIS Update that announces that the cap has been reached. The USCIS Update be provided by Media Relations (probably Bill) for posting.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

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

# Request for Web Publishing

Section A - To Be Completed by Requester

| 1. Document Title/Description: | 2. To be published on: |
|---|---|
| Title: Cap Count for H-1B, H-2B, and H-3 Workers for Fiscal Year 2010<br>URL: http://www.uscis.gov/h-1b_count<br>Instructions for posting content must be provided - Please contact Web Content for guidance. | ☒ USCIS.gov (Public Internet)<br>☐ Intranet (Internal Intranet) |
| 3. Name, Phone & Email of Requester: Requester is usually the Point of Contact to the Web Content unit; Program Director is usually the Content Owner, and signs #14.<br>Shelly Sweeney [redacted] Shelly.Sweeney@dhs.gov (b)(6) | 5. Date Submitted: |
| 6. Office Name and Location:<br>Service Center Operations, 20 Massachusetts Ave, Washington DC | |
| 8. Action Requested:<br>☒ Revise Existing Document(s) ☐ New Document ☐ Other | |
| 9. Justification: Information particular to the H-1B FY2010 cap needs to be updated as the cap has been reached. | |
| 10. a) This content does not duplicate or conflict with existing USCIS.gov IntERnet or IntrAnet content: ☒<br>b) This content is consistent with the USCIS.gov Style Guide written in plain language: ☒ | |

Section B - Document Clearances (obtained by requestor before seeking approvals in Section C)

| 11. Office of the Chief Counsel (USCIS.gov content only): Content Owner must show Counsel clearance for new or revised policy-related content and/or interpretations<br>Cleared – Shev Dalal-Dheini, Adjudications Law Division | 12. Date:<br>12/17/09 |
|---|---|
| 13. Counsel Comment, if any: | |

Section C - Approvals

| 14. Content Owner: Usually Program Director. Certifies that this document has been internally coordinated, cleared, and is ready for publication.<br>Barbara O'Malley | 15. Date:<br>12/18/09 |
|---|---|
| 16. Web Content Management: Web Content Manager, or Director, Office of Communications | 17. Date: |

This form may be submitted electronically; /s/ indicates signature on file in originating office.
Please submit, with content to be published, to Web Content, Office of Communications.

Form G-1019 (Rev. 12-15-05)Y

# RE: H-1B cap numbers for FY 2010 UPDATE

Tuesday, February 09, 2016
1:52 PM

| | |
|---|---|
| Subject | **RE: H-1B cap numbers for FY 2010 UPDATE** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Cc | Young, Claudia F |
| Sent | Wednesday, December 02, 2009 9:55 AM |
| Attachments | DRAFT Up... |

Bobbie,

Here's my initial rough draft. I based it on previous year's updates. Due to the unique situation this year, I also borrowed a bit of language from the cap reached update for H-2s back in 2008.

Let me know if you have any edits or comments.

Thanks!

Shelly

**From:** Johnson, Bobbie L
**Sent:** Wednesday, December 02, 2009 9:58 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Shelly – Let's get a posting ready to go in case the cap is reached by December 30th. Thanks!

**From:** Velarde, Barbara Q
**Sent:** Wednesday, December 02, 2009 9:46 AM
**To:** McConnell, James E; Young, Claudia F; Johnson, Bobbie L
**Cc:** Kruszka, Robert F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Who is here during that holiday period to monitor this? We probably need to have an update in our back pocket ready to post when we shut down.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 8:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L

**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,000** | **8,400** | **79,400** | **78,000** | **5,300** | **86,500** | **94%** | **44%** | **15%** |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

# RE: H-1B cap numbers for FY 2010 UPDATE 5/26/09

Tuesday, February 09, 2016
2:35 PM

| | |
|---|---|
| Subject | **RE: H-1B cap numbers for FY 2010 UPDATE 5/26/09** |
| From | Young, Claudia F |
| To | Pearce, Timothy A; Bacon, William H |
| Cc | Cummings, Kevin J; Wright, William G; Mattingly, Kathryn A; Rhatigan, Chris; Sweeney, Shelly A |
| Sent | Tuesday, May 26, 2009 8:49 AM |
| Attachments | Cap Count... |

Actually, the date should be May 22, 2009, not May 26, 2009. I made the changes on the attachment.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Pearce, Timothy A
**Sent:** Tuesday, May 26, 2009 9:38 AM
**To:** Bacon, William H
**Cc:** Young, Claudia F; Cummings, Kevin J; Wright, William G; Mattingly, Kathryn A; Rhatigan, Chris; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE 5/26/09

Bill,

I'm forwarding update to www.uscis.gov/h-1b_count this week. Is it possible to revise the web site today?

Thanks,

Tim Pearce, Adjudications Officer
USCIS
SCOPS (detail)
Business Operations Branch
[redacted] (b)(6)

# Cap Count for H-1B and H-2B Workers for Fiscal Year 2010

**Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.**

## What is a "Cap"

The word "Cap" used in this Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. Caps control the number of workers that can be issued a visa in a given fiscal year to enter the United States pursuant to a particular nonimmigrant classification. Caps also control the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

## H-1B

The H-1B visa program is used by some U.S.employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent. Typical H-1B occupations include architects, engineers, computer programmers, accountants, doctors and college professors. The H-1B visa program also includes certain fashion models of distinguished merit and ability and up to 100 persons who will performing services of an exceptional nature in connection with Department of Defense (DOD) research and development projects or coproduction projects. The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Employer Exemptions

H-1B nonimmigrants who are employed, or who have received an offer of employment, by institutions of higher education or a related or affiliated nonprofit entity, as well as those employed, or who will be employed, by a nonprofit research organization or a governmental research organization are exempt from the cap.

## H-1B Advanced Degree Exemption

The H-1B Visa Reform Act of 2004 makes available 20,000 new H-1B visas for foreign workers with a Master's or higher level degree from a U.S. academic institution. For each fiscal year, 20,000 beneficiaries of H-1B petitions on behalf of persons who hold such credentials are statutorily exempted from the cap.

## Duplicate H-1B Petitions Filed Requesting Fiscal Year 2010 Employment

USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one filing is discovered. If multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

**As of May 22, 2009**, approximately 45,700 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits, taking into account the fact that some of these petitions may be denied, revoked, or withdrawn.

## H-1B1

An H-1B1 is a national of Chile or Singapore coming to the United States to work temporarily in a specialty occupation. The law defines an H-1B1 specialty occupation as a position that requires theoretical and practical application of a body of specialized knowledge. The beneficiary must have a bachelor's degree or higher (or equivalent) in the specific specialty. The combined statutory limit is 6,800 per year. The cap for H-1B1 for FY2010 has not been reached as of the date of this Update.

## H-2B

The H-2B visa category allows U.S. employers in industries with peak load, seasonal or intermittent needs to augment their existing labor force with temporary workers. The H-2B visa category also allows U.S. employers to augment their existing labor force when necessary due to a one-time occurrence which necessitates a temporary increase in workers. Typically, H-2B workers fill labor needs in occupational areas such as construction, health care, landscaping, lumber, manufacturing, food service/processing, and resort/hospitality services.

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. As of FY 2010, an H-2B petition may not be filed more than 120 days before the date of the actual need for the H-2B worker's labor/services identified on the labor certification. As a result, USCIS normally begins receiving H-2B petitions with employment start dates in October and June.

## What is the H-2B numerical limit set by Congress?

The H-2B numerical limit set by Congress per fiscal year is 66,000. Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the numerical limit. An alien who changes nonimmigrant status to H-2B is counted against the annual H-2B cap.

As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

| Cap Type | Cap Amount | Beneficiaries Approved | Beneficiaries Pending | Beneficiaries Target [1] | Total | Date of Last Count |
|---|---|---|---|---|---|---|
| H-2B 1st Half | 33,000 | ------ | ------ | ------ | ------ | ------- |
| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ----- |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
[2] A shortfall in the 1st half would be made up in the 2nd half.
[3] Visas issued plus beneficiaries changing status already in the United States.

## H-3

The H-3 nonimmigrant visa category is for aliens who are coming temporarily to the U.S. to receive training (other than graduate medical education or training) that is not available in their home countries. The training may be provided by a

business entity, academic, or vocational institute. The H-3 nonimmigrant visa category also includes aliens who are coming temporarily to the U.S. to participate in a special education training program for children with physical, mental, or emotional disabilities. There is a limit of 50 visas per fiscal year allocated to H-3 aliens participating in special education training programs. As of **March 30, 2009**, three of these H-3 visas had been approved with a start date in FY 2009.

This page can be found at http://www.uscis.gov/h-1b_count

Last updated:05/18/2009

# RE: H-1B cap numbers for FY 2010 UPDATE

Tuesday, February 09, 2016
1:38 PM

| | |
|---|---|
| Subject | **RE: H-1B cap numbers for FY 2010 UPDATE** |
| From | Young, Claudia F |
| To | Velarde, Barbara Q |
| Cc | Cummings, Kevin J; Sweeney, Shelly A; Williams, Carol L |
| Sent | Monday, May 18, 2009 10:33 AM |
| Attachments | RE MAND... |

Barbara,
There are 2 main reasons for the RFEs this year:

1. Requesting contracts and itineraries
2. TARP

I have attached an email string from Rob Perkins which illustrates the increased use of RFEs for contracts and itineraries. We haven't heard any grumblings concerning these requests.

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060 (b)(6)

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**From:** Velarde, Barbara Q
**Sent:** Monday, May 18, 2009 9:28 AM
**To:** Jones, Rendell L
**Cc:** Rogers, Debra A; Neufeld, Donald; Cummings, Kevin J; Cummings, Kevin J; Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Off the top of my head I am going to guess that a larger number this year is due in part to the TARP funding issue. Adding Claudia and Kevin who will reach out to the center for a more precise explanation.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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**From:** Jones, Rendell L
**Sent:** Monday, May 18, 2009 8:54 AM
**To:** Velarde, Barbara Q
**Cc:** Rogers, Debra A; Neufeld, Donald; Cummings, Kevin J
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Barbara –

Without knowing any context or sense of the typical rate, the 48% RFE rate for regular H1Bs seems high. What are the top reasons for the RFEs? Are there just anomalies this year?

Thanks. R

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15th:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

# H-1B cap numbers for FY 2010 UPDATE 5/26/09

Tuesday, February 09, 2016
12:36 PM

| | |
|---|---|
| Subject | **H-1B cap numbers for FY 2010 UPDATE 5/26/09** |
| From | Pearce, Timothy A |
| To | Bacon, William H |
| Cc | Young, Claudia F; Cummings, Kevin J; Wright, William G; Mattingly, Kathryn A; Rhatigan, Chris; Sweeney, Shelly A |
| Sent | Tuesday, May 26, 2009 8:38 AM |
| Attachments | Cap Count... |

Bill,

I'm forwarding update to www.uscis.gov/h-1b_count this week. Is it possible to revise the web site today?

Thanks,

Tim Pearce, Adjudications Officer
USCIS
SCOPS (detail)
Business Operations Branch
[redacted]

(b)(6)

# Cap Count for H-1B and H-2B Workers for Fiscal Year 2010

**Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.**

## What is a "Cap"

The word "Cap" used in this Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. Caps control the number of workers that can be issued a visa in a given fiscal year to enter the United States pursuant to a particular nonimmigrant classification. Caps also control the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

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The H-1B visa program is used by some U.S.employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent. Typical H-1B occupations include architects, engineers, computer programmers, accountants, doctors and college professors. The H-1B visa program also includes certain fashion models of distinguished merit and ability and up to 100 persons who will performing services of an exceptional nature in connection with Department of Defense (DOD) research and development projects or coproduction projects. The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Employer Exemptions

H-1B nonimmigrants who are employed, or who have received an offer of employment, by institutions of higher education or a related or affiliated nonprofit entity, as well as those employed, or who will be employed, by a nonprofit research organization or a governmental research organization are exempt from the cap.

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## Duplicate H-1B Petitions Filed Requesting Fiscal Year 2010 Employment

USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one filing is discovered. If multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

**As of May 26, 2009**, approximately 45,700 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits, taking into account the fact that some of these petitions may be denied, revoked, or withdrawn.

## H-1B1

An H-1B1 is a national of Chile or Singapore coming to the United States to work temporarily in a specialty occupation. The law defines an H-1B1 specialty occupation as a position that requires theoretical and practical application of a body of specialized knowledge. The beneficiary must have a bachelor's degree or higher (or equivalent) in the specific specialty. The combined statutory limit is 6,800 per year. The cap for H-1B1 for FY2010 has not been reached as of the date of this Update.

## H-2B

The H-2B visa category allows U.S. employers in industries with peak load, seasonal or intermittent needs to augment their existing labor force with temporary workers. The H-2B visa category also allows U.S. employers to augment their existing labor force when necessary due to a one-time occurrence which necessitates a temporary increase in workers. Typically, H-2B workers fill labor needs in occupational areas such as construction, health care, landscaping, lumber, manufacturing, food service/processing, and resort/hospitality services.

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. As of FY 2010, an H-2B petition may not be filed more than 120 days before the date of the actual need for the H-2B worker's labor/services identified on the labor certification. As a result, USCIS normally begins receiving H-2B petitions with employment start dates in October and June.

## What is the H-2B numerical limit set by Congress?

The H-2B numerical limit set by Congress per fiscal year is 66,000. Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the numerical limit. An alien who changes nonimmigrant status to H-2B is counted against the annual H-2B cap.

As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

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| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ----- |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
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This page can be found at http://www.uscis.gov/h-1b_count

Last updated:05/18/2009

# Cap Count for H-1B and H-2B Workers for Fiscal Year 2010

**Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.**

## What is a "Cap"

The word "Cap" used in this Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. Caps control the number of workers that can be issued a visa in a given fiscal year to enter the United States pursuant to a particular nonimmigrant classification. Caps also control the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

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## H-2B

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## What is the H-2B numerical limit set by Congress?

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As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

| Cap Type | Cap Amount | Beneficiaries Approved | Beneficiaries Pending | Beneficiaries Target [1] | Total | Date of Last Count |
|---|---|---|---|---|---|---|
| H-2B 1st Half | 33,000 | ------ | ------ | ------ | ------ | ------- |
| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ----- |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
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[3] Visas issued plus beneficiaries changing status already in the United States.

## H-3

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This page can be found at http://www.uscis.gov/h-1b_count

Last updated:05/18/2009

# RE: H-1B cap numbers for FY 2010 UPDATE

Tuesday, February 09, 2016
1:42 PM

| | |
|---|---|
| Subject | **RE: H-1B cap numbers for FY 2010 UPDATE** |
| From | Perkins, Robert M |
| To | Sweeney, Shelly A |
| Cc | Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Nguyen, Carolyn Q; Gooselaw, Kurt G; Boudreau, Lynn A |
| Sent | Monday, May 18, 2009 9:42 AM |
| Attachments | RE MAND... RE Final H-... |

Shelly,

VSCs increased RFE rate can be attributed to two main areas:

1 – Request for contracts and itineraries as delineated in the attached E-mail string. Note: We issued almost 1,900 RFEs on Cognizant Technology Solutions alone.
2 – TARP

Thanks,

Rob

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 9:25 AM
**To:** Nguyen, Carolyn Q; Gooselaw, Kurt G; Perkins, Robert M
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carolyn, Kurt and Rob,

SCOPS has received an inquiry from the front office regarding the top reason(s) for RFE issuance, as this year's RFE rate is higher than last year's. We believe that this may stem from TARP RFEs, but we would like to seek confirmation from all of you. Would it be possible for the CSC and VSC to provide the top reason(s) for RFEs as soon as possible? If the majority of RFEs fall into a certain category (ie. TARP), please let us know.

Thanks!

Shelly

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 9:32 AM
**To:** Perkins, Robert M
**Cc:** Bouchard, Armanda M; Cummings, Kevin J; Young, Claudia F; Williams, Carol L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

Rob –

I have your four scenarios on my list already. Kevin, Claudia and I discussed your contracts and itineraries approach yesterday. Kevin and Claudia did not have an issue with your approach.

Thank you.

Carol

---

**From:** Perkins, Robert M
**Sent:** Wednesday, March 25, 2009 10:17 AM
**To:** Williams, Carol L
**Cc:** Bouchard, Armanda M
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

We are working on some TARP related questions now…

Also, I believe it would be beneficial to discuss the four scenarios that may play out and ensure everyone is on the same page (see attached).

Lastly, if HQ has any issues with the VSC approach to the contract/itinerary issue, let me know.

Rob

---

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 10:02 AM
**To:** Peck, Denis R; Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

All –

Does anyone else have any issues they want discussed for the call? Please let me know.

Thank you.

Carol

---

**From:** Peck, Denis R
**Sent:** Wednesday, March 25, 2009 9:59 AM
**To:** Williams, Carol L; Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

I would like to discuss the expected volume for CAP. The initial guidance I gave out was for the contractor to anticipate receiving filings in line with 2008 – 100,000 at Vermont, 60,000 at California. All indications we have had the past month are that we will not get this between April 1-7. There is significant money involved if we can give the contractor a number to prepare for that will be close to what the actual filing count will be. For instance, they have submitted hundreds of applications for temporary workers that all have to have a background investigation and credit report done. This is a burden on the agency.

Thanks for seeing that they are not included this time; we'll certainly advise them of the decisions we make on this and other issues.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 8:40 AM
**To:** Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Peck, Denis R; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** Final H-1B Cap Call

All –

The conference call in number is

1-888-453-0622

Participant: [redacted] (b)(6)

Regards.

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P: [redacted]
F: 202-272-1543 (b)(6)

# FW: H-1B Cap Reached

Tuesday, February 09, 2016
9:21 AM

| | |
|---|---|
| Subject | **FW: H-1B Cap Reached** |
| From | Richardson, Gregory A |
| To | Sweeney, Shelly A; Young, Claudia F |
| Sent | Tuesday, December 22, 2009 10:38 AM |
| Attachments | Cap Count... |

Claudia,

Do we have an updated count after 12/11/2009? Or are we going with the 12/11 count?

Thank you,

Greg Richardson
Chief of Staff SCOPS

**From:** Richardson, Gregory A
**Sent:** Tuesday, December 22, 2009 11:35 AM
**To:** 'Neufeld, Donald'; Rogers, Debra A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** RE: H-1B Cap Reached

Attachment with H1B Information.

**From:** Richardson, Gregory A
**Sent:** Tuesday, December 22, 2009 11:33 AM
**To:** Neufeld, Donald; Rogers, Debra A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B Cap Reached

Don and Debbie,

FYI: H1B Cap Reached information will go to OCOMM for posting today.

Thank you,

Greg Richardson
Chief of Staff SCOPS

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:29 AM
**To:** Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Fitzsimmons, James; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Greg,

The Service Centers received more than sufficient petitions to reach the regular cap yesterday. The SCs will begin bar coding those cap-subject petitions that were received yesterday (December 21) and run a lottery on those

petitions. We will send OCOMM the cleared USCIS Update with the final receipt date of December 21 for posting today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Cap Reached

Tuesday, February 09, 2016
12:46 PM

| | |
|---|---|
| Subject | **H-1B Cap Reached** |
| From | Sweeney, Shelly A |
| To | Wright, William G |
| Cc | Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S |
| Sent | Tuesday, December 22, 2009 10:31 AM |
| Attachments | CLEARED ... |

Bill,

We received sufficient petitions to reach the H-1B regular cap on December 21. There will be a lottery on the petitions that were received yesterday. I have filled in the final receipt date and the issuance date on the update and removed all comments. I also removed the "draft" watermark. We would like this update to be posted today.

I am separately sending a cap count webpage change to New Media with a request that the webpage be posted **simultaneously** with the USCIS Update. I will copy you and the OCOMM box on that request.

Please let me know if you need anything else from SCOPS.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that December 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after December 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on December 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

# FW: H-1B CAP REACHED (Communication Materials)

Wednesday, February 10, 2016
12:18 PM

| | |
|---|---|
| Subject | **FW: H-1B CAP REACHED (Communication Materials)** |
| From | Wright, William G |
| To | Harvey, Mark E; Harton, Frank A; Sweeney, Shelly A |
| Cc | Humphrey, Buck H; Velarde, Barbara Q |
| Sent | Thursday, January 27, 2011 10:38 AM |
| Attachments | USCISUpd... H-1B Web... |

Mark – Please see the director's comments below. (I've already changed the final receipt date).

Please make necessary edits (in tracked changes on the attached doc's) based upon his comments below.

We need to turn this within the next 30 minutes.

Much obliged.

r/
Bill

**From:** Humphrey, Buck H
**Sent:** Thursday, January 27, 2011 11:35 AM
**To:** Wright, William G; Neufeld, Donald
**Subject:** FW: H-1B CAP REACHED (Communication Materials)
**Importance:** High

Note Ali's changes and the question about the "petitions filed on behalf of current H-1B workers who have been counted previously against the cap."

Bill, please ask SCOPS to answer that question. If at all possible, I would like to have the revised materials to Ali within the hour.

Regards,

**Buck Humphrey**
Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] cell) (b)(6)

**From:** Mayorkas, Alejandro N
**Sent:** Thursday, January 27, 2011 11:22 AM
**To:** Humphrey, Buck H; Kielsmeier, Lauren
**Subject:** RE: H-1B CAP REACHED (Communication Materials)

Buck,

Don Neufeld's understanding is that the final receipt date is January 26, not January 27. He is checking, and I will forward the draft release to him.
The statement in paragraph 2 about the cap exempt petitions should be moved to a different paragraph; it is confusing where it is.
Lastly, we indicate that "petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally-mandated FY2011 H-1B cap. Is this required by statute, reg, or otherwise? If so, we should indicate accordingly.
Thanks. Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

**From:** Humphrey, Buck H
**Sent:** Thursday, January 27, 2011 11:08 AM
**To:** Mayorkas, Alejandro N; Kielsmeier, Lauren
**Subject:** FW: H-1B CAP REACHED (Communication Materials)

Ali/Lauren,
Attached are the final draft H1-B cap Update and web page language that has been cleared. Please let us know if you would like to make any changes to the materials. As soon as we have your edits, we will incorporate and push the Update and post the web language.

Please let me know if you have any question.
Regards,

**Buck Humphrey**
Chief, Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (cell)
(b)(6)

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 10:48 AM
**To:** Humphrey, Buck H; Parisi, Thomas; Wheeler, Shannon L; Bentley, Christopher S; Higdon, Jamie C
**Subject:** H-1B CAP REACHED (Communication Materials)
**Importance:** High

Buck, et al – USCIS Update and Web update on the H-1B cap is attached.

All materials have been cleared through USCIS (OLA, OPE, OP&S, OCC, and SCOPS). Ready for front office approval.

We need to push this out this a.m.

r/
Bill

U.S. Citizenship and Immigration Services

*Office of Communications*

# USCIS Update

Jan. 27, 2011

## USCIS Reaches FY 2011 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2011. USCIS is notifying the public that yesterday, Jan. 26, 2011, is the final receipt date for new H-1B specialty occupation petitions requesting an employment start date in FY2011.

The final receipt date is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. On Dec. 22, 2010, USCIS had also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the 'advanced degree' exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY2011 that arrive after Jan. 26, 2011.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Jan. 26, 2011. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject all remaining cap-subject petitions not randomly selected and will return the accompanying fee.

USCIS will continue to accept and process petitions that are otherwise exempt from the cap. Additionally, petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally-mandated FY2011 H-1B cap. Accordingly, USCIS will continue to accept and process petitions filed to:

- extend the amount of time a current H-1B worker may remain in the U.S.;
- change the terms of employment for current H-1B workers;
- allow current H-1B workers to change employers; and
- allow current H-1B workers to work concurrently in a second H-1B position.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields such as scientists, engineers, or computer programmers.

For more information on USCIS and its programs, visit www.uscis.gov.

- USCIS -

# H-1B Fiscal Year (FY) 2011

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## USCIS reaches H-1B cap for 2011

As of January 26, 2011, USCIS has received a sufficient number of petitions to reach the statutory Cap for FY2011. USCIS has also received more than 20,000 H-1B petitions on behalf of persons exempt from the cap under the advanced degree exemption. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY2011 that are received after January 26, 2011. USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on January 26, 2011.

USCIS continues to accept cap-exempt petitions, DOD petitions and Chile/Singapore H-1B1 petitions requesting an employment start date in FY2011.

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determined if an H-1B Petition was Subject to the FY 2011 Cap

We used the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition was subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions were exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas

may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of December 24, 2010, the count for this category of H-1B nonimmigrants is 8.

## Additional Documents Required With Your Petition*

* As noted above, USCIS continues to accept cap-exempt petitions, DOD petitions and Chile/Singapore H-1B1 petitions requesting an employment start date in FY2011.*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records

where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (pages 17 through 19 of Form I-129) for detailed instructions on fees.

The following fees may be required with an H-1B petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

If the petition is being filed under the FY 2011 Cap exemption, clearly label the petition as a FY 2011 Cap exempt petition.

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately. Please ensure you are using the latest version of Form-I-129 Rev. 01/19/2011; (11/23/2010 edition also accepted).

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure that the petitioner's name is listed under the name of the Company or Organization and not the attorney's name if the petitioner will be represented by an attorney or other accredited representative.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 11

## and 12 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)

Complete all sections of the form accurately.

Be sure to answer all parts of question 1 and 2 in Part C if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will only accept Form I-907 with a revision date of 8/10/09 or later.

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FW: H-1B Cap Reached

Tuesday, February 09, 2016
9:20 AM

| | |
|---|---|
| Subject | **FW: H-1B Cap Reached** |
| From | Sweeney, Shelly A |
| To | McConnell, James E; Fitzsimmons, James |
| Sent | Tuesday, December 22, 2009 10:33 AM |
| Attachments | CLEARED ... |

Ditto from before.

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** Wright, William G
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Reached
**Importance:** High

Bill,

We received sufficient petitions to reach the H-1B regular cap on December 21. There will be a lottery on the petitions that were received yesterday. I have filled in the final receipt date and the issuance date on the update and removed all comments. I also removed the "draft" watermark. We would like this update to be posted today.

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Please let me know if you need anything else from SCOPS.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

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USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on December 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

# FW: H1B CAP update

Wednesday, February 10, 2016
12:42 PM

| | |
|---|---|
| Subject | **FW: H1B CAP update** |
| From | Wright, William G |
| To | Harvey, Mark E |
| Cc | Sweeney, Shelly A; Harton, Frank A |
| Sent | Thursday, January 27, 2011 9:37 AM |
| Attachments | H-1B Web... USCISUpd... |

ThanX Mark … if you don't mind, would you go through the Web update document and insert the dates necessary (Jan. 27, right??). I just want to ensure that I don't insert the wrong date in the wrong place…also, don't want to miss one.

I've attached the clean version of the USCIS Update, for your info.

r/
Bill

**From:** Harvey, Mark E
**Sent:** Thursday, January 27, 2011 10:15 AM
**To:** Wright, William G
**Cc:** Harton, Frank A; Sweeney, Shelly A
**Subject:** RE: H1B CAP update
**Importance:** High

Bill,

Here are the two documents we discussed. As mentioned in our discussion I left the track changes in both documents which will have to be removed before posting. Let me know if anything else is needed or I may have missed. Also as we discussed there will be a mini-lottery so that part can stay in.

Thanks,
Mark

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 9:45 AM
**To:** Sweeney, Shelly A; Harton, Frank A; Harvey, Mark E
**Subject:** RE: H1B CAP update

Shelley, et al – see below. Can you finalize attached?

ThanX

r/
Bill

**From:** Humphrey, Buck H [mailto:Buck.Humphrey@dhs.gov]
**Sent:** Thursday, January 27, 2011 9:38 AM
**To:** Wheeler, Shannon L; Higdon, Jamie C
**Cc:** Parisi, Thomas; Bentley, Christopher S; Wright, William G
**Subject:** Fw: H1B CAP update
**Importance:** High

We have the comms plans and materials in draft, correct? I think I asked you that a couple days ago and you said yes?

If so, please send to me.

Buck Humphrey

Chief, Office of Communications

DHS-USCIS

W

C-

(b)(6)

----- Original Message -----

From: Mayorkas, Alejandro N

To: Neufeld, Donald; Kielsmeier, Lauren; Carpenter, Dea D; 'Vanison, Denise' <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; 'Lacot, Rosalina' <rosalina.lacot@dhs.gov>; Scialabba, Lori

Cc: Velarde, Barbara Q; Richardson, Gregory A

Sent: Thu Jan 27 09:35:22 2011

Subject: RE: H1B CAP update

Thank you very much, Don. Great work.

Buck, this is important and we should have a robust communications plan to execute today. This has been imminent.

Thanks. Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(202) 272-1000

Alejandro.Mayorkas@dhs.gov

-----Original Message-----

From: Neufeld, Donald

Sent: Thursday, January 27, 2011 9:34 AM

To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina; Scialabba, Lori

Cc: Velarde, Barbara Q; Richardson, Gregory A

Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----

From: Velarde, Barbara Q

Sent: Thursday, January 27, 2011 9:06 AM

To: Neufeld, Donald

Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----

From: Harton, Frank A

Sent: Thursday, January 27, 2011 9:03 AM

To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F

Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----

From: Peck, Denis R

Sent: Thursday, January 27, 2011 8:43 AM

To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A

Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----

From: Velarde, Barbara Q

Sent: Thursday, January 27, 2011 8:33 AM

To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A

Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----

From: Fitzsimmons, James

Sent: Thursday, January 27, 2011 8:31 AM

To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q

Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----

From: Peck, Denis R

Sent: Thursday, January 27, 2011 8:30 AM

To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q

Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----

From: Ashline, Heidi L

Sent: Thursday, January 27, 2011 8:28 AM

To: Peck, Denis R

Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E

Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222

PP H1B - 272

Total: 494

If you have any questions, please let me know.

Thank you,

Heidi Ashline

VSC/SISA/CPAU

[redacted] (b)(6)

-----Original Message-----

From: Loughlin, Stephen J

Sent: Monday, January 24, 2011 2:54 PM

To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L

Cc: Canney, Keith J; Kane, Donna K

Subject: Fw: H1B CAP update

Fyi

Stephen J. Loughlin

Assistant Center Director

U.S. Citizenship & Immigration Services

U.S. Department of Homeland Security

[redacted] (b)(6)

----- Original Message -----

From: Peck, Denis R

To: Loughlin, Stephen J; Nicholson, Richard E

Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T

Sent: Mon Jan 24 13:55:23 2011

Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James

Sent: Monday, January 24, 2011 12:02 PM

To: Peck, Denis R

Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

From: Peck, Denis R

Sent: Monday, January 24, 2011 9:12 AM

To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A

Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James

Sent: Monday, January 24, 2011 8:58 AM

To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q

Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

U.S. Citizenship and Immigration Services

*Office of Communications*

# USCIS Update

Jan. 27, 2011

## USCIS Reaches FY 2011 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2011. USCIS is notifying the public that Jan. 27, 2011 is the final receipt date for new H-1B specialty occupation petitions requesting an employment start date in FY2011.

The final receipt date is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. On Dec. 22, 2010, USCIS had also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the 'advanced degree' exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY2011 that arrive after Jan. 27, 2011.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Jan. 27, 2011. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject all remaining cap-subject petitions not randomly selected and will return the accompanying fee.

USCIS will continue to accept and process petitions that are otherwise exempt from the cap. Additionally, petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally-mandated FY2011 H-1B cap. Accordingly, USCIS will continue to accept and process petitions filed to:

- extend the amount of time a current H-1B worker may remain in the U.S.;
- change the terms of employment for current H-1B workers;
- allow current H-1B workers to change employers; and
- allow current H-1B workers to work concurrently in a second H-1B position.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields such as scientists, engineers, or computer programmers.

For more information on USCIS and its programs, visit www.uscis.gov.

- USCIS -

# H1B Cap Web Page

Tuesday, February 09, 2016
12:52 PM

| | |
|---|---|
| Subject | **H1B Cap Web Page** |
| From | Sweeney, Shelly A |
| To | Young, Claudia F |
| Sent | Tuesday, April 14, 2009 10:32 AM |
| Attachments | Cap Count... |

Claudia,

Attached are some rough preliminary edits to the H1B/H2B cap page. I will need to get some holes filled in by Jim and Denis, but I wanted to give you (and Kevin and Carol) an opportunity to review before I send to them.

I am a little concerned by the information contained in the table. Is it mandatory that we include the number of approvals in the update? If so, that's fine and I'll keep quiet. If not, can we remove that block? I don't see where we currently have this information filled out, and I think it raises a number of questions about the speed/slowness of adjudication.

What do you think?

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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# re: H-1B cap website update

Tuesday, February 09, 2016
2:51 PM

| | |
|---|---|
| Subject | **re: H-1B cap website update** |
| From | Rhatigan, Chris |
| To | Sweeney, Shelly A |
| Cc | Gooselaw, Kurt G; Doherty, Shannon P; Irazabal, Luz; Bentley, Christopher S; Wright, William G |
| Sent | Friday, November 20, 2009 11:36 AM |
| Attachments | H-1B Stati... |

Hey Shelly, I just saw that the H-1B cap for the masters degree 20,000 category has been reached. Can you give me the exact date that USCIS met that cap?
OComm has a chart (attached) that we use to explain the history of the cap... and I would like to add the date for the FY10 masters category to the chart and share with our media managers in case they are asked.

Chris Rhatigan

www.uscis.gov/h-1b_count

*Office of Communications*

U.S. Citizenship and Immigration Services

# H-1B Statistics

Nov. 2009

## H-1B STATISTICS

| Fiscal Year | H-1B Cap | Date Met | | Days to meet Cap |
|---|---|---|---|---|
| 2010 | 65,000 | (open April 1, 2009) | | |
| | 20,000 masters | (open April 1, 2009) | | |
| 2009 | 65,000 | April 1-5, 2008 (open five days) | | 1 day |
| | 20,000 masters | April 1-5, 2008 (open five days) | | 1 day |
| 2008 | 65,000 | April 2, 2007 – (open April 1, 2007) | | 2 days |
| | 20,000 masters | April 30, 2007 – (open April 1, 2007) | | 30 days |
| 2007 | 65,000 | May 26, 2006 – (open April 1, 2006) | | 56 days |
| | 20,000 masters | July 26, 2006 (open April 1, 2006) | | 117 days |
| 2006 | 65,000 | Aug. 10, 2005 – (open April 1, 2005) | | 132 days |
| | 20,000 masters | Jan. 17, 2006– (open April 1, 2005) | | 292 days |
| 2005 | 65,000 | Oct. 1, 2004 – (open April 1, 2004) | | 184 days |
| | 20,000 masters | | See note #1 | -- |
| 2004 | 65,000 | Feb. 17, 2004 – (open April 1, 2003) | See note #2 | 323 days |
| 2003 | 195,000 | Cap not reached | | |
| 2002 | 195,000 | Cap not reached | | |
| 2001 | 195,000 | Cap not reached | | |
| 2000 | 115,000 | July 21, 2000 – (open April 1, 1999) | | 478 days |
| 1999 | 115,000 | Cap exceeded | See note #3 | |
| 1998 | 65,000 | May 11, 1998 – (open April 1, 1997) | | 406 days |
| 1997 | 65,000 | Sept. 1, 1997 – (open April 1, 1996) | | 519 days |
| 1996 | 65,000 | cap not reached | | |
| 1995 | 65,000 | cap not reached | | |
| 1994 | 65,000 | cap not reached | | |
| 1993 | 65,000 | cap not reached | | |
| 1992 | 65,000 | cap not reached | | |

1. The *H-1B Visa Reform Act of 2004 * created the* ,20,000 masters degree & higher education exemption cap, which became effective on May 5, 2005, eight months into FY 2005.

2. Note: FY04 was the first fiscal year USCIS solely managed the H-1B program. During FY03, USCIS and INS shared that responsibility. Before FY 2003, INS managed the program.

3. Congress granted INS authority to apply the 1999 overage to the FY2000 cap.

# FW: FY11 H-1B Cap

Wednesday, February 10, 2016
11:56 AM

| | |
|---|---|
| Subject | **FW: FY11 H-1B Cap** |
| From | Wright, William G |
| To | Sweeney, Shelly A |
| Cc | Harton, Frank A |
| Sent | Wednesday, January 12, 2011 10:13 AM |
| Attachments | USCISUpd... |

Sorry Shelly for not getting back to you yesterday. I've accepted your edits and left the comment in. I'll place the attached in clearance on Tuesday (18 Jan) – that way I'll have it ready to go not later than Friday, 21 Jan. Then, when I hear from you, I'll insert the final receipt date and delete the lottery para (if necessary).

r/
Bill

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 11, 2011 9:11 AM
**To:** Wright, William G
**Cc:** Harton, Frank A
**Subject:** RE: FY11 H-1B Cap

Bill,

I just had a couple of suggested edits and one comment.

It's still looking like we'll hit somewhere near the end of this month. I'm not sure how long its taking right now for clearance, so I'm not sure when to advise you to start the process. Would it be possible to have it cleared as it is right now and then insert the final receipt date and delete the lottery paragraph, if appropriate, just before issuance? Let me know if my question isn't making sense.

Thanks!

Shelly

**From:** Wright, William G

**Sent:** Friday, January 07, 2011 12:48 PM

**To:** Sweeney, Shelly A

**Cc:** Harton, Frank A; Bentley, Christopher S

**Subject:** RE: FY11 H-1B Cap

Shelly – Here's the draft (not much to it since I just plagiarized from last year's update). If you're okay with this, I'll hold until you give me the okay to start circulating – of course, I'll need the final receipt date when

it's determined.

ThanX for keeping us up to date on this, Shelly.

r/
Bill

**From:** Wright, William G
**Sent:** Friday, January 07, 2011 11:46 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A
**Subject:** RE: FY11 H-1B Cap

Got it, Shelly….I'll have a draft ready today.

r/
Bill

**From:** Sweeney, Shelly A
**Sent:** Friday, January 07, 2011 11:43 AM
**To:** Wright, William G
**Cc:** Harton, Frank A
**Subject:** FY11 H-1B Cap

Bill,

To follow up on our phone conversation, we should probably begin dusting off the yearly "final receipt date" USCIS Update very soon so that there is plenty of time for the clearance process and front office review. Right now we are anticipating meeting the cap by the end of this month.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: H-1B Filing Address Reminder

Wednesday, February 10, 2016
12:45 PM

| | |
|---|---|
| Subject | **FW: H-1B Filing Address Reminder** |
| From | Johnson, Bobbie L |
| To | Blauvelt, Sally |
| Cc | Herrmann, Mary K; Sweeney, Shelly A |
| Sent | Friday, March 19, 2010 2:05 PM |
| Attachments | DRAFT US... |

Sally,

I think Mary is gone for the day now. Attached is our draft language for this "alert" or whatever it turns out to be. Mary had recommended that we add in something to the draft reminder to note that we are attempting to mitigate the impact of the address change but that we can't guarantee that packages mailed to the old VSC filing address will make it. I can see why this might be something to consider, but it gives me pause. I don't want in any way to give the stakeholders the sense that we'll be able to catch these and forward the cases in time. Also, when it comes to cap cases filed at the wrong location (e.g., the wrong service center), we reject the filing rather than forward the filing. So to be consistent with that, I recommend that this alert not give any impression that we will be forwarding (even though we will TRY to do that if necessary for this limited group of filings).

Please give me a call if you'd like to discuss. Thanks!!!

Bobbie

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 9:27 AM
**To:** Clark, Matthew J; Herrmann, Mary K
**Cc:** Johnson, Bobbie L
**Subject:** H-1B Filing Address Reminder

Matt and Mary,

There has been a change from last year's VSC H-1B cap filing locations from 1A Lemnah to 4 Lemnah as the VSC. The I-129 direct filing chart webpage has reflected this change since February, but unfortunately, we are still working on getting the form instructions updated. The Service Center has informed the major couriers (ie. FedEx) of this change, but we want to be proactive in ensuring that all of our stakeholders get the message. As such, SCOPS was wondering if it would be appropriate to issue a USCIS Reminder or use some other web mechanism to get this information out to the public. We, of course, defer to you as to the what is the most appropriate means of doing so. Attached is a document with some draft language for your review/editing. We'd like to get this information out to the public as quickly as possible since April 1 is less than two weeks away.

Matt, I haven't forgot that I owe you some language for USCIS Updates for the two scenarios at the end of the filing season--we meet the cap or we don't. I hope to send you those documents no later than first thing on Monday so that you all can work you magic on them.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: H-1B Filing Address Reminder

Wednesday, February 10, 2016
12:45 PM

| | |
|---|---|
| Subject | **FW: H-1B Filing Address Reminder** |
| From | Sweeney, Shelly A |
| To | Johnson, Bobbie L |
| Sent | Friday, March 19, 2010 1:22 PM |
| Attachments | DRAFT US... |

Bobbie,

I just got off the phone with Mary, and she thinks that a document for OPE to push out to the attorney/representative community is a good idea. She recommended adding a little something to the draft reminder to note that we are attempting to mitigate the impact of the address change but that we can't guarantee that packages mailed to the old VSC filing address will make it. Let me know if you are ok with this or if you have any edits/comments. I'd like to get this to Sally and Mary before I leave today.

On a separate note, I also spoke with Matt and he recommended against a formal update but instead adding it to the alerts on the USCIS homepage.

Thanks!

Shelly

**From:** Clark, Matthew J
**Sent:** Friday, March 19, 2010 10:33 AM
**To:** Sweeney, Shelly A; Herrmann, Mary K
**Cc:** Johnson, Bobbie L
**Subject:** RE: H-1B Filing Address Reminder

I'm not sure they have resolved the issue but I know Tom was able to get some things posted to the site last night, I'll follow up on that...if the form revisions were made I would suggest updating our filing location changes web banner to include the H-1B change by referring them to the revised filing instructions.

*Matthew J. Clark*
Communications Strategist
Office of Communications
(b)(6) U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office
Blackberry
www.uscis.gov

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 10:23 AM
**To:** Clark, Matthew J; Herrmann, Mary K
**Cc:** Johnson, Bobbie L
**Subject:** RE: H-1B Filing Address Reminder

Matt,

The form instructions change is supposed to be made this morning. SCOPS submitted it to the forms unit in February. I was informed yesterday that the change was not posted to our website at that time because of issues with a publishing error with the contract group (I understand that Tom P. has been

working with the contract group to resolve the publishing issue). I agree wholeheartedly that it is bad form to have conflicting information out there.

Please don't hesitate to let me know if there is anything you need from me or any way that I can assist.

Thanks!

Shelly

**From:** Clark, Matthew J

**Sent:** Friday, March 19, 2010 9:39 AM

**To:** Sweeney, Shelly A; Herrmann, Mary K

**Cc:** Johnson, Bobbie L

**Subject:** RE: H-1B Filing Address Reminder

We could add this scenario of applicants to the filing locations web banner, but we always drive people to the revised filing instructions.

It's also not good to have conflicting information between the filing instructions and the other web content, especially since the OMB approved filing instructions tend to carry more weight (legally) than and USCIS Update.

I would certainly suggest reaching out through OPE to stakeholders to point this out and think it's important to communicate this on the web, but the forms section where the filing instructions, forms, etc.., are located on our site is by more than 50% the most visited sections of our site which may cause confusion with conflicting info. It would be bad policy as well as bad communications not to have the instructions revised and ready ASAP and one could argue that it's already way to late.

What is the ETA on the revisions being made to the instructions?

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
(b)(6) [redacted] office
Blackberry
www.uscis.gov

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 9:27 AM
**To:** Clark, Matthew J; Herrmann, Mary K
**Cc:** Johnson, Bobbie L
**Subject:** H-1B Filing Address Reminder

Matt and Mary,

There has been a change from last year's VSC H-1B cap filing locations from 1A Lemnah to 4 Lemnah as the VSC. The I-129 direct filing chart webpage has reflected this change since February, but unfortunately, we are still working on getting the form instructions updated. The Service Center has informed the major couriers (ie. FedEx) of this change, but we want to be proactive in ensuring that all of our stakeholders get the message. As such, SCOPS was wondering if it would be appropriate to issue a USCIS Reminder or use some other web mechanism to get this information out to the public. We, of course, defer to you as to the what is the most appropriate means of doing so. Attached is a document with some draft language for your review/editing. We'd like to get this information out to the public as quickly as possible since April 1 is less than two weeks away.

Matt, I haven't forgot that I owe you some language for USCIS Updates for the two scenarios at the end of the filing season--we meet the cap or we don't. I hope to send you those documents no later than first thing on Monday so that you all can work you magic on them.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: NEW CLEARED H-1B MATERIALS

Wednesday, February 10, 2016
2:01 PM

| | |
|---|---|
| Subject | **FW: NEW CLEARED H-1B MATERIALS** |
| From | Young, Claudia F |
| To | Sweeney, Shelly A |
| Sent | Friday, January 08, 2010 12:31 PM |
| Attachments | USCIS Upd... USCIS QA ... USCIS Upd... USCIS H-1... FY10 H-1B... |

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

**From:** Williams, Carol L
**Sent:** Friday, March 20, 2009 1:00 PM
**To:** Perkins, Robert M; Manahan, Lisa F; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Cc:** Williams, Carol L; Young, Claudia F; Williams, Carol L
**Subject:** FW: NEW CLEARED H-1B MATERIALS

All –

Attached are the cleared press materials that will be posted to our website and distributed. Please forward as appropriate.

Thank you.

Carol

**From:** Rhatigan, Chris
**Sent:** Friday, March 20, 2009 11:46 AM

**To:** Rhatigan, Chris; Mcgee, Ramona L; Aytes, Michael; Jones, Rendell L; Paar, Tom
**Cc:** McCament, James W; Herrmann, Mary K; Hinds, Ian; Tintary, Ruth E; Roles, Rebecca J; Salem, Claudia S; Cummings, Kevin J; Mattingly, Kathryn A; Williams, Carol L; Richardson, Gregory A; Kruszka, Robert F; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Cox, Sophia; Dalal-Dheini, Sharvari P; Busch, Philip B; Wright, William G; Bentley, Christopher S; Kielsmeier, Lauren; Alfonso-Royals, Angelica M; Ash, Matthew L; Bacon, William H; Beason, Daniel J; Bentley, Christopher S; Brown, Katherine HS; Brown, Meddie; Buckson, Londell V; Cabrera, Marilu; Carter, Constance L; Clark, Matthew J; Drake, Raymond; Ellis, Rachel; Evans, Janna M; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gradowski, Leonard S; Herrmann, Mary K; Jones, Rendell L; Key, Donnell E; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; McKenzie, Trish H; Melero, Mariela; Metellus, Harry SJ; Morales-Flores, Margarita; Murray, Jeff J; Nicholson, Claire K; Ostapowich, Stephanie A; Prince, Lillian L; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Santos, David M; Scarborough, Sarah Frances; Sebrechts, Marie T; Strong, Susan; Tintary, Ruth E; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Winstead, Allison R; Wright, William G
**Subject:** RE: NEW CLEARED H-1B MATERIALS

We have resolved all the issues that placed a hold on the previous e-mail..

Attached please find NEW FY 2010 H-1B materials. These documents include an additional TARP-related update and its accompanying Q&A.

PLEASE NOTE – The H-1B filing period is open for a **minimum** of 5 business days (Apr. 1- Apr. 7) The filing period will remain open longer than that (April 7) until USCIS receives enough petitions to fill the cap during that time.

**From:** Rhatigan, Chris
**Sent:** Friday, March 20, 2009 9:31 AM
**To:** Mcgee, Ramona L; Aytes, Michael; Jones, Rendell L; Paar, Tom
**Cc:** McCament, James W; Herrmann, Mary K; Hinds, Ian; Tintary, Ruth E; Roles, Rebecca J; Salem, Claudia S; Cummings, Kevin J; Mattingly, Kathryn A; Williams, Carol L; Richardson, Gregory A; Kruszka, Robert F; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Cox, Sophia; Dalal-Dheini, Sharvari P; Busch, Philip B; Wright, William G; Bentley, Christopher S; Kielsmeier, Lauren; Alfonso-Royals, Angelica M; Ash, Matthew L; Bacon, William H; Beason, Daniel J; Bentley, Christopher S; Brown, Katherine HS; Brown, Meddie; Buckson, Londell V; Cabrera, Marilu; Carter, Constance L; Clark, Matthew J; Drake, Raymond; Ellis, Rachel; Evans, Janna M; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gradowski, Leonard S; Herrmann, Mary K; Jones, Rendell L; Key, Donnell E; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; McKenzie, Trish H; Melero, Mariela; Metellus, Harry SJ; Morales-Flores, Margarita; Murray, Jeff J; Nicholson, Claire K; Ostapowich, Stephanie A; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Santos, David M; Scarborough, Sarah Frances; Sebrechts, Marie T; Strong, Susan; Tintary, Ruth E; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Winstead, Allison R; Wright, William G
**Subject:** CLEARED H-1B MATERIALS

- RMMs, Community Relations and Congressional -- FYI and widest distribution as appropriate.
- Internal / Strat-- FYI and your use as appropriate.
- Customer Service -- FYI.
- New Media – Please post to the Home page, the press page, and other

appropriate sections of the external web site.

/r
Chris Rhatigan

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

March 20, 2009

## USCIS to Accept H-1B Petitions for FY 2010 Beginning April 1, 2009

***Petitioners Are Reminded to Follow Regulatory Requirements***

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced that it will begin accepting H-1B petitions subject to the fiscal year 2010 (FY 2010) cap on April 1, 2009. Cases will be considered accepted on the date that USCIS takes possession of the petition; not the date that the petition is postmarked.

The numerical limitation on H-1B petitions for fiscal year 2010 is 65,000. Additionally, the first 20,000 H-1B petitions filed on behalf of aliens who have earned a U.S. masters' degree or higher are exempt from the fiscal year cap.

USCIS will monitor the number of petitions received and will notify the public of the date USCIS has received the necessary number of petitions to meet the H-1B cap, known as the "final receipt date." The date USCIS publishes information that the cap has been reached does not control the final receipt date. To ensure a fair system, USCIS will, if needed, randomly select the number of petitions required to reach the numerical limit from the petitions received on the final receipt date. USCIS will reject cap subject petitions that are not selected, as well as those received after the final receipt date.

H-1B petitions cannot be filed more than six months in advance of the requested start date. Petitions seeking an H-1B worker for an Oct. 1, 2009 start date can be filed no earlier than April 1, 2009.

Petitions for new H-1B employment are exempt from the annual cap if the beneficiaries will work at institutions of higher education or a related or affiliated nonprofit entities, or at nonprofit research organizations or governmental research organizations. Thus, employers may continue to file petitions for these exempt H-1B categories seeking work dates starting in FY 2009 or 2010.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap also do not count towards the congressionally mandated H-1B cap. Accordingly, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

H-1B petitioners should follow all regulatory requirements (8 CFR §214.2) as they prepare petitions to avoid delays in processing and possible requests for evidence. USCIS has developed detailed information, including a processing worksheet, to assist in the completion and submission of a FY2010 H-1B petition. Those documents are available on the USCIS Web site.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information on USCIS and its programs, visit www.uscis.gov or contact the USCIS National Customer Service Center at (800) 375-5283.

– USCIS –

U.S. Citizenship and Immigration Services

# Questions and Answers

March 20, 2009

## Employ American Workers Act and its Effect on H-1B Petitions

**Introduction**

U.S. Citizenship and Immigration Services (USCIS) today announced additional requirements for employers, who receive funds through the Troubled Asset Relief Program or under section 13 of the Federal Reserve Act before they may hire a foreign national to work in the H-1B specialty occupation category.

**Background**

On Feb. 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act ("stimulus bill"), Public Law 111-5. The stimulus bill contained the Employ American Workers Act ("EAWA"), Pub. L. 111-5, Div. A, Title XVI, § 1611.

**Questions and Answers**

**Q. What does EAWA do?**

*A.* EAWA prevents a company from displacing U.S. workers when hiring H-1B specialty occupation workers if the company received funds through the Troubled Asset Relief Program ("TARP"), Pub. L. 110-343, Div. A, Title I, or under section 13 of the Federal Reserve Act (collectively referred to in this document as "covered funding").

Under EAWA, any company that has received covered funding and seeks to hire H-1B workers is considered to be an "H-1B dependent employer."

An "H-1B dependent employer" must make the following additional attestations to the U.S. Department of Labor (DOL) when filing a Labor Condition Application (LCA):

- It has taken good faith steps to recruit U.S. workers (defined as U.S. citizens or nationals, lawful permanent resident aliens, refugees, asylees, or other immigrants authorized to be employed in the United States (i.e., workers other than nonimmigrant aliens) using industry-wide standards and offering compensation that is at least as great as those offered to the H-1B nonimmigrant;
- It has offered the job to any U.S. worker who applies and is equally or better qualified for the job that is intended for the H-1B nonimmigrant;
- It has not "displaced" any U.S. worker employed within the period beginning 90 days prior to the filing of the H-1B petition and ending 90 days after its filing. A U.S. worker is displaced if the worker is laid off from a job that is essentially the equivalent of the job for which an H-1B nonimmigrant is sought; and
- It will not place an H-1B worker to work for another employer unless it has inquired whether the other employer has displaced or will displace a U.S. worker within 90 days before or after the placement of the H-1B worker.

**Q. Are the EAWA requirements permanent?**

*A.* No. EAWA took effect on Feb. 17, 2009 and will sunset two years from the date of enactment.

**Q. Which specific U.S. companies are affected?**

*A.* USCIS is working with the Department of the Treasury and other relevant agencies to identify companies that have received covered funding. USCIS, however, expects companies seeking to hire H-1B workers to know whether or not they have received covered funding and act accordingly with respect to hiring an H-1B nonimmigrant.

EAWA only applies to U.S. companies that received covered funding and want to hire new H-1B workers.
The normal exception to the H-1B dependent employer requirements that an H-1B nonimmigrant is exempt from the dependency calculation if the individual earns a salary of at least $60,000 or has a master's degree or higher is not available to companies that have received covered funding.

**Q. What is an H-1B nonimmigrant?**
*A.* An H-1B nonimmigrant is a foreign national who comes to the United States temporarily to work in a specialty occupation. A specialty occupation position is one that generally requires a bachelor's or higher degree and specialized knowledge.
A U.S. employer seeking to hire H-1B workers must file an LCA with DOL and submit the certified LCA with the H-1B petition with USCIS. There also is an annual limit of 65,000 on H-1B workers, subject to certain exceptions. Additionally, the first 20,000 H-1B petitions filed on behalf of aliens who have earned a U.S. masters' degree or higher are exempt from the fiscal year cap.

**Q. To which H-1B hires does EAWA apply?**
*A.* EAWA applies to any "hire" taking place on or after Feb. 17, 2009, and before Feb. 17, 2011. EAWA defines "hire" as an employer permitting a new employee to commence a period of employment; that is, the introduction of a new employee to the employer's U.S. workforce.
EAWA applies to:

- Any LCA or petition filed on or after Feb. 17, 2009 involving any employment by a new employer, including concurrent employment and regardless of whether the beneficiary is already in H-1B status.
- New employment (i.e., hires) based on a petition approved before Feb. 17, 2009, if the H-1B employee had not actually commenced employment before that date.

EAWA does not apply to:

- A petition to extend the H-1B status of a current employee with the same employer.
- A petition seeking to change the status of a current U.S. work-authorized employee to H-1B status with the same employer.

**Q. How is USCIS implementing EAWA?**
*A.* EAWA affects the current LCA process administered by DOL and the USCIS petition process for companies seeking H-1B workers. Companies subject to EAWA will now need to make new statements regarding recruitment and hiring of U.S. workers.
USCIS is revising Form I-129, Petition for Nonimmigrant Worker, to include a question asking whether the petitioner has received covered funding. This revised form will be posted to the USCIS website in time for the next cap subject H-1B filing period that begins on April 1, 2009. While USCIS encourages petitioners, whenever possible, to use the most up-to-date form, USCIS will not require use of the revised form in time for the start of the filing period for fiscal year 2010.
However, USCIS urges H-1B petitions who have already prepared packages for mailing using the previous Form I-129 (January 2009 version) to complete only the page in the revised version of the Form I-129 (March 2009) which has the new question on EAWA attestation requirements and to file this single page with the prepared package. The single page referenced is the first page on the H-1B Data Collection and Filing Fee Exemption Supplement.
A valid LCA must be on file with DOL at the time the H-1B petition is filed with USCIS. Therefore, if the petitioner indicates on its petition that it is subject to the EAWA, but the LCA does not contain the proper attestations relating to H-1B dependent employers, the H-1B petition will be denied.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

March 20, 2009

## USCIS Announces New Requirements for Hiring H-1B Foreign Workers

*Changes Apply to Companies that Receive TARP Funding*

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced additional requirements for employers, who receive funds through the Troubled Asset Relief Program or under section 13 of the Federal Reserve Act (covered funding), before they may hire a foreign national to work in the H-1B specialty occupation category.

The new "Employ American Workers Act," (EAWA), signed into law by President Obama as part of the American Recovery and Reinvestment Act on Feb. 17, 2009, was enacted to ensure that companies receiving covered funding do not displace U.S. workers. Under this legislation any company that has received covered funding and seeks to hire new H-1B workers is considered an "H-1B dependent employer." All H-1B dependent employers must make additional attestations to the U.S. Department of Labor (DOL) when filing the Labor Condition Application.

EAWA applies to any Labor Condition Application (LCA) and/or H-1B petition filed on or after Feb. 17, 2009, involving any employment by a new employer, including concurrent employment and regardless of whether the beneficiary is already in H-1B status. The EAWA also applies to new hires based on a petition approved before Feb. 17, 2009, if the H-1B employee had not actually commenced employment before that date.

EAWA does not apply to H-1B petitions seeking to change the status of a beneficiary already working for the employer in another work-authorized category. It also does not apply to H-1B petitions seeking an extension of stay for a current employee with the same employer.

USCIS is revising Form I-129, Petition for Nonimmigrant Worker, to include a question asking whether the petitioner has received covered funding. USCIS will post this revised form on the USCIS Web site in time for the next cap subject H-1B filing period that begins on April 1, 2009. While USCIS encourages petitioners, whenever possible, to use the most up-to-date form, USCIS will not require use of the revised form in time for the start of the filing period for fiscal year 2010.

However, USCIS urges H-1B petitions who have already prepared packages for mailing using the previous Form I-129 (January 2009 version) to complete only the page in the revised version of the Form I-129 (March 2009) which has the new question on EAWA attestation requirements and to file this single page with the prepared package. The single page referenced is the first page on the H-1B Data Collection and Filing Fee Exemption Supplement.

USCIS reminds petitioners that a valid LCA must be on file with DOL at the time the H-1B petition is filed with USCIS. This means that if the petitioner indicates on its petition that it is subject to the EAWA, but the Labor Condition Application does not contain the proper attestations relating to H-1B dependent employers, USCIS will deny the H-1B petition.

For more information, please see the accompanying Questions and Answers document about the Employ American Workers Act and its effect on H-1B petitions.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# Questions and Answers

March 20, 2009

## USCIS to Accept H-1B Petitions for FY 2010 Beginning April 1, 2009

*Information for Completing and Submitting an FY 2010 H-1B Cap Case*

**Introduction**

U.S. Citizenship and Immigration Services (USCIS) today announced that it will begin accepting H-1B petitions on April 1, 2009 subject to the fiscal year 2010 (FY 2010) cap. The following are frequently asked questions and answers meant to assist the public in understanding the general H-1B filing process.

**Background**

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

A specialty occupation requires theoretical and practical application of a body of specialized knowledge along with at least a bachelor's degree or its equivalent (e.g., architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, business specialties, accounting, law, theology, and the arts.)

**Questions and Answers**

**Q: How does USCIS determine that an H-1B petition is subject to the FY 2010 Cap?**

*A:* USCIS uses the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 and 20,000 (U.S. master's degree or higher) H-1B numerical limitations (the "cap").

**Q: When can I file an FY 2010 H-1B Cap subject petition?**

*A:* H-1B petitions can be filed no more than six months in advance of the requested start date. Therefore, petitions seeking an FY 2010 H-1B Cap number with an Oct. 1, 2009 start date can be filed no sooner than April 1, 2009. This is when the majority of H-1B cap subject petitions are filed in order to obtain a new visa number for FY 2010. Conversely, petitions that are cap exempt may be filed at any time during the year, dependent on the petitioner's need. Note: If you request a start date for a FY 2010 cap subject H-1B petition that is prior to Oct. 1, 2009 or submit a cap subject petition prior to April 1, 2009 your petition will be rejected.

**Q: Where should I mail my H-1B Cap subject petition?**

*A:* Petitions must be filed at the correct Service Center depending on jurisdiction. Specific mailing addresses have been established for purposes of identification and processing of H-1B cap subject cases. The specific filing addresses are listed on the accompanying filing charts. These filing charts are also available on the USCIS website. A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations. Please read the filing instructions very carefully as filing at the incorrect location will result in rejection of the petition. Rejected petitions will not retain a filing date.

**Q: What is Premium Processing Service?**
*A:* For certain employment-based immigration benefits, petitioners may choose to file a Form I-907 with the accompanying filing fee of $1,000 to have their petition adjudicated within 15 calendar days (this fee is in addition to the required base filing and other applicable fees). H-1B petitions are eligible for the Premium Processing program. The Form I-907 and corresponding fee can be filed at the same time as or subsequent to the filing of Form I-129. If filed subsequent to the Form I-129, please be sure to include the receipt number (i.e. EAC 09 123 51234) of the Form I-129 in the pertinent section of Form I-907. Only Form I-907 editions 07/30/07, 04/02/07 and 08/28/06 will be accepted. For more information concerning the Premium Processing program please visit our website at www.uscis.gov.

**Q: How do I ensure that my H-1B Cap subject petition is considered properly filed and accepted?**
*A:* Complete all sections of the Form I-129 petition, the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129), and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15). Original signatures, preferably in blue ink, are required on each form. Include the correct fee amount. Ensure that all required documentation and evidence is submitted with the petition at the time of filing. It is incumbent upon the petitioner to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Be sure to file the petition with the correct USCIS Service Center. H-1B petitions filed at the wrong location will be rejected. Such petitioners may lose the opportunity to have the petition considered for an available FY 2010 H-1B cap number.

**Q: Does USCIS need a copy of the Labor Condition Application filed with the Department of Labor?**
*A:* A certified Labor Condition Application (Form ETA 9035) from the Department of Labor must be submitted at the time of filing. A copy of the Labor Condition Application is acceptable.
If the Labor Condition Application from the Department of Labor is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it. Petitioners should ensure that they have signed the ETA 9035.

**Q: Does USCIS require that an educational degree be submitted with the petition at the time of filing?**
*A:* Evidence of the beneficiary's educational degree must be submitted at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted: (a) a copy of the beneficiary's final transcript; or (b) a letter from the Registrar confirming that all of the degree requirements have been met. If the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded.

**Q: Should a petitioner submit a duplicate copy of the H-1B petition?**
*A:* A duplicate copy of the petition must be submitted at the time of filing if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make second copy if one is not provided. You may review the Department of State website at http://travel.state.gov/ to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

**Q: What fees must be submitted with a petition?**
*A:* The fees that must be submitted with a cap subject H-1B petition will depend on the type of petition. Please refer to **Fee Exemption and/or Determination** (page 14 of Form I-129) for detailed instructions

on fees. The following fees may be required with a cap subject petition:

**Base filing fee:**

- **$320**

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee:**

- **$750** for employers with 1 to 25 full time equivalent employees unless exempt
- **$1,500** for employers with 26 or more full time equivalent employees unless exempt (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B)

**Fraud fee:**

- **$500 t**o be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner. (Not for Chile/Singapore H-1B1 cases)

**Premium processing fee:**

- **$1,000** for employers seeking Premium Processing Service

Checks should be payable to the Department of Homeland Security or U. S. Citizenship and Immigration Services, dated within the last six months, and include the proper guarantee amount, and signature.

**Q: What if a check or other financial instrument used to pay a filing fee is subsequently returned as non-payable?**

*A:* USCIS regulations at 8 CFR 103.2(a)(7)(i) provide that an application or petition submitted with the wrong filing fee shall be rejected as improperly filed and that rejected applications and petitions, and ones in which the check or other financial instrument used to pay the filing fee is subsequently returned as non-payable will not retain a filing date. While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap subject petitions with non-payable fees will be given a new filing date the day the fee deficiency is corrected,as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

**Q: How should I organize my H-1B package?**

*A*: Clearly label all H-1B cap cases in red ink on the top margin of Form I-129. Use the following codes:

- **Regular Cap** (65,000 regular cap cases, not including Chile/Singapore cap cases)
- **C/S Cap** (Chile/Singapore H-1B1s)
- **U.S. Masters** (20,000 cap for beneficiaries with U.S. Masters or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

Here is the preferred order of documents at time of submission.

- Form I-907 (if filing for Premium Processing Service*);*
- Form G-28 (if represented by attorney or accredited representative);
- Form I-129 ("Petition for a Nonimmigrant Worker");
- H Classification Supplement to Form I-129;
- H-1B Data Collection and Filing Fee Exemption Supplement;
- Provide a Table of Contents for supporting documentation:
    - Tab items as listed in Table of Contents;

- Arrival-Departure Record (Form I-94) (if the beneficiary is in the US);
- If applicable, the SEVIS Form I-20 (if current or former F-1 student or F-2 dependent), SEVIS Form DS-2019 (if current or former J-1 or J-2) or Form I-566 (if current A or G nonimmigrant)
- Certified Labor Condition Application, Form ETA 9035, from Department of Labor;
- Employer/Attorney/Representative letter(s); and
- Other supporting documentation.

- Duplicate copy of the petition if the beneficiary will be seeking nonimmigrant visa issuance abroad. Clearly identify the duplicate copy of the petition as a COPY, so that is not mistaken for a duplicate filing.

**Q: Can multiple petitions be mailed together?**
*A:* Yes. If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition:

- Masters Premium
- Masters
- Regular Premium
- Regular
- Chile/Singapore

**FILING DOCUMENTATION**
**Notice of Entry of Appearance as Attorney or Representative (Form G-28)**
If the petitioner will be represented by an attorney or other accredited representative, a properly executed Form G-28 should be submitted. Each Form G-28 should include the following:

- All sections completed;
- The printed name and signature of the representative. The representative's signature can be either an original or a facsimile; and
- The original signature of the petitioner.

**Form I-129 Petition for a Nonimmigrant Worker**

- Complete all sections of the form accurately.
- Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, country of birth/citizenship and the I-94 # (if applicable) should be reviewed for accuracy.
- If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status in the United States, a copy is not necessary.
- If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.
- A copy of the beneficiary's valid passport.

**H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)**

- Please be sure to complete all sections of the form accurately.
  In listing previous periods of stay in H/L classification (question 3), please also include the actual nonimmigrant classification (e.g. H-1B or L-1) held.
- Petitioner must sign the form, preferably in blue ink.

**H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)**

- Please be sure to complete all sections of the form accurately.
- If the beneficiary has earned a Masters Degree or higher from a U.S. educational institution, be sure to answer accordingly in Part A, question 5 and Part C, question 7.
- If the petition does not involve a change of employer, Part C question 6 is not relevant. Thus, please answer "No" or provide an "N/A" in the margin of the form to the left of the question.
- Petitioner must sign the form, preferably in blue ink.

**Form I-907 Request for Premium Processing**

- Please be sure to complete all sections of the form accurately with original signatures.
- If there is a valid Form G-28 with the file and the attorney is signing the Form I-907, then the representative should sign in both Parts 3 and 4 of the Form I-907. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.
- When form I-907 is filed after the filing of Form I-129 please include a copy of the Form I-129 receipt notice along with the Form I-907.

Please visit www.uscis.gov frequently for filing updates or call the National Customer Service Center at (800) 375-5283 for up-to-date information.

- USCIS -

## Optional Processing Worksheet for FY 2010 H-1B Filings

**This is an optional worksheet to assist H-1B petitioners submit an H-1B petition. Do not submit this worksheet to USCIS.**

---

☐ All checks are signed and made payable to the "Department of Homeland Security" or "United States Citizenship and Immigration Services." If the petition is submitted with the wrong filing fee, it will be rejected as improperly filed. **If one or more of the required fees are returned due to insufficient payment, the H-1B petition will NOT retain the original filing date.** H-1B cap petitions with non-payable fees will be given a new filing date the day the fee deficiency is corrected, as long as the cap has not been met. If the new filing date is after the numerical cap has been met, the petition will be rejected.

---

☐ Proper fees are enclosed:
- ☐ Base fee of $320
- ☐ ACWIA fee of $750/$1,500 (if/as applicable)
- ☐ Fraud fee of $500 (if applicable)
- ☐ Premium Processing fee of $1,000 (if applicable)

---

☐ Petition includes original signatures (preferably in blue ink) on pages 4, 7, and 15 of Form I-129.

---

☐ All sections of the Form I-129 and H Supplement forms (with revision date of 3/17/05 or later) are completed and all required Form I-129 pages are enclosed.

---

☐ Form I-907 (with revision date of 7/30/07) is completed, signed in the original, and enclosed (if seeking Premium Processing Service).

---

☐ Requested employment start date is on/after 10/1/09 unless beneficiary is exempt from the cap (start date can be at any time). Petitioner may not file more than six months in advance of the requested start date.

---

☐ DOL endorsed LCA is signed by petitioner and enclosed.

---

☐ Petition is being mailed with appropriate labels to the California Service Center (CSC) or Vermont Service Center (VSC) consistent with filing jurisdictions and instructions listed at www.uscis.gov.

---

☐ I have closely reviewed and verified that all questions on Form I-129 pages 14 and 15 Part C are answered correctly.

# Optional Processing Worksheet for FY 2010 H-1B Filings

☐ **H-1B Regular Cap**

- Requested start date must be on/after 10/1/09 and within six months of filing date.
- Includes current H-1Bs that were previously cap exempt and are now seeking to change to cap-subject employment (as shown by a "yes" answer to question 6 in Part C of From I-129 page 14).

☐ **H-1B Masters Exemption**

- Requested start date must be on/after 10/1/09 and within six months of filing date.
- Beneficiary has earned a Masters (or higher) degree from a United States educational institution (as shown by "yes" answers to both question 5 in Part A of Form I-129 page 13 and question 7 in Part C of I-129 Form page 15).

☐ **Chile/Singapore H-1B1 Cap**

- Requested start date must be on/after 10/1/09 and within six months of filing date
- Beneficiary is a national of Chile or Singapore (as shown by checking Part 2 Question 5f on the Form I-129and indicating "Chile or Singapore" in the "Country of Citizenship" block in Part 3)
- Completed Free Trade Supplement page submitted

☐ **H-1B Cap-Exempt or Non-Cap H-1B Extension of Stay**

- Petition is cap exempt or otherwise not cap-subject (as shown by a "yes" answer to question 1, 2, or 3 in Part C of Form I-129, page 14.)
- Includes current H-1Bs that were previously counted towards the cap and are seeking an extension of stay.
- Includes amended petitions where the petitioner is seeking to notify USCIS of changes to employment conditions of a current H-1B beneficiary.

# H-1B Press Release

Tuesday, February 09, 2016
12:54 PM

| | |
|---|---|
| Subject | **H-1B Press Release** |
| From | Sweeney, Shelly A |
| To | Young, Claudia F; Pearce, Timothy A |
| Sent | Monday, April 06, 2009 10:33 AM |
| Attachments | H-1B FY 20... |

Claudia and Tim,

I know that Carol has a lot on her plate today and I haven't been able to catch up with her yet, so based upon my extremely limited knowledge (☺), I drafted a very, very brief press release. My feelings won't be hurt if you all tear it to shreds. I wasn't sure if we wanted to add some of the general language from the original H-1B press release regarding when individuals can begin filing, who is cap exempt, regulatory requirements and what an H-1B is (since we are still accepting petitions).

Let me know what you think. Once you all have made it readable, I can forward to Carol for her review to see whether it will be helpful in creating the final product.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone* [redacted] (b)(6)
*Fax: (202) 272-1542*

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April 7, 2009

# USCIS Continues to Accept FY 2010 H-1B Cap Filings

***USCIS Has Not Reached the FY 2010 H-1B Cap for Either the General Filings or the Master's or Higher Degree Filings***

(b)(5)

– USCIS –

# FW: H-1B update

Tuesday, February 09, 2016
10:51 AM

| | |
|---|---|
| Subject | **FW: H-1B update** |
| From | Cummings, Kevin J |
| To | Williams, Carol L; Fitzsimmons, James; Young, Claudia F; Peck, Denis R; Sweeney, Shelly A |
| Cc | Velarde, Barbara Q; Kruszka, Robert F |
| Sent | Monday, April 20, 2009 8:47 AM |
| Attachments | USCISUpd... |

I thought that we had decided from this point forward to only update the Cap Count webpage rather than continue to issue Public Updates periodically. ???

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office
Cell: [redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Wright, William G
**Sent:** Monday, April 20, 2009 9:45 AM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'; Arroyo, Susan K; Rhatigan, Chris; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** H-1B update

Barbara – We'd like to post a new Update on the H-1B count. Would you please review attached and add current figure to the second paragraph?

We'd like to distribute before 2 p.m. today

ThanX!
Bill

# FW: H-1B update

Tuesday, February 09, 2016
10:50 AM

| | |
|---|---|
| Subject | **FW: H-1B update** |
| From | Sweeney, Shelly A |
| To | Young, Claudia F |
| Sent | Monday, April 20, 2009 8:47 AM |
| Attachments | USCISUpd... |

Claudia,

I can insert the data on the number of petitions received if you have it. I haven't been in the loop on the figures. I think that whatever is placed in here should also be posted to the H1B cap count web page as well.

Thanks!

Shelly

**From:** Wright, William G
**Sent:** Monday, April 20, 2009 9:45 AM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'; Arroyo, Susan K; Rhatigan, Chris; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** H-1B update

Barbara – We'd like to post a new Update on the H-1B count. Would you please review attached and add current figure to the second paragraph?

We'd like to distribute before 2 p.m. today

ThanX!
Bill

# H1B Website update

Tuesday, February 09, 2016
12:58 PM

| | |
|---|---|
| Subject | **H1B Website update** |
| From | Young, Claudia F |
| To | Bacon, William H |
| Cc | Wright, William G; Mattingly, Kathryn A; Cummings, Kevin J; Sweeney, Shelly A; Kruszka, Robert F |
| Sent | Monday, April 27, 2009 11:29 AM |
| Attachments | Cap Count... |

Bill,
For the webpage www.uscis.gov/h-1b_count, I have attached the H1B Cap webpage with the updated numbers for this week. Would it be possible to revise the webpage today?
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6)

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# Cap Count for H-1B and H-2B Workers for Fiscal Year 2010

**Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.**

## What is a "Cap"

The word "Cap" used in this Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. Caps control the number of workers that can be issued a visa in a given fiscal year to enter the United States pursuant to a particular nonimmigrant classification. Caps also control the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

## H-1B

The H-1B visa program is used by some U.S.employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent. Typical H-1B occupations include architects, engineers, computer programmers, accountants, doctors and college professors. The H-1B visa program also includes certain fashion models of distinguished merit and ability and up to 100 persons who will performing services of an exceptional nature in connection with Department of Defense (DOD) research and development projects or coproduction projects. The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Employer Exemptions

H-1B nonimmigrants who are employed, or who have received an offer of employment, by institutions of higher education or a related or affiliated nonprofit entity, as well as those employed, or who will be employed, by a nonprofit research organization or a governmental research organization are exempt from the cap.

## H-1B Advanced Degree Exemption

The H-1B Visa Reform Act of 2004 makes available 20,000 new H-1B visas for foreign workers with a Master's or higher level degree from a U.S. academic institution. For each fiscal year, 20,000 beneficiaries of H-1B petitions on behalf of persons who hold such credentials are statutorily exempted from the cap.

## Duplicate H-1B Petitions Filed Requesting Fiscal Year 2010 Employment

USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one filing is discovered. If multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

**As of April ~~13~~24, 2009**, approximately 4~~3~~5,000 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits, taking into account the fact that some of these petitions may be denied, revoked, or withdrawn.

## H-1B1

An H-1B1 is a national of Chile or Singapore coming to the United States to work temporarily in a specialty occupation. The law defines an H-1B1 specialty occupation as a position that requires theoretical and practical application of a body of specialized knowledge. The beneficiary must have a bachelor's degree or higher (or equivalent) in the specific specialty. The combined statutory limit is 6,800 per year. The cap for H-1B1 for FY2010 has not been reached as of the date of this Update.

## H-2B

The H-2B visa category allows U.S. employers in industries with peak load, seasonal or intermittent needs to augment their existing labor force with temporary workers. The H-2B visa category also allows U.S. employers to augment their existing labor force when necessary due to a one-time occurrence which necessitates a temporary increase in workers. Typically, H-2B workers fill labor needs in occupational areas such as construction, health care, landscaping, lumber, manufacturing, food service/processing, and resort/hospitality services.

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. As of FY 2010, an H-2B petition may not be filed more than 120 days before the date of the actual need for the H-2B worker's labor/services identified on the labor certification. As a result, USCIS normally begins receiving H-2B petitions with employment start dates in October and June.

## What is the H-2B numerical limit set by Congress?

The H-2B numerical limit set by Congress per fiscal year is 66,000. Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the numerical limit. An alien who changes nonimmigrant status to H-2B is counted against the annual H-2B cap.

As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

| Cap Type | Cap Amount | Beneficiaries Approved | Beneficiaries Pending | Beneficiaries Target [1] | Total | Date of Last Count |
|---|---|---|---|---|---|---|
| H-2B 1st Half | 33,000 | ------ | ------ | ------ | ------ | ------- |
| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ----- |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
[2] A shortfall in the 1st half would be made up in the 2nd half.
[3] Visas issued plus beneficiaries changing status already in the United States.

## H-3

The H-3 nonimmigrant visa category is for aliens who are coming temporarily to the U.S. to receive training (other than graduate medical education or training) that is not available in their home countries. The training may be provided by a

business entity, academic, or vocational institute. The H-3 nonimmigrant visa category also includes aliens who are coming temporarily to the U.S. to participate in a special education training program for children with physical, mental, or emotional disabilities. There is a limit of 50 visas per fiscal year allocated to H-3 aliens participating in special education training programs. As of **March 30, 2009**, three of these H-3 visas had been approved with a start date in FY 2009.

This page can be found at http://www.uscis.gov/h-1b_count

Last updated:04/17/2009

# FW: H1B Website update

Tuesday, February 09, 2016
10:52 AM

| Subject | **FW: H1B Website update** |
|---|---|
| From | Sweeney, Shelly A |
| To | Young, Claudia F |
| Sent | Monday, May 18, 2009 2:57 PM |
| Attachments | USCISUpd... |

Claudia,

I would recommend that the kicker of "receipts remain relatively unchanged" be removed. Other than that, I think that this is okay, but I defer to you.

Thanks!

Shelly

-----Original Message-----
From: Mattingly, Kathryn A
Sent: Monday, May 18, 2009 3:55 PM
To: Sweeney, Shelly A
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Rhatigan, Chris; Bacon, William H; Wright, William G
Subject: RE: H1B Website update

Shelley,

My apologies again for the typo and thanks for explaining why we should continue to use approximates.

I've updated the attached to reflect the new regular cap number, and with your okay, we will push this out.

Thanks again,
Kathryn

-----Original Message-----
From: Wright, William G
Sent: Monday, May 18, 2009 3:30 PM
To: Mattingly, Kathryn A
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Rhatigan, Chris; Sweeney, Shelly A; Bacon, William H
Subject: Re: H1B Website update

Check it again -- believe it went to 45,500.

----- Original Message -----
From: Mattingly, Kathryn A
To: Wright, William G
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Rhatigan, Chris;

Sweeney, Shelly A; Bacon, William H
Sent: Mon May 18 15:27:33 2009
Subject: RE: H1B Website update

10-4. I see we went from 45,100 to 45,000. I would recommend we use actual numbers rather than approximate. Please let me know if that's okay.

Thanks,
Kathryn

-----Original Message-----
From: Wright, William G
Sent: Monday, May 18, 2009 3:26 PM
To: Mattingly, Kathryn A
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Rhatigan, Chris; Sweeney, Shelly A; Bacon, William H
Subject: Re: H1B Website update

Kathryn -- let"s get our Update out.

W

----- Original Message -----
From: Sweeney, Shelly A
To: Bacon, William H
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Wright, William G; Mattingly, Kathryn A
Sent: Mon May 18 15:20:40 2009
Subject: H1B Website update

Bill,

Attached is an update to www.uscis.gov/h-1b_count. Would it be possible to revise the webpage as soon as possible?

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Operations Branch

Service Center Operations

(b)(6)

Phone: [redacted]

Fax: (202) 272-1542

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*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

May 18, 2009

## USCIS Updates Information on FY2010 H-1B Petition Filings

***Receipts remain relatively unchanged***

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced information on the number of filings for H-1B petitions for the fiscal year 2010 program.

USCIS has received approximately 45,500 H-1B petitions counting toward the Congressionally-mandated 65,000 cap. The agency continues to accept petitions subject to the general cap.

Additionally, the agency has received approximately 20,000 petitions for aliens with advanced degrees; however, we continue to accept advanced degree petitions since experience has shown that not all petitions received are approvable. Congress mandated that the first 20,000 of these types of petitions are exempt from any fiscal year cap on available H-1B visas.

For cases filed for premium processing during the initial five-day filing window, the 15-day premium processing period began April 7. For cases filed for premium processing after the filing window, the premium processing period begins on the date USCIS takes physical possession of the petition.

USCIS will provide regular updates on the processing of FY2010 H-1B petitions. The updates can be found on the USCIS Web site at www.uscis.gov/h-1b_count.

– USCIS –

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 11:51 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** RE: H-1B Cap Count Page Final Update

Shelly

Just as a courtesy at this point we should probably also send this to center mgt – Chris, Dan, Mark Hazuda and Bret.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** USCIS Web Publishing
**Cc:** Office Of Communications; Parisi, Thomas; McKenzie, Trish H; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Wright, William G; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Count Page Final Update

USCIS Web Publishing,

Attached is the final USCIS webpage update for the H-1B cap numbers to notify the public that the cap has been reached. You will continue to receive regular weekly updates to this page for the H-2B cap numbers.

Please post this **simultaneously** with the USCIS Update that announces that the cap has been reached. The USCIS Update be provided by Media Relations (probably Bill) for posting.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 24, 2009 1:48 PM
**To:** Sweeney, Shelly A
**Cc:** McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: H-1B cap website update

Shelly,
After sorting in ascending order all H-1B masters approved to date by the mailroom date, I determined that the 20,000th masters petition approved was received on July 9th.

Note that 755 masters petitions received prior to July 9th were still pending adjudication as of November 20th. As of July 9th, 18,675 masters petitions had been approved.
That means that about 1,325 masters petitions were approved between July 9th and November 20th that had been received prior to July 10th. The picture gets more complicated when revocations are added to the mix.

Let's go with July 9th as the date the FY 2010 masters cap was reached, subject to the complexities mentioned above.

Jim

---

**From:** Sweeney, Shelly A
**Sent:** Friday, November 20, 2009 1:56 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: H-1B cap website update
**Importance:** High

Jim,

I was wondering if you might be able to assist with the exact date determination. OCOMM is looking for date on the master's cap to put into the attached chart for their media managers. I told Chris over the phone that we might not be able to get back to her until next week.

Bobbie and Claudia,

On a separate note, Chris mentioned that Luz will be our contact in the future for SCOPS business issues.

Thanks!

Shelly

---

**From:** Rhatigan, Chris
**Sent:** Friday, November 20, 2009 12:36 PM
**To:** Sweeney, Shelly A
**Cc:** Gooselaw, Kurt G; Doherty, Shannon P; Irazabal, Luz; Bentley, Christopher S; Wright, William G
**Subject:** re: H-1B cap website update
**Importance:** High

Hey Shelly, I just saw that the H-1B cap for the masters degree 20,000 category has been reached. Can you give me the exact date that USCIS met that cap?
OComm has a chart (attached) that we use to explain the history of the cap... and I would like to add the date for the FY10 masters category to the chart and share with our media managers in case they are asked.

Chris Rhatigan

www.uscis.gov/h-1b_count

## Shirk, Georgette L

**From:** Perkins, Robert M
**Sent:** Wednesday, April 08, 2009 6:49 AM
**To:** Williams, Carol L; Sweeney, Shelly A; Cummings, Kevin J; Young, Claudia F
**Subject:** FW: 4/7 End of night Numbers TONIGHT IN ARENA

FYI...

-----Original Message-----
From: Manahan, Lisa F
Sent: Wednesday, April 08, 2009 6:24 AM
To: Perkins, Robert M; Peck, Denis R
Subject: Fw: 4/7 End of night Numbers TONIGHT IN ARENA

Fyi - I will complete the report when I get in the office.

Lisa

----- Original Message -----
From: Collins, Thomas C. <thomas.collins@stanleyassociates.com>
To: Manahan, Lisa F <lisa.manahan@dhs.gov>
Sent: Wed Apr 08 05:32:04 2009
Subject: FW: 4/7 End of night Numbers TONIGHT IN ARENA

Lisa,

Here are the mail numbers from yesterday. We keyed 400 last night, and the reason for not more was the computer issues in Maple/Morgan. Marcy is already in and we will let you know asap of any impact this could cause today.

Thanks.

Thomas C. Collins
Acting Site Manager
Stanley SCOSS Team
Vermont Service Center
(D)[redacted] (b)(6)
(BE

---

From: Robtoy, Kelly A [mailto:kelly.robtoy@dhs.gov]
Sent: Wednesday, April 08, 2009 12:43 AM
To: Robtoy, Kelly A; Collins, Thomas C.; Vincent, Sarah; Robtoy, Kelly A; Vincent, Sarah; Stefaniak, Marcy M
Subject: 4/7 End of night Numbers TONIGHT IN ARENA

CAP filings bar-coded

VRP

4/1 5718

4/2 555

4/3 117

4/6 150

4/7 61

Total - 6601

VMP

4/1 2977

4/2 274

4/3 51

4/6 59

4/7 35

Total 3396

VRN

4/1 12660

4/2 2372

4/3 1016

4/6 1034

4/7 870

Total 17952

VMN

4/1 6303

4/2 1211

4/3 419

4/6 377

4/7 290

Total 8600

Petitions for CRU Review

4/1 40

4/2 14

4/3 1

4/6 6

4/7 148

Total 209

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Wednesday, April 08, 2009 7:45 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CAP Report 4/7/09
**Attachments:** 2009 H-1B Cap Report (4-7-09 11PM).xls

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 08, 2009 8:44 AM
**To:** Velarde, Barbara Q; Hale, Paola Rodriguez; Young, Claudia F; Williams, Carol L; Cummings, Kevin J; Kruszka, Robert F; Fitzsimmons, James; McConnell, James E
**Cc:** 'Nicholson, Richard E'; 'Manahan, Lisa F'
**Subject:** FW: CAP Report 4/7/09

1700 Premiums DE in California last night was excellent. Vermont managed 400 because they had some computer problems. Hopefully that will not impact them today. Even the 400 should be enough to last the first half of today and by then, they will have more processed and ready to work.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Wednesday, April 08, 2009 8:39 AM
**To:** Peck, Denis R
**Cc:** Manahan, Lisa F
**Subject:** FW: CAP Report 4/7/09

Numbers through yesterday, all CAP cases have been opened and counted.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center (b)(6)
USCIS
[redacted]

---

**From:** Nelson, Marvin E
**Sent:** Tuesday, April 07, 2009 11:57 PM
**To:** Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report 4/7/09

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
☎ [redacted] (b)(6)
(949) 389-3487

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:02 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Because the cap season is stretching out and adjudications are exceeding new receipts, pending counts are going down each week. That is desirable for cap management since it reduces the significance of pending count. The goal is 84,000 approvals (excluding a generous allotment of 1,000 for Chile/Singapore).

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 9:47 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

What's our target on the combined?

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:41 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,
There is no target on masters. The target would be on combined. But a target isn't necessary unless we get real close to cap and must then start thinking about a final receipt date. That day may not come.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 9:37 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

What is our final target on the masters? Just for my own knowledge.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry;

Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 01, 2010 11:53 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Shiflett, Julie M
**Subject:** FW: Mail Volume - yawn

For what it's worth. The air continues to leak from this balloon. Appearances now have CSC well under 10,000 for the day, from all sources. FEDEX is the single biggest source.

Nothing further from Vermont since the first estimate of 6,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 01, 2010 12:48 PM
**To:** Peck, Denis R
**Subject:** FW: Mail Volume

Here are the "real numbers" that they are seeing now !

Notice the "April fools" comment below……

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Thursday, April 01, 2010 12:40 PM
**To:** Siesel, Gregory P; Treacy, Erin; Peacock, Walter W.; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Petherbridge, Dan R
**Subject:** RE: Mail Volume

ALL,

The FEDEX driver stated that all the planes were in and he did not think there would be another FEDEX run today.

UPS driver just arrived (Initial estimate is 350 pieces of CAP mail.)

Regards,

Greg

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Thursday, April 01, 2010 9:32 AM
**To:** Siesel, Gregory P; Treacy, Erin; Peacock, Walter W.; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Petherbridge, Dan R
**Subject:** RE: Mail Volume

All,

I guess this was an April Fools joke!

Actual FEDEX truck just delivered.

178 bags with an estimate of 20-40 packages in each bag. (Estimate = Low side - 3,560; high side – 7120)

Still waiting on UPS.

Regards,

Greg

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Thursday, April 01, 2010 7:51 AM
**To:** Treacy, Erin
**Cc:** Peacock, Walter W.; Petherbridge, Dan R; Siesel, Gregory P
**Subject:** FW: Mail Volume
**Importance:** High

We will see if this holds true.

Regards,

Greg

---

**From:** Bobeng Jr, John W
**Sent:** Thursday, April 01, 2010 7:26 AM
**To:** Bobeng Jr, John W; Goldberg, Melinda T; Ly, Tony T; Peraza, Lourdes; Vu, Brandon M; Cannon, Christopher; Friedrich, Peter G; Peter Friedrich; Pierre, Sandra; Real, Myra L; Seelke, John C; Sheldon, Tracey; Varela, Patricia A; Akeo, Timothy R; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher (CTR); Siesel, Gregory P; Nguyen, Trinnie C; Herrera, Zonia; Olguin, Sonia; Tran, Jennifer
**Subject:** RE: Mail Volume
**Importance:** High

FEDEX has called back. They are estimating 20,000 packages that will be leaving their center in 45 minutes. If that estimate holds true it will put us in line with last year's volume when we receive all other shipments. Last years volume was approx 23,500 units total on day 1.

Please prepare the green and orange team to be on **standby** for after lunch arrival to the CAP room. I will update once FEDEX arrives.

John W. Bobeng Jr.
Assistant Site Manager-Mail Operations
CSC SCOSS
[redacted] (b)(6)

---

**From:** Bobeng Jr, John W
**Sent:** Thursday, April 01, 2010 7:08 AM
**To:** Goldberg, Melinda T; Ly, Tony T; Peraza, Lourdes; Vu, Brandon M; Cannon, Christopher; Friedrich, Peter G; Peter Friedrich; Pierre, Sandra; Real, Myra L; Seelke, John C; Sheldon, Tracey; Varela, Patricia A; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher (CTR); Siesel, Gregory P
**Subject:** Mail Volume
**Importance:** High

Team,

Preliminary mail volume indicators are not favorable for high volume of incoming mail. USPS was only ½ a cage this morning. Both myself and Jessy spoke to Chuck at USPS and Chuck said they were not seeing a volume increase and that today looks like a regular day. FEDEX has not returned calls yet for today but yesterday when Jessy spoke to them FEDEX did say that they did see an increase in volume from a regular day. Unfortunately we do not know how much of an increase.

FEDEX said that if they have a full truck ready they will send it our way at 7:15 am from their center. So that will mean first delivery would arrive somewhere around 8:30am.

I will update by email or phone call when I get more information.

Thanks,

John W. Bobeng Jr.
Assistant Site Manager-Mail Operations
CSC SCOSS
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shiflett, Julie M <julie.shiflett@dhs.gov>
**Sent:** Monday, April 05, 2010 8:33 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A
**Subject:** FW: Better estimate for April 1st

Good Morning All.

Denis's M/S Inbox is still "full", so I'm passing on the latest CAP numbers from Walter Peacock this morning…

Enjoy!

Many Thanks,
:)

---

Julie Shiflett| Management and Program Analyst /COTR
Contracts Management/Acquisition Branch
USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ (b)(6) (202) 272-1542 ✉Julie.Shiflett@dhs.gov

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 02, 2010 11:51 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Better estimate for April 1st

Morning Denis,

Estimates for April 1:

CSC 7,500 to 8,500

VSC 8,500 to 10,000

April 2nd update from VSC….

Thursday's FedEx delivery in Vermont – 6,820 "packages".
Friday's FedEx delivery – 1,360 "packages".

Thanks, Walter

*Walter Peacock*
Stanley Senior Program Manager
DHS/USCIS SCOSS
6363 Walker Lane, Suite 401
Alexandria, VA 22310

Phone: [redacted] (b)(6)
Mobile:

Walter.Peacock@stanleyassociates.com

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, April 09, 2010 9:58 AM
**To:** Johnson, Bobbie L
**Subject:** Blog on Cap

http://www.ilw.com/articles/2010,0408-musillo.shtm

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, April 06, 2009 2:44 PM
**To:** Williams, Carol L; Sweeney, Shelly A
**Subject:** Fw: California- 25,700 estimate through day 3

Fyi.

----- Original Message -----
From: Fitzsimmons, James
To: Kruszka, Robert F
Cc: McConnell, James E; Peck, Denis R; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez
Sent: Mon Apr 06 15:36:13 2009
Subject: RE: California- 25,700 estimate through day 3

Robert,

My recommendations remain accepting 4,000 cap-eligible petitions above MASTERS cap and 12,000 cap-eligible petitions above REGULAR cap.

Jim

-----Original Message-----
From: McConnell, James E
Sent: Monday, April 06, 2009 2:32 PM
To: Fitzsimmons, James
Subject: Fw: California- 25,700 estimate through day 3

Jim,

Please respone to this.

Thanks,
Jim

----- Original Message -----
From: Velarde, Barbara Q
To: Aytes, Michael; Kruszka, Robert F; Peck, Denis R
Cc: Cummings, Kevin J; McConnell, James E
Sent: Mon Apr 06 14:15:29 2009
Subject: Re: California- 25,700 estimate through day 3

Last day is tomorrow. We have various versions for announcing either that we hit and will run the lottery or that we will continue accepting. I will let Robert handle the latest numbers. As far stating how many we are accepting above the cap I am not sure if we stated that but Jim McConnell can verify with Jim Fitzsimmons

----- Original Message -----
From: Aytes, Michael
To: Velarde, Barbara Q; Kruszka, Robert F; Peck, Denis R
Sent: Mon Apr 06 13:58:09 2009
Subject: FW: California- 25,700 estimate through day 3

I'd like to get a sense at the end of today of where we stand to the degree we've been able to quantify numbers.

I expect on day 6 we'll need to put out a release either way - either we've hit the caps (which means we've taken enough overage to be comfortable, and I expect that folks are planning on accepting greater overage this yr for the 65k cap because we could see a higher denial/withdrawal rate), or we haven't. That latter would be just as much news as the former.

By the way, I've forgotten - is day 5 Tuesday, or do we count Saturday since we're partially open?

-----Original Message-----
From: Neufeld, Donald
Sent: Saturday, April 04, 2009 2:05 PM
To: Jones, Rendell L; Aytes, Michael
Cc: Rogers, Debra A
Subject: Fw: California- 25,700 estimate through day 3

Fyi

----- Original Message -----
From: Peck, Denis R
To: Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; Cummings, Kevin J
Sent: Fri Apr 03 20:13:00 2009
Subject: California- 25,700 estimate through day 3

They do not quite have it finished but should by end of tonight

8923 Masters barcoded so far - holding at 36 percent - so we may hit our limit for those by april 7. For the regulars, no.

Premium is 30 percent of all filings at CSC.

I don't think it can be greatly different at vermont.

I'll send messages tomorrow on how VSC is looking.

Denis

----- Original Message -----
From: Nicholson, Richard E
To: Peck, Denis R
Sent: Fri Apr 03 19:34:37 2009
Subject: Fw: CAP Report

Rich Nicholson
Assistant Center Director/Records
California Service Center

USCIS (b)(6)

[redacted]

----- Original Message -----
From: Siesel, Gregory P
To: Nicholson, Richard E; 'Peacock, Walter W.' <Walter.Peacock@stanleyassociates.com>
Cc: Benavente, Jessy J; 'Moulin, Kristen L.' <Kristen.Moulin@stanleyassociates.com>; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P; Collins, Thomas C. <thomas.collins@stanleyassociates.com>
Sent: Fri Apr 03 19:21:04 2009
Subject: RE: CAP Report

Rich/Walter,

Best estimate of where CSC stands as of 4PM on 4/3/09 attached.

The first 2 days are complete (Bar-coded; pallet/cage; and Lottery ready) with the exception of less than a bucket of Day (2) petitions which needs CIS Review.

We plan on setting up for CMP and CRP possible assembly on Monday. (Depends on Monday's volume of mail.)

Regards,

Greg

---

From: Siesel, Gregory P
Sent: Friday, April 03, 2009 9:19 AM
To: Nicholson, Richard E; 'Peacock, Walter W.'
Cc: Benavente, Jessy J; 'Moulin, Kristen L.'; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
Subject: RE: CAP Report

Rich/Walter,

Best estimate of where we stand this morning attached.

We received One bucket of Possible CAP cases today.

We Should be completed (Lottery Ready) for ALL 3 days by end of 1st shift today.

I'll have an updated report by COB today that should be more accurate.

Regards,

Greg

---

From: Siesel, Gregory P
Sent: Thursday, April 02, 2009 3:53 PM
To: Nicholson, Richard E; 'Peacock, Walter W.'
Cc: Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
Subject: RE: CAP Report

Rich/Walter,

Attached is the best estimate of CSC CAP Day one received and CAP Day Two received. (Revision in RED for day one received)

Very low received petition count today! (Estimate 73% less than day two last year. Day 1 update/difference is also looking lower and around 45% less than day one last year.)

Estimate that night crew should be completed with PRESORTING of Day one and two by end of 2nd shift.)

I will try to revise the numbers on this report for Day one and two tomorrow morning.

Regards,

Greg

---

From: Siesel, Gregory P
Sent: Wednesday, April 01, 2009 5:46 PM
To: Nicholson, Richard E; 'Peacock, Walter W.'
Cc: Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
Subject: RE: CAP Report

Rich/Walter,

Attached is the best estimate for CSC CAP Day One.

Regards,

Greg

---

From: Nelson, Marvin E
Sent: Tuesday, March 31, 2009 11:38 PM
To: Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
Subject: CAP Report

Please see attached...

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 4:13 PM
**To:** Sweeney, Shelly A
**Subject:** FW: Cap Announcement

FYI

-----Original Message-----
From: Johnson, Bobbie L
Sent: Thursday, April 08, 2010 5:04 PM
To: Velarde, Barbara Q
Subject: RE: Cap Announcement

Thanks for pinging Buck.

We've gotten a few frantic calls from OCOMM asking if you or Don can call Lauren K. and nudge her to review quickly. But I feel that's OCOMM's job as part of their internal clearance process.

I think Don is in some kind of senior leadership meeting, so I'm guessing Lauren is there as well.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 08, 2010 4:39 PM
To: Humphrey, Buck H
Cc: Johnson, Bobbie L; Neufeld, Donald
Subject: Cap Announcement

Hi Buck just want to make sure the cap announcement is on your radar screen. I am at the airport but my folks have been monitoring and it hasn't posted yet. We are past the five day filing period and there have been lots of inquiries from a variety of folks and we wanted to assure message control. We placed our docs with your office over two weeks ago with today as our target day. Please let us know if you need anything from SCOPS to assist. Thanks

## Shirk, Georgette L

**From:** Busch, Philip B
**Sent:** Thursday, April 16, 2009 4:26 PM
**To:** Salem, Claudia S; Cummings, Kevin J; Young, Claudia F; 'OCC-Clearance'; Choi, Sunny
**Cc:** Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: Cap Count Web Page

Thanks, please see my simultaneous message regarding the Chile-Singapore (pasted in below again). I think what we do is wrap the projected unused Chile-Singapore inventory for a current FY into each filing season by applying it to the next year's cap, since a start date October 1 is within the first 45 days of the next FY. We may have a slight discrepancy come Oct. 1, but we don't have a new filing season for the 5,000+ at that time.

As I recall USTR didn't agree to us setting a lower cap of 1,000 in advance, but was ok with us using projected usage within the current FY. In other words, in April 2009 the number is targeted to get us to 65,000 FY 10 – 6,800 reserved FY 10 H1B1, plus up to 6,800 projected unused FY 09, but they rejected getting a year ahead through a methodology that would have been 65,000 FY 10 H-1B -1,000 reserved FY 10 H1B1, plus up to 6,800 projected unused FY 09 H1B1. So actually I think both the original text and yours are not completely right, because we are setting aside 6,800, but for the next FY, and the unused ones we are making available in the current process are unused from the current FY. The unused ones from the set-aside for FY 10 will be used next year. I think this is right but my memory may be fading. So in short I'd recommend this:

Please note that 6,800 visas are set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year. In other words, 6,800 visas from the FY 2010 cap have been reserved from the number made available for start dates beginning October 1, 2010, but approximately 5,800 projected unused H-1B1 visas for FY 2009 are currently being made available for start dates beginning October 1, 2010 as part of the present filing process. Unused H-1B1 visas for FY 2010 will be allocated similarly next year.

If this is way too much detail for this paper you could get away with just the first two sentences although those could contribute to the persistent misimpression that there is a magical pot of unused H-1B1 visas to be given out on October 1. And I think this is all correct but it could use a double check from other cap veterans such as Jim Fitzsimmons.

Philip B. Busch
Acting Deputy Chief Counsel
Office of the Chief Counsel
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)
(202) 272-1405 (fax)
Philip.Busch@dhs.gov

---

**From:** Salem, Claudia S
**Sent:** Thursday, April 16, 2009 5:12 PM
**To:** Cummings, Kevin J; Young, Claudia F; 'OCC-Clearance'; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: Cap Count Web Page
**Importance:** High

Please see attached redline version with comments.

It strikes me that although we have the numbers on H-1B in the body of the document, the public may be expecting to see them in a chart if we've done a chart for H-2B. Please insert the numbers for H-1B1 that we're setting aside this year as I think our explanation of a set aside will give rise to that question.

Thanks!
C

Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1 [redacted] (b)(6)
w2
email: claudia.salem@dhs.gov
fax 202-272-1405

---

**From:** Cummings, Kevin J
**Sent:** Thursday, April 16, 2009 3:37 PM
**To:** Young, Claudia F; 'OCC-Clearance'; Salem, Claudia S; Choi, Sunny; Busch, Philip B
**Cc:** Williams, Carol L; Sweeney, Shelly A
**Subject:** RE: Cap Count Web Page

I would recommend one change. The reason for this change is that we really don't set aside the full 6,800 because these are woefully undersubscribed. We really only set aside 1,000 of these. See below. Including Phil as well because he and I were involved in the decision to reserve a lesser amount a couple of years ago. Thanks.

--Kevin

Please note that up to 6,800 visas may be set aside from the cap of 65,000 during the fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Any unused numbers set aside may be made available for H-1B use with start dates beginning on October 1, 2009, the start of FY 2010.

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted] (b)(6)
Cell:
Fax: 202-272-1542
kevin.cummings@dhs.gov

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---

**From:** Young, Claudia F
**Sent:** Thursday, April 16, 2009 3:12 PM
**To:** 'OCC-Clearance'; Salem, Claudia S; Choi, Sunny
**Cc:** Cummings, Kevin J; Williams, Carol L; Sweeney, Shelly A
**Subject:** FW: Cap Count Web Page
**Importance:** High

Hi, OCC. Just a friendly reminder that we are looking to hopefully have this cleared and posted to the web tomorrow as we have had attorneys requesting the page be updated. Please let us know if you have any comments or edits.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 15, 2009 10:34 AM
**To:** OCC-Clearance; Salem, Claudia S; Choi, Sunny
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L
**Subject:** Cap Count Web Page

OCC,

SCOPS has made some redlines to the H-1B/H-2B cap count web page to update it for the current fiscal year. We are seeking OCC's clearance on these changes. Please note that the statistical information for H-1Bs is currently highlighted as it will need to be reviewed prior to posting to include the most recent information. Right now, the information in the document reflects data that I received yesterday morning.

We would like comments/edits for concurrence by COB tomorrow, April 16 so that we can have this posted on Friday.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 07, 2009 2:50 PM
**To:** 'Manahan, Lisa F'; Hazuda, Mark J; Bushey, Sandra T; Perkins, Robert M; 'Nicholson, Richard E'; Gooselaw, Kurt G; Gregg, Bret S
**Cc:** Williams, Carol L; Sweeney, Shelly A; Fitzsimmons, James; Shiflett, Julie M
**Subject:** CAP data entry should commence 2nd shift for CSC, 4 PM for VSC.

Centers,

Stanley will commence premium data entry tonight, using the received date of **April 7.**

The contractor gave me an estimate that they could complete 600 tonight at Vermont with a go ahead by 4 pm. I will give him that by email next.

Tomorrow, they will do a full day.

This is their priority. All other data entry requirements should take a backseat for tonight.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 01, 2010 10:05 AM
**To:** Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Shiflett, Julie M; Fitzsimmons, James; Lundquist, Mark E
**Cc:** Velarde, Barbara Q; Arroyo, Susan K
**Subject:** FW: CAP day...so far

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Renaud, Daniel M
**Sent:** Thursday, April 01, 2010 11:00 AM
**To:** Poulos, Christina; Velarde, Barbara Q; Neufeld, Donald; Peck, Denis R
**Cc:** Nicholson, Richard E; Hazuda, Mark J; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Bushey, Sandra T
**Subject:** RE: CAP day...

FedEx aircraft in the area have been delayed due to fog, but from our conversations with FedEx, we should be similarly low.

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

---

**From:** Poulos, Christina
**Sent:** Thursday, April 01, 2010 10:57 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Peck, Denis R
**Cc:** Nicholson, Richard E; Hazuda, Mark J; Gregg, Bret S; Renaud, Daniel M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** CAP day...

Looks like pretty much routine volume regular and express mail. FedEx says they have about 20,000 pieces for us but that will include other submissions as well.

If Vermont is similarly low and this continues, can we discuss keying early?

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 9:53 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I'm available at 11. I believe that Claudia might be in a meeting right now.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM
**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

Denis Peck
Branch Chief, Service Center Records Management
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202-272-1542 FAX (b)(6)

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

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**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

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**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 9:18 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CAP first five day filings total- 19,206

Good to go.

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, April 08, 2010 10:11 AM
**To:** Peck, Denis R; Johnson, Bobbie L
**Subject:** RE: CAP first five day filings total- 19,206

Wow what a huge decline. Amazing

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Peck, Denis R
**Sent:** Thursday, April 08, 2010 10:08 AM
**To:** Johnson, Bobbie L
**Cc:** Velarde, Barbara Q
**Subject:** RE: CAP first five day filings total- 19,206

I agree. That looks good and it is correct to go.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 10:06 AM
**To:** Peck, Denis R
**Cc:** Velarde, Barbara Q
**Subject:** FW: CAP first five day filings total- 19,206
**Importance:** High

Denis,

I just want to confirm that the numbers you give below are the numbers we should send to OCOMM for the public update. Last year we rounded the numbers and are planning to do the same this year.

Please confirm.

Thanks!

Bobbie

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**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 9:57 AM
**To:** Johnson, Bobbie L
**Subject:** RE: CAP first five day filings total- 19,206

Bobbie,

I would like to confirm with you that the information below ready for issuance in the USCIS Update:

Approximately 5,600 masters and approximately 13,500 regular.

Last year's figures were rounded. Do you want me to continue with rounding or use the actual figures below?

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Thursday, April 08, 2010 9:26 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K; Shiflett, Julie M; Lundquist, Mark E
**Subject:** CAP first five day filings total- 19,206
**Importance:** High

I count 4,293 Premiums – 22.35%

The master-nonmasters breakdown looks like 5,631 masters and 13,575 regular.

Our comparable five day total last year was just under 64,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

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## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Monday, April 05, 2010 2:40 PM
**To:** Sweeney, Shelly A
**Subject:** FW: CAP numbers

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**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 3:38 PM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: CAP numbers

All I can think of is we would or should post a notice to the public that we will not be running the CAP lottery? Isn't that in the notice Shelly has prepared for posting on April 8?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Velarde, Barbara Q
**Sent:** Monday, April 05, 2010 3:32 PM
**To:** Peck, Denis R; Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: CAP numbers

Is there a public issue based on the FRN?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 2:47 PM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L
**Subject:** FW: CAP numbers

Should we get together and discuss pros/cons? We would at a minimum want both centers starting the same day wouldn't we? And at VSC it's almost too late today.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Poulos, Christina
**Sent:** Monday, April 05, 2010 2:30 PM
**To:** Velarde, Barbara Q; Peck, Denis R
**Cc:** Nicholson, Richard E; Renaud, Daniel M; Gregg, Bret S
**Subject:** FW: CAP numbers

We'd like to start data entering. Can we get the go ahead? Thanks

---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 10:28 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; McConnell, James E; Fitzsimmons, James
**Subject:** FW: CAP numbers

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

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**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 10:20 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L
**Subject:** RE: CAP numbers

Walter/Rich,

Attached is the revised CSC 4-2-10 CAP report. (CSC CAP numbers thru April 2nd.)

We will send out a new 4-3-10 CAP report with today's receipts.

OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

## Shirk, Georgette L

**From:** Fierro, Joseph <Joseph.Fierro@uscis.dhs.gov>
**Sent:** Thursday, April 07, 2011 9:50 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Melville, Rosemary; Canney, Keith J
**Subject:** CSC H-1B CAP Report

Mack:

CAP/EOS dates distributed to officers:

Regular CAP: All distributed
Master Cap: All distributed
*CAP Exempt: 02/06/11
EOS distributed to officers: 03/12/11

Notes:

**- Resubmits are cases that have already been RFEd.**
**- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
**- "Other Location" consists mostly of contractor locations.**
*** Cap Exempt cases based on affiliation to an institution of higher education are on hold until OCC & SCOPS issue final RFE for the new interim guidance.**

Thanks,

Joe

(b)(6)

**CSC I-129 H1Bs Pending with NFTS location as of 04/04/2011**
**Data Source: C3**

| | | Status | Counts filed before 02/04/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 2 |
| | | At CFDO | 22 | 24 |
| | | In File Room/Jit Shelf | 19 | 144 |
| | | On RFE Shelf/Rule 103 | 982 | 1,026 |
| | | Other Location | 106 | 114 |
| | | W/Clerical/Incl Resubmits | 64 | 96 |
| | | W/Officer/Incl Resubmits | 380 | 445 |
| | Others | At BCU | 10 | 16 |
| | | At CFDO | 17 | 20 |
| | | In File Room/Jit Shelf | 27 | 3,705 |
| | | On RFE Shelf/Rule 103 | 243 | 485 |

**CSC I-129 H1Bs (03**
**Data So**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |

| | | | | |
|---|---|---|---|---|
| | | Other Location | 50 | 77 |
| | | W/Clerical/Incl Resubmits | 44 | 347 |
| | | W/Officer/Incl Resubmits | 217 | 1,037 |
| **Total:** | | | **2,182** | **7,538** |

**Notes:**

- **Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph <Joseph.Fierro@uscis.dhs.gov>
**Sent:** Monday, April 04, 2011 9:41 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Melville, Rosemary; Canney, Keith J
**Subject:** CSC H-1B CAP Report

Mack:

CAP/EOS dates distributed to officers:

Regular CAP: All distributed
Master Cap: All distributed
CAP Exempt: 02/06/11
EOS distributed to officers: 03/03/11

Notes:

- **Resubmits are cases that have already been RFEd.**
- **Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
- **"Other Location" consists mostly of contractor locations.**

Thanks,

Joe

(b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 04/04/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 02/04/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 1 | 2 |
| | | At CFDO | 24 | 26 |
| | | In File Room/Jit Shelf | 21 | 131 |
| | | On RFE Shelf/Rule 103 | 1,064 | 1,092 |
| | | Other Location | 139 | 139 |
| | | W/Clerical/Incl Resubmits | 102 | 220 |
| | | W/Officer/Incl Resubmits | 351 | 430 |
| | Others | At BCU | 10 | 17 |
| | | At CFDO | 17 | 19 |
| | | In File Room/Jit Shelf | 26 | 3,587 |
| | | On RFE Shelf/Rule 103 | 264 | 465 |
| | | Other Location | 58 | 82 |
| | | W/Clerical/Incl | 46 | 504 |

| CSC I-129 H1Bs (0<br>Data S | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |

| | | | | |
|---|---|---|---|---|
| | | Resubmits | | |
| | | W/Officer/Incl Resubmits | 226 | 1,008 |
| **Total:** | | | **2,349** | **7,722** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, March 25, 2011 8:28 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Johnson, Bobbie L; Canney, Keith J; Melville, Rosemary; Sweeney, Shelly A
**Subject:** CSC H-1B CAP Report

Mack:

CAP/EOS dates distributed to officers:

Regular CAP: All distributed
Master Cap: All distributed
CAP Exempt: 01/28/11
EOS distributed to officers: 02/28/11

Notes:

- **Resubmits are cases that have already been RFEd.**
- **Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
- **"Other Location" consists mostly of contractor locations.**

Thanks,

(b)(6)

Joe

| CSC I-129 H1Bs Pending with NFTS location as of 03/21/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 01/21/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 1 | 3 |
| | | At CFDO | 25 | 25 |
| | | In File Room/Jit Shelf | 21 | 117 |
| | | On RFE Shelf/Rule 103 | 1,172 | 1,361 |
| | | Other Location | 108 | 116 |
| | | W/Clerical/Incl Resubmits | 82 | 134 |
| | | W/Officer/Incl Resubmits | 240 | 363 |
| | Others | At BCU | 10 | 17 |
| | | At CFDO | 22 | 25 |
| | | In File Room/Jit Shelf | 25 | 3,335 |
| | | On RFE Shelf/Rule 103 | 274 | 374 |
| | | Other Location | 55 | 75 |
| | | W/Clerical/Incl | 32 | 424 |

| CSC I-129 H1Bs (0<br>Data S | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |

| | | | | |
|---|---|---|---|---|
| | | Resubmits | | |
| | | W/Officer/Incl Resubmits | 144 | 950 |
| **Total:** | | | **2,211** | **7,319** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, March 18, 2011 1:45 PM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Johnson, Bobbie L; Canney, Keith J; Melville, Rosemary; Sweeney, Shelly A
**Subject:** CSC H-1B CAP Report

Mack:

CAP/EOS dates distributed to officers:

Regular CAP: All distributed
Master Cap: All distributed
CAP Exempt: 01/26/11
EOS distributed to officers: 02/14/11

Notes:

- **Resubmits are cases that have already been RFEd.**
- **Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
- **"Other Location" consists mostly of contractor locations.**

Thanks,

(b)(6)

Joe

| CSC I-129 H1Bs Pending with NFTS location as of 03/14/2011 | | | | |
|---|---|---|---|---|
| Data Source: C3 | | | | |
| | | Status | Counts filed before 01/14/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 2 | 3 |
| | | At CFDO | 23 | 25 |
| | | In File Room/Jit Shelf | 20 | 125 |
| | | On RFE Shelf/Rule 103 | 1,225 | 1,454 |
| | | Other Location | 58 | 61 |
| | | W/Clerical/Incl Resubmits | 59 | 112 |
| | | W/Officer/Incl Resubmits | 232 | 485 |
| | Others | At BCU | 13 | 18 |
| | | At CFDO | 21 | 23 |
| | | In File Room/Jit Shelf | 25 | 3,382 |
| | | On RFE Shelf/Rule 103 | 291 | 399 |
| | | Other Location | 39 | 45 |
| | | W/Clerical/Incl Resubmits | 33 | 377 |
| | | W/Officer/Incl Resubmits | 151 | 805 |
| **Total:** | | | **2,192** | **7,314** |

| CSC I-129 H1Bs (03-0 | | |
|---|---|---|
| Data Sou | | |
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |

**Notes:**

- **Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph <Joseph.Fierro@uscis.dhs.gov>
**Sent:** Friday, April 29, 2011 11:14 AM
**To:** Bolog, Marguerite M
**Cc:** Johnson, Bobbie L; Melville, Rosemary; Canney, Keith J; Sweeney, Shelly A; Harton, Frank A; Young, Claudia F; Louis, Jennifer E; Chong, Jenny
**Subject:** CSC H-1B Cap Report

Mack:

- FY 12 CAP dates receipted to be distributed:

  Regular Cap 4/12/11
  Master Cap 4/11/11

- Cap Exempt distributed to officers 2/22/11

- EOS distributed to officers: 03/22/11

Notes:
**- Resubmits are cases that have already been RFEd.**
**- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
**- "Other Location" consists mostly of contractor locations.**

Thanks, (b)(6)

Joe

**CSC I-129 H1Bs Pending with NFTS location as of 04/25/2011**
**Data Source: C3**

| | | Status | Counts filed before 02/25/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 8 |
| | | At CFDO | 21 | 27 |
| | | In File Room/Jit Shelf | 5 | 3,340 |
| | | On RFE Shelf/Rule 103 | 393 | 447 |
| | | Other Location | 107 | 113 |
| | | W/Clerical/Incl Resubmits | 44 | 284 |
| | | W/Officer/Incl Resubmits | 512 | 1,042 |
| | Others | At BCU | 4 | 13 |

**CSC I-129 H1Bs (0**
**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |

| | | | | |
|---|---|---|---|---|
| | | At CFDO | 15 | 20 |
| | | In File Room/Jit Shelf | 29 | 5,903 |
| | | On RFE Shelf/Rule 103 | 302 | 573 |
| | | Other Location | 72 | 103 |
| | | W/Clerical/Incl Resubmits | 29 | 176 |
| | | W/Officer/Incl Resubmits | 307 | 803 |
| **Total:** | | | **1,841** | **12,852** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph <Joseph.Fierro@uscis.dhs.gov>
**Sent:** Friday, April 22, 2011 10:10 AM
**To:** Bolog, Marguerite M
**Cc:** Johnson, Bobbie L; Melville, Rosemary; Canney, Keith J; Sweeney, Shelly A; Harton, Frank A; Young, Claudia F; Louis, Jennifer E
**Subject:** CSC H-1B Cap Report

Mack:

- FY 11 CAP dates distributed to officers:

  Regular CAP: All distributed
  Master Cap: All distributed

- FY 12 CAP dates receipted to be distributed:

  Regular Cap 4/11/11
  Master Cap 4/11/11

- Cap Exempt distributed to officers 2/18/11

- EOS distributed to officers: 03/21/11

Notes:
**- Resubmits are cases that have already been RFEd.**
**- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
**- "Other Location" consists mostly of contractor locations.**

Thanks,

Joe

(b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 04/18/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 02/18/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 2 | 4 |
| | | At CFDO | 21 | 21 |
| | | In File Room/Jit Shelf | 4 | 3,680 |
| | | On RFE Shelf/Rule 103 | 578 | 614 |
| | | Other Location | 68 | 83 |

| CSC I-129 H1Bs (0<br>Data S | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div II | I-129 H1B |
| | I-129 H1B EOS |

| | | | | |
|---|---|---|---|---|
| | | W/Clerical/Incl Resubmits | 17 | 128 |
| | | W/Officer/Incl Resubmits | 473 | 745 |
| | Others | At BCU | 4 | 13 |
| | | At CFDO | 12 | 14 |
| | | In File Room/Jit Shelf | 30 | 5,116 |
| | | On RFE Shelf/Rule 103 | 306 | 651 |
| | | Other Location | 55 | 106 |
| | | W/Clerical/Incl Resubmits | 17 | 131 |
| | | W/Officer/Incl Resubmits | 208 | 861 |
| **Total:** | | | **1,795** | **12,167** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, January 28, 2011 4:51 PM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Canney, Keith J; Johnson, Bobbie L; Sweeney, Shelly A
**Subject:** CSC H-1B Report

CSC H-1B Processing Times:

CAP – 11/22/10
CAP Exempt – 11/22/10
Mater CAP – 11/22/10
EOS – 01/01/11

| CSC I-129 H1Bs Pending as of 01/24/2011 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 11/24/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,745 | 4,356 |
| | | PENDING | 377 | 377 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,719 | 1,719 |
| | | SUSPENSE | 16 | 20 |
| | | TRANSFERRED IN | 414 | 585 |
| | Others | NEW CASE | 1,639 | 5,756 |
| | | PENDING | 376 | 377 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 1,145 | 1,163 |
| | | SUSPENSE | 21 | 23 |
| | | TRANSFERRED IN | 161 | 196 |
| **Total:** | | | **7,624** | **14,583** |

| CSC I-129 H1Bs (01-16-2011 to 01-22-2011) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 390 | 51 | 151 | 592 |
| | I-129 H1B EOS | 76 | 15 | 15 | 106 |
| | I-129 PP H1B | 816 | 58 | 235 | 1,109 |
| | I-129 PP H1B EOS | 368 | 22 | 48 | 438 |
| | **Total:** | **1,650** | **146** | **449** | **2,245** |
| Div II | I-129 H1B | 10 | 20 | 0 | 30 |
| | I-129 H1B EOS | 15 | 2 | 0 | 17 |
| | I-129 PP H1B | 2 | 3 | 7 | 12 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **27** | **25** | **7** | **59** |
| Div V | I-129 H1B | 41 | 0 | 3 | 44 |
| | I-129 H1B EOS | 354 | 17 | 23 | 394 |
| | I-129 PP H1B | 2 | 0 | 0 | 2 |
| | I-129 PP H1B EOS | 5 | 0 | 0 | 5 |

| | | | | | |
|---|---|---|---|---|---|
| | **Total:** | **402** | **17** | **26** | **445** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 710 | 14 | 25 | 749 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 29 | 0 | 1 | 30 |
| | **Total:** | **739** | **14** | **26** | **779** |
| **Grand Total:** | | **2,818** | **202** | **508** | **3,528** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, December 23, 2010 10:38 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Johnson, Bobbie L; Canney, Keith J
**Subject:** CSC H-1B Report

Shelly:

Here are the CSC H-1B processing times:

H-1B Cap – 10/21/10

Cap Exempt – 10/9/10

EOS – 10/22/10

| CSC I-129 H1Bs Pending as of 12/20/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 10/20/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,206 | 3,942 |
| | | PENDING | 378 | 378 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,582 | 2,585 |
| | | SUSPENSE | 18 | 19 |
| | | TRANSFERRED IN | 391 | 505 |
| | Others | NEW CASE | 4,289 | 9,300 |
| | | PENDING | 379 | 379 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 1,128 | 1,130 |
| | | SUSPENSE | 20 | 22 |
| | | TRANSFERRED IN | 176 | 212 |
| **Total:** | | | **10,578** | **18,483** |

| CSC I-129 H1Bs (12-12-2010 to 12-18-2010) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 382 | 95 | 135 | 612 |
| | I-129 H1B EOS | 521 | 22 | 137 | 680 |
| | I-129 PP H1B | 717 | 48 | 205 | 970 |
| | I-129 PP H1B EOS | 443 | 26 | 84 | 553 |
| | **Total:** | **2,063** | **191** | **561** | **2,815** |
| Div II | I-129 H1B | 54 | 52 | 28 | 134 |
| | I-129 H1B EOS | 57 | 4 | 32 | 93 |
| | I-129 PP H1B | 0 | 0 | 9 | 9 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **111** | **56** | **69** | **236** |
| **Div V** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 469 | 8 | 19 | 496 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 4 | 0 | 0 | 4 |
| | **Total:** | **473** | **8** | **19** | **500** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 790 | 14 | 45 | 849 |
| | I-129 PP H1B | 1 | 0 | 0 | 1 |
| | I-129 PP H1B EOS | 21 | 0 | 3 | 24 |
| | **Total:** | **812** | **14** | **48** | **874** |
| **Grand Total:** | | **3,459** | **269** | **697** | **4,425** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, February 04, 2011 4:56 PM
**To:** Harvey, Mark E
**Cc:** Canney, Keith J; Sweeney, Shelly A; Johnson, Bobbie L; Harton, Frank A
**Subject:** CSC H-1B Report

CSC H-1B Processing Times:

CAP – 12/5/10
CAP Exempt – 12/5/10
Mater CAP – 12/5/10
EOS – 01/01/11

| CSC I-129 H1Bs Pending as of 01/31/2011 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 11/31/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,221 | 4,038 |
| | | PENDING | 378 | 381 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,811 | 1,812 |
| | | SUSPENSE | 16 | 18 |
| | | TRANSFERRED IN | 406 | 579 |
| | Others | NEW CASE | 916 | 4,779 |
| | | PENDING | 361 | 362 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 1,060 | 1,102 |
| | | SUSPENSE | 20 | 22 |
| | | TRANSFERRED IN | 160 | 190 |
| **Total:** | | | **6,360** | **13,294** |

| CSC I-129 H1Bs (01-23-2011 to 01-29-2011) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 536 | 68 | 388 | 992 |
| | I-129 H1B EOS | 96 | 24 | 31 | 151 |
| | I-129 PP H1B | 821 | 79 | 217 | 1,117 |
| | I-129 PP H1B EOS | 351 | 20 | 52 | 423 |
| | **Total:** | **1,804** | **191** | **688** | **2,683** |
| Div II | I-129 H1B | 15 | 20 | 1 | 36 |
| | I-129 H1B EOS | 14 | 9 | 1 | 24 |
| | I-129 PP H1B | 2 | 2 | 2 | 6 |
| | I-129 PP H1B EOS | 1 | 0 | 0 | 1 |
| | **Total:** | **32** | **31** | **4** | **67** |
| Div V | I-129 H1B | 47 | 0 | 1 | 48 |
| | I-129 H1B EOS | 538 | 13 | 15 | 566 |
| | I-129 PP H1B | 2 | 0 | 0 | 2 |
| | I-129 PP H1B EOS | 8 | 0 | 2 | 10 |
| | **Total:** | **595** | **13** | **18** | **626** |

| | | | | | |
|---|---|---|---|---|---|
| Div VI | I-129 H1B | 28 | 0 | 0 | 28 |
| | I-129 H1B EOS | 919 | 19 | 53 | 991 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 7 | 0 | 0 | 7 |
| | **Total:** | **954** | **19** | **53** | **1,026** |
| **Grand Total:** | | **3,385** | **254** | **763** | **4,402** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, January 10, 2011 4:48 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Johnson, Bobbie L; Harton, Frank A
**Subject:** CSC H-1B Report

Shelly:

CSC H-1B processing times:

EOS – 11/18/10
Regular CAP- 11/3/10
Cap Exempt -11/17/10
Master CAP - 11/3/10

| CSC I-129 H1Bs Pending as of 01/10/2011 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 11/10/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,618 | 4,301 |
| | | PENDING | 376 | 376 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,209 | 2,210 |
| | | SUSPENSE | 18 | 23 |
| | | TRANSFERRED IN | 406 | 566 |
| | Others | NEW CASE | 2,939 | 7,433 |
| | | PENDING | 374 | 377 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 1,230 | 1,232 |
| | | SUSPENSE | 22 | 24 |
| | | TRANSFERRED IN | 183 | 217 |
| **Total:** | | | **9,386** | **16,770** |

| CSC I-129 H1Bs (01-02-2011 to 01-08-2011) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 468 | 84 | 117 | 669 |
| | I-129 H1B EOS | 151 | 19 | 56 | 226 |
| | I-129 PP H1B | 1,045 | 81 | 289 | 1,415 |
| | I-129 PP H1B EOS | 576 | 22 | 107 | 705 |
| | **Total:** | **2,240** | **206** | **569** | **3,015** |
| Div II | I-129 H1B | 35 | 25 | 2 | 62 |
| | I-129 H1B EOS | 37 | 13 | 4 | 54 |
| | I-129 PP H1B | 1 | 2 | 9 | 12 |
| | I-129 PP H1B EOS | 1 | 0 | 0 | 1 |
| | **Total:** | **74** | **40** | **15** | **129** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 481 | 12 | 26 | 519 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B EOS | 2 | 0 | 0 | 2 |
| | **Total:** | **483** | **12** | **26** | **521** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 912 | 23 | 54 | 989 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 4 | 0 | 1 | 5 |
| | **Total:** | **916** | **23** | **55** | **994** |
| **Grand Total:** | | **3,713** | **281** | **665** | **4,659** |

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 06, 2010 11:57 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** Daily Cap processing

**Importance:** High

Shelly,

Here is today's report.

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 |
|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 08, 2010 10:01 AM
**To:** Johnson, Bobbie L
**Subject:** FW: Daily H-1B spread sheet

Bobbie,

I wanted to run this change by you before I reply to Pete. I think that I like this, but perhaps we now need to focus on all H-1Bs, including EOS outside of the 60 day processing time. If you agree, would you like the over 60-day EOS and the cap separated in the reports, or should I suggest that they report all together (no distinctions)?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Friday, October 08, 2010 10:55 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** Daily H-1B spread sheet

Shelly,

I'd like to propose a change to our daily reporting of H-1B Cap cases outside of 60 days, as the report doesn't change much from day-to-day and was more relevant last week when pushing through the F-1s in a finite timeframe.

I think it would be a better snap shot if we combined our weekly production report to show actual numbers that we have worked, with the report of Cap cases outside of 60 days (where are they). That way you would get one set of reports each week by COB Monday and we could discuss progress on our call later in the week.

The reports would look something like the following, just sent in once per week –

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 | 7-Oct-10 |
|---|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 | 8-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 | 1767 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 | 1056 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 | 374 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 | 240 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 | 97 |

| ACTION DATE | AG | EMPLOYEE_DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | 0 | 2 | 301.25 | 20.75 | 3.50 | 0.00 | 325.50 |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | 0 | 8 | 226.50 | 77.25 | 8.25 | 0.00 | 312.00 |
| 20100925 | | 32 | ISO (2) | I129 H1B | 0 | 0 | 0 | 0 | 0 | 0 | 4.00 | 179.75 | 0.75 | 0.00 | 184.50 |
| 20100926 | | 23 | ISO (2) | I129 H1B | 0 | 38 | 0 | 0 | 0 | 0 | 0.00 | 137.75 | 0.00 | 0.00 | 137.75 |
| 20100927 | | 61 | ISO (2) | I129 H1B | 2 | 606 | 171 | 26 | 0 | 8 | 213.25 | 68.75 | 2.25 | 0.00 | 284.25 |
| 20100928 | | 75 | ISO (2) | I129 H1B | 0 | 1117 | 275 | 20 | 0 | 8 | 293.75 | 73.00 | 1.25 | 0.00 | 368.00 |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 | 230 | 13 | 0 | 3 | 336.00 | 122.25 | 0.25 | 0.00 | 458.50 |
| 20100930 | | 68 | ISO (2) | I129 H1B | 2 | 1032 | 239 | 29 | 0 | 6 | 364.75 | 98.75 | 1.00 | 0.00 | 464.50 |
| 20101001 | | 40 | ISO (2) | I129 H1B | 1 | 388 | 106 | 19 | 0 | 1 | 205.50 | 0.00 | 2.50 | 0.00 | 208.00 |
| 20101002 | | 15 | ISO (2) | I129 H1B | 0 | 119 | 40 | 0 | 0 | 0 | 43.50 | 0.00 | 13.50 | 0.00 | 57.00 |
| 20101003 | | 0 | | | 0 | 0 | 0 | 0 | 0 | 0 | | 0.00 | 0.00 | 0.00 | 0.00 |
| 20101004 | | 50 | ISO (2) | I129 H1B | 1 | 541 | 134 | 25 | 0 | 5 | 251.00 | 0.00 | 5.25 | 0.00 | 256.25 |
| SEP23rd-OCT4th | 1,2,3,5,6,CTU | 515 | ISO (2) | I129 H1B | 11 | 5793 | 1448 | 187 | 0 | 41 | 2739.50 | 776.75 | 38.50 | 0.00 | 3056.25 |
| SEP23rd OCT2nd | ADJ 3 ONLY | 29 | ISO (1) | CIS REVIEW | 0 | 0 | 0 | 0 | 0 | 0 | 152.25 | 198.25 | 0.00 | 0.00 | 350.50 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Friday, October 08, 2010 9:55 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** Daily H-1B spread sheet

Shelly,

I'd like to propose a change to our daily reporting of H-1B Cap cases outside of 60 days, as the report doesn't change much from day-to-day and was more relevant last week when pushing through the F-1s in a finite timeframe.

I think it would be a better snap shot if we combined our weekly production report to show actual numbers that we have worked, with the report of Cap cases outside of 60 days (where are they). That way you would get one set of reports each week by COB Monday and we could discuss progress on our call later in the week.

The reports would look something like the following, just sent in once per week –

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 | 7-Oct-10 |
|---|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 | 8-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 | 1767 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 | 1056 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 | 374 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 | 240 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 | 97 |

| ACTION DATE | AC | EMPLOYEE DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS | T A |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 | 134 | 36 | 0 | 2 | 301.25 | 20.75 | 3.50 | 0.00 | 325.50 | |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | 0 | 6 | 226.50 | 77.25 | 8.25 | 0.00 | 312.00 | |
| 20100925 | | 32 | ISO (2) | I129 H1B | 0 | 0 | 0 | 0 | 0 | 0 | 4.00 | 179.75 | 0.75 | 0.00 | 184.50 | |
| 20100926 | | 28 | ISO (2) | I129 H1B | 0 | 38 | 0 | 0 | 0 | 0 | 0.00 | 137.75 | 0.00 | 0.00 | 137.75 | |
| 20100927 | | 51 | ISO (2) | I129 H1B | 2 | 606 | 171 | 26 | 0 | 6 | 213.25 | 68.75 | 2.25 | 0.00 | 284.25 | |
| 20100928 | | 75 | ISO (2) | I129 H1B | 0 | 1117 | 275 | 26 | 0 | 8 | 293.75 | 73.00 | 1.25 | 0.00 | 368.00 | |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 | 230 | 13 | 0 | 3 | 336.00 | 122.25 | 0.25 | 0.00 | 458.50 | |
| 20100930 | | 65 | ISO (2) | I129 H1B | 2 | 1032 | 239 | 29 | 0 | 6 | 364.75 | 98.75 | 1.00 | 0.00 | 464.50 | |
| 20101001 | | 46 | ISO (2) | I129 H1B | 1 | 368 | 106 | 19 | 0 | 1 | 205.50 | 0.00 | 2.50 | 0.00 | 208.00 | |
| 20101002 | | 15 | ISO (2) | I129 H1B | 0 | 119 | 40 | 0 | 0 | 0 | 43.50 | 0.00 | 13.50 | 0.00 | 57.00 | |
| 20101003 | | 0 | | | 0 | 0 | 0 | 0 | 0 | 0 | | 0.00 | 0.00 | 0.00 | 0.00 | |
| 20101004 | | 50 | ISO (2) | I129 H1B | 1 | 541 | 134 | 25 | 0 | 5 | 251.00 | 0.00 | 5.25 | 0.00 | 256.25 | |
| SEP23rd OCT1th | 1,2,3,5,6,CTU | 515 | ISO (2) | I129 H1B | 11 | 5703 | 1418 | 187 | 0 | 11 | 2230.50 | 778.25 | 38.50 | | 3056.25 | |
| SEP23rd-OCT2nd | ADJ 3 ONLY | 29 | ISO (1) | CIS REVIEW | 0 | 0 | 0 | 0 | 0 | 0 | 152.25 | 198.25 | 0.00 | 0.00 | 350.50 | |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Friday, October 01, 2010 12:49 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Chadwick, Donna; Janson, Nancy D; Lamothe, Judy L; Lockerby, Beth A; Montgomery, Laura; Rhodes-Gibney, Cathy S; Sweeney, Mark M
**Subject:** FW: Daily Non Premium Pending cap pick list

**Importance:** High

Barb/Shelly,

Here is today's report. As we have been indicating throughout the week it is a little deceiving –

- the 204 files with the Contractor are all approval or RFE ordered cases where CLAIMS has not caught up with the NFTS code
- of the 196 cases with officers all except 14 were updated as approved or RFE ordered as of yesterday 9/30. The 14 cases still to be worked are all being approved or RFEd today.
- The 22 cases in the other category are cases with BCU for resolution, or are with CFDO being held for their purposes.

I'm still waiting on an update of completions and Overtime usage from our Data and IT Departments. When I have this information I will pass it on.

Thanks,
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
(b)(6)
[redacted] **cell:** [redacted]

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**From:** Tracy, Sue M
**Sent:** Friday, October 01, 2010 9:53 AM
**To:** Shuttle, Peter J; Sweeney, Mark M; Lockerby, Beth A
**Cc:** Murphy, George H; Perkins, Robert M; Harlow, Andrea; Viens, Mary P
**Subject:** Daily Non Premium Pending cap pick list

Good Morning,

Here are the results for the Daily Non Premium Pending Cap picklist:

| | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 |
|---|---|---|---|
| F1 COS to H1B > 60 | 799 | 618 | 423 |
| With Officer | 578 | 432 | 196 |
| With Contractor | 165 | 156 | 204 |
| ADJ Staged | 31 | 8 | 0 |
| Other | 25 | 22 | 22 |

| | | | |
|---|---|---|---|
| All Cap > 60 | 3141 | 2696 | 2200 |
| With Officer | 2199 | 1865 | 1401 |

| | | | |
|---|---|---|---|
| With Contractor | 646 | 574 | 570 |
| ADJ Staged | 184 | 148 | 102 |
| Other | 112 | 109 | 127 |

The link to the spreadsheet is:

S:\Workspaces\VIENS_Mary\I129\cap stuff\H1B CAP PENDING_pick_20101001_PETE_smt.xls

Thank you,

~Sue

Sue M Tracy/Immigration Services Analyst/VSC Data Reporting Group (b)(6) [redacted]

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## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, March 10, 2010 10:32 AM
**To:** Neufeld, Donald; Velarde, Barbara Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Discussion topics for Thursday's CAP Contractor meeting with USCIS

Just FYI. I think now we'll be okay on CAP processing rates. We'll have them bring 10 copies.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, March 10, 2010 11:24 AM
**To:** Peck, Denis R
**Subject:** RE: Discussion topics for Thursday

Morning Denis,

I think we have these things all straightened now ☺ (After talking with Greg yesterday, his daily DE numbers are up to 1,768 and VSC will be at 2,000+)

I'll have the final presentation completed today (about 16 slides).

How many hard copies should I bring with me?

Thank You, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, March 09, 2010 10:24 AM
**To:** Peacock, Walter W.
**Subject:** Discussion topics for Thursday

Walter,

We had a teleconference with the centers yesterday to review the center level plans. The thing that stands out on each is the daily H1B CAP production goal is inadequate. We really aren't happy that you have a goal of only 1170 per day at CSC and 1500 at VSC. This is less than past years. It is also not true that we won't waive the data entry requirements for other forms for a reasonable period of time. CAP forms are, in fact "more important" than other forms during this time period and we want a higher emphasis put on getting them processed in a timely manner. They have far more fee money attached to them than other types.

So, sharpen your pencil and see what revised production numbers you can come in with on Thursday. I thought it was better to let you know in advance.

Denis Peck

Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, December 27, 2010 11:15 AM
**To:** Fitzsimmons, James
**Cc:** Harton, Frank A; McConnell, James E
**Subject:** DOD H-1B workers

Jim,

OCC has asked that we update the DOD H-1B workers cap count on our webpage. It currently reads:

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

Can we update to reflect the count through last Friday? I doubt the count has changed much since October, but I told them I would look into it.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fries, Juliet M
**Sent:** Friday, March 19, 2010 12:52 PM
**To:** Sweeney, Shelly A
**Cc:** Nicholson, Richard E; Benavente, Jessy J
**Subject:** FW: DRAFT FY11 Cap Updates

Shelly,
The CSC has reviewed the CAP updates and has no comments.

Juliet M Fries
Supervisory Immigration Services Analyst
California Service Center, Division VII
WS 24202
Office [redacted] (b)(6)

Please print only when necessary.

---

**From:** Robbins, Bonnie M
**Sent:** Friday, March 19, 2010 10:47 AM
**To:** Fries, Juliet M
**Cc:** Nicholson, Richard E; Benavente, Jessy J
**Subject:** RE: DRAFT FY11 Cap Updates

Hi Juliet,

I have reviewed the attached CAP updates and have no comments at this time.

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

---

**From:** Benavente, Jessy J
**Sent:** Wednesday, March 17, 2010 1:28 PM
**To:** Robbins, Bonnie M
**Cc:** Mehta, Dilipkumar N; 'Villahermosa, April L'; Nicholson, Richard E
**Subject:** FW: DRAFT FY11 Cap Updates

Bonnie,
Please review and provide comments to Rich NLT than this Friday by noon.

Jessy Benavente
SMPA

---

**From:** Nicholson, Richard E
**Sent:** Wednesday, March 17, 2010 1:21 PM

**To:** Benavente, Jessy J
**Subject:** FW: DRAFT FY11 Cap Updates

Comments?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 17, 2010 1:19 PM
**To:** Perkins, Robert M; Loughlin, Stephen J; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E
**Cc:** Johnson, Bobbie L; Hazuda, Mark J; Gregg, Bret S
**Subject:** DRAFT FY11 Cap Updates

VSC and CSC,

I want to start the ball rolling on review for the USCIS Update(s) that will need to be issued at the end of the 5-day filing window. Since we don't know whether we will meet the cap or not, I have drafted two different sets of documents. I know that things could go either way (though it *seems* likely that we will not meet the cap), but I didn't want to wait until the filing period starts to begin drafting and review as we will all be extremely busy at that time. I would like to get your Center's comments/edits by **COB Friday (3/19)** so that I can send to OCOMM and OPE for them to initiate USCIS component clearance.

The first document is a draft USCIS Update if we do not meet the cap. I have also included alternative language in it for a scenario in which we don't meet the regular cap, but we do get sufficient advanced degree petitions.

The remaining documents are drafts of Updates in the event we do meet the cap. These are all based on documents that were issued for the FY09 filing season. I think the cap met and estimate documents could be combined if the filing is not extraordinarily heavy, but perhaps I am wrong.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 12:39 PM
**To:** Williams, Carol L; Hale, Paola Rodriguez
**Subject:** FW: Draft H1B Update

Carol,

This looks okay to me, but let me know if I am wrong.

Thanks!

Shelly

---

**From:** Rhatigan, Chris
**Sent:** Tuesday, April 07, 2009 1:37 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: Draft H1B Update

Too timely – how about this:

(b)(5)

April 8, 2009

**USCIS Continues to Accept FY 2010 H-1B Petitions**

– USCIS –

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 1:36 PM
**To:** Rhatigan, Chris
**Cc:** Young, Claudia F
**Subject:** RE: Draft H1B Update

Chris,

Since this will need to be cleared and ready for release tomorrow morning, I am on standby to respond to any questions/concerns. ☺

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 11:17 AM
**To:** Bentley, Christopher S; Rhatigan, Chris; Wright, William G
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
**Subject:** Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted]
*Fax: (202) 272-1542*

(b)(6)

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 12:34 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Young, Claudia F; Cummings, Kevin J
**Subject:** FW: Draft H1B Update

See status update below. Although the language for three of the four paragraphs mimicked the Update that we released last month, OCOMM feels that the language needs to be simplified and was working on doing so as of 1 PM.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 1:20 PM
**To:** Cummings, Kevin J; Young, Claudia F; Hale, Paola Rodriguez; Williams, Carol L
**Subject:** FW: Draft H1B Update

FYI...I just spoke with Chris Rhatigan. She said that she has been working to translate the update into plain language and will send back to SCOPS. Once that has occurred she will send out for clearance with a notation that this needs to be turned around today so that it can be released tomorrow morning.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 11:17 AM
**To:** Bentley, Christopher S; Rhatigan, Chris; Wright, William G
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
**Subject:** Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations* (b)(6)
*Phone:* [redacted]
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Davis, Marla J
**Sent:** Wednesday, December 09, 2009 8:17 AM
**To:** Sweeney, Shelly A
**Subject:** RE: DRAFT USCIS Update for H-1B Cap

When do you need comments?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 9:15 AM
**To:** Arroyo, Susan K; Davis, Marla J
**Cc:** Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: DRAFT USCIS Update for H-1B Cap

Susan and Marla,

My apologies. I did not intend to forget you all when I sent this out for preliminary review.

Once again, my apologies.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 08, 2009 9:55 AM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Irazabal, Luz
**Cc:** Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: DRAFT USCIS Update for H-1B Cap

OCC, OP&S and OCOMM,

Although the H-1B cap has not yet been reached, we are getting close. SCOPS has pulled together the attached draft to notify the public that the cap has been reached (again, it has not been reached...we are just being proactive). As the holidays (and leave) are coming up, we would like to begin review of the language in order to ensure that an Update can be posted immediately after the final receipt date has been determined.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Tuesday, December 08, 2009 8:53 AM
**To:** Sweeney, Shelly A
**Subject:** RE: DRAFT USCIS Update for H-1B Cap

Addition in red below. Otherwise, it looks good.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 08, 2009 9:50 AM
**To:** Johnson, Bobbie L
**Subject:** DRAFT USCIS Update for H-1B Cap

Bobbie,

Can you look at the wording below? I want to make sure that you are ok with the message. I don't want to alarm the other components.

OCC, OP&S and OCOMM,

Although the H-1B cap has not yet been reached, we are getting close. SCOPS has pulled together the attached draft to notify the public that the cap has been reached (again, it has not yet been reached... we are just being proactive). As the holidays (and leave) are coming up, we would like to begin review of the language in order to ensure that an Update can be posted immediately after the final receipt date has been determined.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Irazabal, Luz
**Sent:** Tuesday, December 08, 2009 8:58 AM
**To:** Sweeney, Shelly A; OCC-Clearance; Salem, Claudia S; Cummings, Kevin J
**Cc:** Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: DRAFT USCIS Update for H-1B Cap

Great... thanks... I'll review and share with the group shortly...

Thanks!! - Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 08, 2009 9:55 AM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Irazabal, Luz
**Cc:** Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: DRAFT USCIS Update for H-1B Cap

OCC, OP&S and OCOMM,

Although the H-1B cap has not yet been reached, we are getting close. SCOPS has pulled together the attached draft to notify the public that the cap has been reached (again, it has not been reached...we are just being proactive). As the holidays (and leave) are coming up, we would like to begin review of the language in order to ensure that an Update can be posted immediately after the final receipt date has been determined.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Thursday, May 21, 2009 9:46 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Duplicate Filing Question

Edits in red. Remember I'm in a mood today, so feel free to question me on this. ☺

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, May 21, 2009 10:10 AM
**To:** Young, Claudia F
**Subject:** Duplicate Filing Question

Claudia,

Here is an initial draft email to OCC. Take a hammer to it. ☺

Claudia S. and Co.,

We have a situation that we would like to run by OCC. Last year, we denied all duplicate filings and retained any fees filed in association with those duplicate filings per 214.2(h)(2)(i)(G) which states:
An employer may not file, in the same fiscal year, more than one H-1B petition on behalf of the same alien if the alien is subject to the numerical limitations of section **214(g)(1)(A)** of the Act or is exempt from those limitations under section **214(g)(5)(C)** of the Act. If an H-1B petition is denied, on a basis other than fraud or misrepresentation, the employer may file a subsequent H-1B petition on behalf of the same alien in the same fiscal year, provided that the numerical limitation has not been reached or if the filing qualifies as exempt from the numerical limitation. Otherwise, filing more than one H-1B petition by an employer on behalf of the same alien in the same fiscal year will result in the denial or revocation of all such petitions. If USCIS believes that related entities (such as a parent company, subsidiary, or affiliate) may not have a legitimate business need to file more than one H-1B petition on behalf of the same alien subject to the numerical limitations of section **214(g)(1)(A)** of the Act or otherwise eligible for an exemption under section **214(g)(5)(C)** of the Act, USCIS may issue a request for additional evidence or notice of intent to deny, or notice of intent to revoke each petition. If any of the related entities fail to demonstrate a legitimate business need to file an H-1B petition on behalf of the same alien, all petitions filed on that alien's behalf by the related entities will be denied or revoked. (Added 3/24/08; **73 FR 15389**).

[redacted]

(b)(5)

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 1:38 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Renaud, Daniel M; Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Madore, Matthew T
**Subject:** F-1 Cap Numbers

**Importance:** High

Shelly,

The report is a little off from what I sent yesterday but what you'll see below is most of our Cap that is older than 60 days is either with officers or already processed (RFE/Approval). We have 699 Cap cases that are dated prior to 8/1/2010 that are not with officers yet (lower numbers).

The F-1 numbers have dropped significantly since yesterday's report.

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | 854 |
| With Officer | 757 |
| With Contractor | 0 |
| ADJ Staged | 72 |
| Other | 25 |

Here is an estimation of the cases remaining in initial receipts that are not with an officer.
I have not included cases that clearly show movement to an rfe shelf or approval shelf yesterday or today.

| Remaining Monthly initial receipts not with officers | |
|---|---|
| April | 55 |
| May | 83 |
| June | 258 |
| July | 303 |
| August | 4390 |
| September | 1522 |
| **Grand Total** | **6611** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 29, 2010 12:56 PM
**To:** Johnson, Bobbie L
**Subject:** FW: F-1 Cap processing

I'm not sure when you'll start checking your email again, but thought that you needed to start getting these updates. I have asked the centers to provide weekly updates on cap processing since they are well outside the 60-day processing goal.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 29, 2010 1:54 PM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Richardson, Gregory A
**Subject:** RE: F-1 Cap processing

Pete,

Many thanks for the below. Is there any way that VSC could provide an update on the amount of OT used to date and officer actions (e.g. approvals, denials, RFEs, intents)?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, September 29, 2010 1:13 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Chadwick, Donna; Janson, Nancy D; Lamothe, Judy L; Lockerby, Beth A; Montgomery, Laura; Rhodes-Gibney, Cathy S; Sweeney, Mark M
**Subject:** F-1 Cap processing
**Importance:** High

Shelly,

Here are today's figures.

Here is today's **initial receipts summary** that you asked for:

| | **Older than 60 days:** |
|---|---|
| **F1 COS to H1B** | **799** |
| With Officer | 578 |
| With Contractor* | 165 |
| ADJ Staged | 31 |
| Other | 25 |

| | |
|---|---|
| **All Cap > 60** | **3141** |

| | |
|---|---|
| With Officer | 2199 |
| With Contractor* | 646 |
| ADJ Staged | 184 |
| Other | 112 |

- The "with contractor" includes some cases that were approved or rfed yesterday after the oracle tables were updated.
- For the F-1s in the first section all of the 165 appear to be approvals or RFEs where CLAIMS has not caught up with the location.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, September 30, 2010 3:34 PM
**To:** Richardson, Gregory A
**Subject:** FW: F-1 Cap report VSC

**Importance:** High

---

**From:** Shuttle, Peter J
**Sent:** Thursday, September 30, 2010 2:29 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Renaud, Daniel M
**Cc:** Perkins, Robert M; Lockerby, Beth A; Sweeney, Mark M; Madore, Matthew T
**Subject:** F-1 Cap report VSC
**Importance:** High

Barb/Shelly,

Here is today's report.

| | 29-Sep-10 | 30-Sep-10 |
|---|---|---|
| F1 COS to H1B > 60 | 799 | 618 |
| With Officer | 578 | 432 |
| With Contractor* | 165 | 156 |
| ADJ Staged | 31 | 8 |
| Other | 25 | 22 |

| | | |
|---|---|---|
| All Cap > 60 | 3141 | 2696 |
| With Officer | 2199 | 1865 |
| With Contractor* | 646 | 574 |
| ADJ Staged | 184 | 148 |
| Other | 112 | 2548 |

- One note going through the 432 F-1 >60 day cases that are with officers, a majority show they have had an RFE ordered or Approval ordered as of yesterday (9/29). Between the two RFE projects we do here (Right to Control, and our current daily 100% RFE review – for readability) cases updated as RFE ordered as of yesterday will not go out the door until tomorrow (10/1) two days later. I'm hoping this is acceptable.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Thursday, September 30, 2010 1:29 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Renaud, Daniel M
**Cc:** Perkins, Robert M; Lockerby, Beth A; Sweeney, Mark M; Madore, Matthew T
**Subject:** F-1 Cap report VSC

**Importance:** High

Barb/Shelly,

Here is today's report.

| | 29-Sep-10 | 30-Sep-10 |
|---|---|---|
| F1 COS to H1B > 60 | 799 | 618 |
| With Officer | 578 | 432 |
| With Contractor* | 165 | 156 |
| ADJ Staged | 31 | 8 |
| Other | 25 | 22 |

| | | |
|---|---|---|
| All Cap > 60 | 3141 | 2696 |
| With Officer | 2199 | 1865 |
| With Contractor* | 646 | 574 |
| ADJ Staged | 184 | 148 |
| Other | 112 | 2548 |

- One note going through the 432 F-1 >60 day cases that are with officers, a majority show they have had an RFE ordered or Approval ordered as of yesterday (9/29). Between the two RFE projects we do here (Right to Control, and our current daily 100% RFE review – for readability) cases updated as RFE ordered as of yesterday will not go out the door until tomorrow (10/1) two days later. I'm hoping this is acceptable.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 7:26 AM
**To:** Velarde, Barbara Q
**Subject:** FW: F-1 students and Cap Gap

**Importance:** High

2327 student cap cases filed between 4/1 and 8/1 that are still pending at the VSC...

---

**From:** Bouchard, Armanda M
**Sent:** Wednesday, September 22, 2010 8:21 AM
**To:** Sweeney, Shelly A; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
**Cc:** Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: F-1 students and Cap Gap

pending

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 8:17 AM
**To:** Bouchard, Armanda M; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
**Cc:** Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: F-1 students and Cap Gap

Are those all still pending or is that a combination of pending and adjudicated?

---

**From:** Bouchard, Armanda M
**Sent:** Wednesday, September 22, 2010 8:10 AM
**To:** Sweeney, Shelly A; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
**Cc:** Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: F-1 students and Cap Gap

Shelly,

I'm going to jump in for Pete who has been in management training this week. As of Monday, there were 2327 student cap cases filed between 4/1 and 8/1.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 7:57 AM
**To:** Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
**Cc:** Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: F-1 students and Cap Gap
**Importance:** High

Pete and Joe,

Any word on the data below?

Thanks!

Shelly

-----Original Message-----
From: Fierro, Joseph
Sent: Monday, September 20, 2010 11:34 AM
To: Shuttle, Peter J; Sweeney, Shelly A
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap

Shelly:

We are also still waiting on data.

-----Original Message-----
From: Shuttle, Peter J
Sent: Monday, September 20, 2010 6:58 AM
To: Sweeney, Shelly A; Fierro, Joseph
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: Re: F-1 students and Cap Gap

Shelly,

We are still waiting on data.

- Peter Shuttle
Supevisory ISO/VSC

----- Original Message -----
From: Sweeney, Shelly A
To: Shuttle, Peter J; Fierro, Joseph
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Sent: Fri Sep 17 13:54:03 2010
Subject: RE: F-1 students and Cap Gap

Pete,

I have checked on the options we have available at this juncture. Extension of cap gap is not a possibility, so your suggestion of prioritizing the H-1B petitions requesting a COS from F-1 (after PP, of course) that are under cap gap that were filed before 8/1 sounds like the only relief option available short of touching all pre-August filings before 10/1.

Joe,

Do you have any thoughts or concerns on this course of action?

Thanks!

Shelly

---

From: Shuttle, Peter J

Sent: Friday, September 17, 2010 8:43 AM
To: Sweeney, Shelly A; Tamanaha, Emisa T
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Fierro, Joseph
Subject: F-1 students and Cap Gap
Importance: High

Shelley,

We have been receiving inquiries from AILA regarding what, if anything, we are going to offer to F-1 students seeking change of status to H-1B and have cap gap benefits carrying them to 10/1/2010. As the CSC is working cases at a similar rate to us (working primarily May and early June cases) this would appear to be a national issue.

In our opinion with a 60 day processing goal only students (with cap gap need) that filed up to 8/1/2010 would appear to have a valid concern. Should we be moving these cases to the front of the line? Although I'm asking this, I don't have numbers reflecting how many cases (F-1 COS) we have in our backlog dating up to the 8/1/2010 filing date. We are interested in knowing whether you and CSC have heard similar concerns, and should we be planning on offering any help?

Thanks,

Peter Shuttle

USCIS - VSC

Assistant Center Director AG-3

[redacted] cell [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 12:49 PM
**To:** Dutile, George J
**Subject:** FW: F-1 students and Cap Gap

George,

Barbara mentioned that both of the Centers are going to be getting some OT funds. Do I need to send anything out to notify them of this? I've never been in this position before and just wanted to make sure that you aren't waiting on me.

Thanks!

Shelly

-----Original Message-----
From: Fierro, Joseph
Sent: Wednesday, September 22, 2010 11:48 AM
To: Shuttle, Peter J; Sweeney, Shelly A; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Subject: RE: F-1 students and Cap Gap

Shelly:

About 1000 hrs for CSC as well.

-----Original Message-----
From: Shuttle, Peter J
Sent: Wednesday, September 22, 2010 8:17 AM
To: Sweeney, Shelly A; Fierro, Joseph; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Subject: Re: F-1 students and Cap Gap

Shelly,

Our rough estimate is 1000 hrs for our 40 officers. If we could get the date moved to 10/4 - giving us 2 weekends of work.

- Peter Shuttle
Supevisory ISO/VSC

----- Original Message -----
From: Sweeney, Shelly A
To: Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Sent: Wed Sep 22 09:43:41 2010
Subject: RE: F-1 students and Cap Gap

SCOPS HQ has reviewed the situation and determined that the pre-8/1 F-1 COS cap cases should be prioritized. There may be a possibility that SCOPS could obtain access to OT funds. We need to know ASAP how much each center projects it would need (if it is available) and exactly how the OT funds would be utilized. Please understand that SCOPS expects the F-1 COS cap cases to be completed by the end of September if OT funds can be obtained and are used.

---

From: Bouchard, Armanda M
Sent: Wednesday, September 22, 2010 8:21 AM
To: Sweeney, Shelly A; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap

pending

---

From: Sweeney, Shelly A
Sent: Wednesday, September 22, 2010 8:17 AM
To: Bouchard, Armanda M; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap

Are those all still pending or is that a combination of pending and adjudicated?

---

From: Bouchard, Armanda M
Sent: Wednesday, September 22, 2010 8:10 AM
To: Sweeney, Shelly A; Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Renaud, Daniel M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap

Shelly,

I'm going to jump in for Pete who has been in management training this week. As of Monday, there were 2327 student cap cases filed between 4/1 and 8/1.

---

From: Sweeney, Shelly A
Sent: Wednesday, September 22, 2010 7:57 AM
To: Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap
Importance: High

Pete and Joe,

Any word on the data below?

Thanks!

Shelly

-----Original Message-----
From: Fierro, Joseph
Sent: Monday, September 20, 2010 11:34 AM
To: Shuttle, Peter J; Sweeney, Shelly A
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: RE: F-1 students and Cap Gap

Shelly:

We are also still waiting on data.

-----Original Message-----
From: Shuttle, Peter J
Sent: Monday, September 20, 2010 6:58 AM
To: Sweeney, Shelly A; Fierro, Joseph
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: Re: F-1 students and Cap Gap

Shelly,

We are still waiting on data.

- Peter Shuttle
Supevisory ISO/VSC

----- Original Message -----
From: Sweeney, Shelly A
To: Shuttle, Peter J; Fierro, Joseph
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Sent: Fri Sep 17 13:54:03 2010
Subject: RE: F-1 students and Cap Gap

Pete,

I have checked on the options we have available at this juncture. Extension of cap gap is not a possibility, so your suggestion of prioritizing the H-1B petitions requesting a COS from F-1 (after PP, of course) that are under cap gap that were filed before 8/1 sounds like the only relief option available short of touching all pre-August filings before 10/1.

Joe,

Do you have any thoughts or concerns on this course of action?

Thanks!

Shelly

---

From: Shuttle, Peter J
Sent: Friday, September 17, 2010 8:43 AM
To: Sweeney, Shelly A; Tamanaha, Emisa T
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Fierro, Joseph
Subject: F-1 students and Cap Gap
Importance: High

Shelley,

We have been receiving inquiries from AILA regarding what, if anything, we are going to offer to F-1 students seeking change of status to H-1B and have cap gap benefits carrying them to 10/1/2010. As the CSC is working cases at a similar rate to us (working primarily May and early June cases) this would appear to be a national issue.

In our opinion with a 60 day processing goal only students (with cap gap need) that filed up to 8/1/2010 would appear to have a valid concern. Should we be moving these cases to the front of the line? Although I'm asking this, I don't have numbers reflecting how many cases (F-1 COS) we have in our backlog dating up to the 8/1/2010 filing date. We are interested in knowing whether you and CSC have heard similar concerns, and should we be planning on offering any help?

Thanks,

Peter Shuttle

USCIS - VSC

Assistant Center Director AG-3

[redacted] / cell [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, September 17, 2010 8:09 AM
**To:** Baldwin, John T
**Cc:** Cox, Sophia; Dickson, Bruce; Johnson, Bobbie L; Tamanaha, Emisa T; Young, Claudia F; Richardson, Gregory A
**Subject:** F-1 students and Cap Gap

**Importance:** High

John,

I am not as familiar with the cap gap provisions as you are, so I was wondering if you would be able to answer a quick question. Is there any provision for cap gap to be extended beyond October 1?

Thanks!

Shelly

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, September 17, 2010 9:03 AM
**To:** Fierro, Joseph
**Subject:** FW: F-1 students and Cap Gap

Joe,
I'm checking in with the division chief over adjudications, Greg Richardson, to see how he would like to proceed on the questions that Pete raised below.

In the interim, I have a couple of quick questions. What do you estimate will be the CSC's processing date be on October 1? Does CSC have any plans to run any blitzes or beef up the number of adjudicators working H-1Bs? Have you already done so? Would it be possible to pull the figures of untouched cap petitions requesting a COS from F-1 filed before 8/1? I think that it would help us to determine the kind of impact we're talking about.

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Friday, September 17, 2010 8:43 AM
**To:** Sweeney, Shelly A; Tamanaha, Emisa T
**Cc:** Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Fierro, Joseph
**Subject:** F-1 students and Cap Gap
**Importance:** High

Shelley,

We have been receiving inquiries from AILA regarding what, if anything, we are going to offer to F-1 students seeking change of status to H-1B and have cap gap benefits carrying them to 10/1/2010. As the CSC is working cases at a similar rate to us (working primarily May and early June cases) this would appear to be a national issue.

In our opinion with a 60 day processing goal only students (with cap gap need) that filed up to 8/1/2010 would appear to have a valid concern. Should we be moving these cases to the front of the line? Although I'm asking this, I don't have numbers reflecting how many cases (F-1 COS) we have in our backlog dating up to the 8/1/2010 filing date. We are interested in knowing whether you and CSC have heard similar concerns, and should we be planning on offering any help?

Thanks,
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] / **cell** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, September 17, 2010 8:08 AM
**To:** Richardson, Gregory A
**Cc:** Tamanaha, Emisa T; Young, Claudia F
**Subject:** FW: F-1 students and Cap Gap

**Importance:** High

Greg,

I would like to recommend that the F-1s who have cap gap filed before 8/1 be moved to the front of the line (after PP) since both centers are currently beyond the two month processing goal for H-1Bs. If we don't, these individuals would be ineligible for a COS after 10/1 and would receive a split decision. I predict a bit of an issue if we don't.

I am not as familiar with the cap gap provisions as FAST is, but I will check in with them to see if there is any leeway for an extension of cap gap benefits.

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Friday, September 17, 2010 8:43 AM
**To:** Sweeney, Shelly A; Tamanaha, Emisa T
**Cc:** Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Fierro, Joseph
**Subject:** F-1 students and Cap Gap
**Importance:** High

Shelley,

We have been receiving inquiries from AILA regarding what, if anything, we are going to offer to F-1 students seeking change of status to H-1B and have cap gap benefits carrying them to 10/1/2010. As the CSC is working cases at a similar rate to us (working primarily May and early June cases) this would appear to be a national issue.

In our opinion with a 60 day processing goal only students (with cap gap need) that filed up to 8/1/2010 would appear to have a valid concern. Should we be moving these cases to the front of the line? Although I'm asking this, I don't have numbers reflecting how many cases (F-1 COS) we have in our backlog dating up to the 8/1/2010 filing date. We are interested in knowing whether you and CSC have heard similar concerns, and should we be planning on offering any help?

Thanks,
**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
**802-527-4786 / cell: 802-734-1229**

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, March 26, 2010 6:07 AM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Johnson, Bobbie L
**Subject:** Final HQ Pre-Cap Mtg

Denis and Jim,

I would like to schedule a meeting for Tuesday for us to get together one last time before April 1 to make sure that all our ducks are in a row. What is your availability on Tuesday?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 02, 2010 12:51 PM
**To:** Dalal-Dheini, Sharvari P
**Subject:** FW: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shev,

I'm guessing that you're reviewing the cap webpage and the USCIS Update. I know that you've been busy with the AP questions on the memo (among other things) but I was wondering if you knew whether OCC is close to clearing on the Update and webpage since we are getting closer and closer to April 1.

Thanks!

Shelly

---

**From:** Clark, Matthew J
**Sent:** Wednesday, February 24, 2010 1:51 PM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally
**Cc:** Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H
**Subject:** For Your Review-H-1B 2011 Cap Season Materials
**Importance:** High

All,

For your review are the attached USCIS Update and Webpage for the 2011 H-1B cap season. The webpage has replaced the previously drafted Q&A and will serve as a central location on USCIS.gov for all information regarding the 2011 Cap filing season.

The target date for releasing this was March 1, I realize this is a short turnaround and ask that comments and/or edits be returned to me by **COB Monday, March 1**, in order to get this posted early next week, allowing enough time for information to get out prior to the filing season opening on April 1.

Thank you in advance.

Respectfully,

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office
[redacted] Blackberry
www.uscis.gov

(b)(6)

## Shirk, Georgette L

**From:** Clark, Matthew J
**Sent:** Wednesday, March 03, 2010 11:42 AM
**To:** Sweeney, Shelly A
**Cc:** OCC-Clearance; Dalal-Dheini, Sharvari P; Johnson, Bobbie L; Doherty, Shannon P; Weidemann, James; Young, Claudia F
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shelly,

I think we are all set, I should have it out to be posted late today or first thing tomorrow.

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office (b)(6)
Blackberry
www.uscis.gov

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 03, 2010 12:33 PM
**To:** Clark, Matthew J
**Cc:** OCC-Clearance; Dalal-Dheini, Sharvari P; Johnson, Bobbie L; Doherty, Shannon P; Weidemann, James; Young, Claudia F
**Subject:** FW: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Matt,

Here is the OCC cleared webpage and USCIS Update. James Weidemann is the individual from the forms group who is coordinating the optional processing worksheet that needs to be linked to the page. Please let me know if you need anything else from me.

Thanks!

Shelly

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Wednesday, March 03, 2010 11:56 AM
**To:** Sweeney, Shelly A
**Cc:** OCC-Clearance; ALD
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shelly,

[redacted] (b)(5)

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel

USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: [redacted] (b)(6)
Cell:
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

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Thank you.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 03, 2010 11:40 AM
**To:** Dalal-Dheini, Sharvari P
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shev,

I am ok with the edits to the Update. I am also ok with the edits to the webpage. I have added some language regarding the Form I-907 section to address the issue regarding acceptable versions of the form. Let me know if OCC clears on these changes or if you have any additional comments/edits.

Thanks!

Shelly

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Wednesday, March 03, 2010 9:50 AM
**To:** Sweeney, Shelly A
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

(b)(5)

Thanks, Shelly.

I've attached my edits to the Cap materials here.

[redacted]

I'm working from home today, so if you need anything call me on my cell number below.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: [redacted] (b)(6)
Cell:
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Thank you.

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, January 15, 2010 10:54 AM
**To:** Sweeney, Shelly A; Fitzsimmons, James
**Cc:** Johnson, Bobbie L
**Subject:** RE: FY10 H1B CAP analysis summary spreadsheet

They did get mailed out on 12/31, this was an old statement by their site manager. Yes, we can refine the data we want to see and try to get both centers to use the same reporting spreadsheet.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Friday, January 15, 2010 10:39 AM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** Johnson, Bobbie L
**Subject:** RE: FY10 H1B CAP analysis summary spreadsheet

Jim,

Wow. It makes my head hurt trying to compare the two. Perhaps you could pick the one that is easiest to analyze and ask them to both use that version for next year. I suppose that would go over like a lead brick...

With regards to a VSC question, I do not see one either. I'm pretty sure that they've taken care of this, but it might be best to check.

Denis,

Can you confirm that the non-selected 12/21 H-1B cap-subject petitions have all been rejected? I believe so. Your message that we are finished was dated 12/29, but the statement below that Tom was asking for assistance with is dated 1/4. As such, I'm being a little paranoid and just want to double check.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 14, 2010 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R
**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

Shelly,
Every year, I stress the importance of cap reports from CSC and VSC having the same table layouts. To what extent do you think they succeeded with respect to FY 2010 cap?

See the attachment for FY 2010 cap reports. Notice that CSC's workbook is entitled "2009 H-1B Cap Report".

From the reports, I conclude there were 4,200 manual rejects of FY 2010 cap-eligible petitions.

As far as the email below is concerned, I cannot find a question from VSC. Rather I read a statement of intent regarding unselected Dec 21 receipts. This matter has already been resolved.

Jim

---

**From:** Shiflett, Julie M
**Sent:** Thursday, January 14, 2010 2:05 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Alexander, Bruce R
**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

**Denis/Jim,**

**I'm a little behind on emails, but please see the final H1B CAP Reports from CSC and VSC. Can we confirm or deny Vermont's question below?**

Many Thanks,
:)
(b)(6)

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ ([redacted] ✉Julie.Shiflett@dhs.gov

---

**From:** Collins, Thomas C. [mailto:thomas.collins@stanleyassociates.com]
**Sent:** Monday, January 04, 2010 9:08 AM
**To:** Shiflett, Julie M; Peacock, Walter W.; Treacy, Erin
**Cc:** Siesel, Gregory P; Petherbridge, Dan R
**Subject:** RE: FY10 H1B CAP analysis summary spreadsheet

Julie,

Please find the VSC and CSC report.

Dan has stated for VSC:

"Please note that we are holding approximately 380 CAP filings received on 12/21 until we receive confirmation that there will be no additional pulls from this and that they can be rejected. Currently, these are included in the Manual Rejects line on the DAAG."

Please let us know of any questions about the reports. Thanks and have a great day.

Tom

---

**From:** Shiflett, Julie M [mailto:julie.shiflett@dhs.gov]
**Sent:** Tuesday, December 29, 2009 2:47 PM
**To:** Peacock, Walter W.; Treacy, Erin; Collins, Thomas C.
**Cc:** Siesel, Gregory P; Petherbridge, Dan R
**Subject:** FW: FY10 H1B CAP analysis summary spreadsheet

Hi Walter,

Now that we've finished with the final receipting, can we get final versions for the above CAP Reports through December 21st please?.

Also, for December 21 we only want to have the rejects recorded for reasons other than not being selected in the lottery. They should have recorded approximately 27 rejects for December 21. The remaining rejects being sent back for non-selection are not relevant for future analysis.

If you have any questions on this let me or Denis know.

Thanks,

☺

(b)(6)

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Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ [redacted] |✉Julie.Shiflett@dhs.gov
202-272-1542 FAX

---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Tuesday, June 16, 2009 5:04 PM
**To:** Shiflett, Julie M; Peck, Denis R
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Hi Denis, Julie, please find the CAP reports as of COB Monday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Wednesday, March 10, 2010 6:25 PM
**To:** Sweeney, Shelly A
**Subject:** Fw: FY11 H-1B Cap Planning Call

Huh... Guess I'm wrong...

----- Original Message -----
From: Velarde, Barbara Q
To: Johnson, Bobbie L
Cc: Dutile, George J
Sent: Wed Mar 10 19:18:44 2010
Subject: Re: FY11 H-1B Cap Planning Call

I withheld ot this year for this very purpose. George how much do we have

----- Original Message -----
From: Johnson, Bobbie L
To: Velarde, Barbara Q
Sent: Wed Mar 10 18:17:10 2010
Subject: Fw: FY11 H-1B Cap Planning Call

VSC is asking for possible OT for the cap.

----- Original Message -----
From: Sweeney, Shelly A
To: Johnson, Bobbie L
Sent: Wed Mar 10 16:18:52 2010
Subject: FW: FY11 H-1B Cap Planning Call

Bobbie,

Please see Rob's statement regarding VSC need for OT if the FY11 PP H-1B cap cases exceed 12,000 at the VSC. Should this go to George? Barbara?

Thanks!

Shelly

---

From: Perkins, Robert M
Sent: Wednesday, March 10, 2010 4:12 PM
To: Sweeney, Shelly A
Cc: Johnson, Bobbie L; Hazuda, Mark J; Madore, Matthew T
Subject: RE: FY11 H-1B Cap Planning Call

Correct.

---

From: Sweeney, Shelly A
Sent: Wednesday, March 10, 2010 4:11 PM
To: Perkins, Robert M
Cc: Johnson, Bobbie L; Hazuda, Mark J; Madore, Matthew T
Subject: RE: FY11 H-1B Cap Planning Call

Rob,

Just to confirm that I am understanding correctly, the $24,000 is per every 1,000 PP receipts over 12,000, correct? I want to make sure that there are no miscommunications since we're talking money.

Thanks!

Shelly

---

From: Perkins, Robert M
Sent: Wednesday, March 10, 2010 4:07 PM
To: Sweeney, Shelly A
Cc: Johnson, Bobbie L; Hazuda, Mark J; Madore, Matthew T
Subject: RE: FY11 H-1B Cap Planning Call

Shelly,

As requested, VSC would need overtime if the number of H1B cap premium processing petitions were to exceed 12,000 during the initial five day filing window. For every 1,000 premium cap receipts over the 12,000 benchmark, we will need approximately 440 overtime hours. Using GS12 Step 4 as the average, this would equate to approximately $24,000 required per 1,000 premium processing receipts.

Thanks,

Rob

---

From: Sweeney, Shelly A
Sent: Tuesday, February 02, 2010 4:36 PM
To: Perkins, Robert M; Loughlin, Stephen J; Sweeney, Mark M; Howrigan, Tanya L; Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Robbins, Bonnie M; Mehta, Dilipkumar N; Villahermosa, April L; Benavente, Jessy J; Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L
Cc: Doherty, Shannon P; Young, Claudia F; Gregg, Bret S; Hazuda, Mark J
Subject: RE: FY11 H-1B Cap Planning Call

All,

Attached are notes from this afternoon's teleconference call.

On a separate note, SCOPS would like to know at what filing level/number each Service Center would need overtime in order to complete your premium processing cap workloads.

Thanks!

Shelly

<< File: Teleconference Responses 2-2-10.doc >> _____
From: Sweeney, Shelly A
Sent: Tuesday, February 02, 2010 9:16 AM
To: Perkins, Robert M; Loughlin, Stephen J; Sweeney, Mark M; Howrigan, Tanya L; Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Robbins, Bonnie M; Mehta, Dilipkumar N; Villahermosa, April L; Benavente, Jessy J; Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L
Cc: Doherty, Shannon P; Young, Claudia F; Gregg, Bret S; Hazuda, Mark J
Subject: RE: FY11 H-1B Cap Planning Call

Good morning.

Attached are documents for discussion at this afternoon's teleconference call.

The first item is a template cap report that SCOPS would like the Service Centers to use this year. The next three are documents from last year's cap season with edits from BEST. The last is an agenda for this afternoon's meeting.

Thanks!

Shelly

<< File: VSC and CSC Cap reports.xls >> << File: Draft FY-'11 H1B CSC Pre-RNG CAP Matrix 1-29-10.doc >> << File: Revised H1B Post RNG Draft Matrix_FY-11 1-29-10.doc >> << File: Reject letter #5I-129 FY-'11 H1B Winner Reject Letter1-29-10.doc >> << File: 2-2-10 Agenda.doc >>

_____
From: Sweeney, Shelly A
Sent: Tuesday, January 26, 2010 9:20 AM
To: Perkins, Robert M; Loughlin, Stephen J; Sweeney, Mark M; Howrigan, Tanya L; Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Robbins, Bonnie M; Mehta, Dilipkumar N; Villahermosa, April L; Benavente, Jessy J; Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L
Cc: Doherty, Shannon P; Young, Claudia F; Gregg, Bret S; Hazuda, Mark J
Subject: FY11 H-1B Cap Planning Call
When: Tuesday, February 02, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Teleconference

This call will be to discuss unresolved items from the last call (eg. PP clock if cap is not met) and any new items that may come up in the interim. Please send agenda items to me by COB 2/1. A consolidated agenda will be sent the morning of 2/2. Please forward to the appropriate individuals at your center.

Call in number: 888-453-0622
Participant pass code: [redacted] (b)(6)

Thanks!

Shelly

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, March 11, 2010 10:01 AM
**To:** Sweeney, Shelly A
**Subject:** Fw: FY11 H-1B Cap Planning Call

----- Original Message -----
From: Velarde, Barbara Q
To: Johnson, Bobbie L
Cc: Dutile, George J
Sent: Thu Mar 11 10:59:48 2010
Subject: RE: FY11 H-1B Cap Planning Call

Okay... so we should be okay. Just tell them to report up to us as soon as they know so we can monitor closely. I cannot see us hitting beyond the 11K which was our big year.

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

From: Johnson, Bobbie L
Sent: Thursday, March 11, 2010 10:57 AM
To: Velarde, Barbara Q
Cc: Dutile, George J
Subject: RE: FY11 H-1B Cap Planning Call

Last year VSC received 9,997 PP H1B cases. The year before, they received 11,000.

---

From: Velarde, Barbara Q
Sent: Thursday, March 11, 2010 10:51 AM
To: Johnson, Bobbie L
Cc: Dutile, George J
Subject: RE: FY11 H-1B Cap Planning Call

Well that would allow us to cover about 10,000 cases. This is all crystal ball gazing. So all I can say is we will try and cover. How many PP did they get last year?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Thursday, December 30, 2010 1:12 PM
**To:** Sweeney, Shelly A
**Subject:** FW: FY2011 H1B CAP mis-filings - do not forward

FYI.

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Wednesday, December 29, 2010 11:27 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Bushey, Sandra T; Johnson, Bobbie L
**Cc:** Young, Claudia F; Harton, Frank A; Velarde, Barbara Q; Neufeld, Donald
**Subject:** FY2011 H1B CAP mis-filings - do not forward

VSC/CSC,

One exception to our mail forwarding in general rule will be ALL FY2011 H1B CAP filings, both Premium and non-Premium. This will adhere to our guidance posted at the website for H1B. Going forward from today the contractor should be directed to reject all such misfilings for jurisdiction. I-129 filings other than Premiums or H1B FY2011 CAP filings can continue to be forwarded.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 22, 2009 7:36 AM
**To:** Peck, Denis R; Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** FW: H1! Cap

We are 300 short through Friday. Denis is looking into the number of Monday receipts.

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, December 22, 2009 7:27 AM
To: Fitzsimmons, James; Sweeney, Shelly A
Subject: H1! Cap

Did we hit it? Do we know how many were racked and stacked yesterday?

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 07, 2010 8:58 AM
**To:** Johnson, Bobbie L
**Subject:** FW: H-1B Adjudication Plan

---

**From:** Fierro, Joseph
**Sent:** Tuesday, September 28, 2010 5:28 PM
**To:** Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Richardson, Gregory A; Kramar, John; Melville, Rosemary; Louis, Jennifer E
**Subject:** RE: H-1B Adjudication Plan

Shelly:

On OT through Monday 9/27/10, this is what we completed on H-1B cap cases (including F-1 cap gap):

Approvals = 2062
Denials = 28
RFEs = 805

- $60,000 spent thus far

From the count we started with on Thursday of F-1 cap gap cases pending, this is where we are as of this morning.

- We have touched all F-1 cap cases.
- We are still working through the report to clean up the cases that are considered "new" on this report. The "new" cases have been touched by an officer, but are still going through clerical updating or sup review, and we are focusing on getting those done by today.
- Below is the summary chart of completions for F-1 Cap Gap cases:

| CSC I-129 F1s Cap Pre 08/01/10 | | | |
|---|---|---|---|
| | | **Status** | **Counts** |
| I-129 | F1 | APPROVED | 1,034 |
| | | DENIED | 40 |
| | | NEW CASE | 100 |
| | | RULE 103 | 701 |
| | | PENDING | 0 |
| **Total:** | | | **1,875** |

- Below is the summary chart of where we are with all non-pp cap cases and EOS cases:

| CSC I-129 H1Bs Pending as of 09/27/2010 | | | | |
|---|---|---|---|---|
| | | **Status** | **Filed before 08/01/2010** | **Filed before 9/28/10** |
| Non-PP | Initials | NEW CASE | 2461 | 10,470 |
| | | PENDING | 284 | 289 |

| | | | | |
|---|---|---|---|---|
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,839 | 1,869 |
| | | SUSPENSE | 16 | 19 |
| | | TRANSFERRED IN | 378 | 398 |
| | Others | NEW CASE | 10,741 | 19,320 |
| | | PENDING | 228 | 230 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 461 | 462 |
| | | SUSPENSE | 21 | 24 |
| | | TRANSFERRED IN | 164 | 172 |

- By Friday, I estimate our processing time for non-pp H-1B cases will be into early July. I will have a better idea of what the processing time is on Monday after all this OT is done and the clerical updating is completed. At that time, I would like to propose a date that we will be current or at 60 days processing time.

- 62 total adjudicators on H-1Bs

  36 – PP (Backfill Cap & EOS)
  19 – Non-PP
  7 - EOS

Thanks,

Joe (b)(6)

[redacted]

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 28, 2010 6:18 AM
**To:** Fierro, Joseph
**Cc:** Velarde, Barbara Q; Richardson, Gregory A
**Subject:** RE: H-1B Adjudication Plan

Joe,

When do you think you would be able to provide an update on our cap processing?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Monday, September 27, 2010 12:17 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Adjudication Plan

Shelly:

It may be better if we give an update Tuesday morning. Most of the cases are on the floor now so tracking those means we have to do NFTS audits for accuracy of reports. We have been doing an NFTS audit this morning, and it won't show up in the systems until this afternoon. So a good updated report may not be done until late this afternoon or early tomorrow morning.

Thanks,

Joe

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, September 23, 2010 11:09 AM
**To:** Shuttle, Peter J; Fierro, Joseph; Perkins, Robert M; Madore, Matthew T
**Cc:** Velarde, Barbara Q; Kramar, John; Richardson, Gregory A
**Subject:** RE: H-1B Adjudication Plan

I would like to thank everyone for participating in this afternoon's call. In summary, we would request that each center send us its work plan (which includes the information listed below and discussed in our teleconference) in writing if it has not already been provided. Additionally, each center will need to provide SCOPS with an update on H-1B processing every Monday until we are within the 60-day processing goal, starting this coming Monday. We understand that Vermont's Monday update will not include cases adjudicated this weekend due to the fact that Claims will be unavailable for them. We would like to at least get a feel for how the weekend went and the progress made towards completing the F-1 cap gap caseload.

Finally, although you have probably already done so, we would like to ask that all of the F-1 cap gap H-1B cases be brought down to the floor to ensure that the adjudicators have this work available immediately.

I would like to set up our weekly teleconferences this week. Would Wednesday or Thursday at 1 PM EST work best for the centers?

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 21, 2010 2:05 PM
**To:** Shuttle, Peter J; Fierro, Joseph; Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kramar, John; Hazuda, Mark J
**Subject:** H-1B Adjudication Plan
**When:** Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:** Teleconference

This meeting is for SCOPS to learn more about each center's plan to get within 60-days on H-1B adjudication. We'd like to get a handle on:

- the current initial H-1B petition inventory broken out by untouched vs. RFE/ITD already issued;
- your processing date for initial H-1B petitions;
- the current EOS H-1B petition inventory broken out by untouched vs. RFE/ITD already issued;
- your processing date for EOS H-1B petitions (if different from initials);
- your current resources and CPH rate for these cases;
- any plans to augment current staff or shift resources (e.g. does either center plan to borrow resources temporarily from other allied groups or divisions?);
- the projected date when the center will be within 60-days.

We'd also like to work with the centers to set up a process for temporary biweekly progress reports until we are current on H-1Bs.

Please feel free to forward this invite to the appropriate participants at your center.

The call-in number will be 866-860-5730. The passcode will be [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 07, 2010 8:57 AM
**To:** Johnson, Bobbie L
**Subject:** FW: H-1B Adjudication Plan

Bobbie,

Here is the information that VSC provided in response to our last call on the FY11 cap processing issue. I will send CSC's separately.

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Thursday, September 23, 2010 2:02 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M
**Subject:** RE: H-1B Adjudication Plan

Barb/Shelly,

Here are our responses (below)

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted] (b)(6)

-----Original Appointment-----
**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 21, 2010 2:05 PM
**To:** Shuttle, Peter J; Fierro, Joseph; Richardson, Gregory A; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kramar, John; Hazuda, Mark J
**Subject:** H-1B Adjudication Plan
**When:** Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:** Teleconference

When: Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Teleconference

*~*~*~*~*~*~*~*~*~*

This meeting is for SCOPS to learn more about each center's plan to get within 60-days on H-1B adjudication. We'd like to get a handle on:

* the current initial H-1B petition inventory broken out by untouched vs. RFE/ITD already issued; - **4607 vs. 1627 (RFE/Response)**
* your processing date for initial H-1B petitions; - **Cap 5/14**
* the current EOS H-1B petition inventory broken out by untouched vs. RFE/ITD already issued; - **Don't have yet DRG is working on this**
* your processing date for EOS H-1B petitions (if different from initials); **- 5/21**
* your current resources and CPH rate for these cases; **1.85 CPH (this has been fairly constant since the E/E memo)**

* any plans to augment current staff or shift resources (e.g. does either center plan to borrow resources temporarily from other allied groups or divisions?); - **some of Lynn's group will work O/T now through next week in advance of 10/1, and pulling in 11 to 16 officers needing refresher training to work over the coming months.**
* the projected date when the center will be within 60-days. **– 90 + days if we have 71 officers working full-time**

We'd also like to work with the centers to set up a process for temporary biweekly progress reports until we are current on H-1Bs.

Please feel free to forward this invite to the appropriate participants at your center.

The call-in number will be 866-860-5730. The passcode will be [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 2:34 PM
**To:** Fitzsimmons, James
**Subject:** RE: H1B Cap Web Page

Thanks, Jim!

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 14, 2009 3:27 PM
**To:** Cummings, Kevin J; Sweeney, Shelly A; Young, Claudia F; Williams, Carol L; Peck, Denis R
**Cc:** Pearce, Timothy A; Kruszka, Robert F
**Subject:** RE: H1B Cap Web Page

I am in favor of deleting the H-1B table (and footnotes) and replacing it with two simple sentences: "As of April xx, 43,000 H-1B cap-eligible petitions and 22,000 petitions qualifying for advanced degree exemption had been filed. Petitions are very likely to be accepted for both categories until at least 85,000 H-1B petitions have been received, allowing for denials, revocations, and withdrawals." (or whatever language is used in public announcement issued by OCOMM)

I am not aware of a H-1B wait list plan in FY 2010. If petitions continue to trickle in, most petitions will have been adjudicated by the final receipt date. That would make a wait list unnecessary. (A wait list is particularly useful when the nearly all the petitions arrive in a very short time such as last April.)

H-1B1 projection is 1,000 H-1B1s for FY 2010.

Keep H-2B table BUT remove "Cap Reached" in total column and dates in "Date of last Count" column since this webpage is for FY 2010. In June or July, this table will begin to be populated.

As of March 30, 2009, three H-3 visas had been approved with a start date in FY 2009.

Jim

---

**From:** Cummings, Kevin J
**Sent:** Tuesday, April 14, 2009 1:26 PM
**To:** Sweeney, Shelly A; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A; Kruszka, Robert F
**Subject:** RE: H1B Cap Web Page
**Importance:** High

My edits and comments are in the attached. Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted] (b)(6)

Cell: [redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 1:05 PM
**To:** Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A
**Subject:** H1B Cap Web Page

All,

Attached are some rough preliminary edits to the H1B/H2B cap page. I have not inserted numbers into the table yet as it will change before this has cleared OCC and is ready for posting.

I have a question for the group as a whole regarding the data table currently on the web site. Is it mandatory that we include the number of approvals in the update? If not, can we remove that block? I don't see where we currently have this information filled out, and I think it raises a number of questions (especially since this number will fluctuate).

This is definitely an opportunity to remove any language you feel is unnecessary and add language to items that need clarification. Please let me know of any comments/edits you may have. I will consolidate SCOPS comments/edits and forward to OCC for their clearance.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations* (b)(6)
*Phone:* [redacted]
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 8:37 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

What is our final target on the masters? Just for my own knowledge.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Perkins, Robert M
**Sent:** Wednesday, December 09, 2009 2:26 PM
**To:** Sweeney, Shelly A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P; Loughlin, Stephen J
**Subject:** RE: H-1B Cap

Shelley,

Thanks for the update. According to Records, H1B cap cases are considered priority and we are current in this workload. The front log is primarily extensions.

Thanks,

Rob

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 2:53 PM
**To:** Perkins, Robert M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P
**Subject:** H-1B Cap

VSC and CSC,

I have confirmed with Jim that there are approximately 4,000 cap numbers left as of COB 12/8. This was calculated by subtracting 80,000 (estimated count) from 84,000 (65,000 minus 1,000 for Chile/Singapore plus 20,000 for Masters).

Rob, can you let BEST know what the contractor front log estimate is?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, January 24, 2011 10:21 AM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A
**Subject:** FW: H-1B Cap Count Page Final Update

Mark,

Here is some traffic regarding how we closed the FY10 webpage cap count. The webpage looked a little different last year, but the process remains essentially the same. You'll want to copy and paste the current webpage into a Word document and turn on track changes. Remove any references to the FY11 cap being open. I would suggest deleting the chart and inserting something along the lines of the following:

As of December 21, 2009, USCIS has received sufficient petitions to reach the statutory cap for FY2010. USCIS has also received more than 20,000 H-1B petitions on behalf of persons exempt from the cap under the advanced degree exemption. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY2010 that are received after December 21, 2009 USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on December 21, 2009

Of course, the last sentence in blue is moot if we don't need a lottery. I'm sure you'll find other issues with the webpage. Go ahead and make any appropriate/necessary changes. Once you have completed your edits, send to Claudia Salem, Sharvari Dalal-Dheini, and Robert Cox for OCC clearance. Let them know that we expect to meet the cap either at the end of this week or the beginning of next and that you would like to have this cleared so that it is ready to go whenever we hit the cap. Once you get clearance, hold this we meet the cap. You can then insert the final receipt date and send to USCIS Web Publishing. I've attached the message I sent to web publishing last year below. It will need to be changed, as there are no H-2B numbers to update (in FY10 the H-1B and H-2B cap counts were on the same page...we separated onto different pages for FY11).

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** USCIS Web Publishing
**Cc:** Office Of Communications; Parisi, Thomas; McKenzie, Trish H; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Wright, William G; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Count Page Final Update

USCIS Web Publishing,

Attached is the final USCIS webpage update for the H-1B cap numbers to notify the public that the cap has been reached. You will continue to receive regular weekly updates to this page for the H-2B cap numbers.

Please post this **simultaneously** with the USCIS Update that announces that the cap has been reached. The USCIS Update be provided by Media Relations (probably Bill) for posting.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 29, 2009 8:27 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 26th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 23,600 | 21,200 | 44,800 | 7,100 | 41,500 | 85% | 34% | 14% |
| Masters | 17,900 | 4,400 | 22,300 | 1,300 | 21,700 | 94% | 15% | 4% |

Data available as of close of business, June 26th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 8:04 AM
**To:** Johnson, Bobbie L; Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Is it ok for me to ask the Service Centers to accept all petitions received today, as Jim is recommending?

Also, I'd like to let OCOMM and the other HQ offices know about Jim's revised estimate, if that's ok with you.

Shannon

---

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 8:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |
| **COMBINED** | **74,900** | **10,000** | **84,900** | **83,300** | **6,500** | **91,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 06, 2009 9:12 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 3rd

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 24,800 | 20,200 | 45,000 | 6,400 | 42,700 | 87% | 32% | 14% |
| Masters | 18,300 | 4,000 | 22,300 | 1,300 | 21,900 | 94% | 12% | 5% |

Data available as of close of business, July 3rd

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 16, 2009 3:36 PM
**To:** Johnson, Bobbie L
**Subject:** FW: H1B Cap applications on December 17

FYI

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A
**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 8:13 AM
**To:** Doherty, Shannon P
**Subject:** FW: H1B Cap applications on December 17

**Importance:** High

---

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:20 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A; Johnson, Bobbie L; McConnell, James E
**Subject:** RE: H1B Cap applications on December 17
**Importance:** High

Denis,
The cap was not reached yesterday, so it is okay to key today's receipts. Once I get the counts for today's receipts, I can determine whether the cap was reached today.
Jim

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A
**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, December 17, 2009 3:53 PM
**To:** Sweeney, Shelly A; Fitzsimmons, James
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

They'd better. Seriously, I think they know our plan.

We were 1400 under cap this morning, and we added 170 from CSC late data entry yesterday. That would make about 1230 under the cap. It sounded from the preliminary counts that we had 600-700 today maximum. Unless tomorrow is lighter than expected it should be the last date. Stay tuned.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 4:47 PM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

Denis,

I just wanted to double check to see how we will be proceeding tomorrow. I assume that the Centers will be following your Wednesday email, right?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:20 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A; Johnson, Bobbie L; McConnell, James E
**Subject:** RE: H1B Cap applications on December 17
**Importance:** High

Denis,
The cap was not reached yesterday, so it is okay to key today's receipts. Once I get the counts for today's receipts, I can determine whether the cap was reached today.
Jim

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A

**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 9:32 AM
**To:** Perkins, Robert M
**Cc:** Bouchard, Armanda M; Cummings, Kevin J; Young, Claudia F; Williams, Carol L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

Rob –

I have your four scenarios on my list already. Kevin, Claudia and I discussed your contracts and itineraries approach yesterday. Kevin and Claudia did not have an issue with your approach.

Thank you.

Carol

---

**From:** Perkins, Robert M
**Sent:** Wednesday, March 25, 2009 10:17 AM
**To:** Williams, Carol L
**Cc:** Bouchard, Armanda M
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

We are working on some TARP related questions now…

Also, I believe it would be beneficial to discuss the four scenarios that may play out and ensure everyone is on the same page (see attached).

Lastly, if HQ has any issues with the VSC approach to the contract/itinerary issue, let me know.

Rob

---

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 10:02 AM
**To:** Peck, Denis R; Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

All –

Does anyone else have any issues they want discussed for the call? Please let me know.

Thank you.

Carol

---

**From:** Peck, Denis R
**Sent:** Wednesday, March 25, 2009 9:59 AM
**To:** Williams, Carol L; Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** RE: Final H-1B Cap Call - Please no contractors on today

I would like to discuss the expected volume for CAP. The initial guidance I gave out was for the contractor to anticipate receiving filings in line with 2008 – 100,000 at Vermont, 60,000 at California. All indications we have had the past month are that we will not get this between April 1-7. There is significant money involved if we can give the contractor a number to prepare for that will be close to what the actual filing count will be. For instance, they have submitted hundreds of applications for temporary workers that all have to have a background investigation and credit report done. This is a burden on the agency.

Thanks for seeing that they are not included this time; we'll certainly advise them of the decisions we make on this and other issues.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Williams, Carol L
**Sent:** Wednesday, March 25, 2009 8:40 AM
**To:** Cummings, Kevin J; Perkins, Robert M; Manahan, Lisa F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E; Fitzsimmons, James; Peck, Denis R; Young, Claudia F
**Cc:** Stoddard, Becky M; Sweeney, Mark M; Howrigan, Tanya L
**Subject:** Final H-1B Cap Call

All –

The conference call in number is (b)(6)

1-888-453-0622

Participant: [redacted]

Regards.

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P: [redacted] (b)(6)
F: 202-272-1543

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 15, 2009 9:58 AM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Young, Claudia F; Doherty, Shannon P; Fitzsimmons, James
**Subject:** RE: H-1B Cap Cases

Shelly there is no useful way of knowing sooner than Jim's query at midnight. If it need be that precise we can issue a rack and stack instruction for Thursday or Friday in advance, and allow them to data enter each day after we give them the go ahead.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 15, 2009 10:50 AM
**To:** Peck, Denis R
**Cc:** Johnson, Bobbie L; Young, Claudia F; Doherty, Shannon P; Fitzsimmons, James
**Subject:** H-1B Cap Cases

Denis,

We were wondering if you could ask the VSC and CSC to notify us if they see a significant uptick in H-1B cap cases in mailroom traffic since we are getting nearer to reaching the cap.

On a side note, BEST will be drafting an email for you to send to the Centers when we determine that they need to begin racking and stacking cases in anticipation of the final receipt date announcement.

Please let me know if you have any questions.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Tuesday, December 08, 2009 2:54 PM
**To:** Fitzsimmons, James; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** Re: H-1B cap chart

Do we have public material ready to go on this?

----- Original Message -----
From: Fitzsimmons, James
To: Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
Sent: Tue Dec 08 14:39:30 2009
Subject: H-1B cap chart

All,

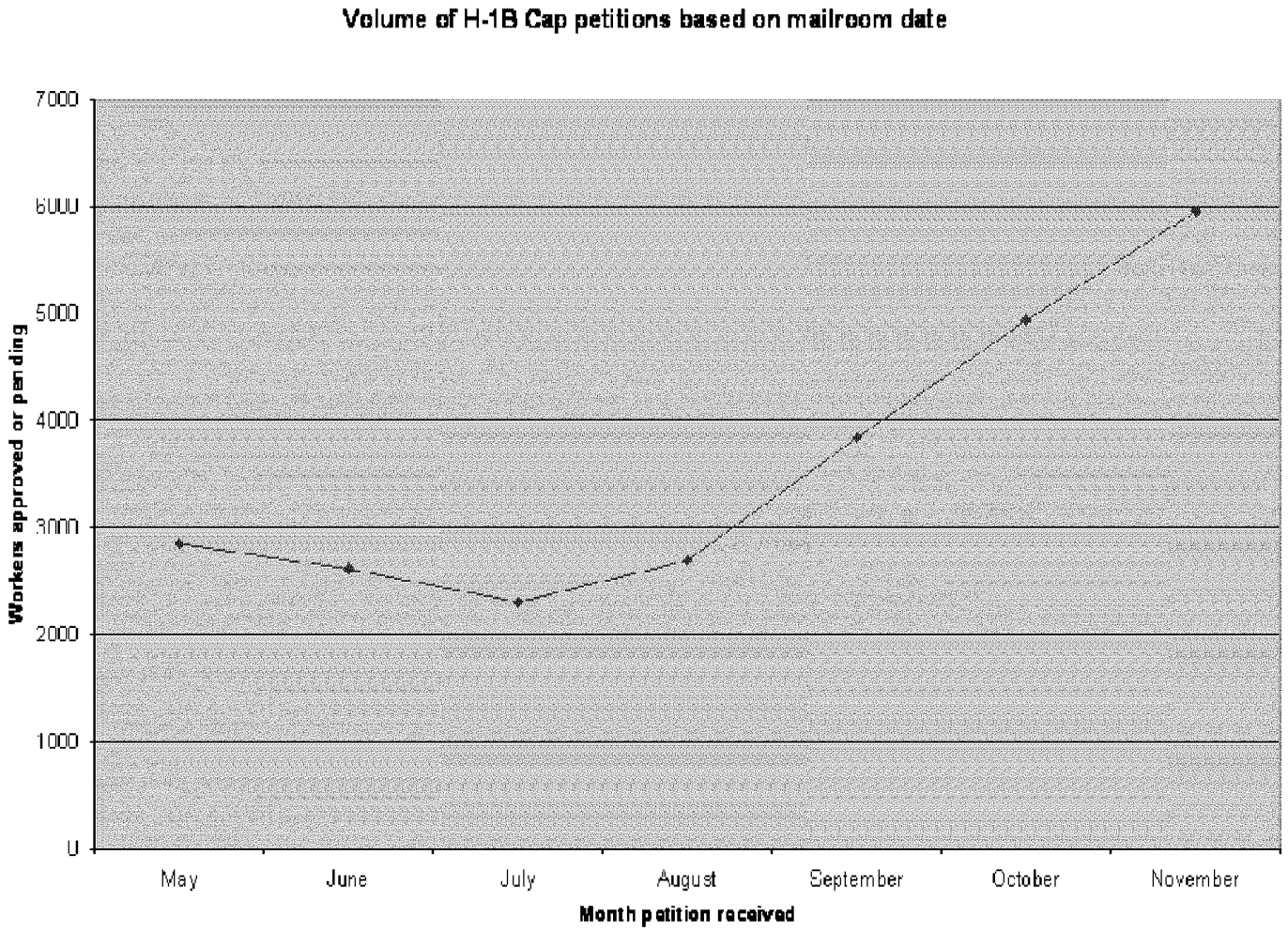
This chart shows the monthly volume of H-1B cap petitions based on the mailroom date. The volume declined in May June, and July. Since August, the volume has continued to rise. At 6,000 petitions, November was double May volume. In each of the last two weeks, about 2,200 petitions have been received. It appears the cap will be reached next week.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 1:40 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap chart

All,
This chart shows the monthly volume of H-1B cap petitions based on the mailroom date. The volume declined in May June, and July. Since August, the volume has continued to rise. At 6,000 petitions, November was double May volume. In each of the last two weeks, about 2,200 petitions have been received. It appears the cap will be reached next week.
Jim



## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, December 18, 2009 8:41 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A
**Subject:** H1B CAP December 18 volume

VSC & CSC,

Based on our overnight CISCOR count, we are still 1,000 applications under our target for the CAP. Unless you experience an abnormal mail volume today we think it is safe to go ahead and being receipting all CAP filings without waiting for a mailroom count first. This will help Jim do a precise query Monday morning and determine if we will run a lottery on Monday's volume or accept all of it.

Important: Please have the number remaining under CRU review at the end of tonight sent by email to me and everyone on this message, so we can also add that potential volume to our counts.

On Monday, do not proceed with receipting. Do a rack and stack of all the incoming volume until we get back. All the filings clearing the CRU review from today or previously should be receipted as they are approved.

Thanks for your prompt attention, we hope to have the message announcing the reaching of the FY2010 CAP on Monday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 1:23 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Johnson, Bobbie L; Young, Claudia F; Fitzsimmons, James; Shiflett, Julie M; Sweeney, Shelly A
**Subject:** H1B CAP end

We receipted 26 of the final batch – 1 reject at each center – Jim I hope this does not RUIN our results!

Thus ends another CAP season. Just think in 30 days or so we will be teleconferencing on next season.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 2:19 PM
**To:** Peck, Denis R
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Totals just came in. We data entered 20 and will reject one.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 2:16 PM
**To:** Collins, Mary Lou E
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

21 should not take long. CSC did their 7 (6 receipted, 1 reject) and it would be nice to see how your batch came out by cob today.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 1:05 PM
**To:** Peck, Denis R
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Denis –

I did see the second list and have sent it onto Stanley – they should be data entering them as we speak.

Thanks
Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 29, 2009 12:48 PM
**To:** Collins, Mary Lou E
**Subject:** RE: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Thanks Mary Lou. I sent Steve a message earlier on the second round of H1B lottery selections you can pull and I need to make sure he is in today – can you confirm that?

Just as an FYI VSC has 21 additional applications to pull.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 29, 2009 10:08 AM
**To:** Lundquist, Mark E; Peck, Denis R; Shiflett, Julie M; Summers, Janice D; Yandow, Jackie D; Putnam, Anne F; Loughlin, Stephen J
**Subject:** FW: Please Respond by COB 12/30: Sanitized Screenshots of Logs

Mark-

Attached are the screen prints/PDF files of the logs that Stanley maintains. Please let me know if you have any questions.

Thanks
Mary-Lou

---

**From:** Lundquist, Mark E
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Anderson, Toni D; Bamford, Reno C; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Garner, Deanna L; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Summers, Janice D
**Subject:** Please Respond by COB 12/30: Sanitized Screenshots of Logs

Records ACDs,

Can you please send me a one page sanitized screen shot or PDF image of the logs that the contractor maintains by COB 12/30/09.

**Examples:**
Reject Log
Void log
Deposit log
Mail Meter log
Expedite Log

Other.....

Please include Janice Summers on the reply.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: [redacted] / Fax: (202) 272-1542

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, November 18, 2009 8:28 AM
**To:** McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** H-1B cap filings

**Importance:** High

All,
The actual increase in H-1B cap filings between September 25 and October 25 was only half as large as USCIS reported on the cap webpage. The reason was a change in reporting methodology, effective on October 25. For the first time, masters rollovers were included in the reported count; previously, masters rollovers were excluded from the reported count. The difference in reporting became notable then. The count for October 25 without masters rollovers was 49,200 in contrast to 52,800 reported with masters rollovers. Since October 25, the cap count reported has included masters rollovers. Future reporting will include masters rollovers until the cap is reached.

According to the blog by immigration lawyer Siskind reproduced below, H-1B cap filings accelerated between September 25 (46,700) and October 25 (52,800). See Table 1. This conclusion is based on the numbers reported on USCIS cap webpage. The reported numbers show an increase in filings of 6,100 during this 4-week period when the actual volume of filings was only 3,100. See Table 2.

Since masters rollovers are included going forward, this phantom spike is not an event that will be repeated. In other words, if a spike occurs, it will be real.

The question remains whether to issue an explanation about the August 25-September 25 phantom spike. As I indicated, another strategy is simply to ride out the storm since from now on, consistent reporting will not produce such misleading trends. It is the transition period (September 25 to October 25) when the reporting change occurred that created the inflated trend in filings.

Nevertheless, it should also be noted that an upward trend is evident in filings, if not as significant as Siskind's analysis indicates. If the present volume holds up, then the FY 2010 cap season could end in mid-January.

Jim

Table 1. H-1B cap counts for FY 2010

| Date of count | With rollover MASTERS | Without rollover MASTERS |
|---|---|---|
| August 28 | 47,400 | 45,100 |
| September 25 | 49,700 | 46,700 |
| October 25 | 52,800 | 49,200 |
| November 13 | 55,600 | 51,400 |
| | | |

Numbers published on USCIS cap webpage.

Table 2. Volume of H-1B cap filings for FY 2010

| Period of counts | Actual filings | **Average filings per week---actual** | Reported filings | Average filings per week---reported |
|---|---|---|---|---|
| August 28-September 25 | 2,300 | **575** | 1,600 | 400 |
| September 25-October 25 | 3,100 | **775** | 6,100 | 1,575 |

| | | | | |
|---|---|---|---|---|
| October 25-November 13 | 2,800 | **933** | 2,800 | 933 |
| | | | | |

## Bloggings On Immigration Law And Policy
### *by Greg Siskind*

Editor's note: Here are the latest entries from Greg Siskind's blog.

**November 03, 2009**

**H-1B USAGE ACCELERATING**

I've been monitoring H-1B numbers each month and have noted a rather **dramatic jump in filings over the last few months**. At the current pace, the 65,000 H-1B numbers in the main category could be gone in January (the 20,000 H-1Bs for advance degree holders was used up at the beginning of the entry period).

Watch how the month by month numbers change:

April 27th - 45,000

May 29th - 45,800

June 26th - 44,800 (likely adjusted downward due to rejections of petitions filed near the April 1st filing deadline)

July 24th - 44,900

August 28th - 45,100

September 25th - 46,700 (49,700 including MASTERS rolled over)

October 25th - 52,800 (49,200 excluding MASTERS rolled over)

As you can see, usage has gone from just a couple of hundred a month to about 1500 a week. It is very possible that there was some pent up demand because as of October 1st, applicants can start work right away rather after approval of a petition. So we'll need to see what next month brings. But it is very possible that improvements in the economy are showing up in the visa numbers and if you're thinking about filing an H-1B, you probably should get moving.

Posted at 01:18 PM | Permalink | Comments (5) | TrackBack (0)

## About The Author

Greg Siskind is a partner in Siskind Susser's Memphis, Tennessee, office. After graduating magna cum laude from Vanderbilt University, he received his Juris Doctorate from the University of Chicago. Mr. Siskind is a member of AILA, a board member of the Hebrew Immigrant Aid Society, and a member of the ABA, where he serves on the LPM Publishing Board as Marketing Vice Chairman. He is the author of several books, including the J Visa Guidebook and The Lawyer's Guide to Marketing on the Internet. Mr. Siskind practices all areas of immigration law, specializing in immigration matters of the health care and technology industries. He can be reached by email at gsiskind@visalaw.com

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 8:45 AM
**To:** McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
**Subject:** FW: H1B CAP filings received on Monday december 21 - 911 counted

The reports indicated 352 are racked at California and 559 at Vermont. I am trying to determine if they have any received before Monday not yet data entered. Let me get that information before we make any final decisions.

Also the 5 receipted in Vermont yesterday, whether that was in error. Have not heard back on that either.

Denis,

CSC' total count is 352 racked and stacked.

Jessy Benavente

SMPA

---

From: Robbins, Bonnie M
Sent: Tuesday, December 22, 2009 6:12 AM
To: Benavente, Jessy J
Subject: CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11

CMN – 29

CRP – 87

CRN - 225

Have a nice day!

Bonnie Robbins.

Division VII: CSC - USCIS

[redacted] (b)(6)

Bonnie.Robbins@dhs.gov

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 9:27 AM
To: Peck, Denis R
Subject: RE: H1B CAP filings received on Monday december 21

Denis -

Our numbers from yesterday.

Mary-Lou

CAPs in R-N-S receive date on 12/21/09

VRP- 154

VMP- 23

VRN- 352

VMN- 30

539s- 28

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 8:41 AM
To: Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Petherbridge, Dan R
Subject: Fw: H1B CAP filings received on Monday december 21

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
Cc: McConnell, James E; Fitzsimmons, James; Young, Claudia F; Richardson, Gregory A
Sent: Tue Dec 22 08:36:37 2009
Subject: H1B CAP filings received on Monday december 21

VSC, CSC

We need the racked-and-stacked counts from Monday as soon as possible, plus whatever remaining filings you received before Monday that have not been data entered yet, if any. Please confirm with the CRU branches if they have any remaining.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 10:42 AM
**To:** Sweeney, Shelly A
**Subject:** Fw: H-1B Cap information

----- Original Message -----
From: Velarde, Barbara Q
To: Neufeld, Donald
Cc: Johnson, Bobbie L; Fitzsimmons, James; McConnell, James E
Sent: Thu Apr 08 11:40:09 2010
Subject: FW: H-1B Cap information

Here are the historical numbers that help frame this year's receipts with regards to supply and demand.

Two years (FY09 cap) ago we had a tremendous demand in the first five days resulting in our shutting off the cap for the remainder of the fiscal year after the first five days and returning 64,000 petitions that were in excess to our limits. That would help explain the pent up demand for FY10.

Within the first five days of receipt last year we received almost 65,000 cases but did not need to run a lottery. Cap flings were received up to December 21, 2009 resulting in only about 3.5 months of unavailability for cap filers.

Barbara Q. Velarde

Deputy Associate Director

Service Center Operations Directorate

U.S. Citizenship and Immigration Services

20 Massachusetts Avenue, Room 2134

Washington, DC 20529

---

From: Fitzsimmons, James
Sent: Thursday, April 08, 2010 11:22 AM
To: Velarde, Barbara Q
Cc: McConnell, James E
Subject: H-1B Cap information

Barbara,

In connection with FY 2009 H-1B cap season (two years ago), 161,000 cap petitions were received and bar coded and 97,000 of them were declared winners in the subsequent lottery.

The FY 2010 H-1B cap season ended on December 21, 2009.

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 3:27 PM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A; Doherty, Shannon P
**Subject:** H1B CAP lottery update

Update at 430 pm; CSC has sent their barcoded manifest here, VSC is still completing theirs. It appears now that only ONE CAP filing was mistakenly received Monday and receipted Monday, vs. the earlier fear we had 3-4.

We should have the VSC spreadsheet ready to go in the morning, at worst. Hopefully we can run the RNG tomorrow and send them the selections for receipting on Wednesday night. With only 200 or so, they can complete it all on the second shift.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, December 22, 2009 4:18 PM
To: Collins, Mary Lou E; Loughlin, Stephen J; Stoddard, Becky M
Subject: RE: Monday receipts

All right, well this is not as bad as first indicated. The top one, received yesterday, has to be barcoded like all the others received yesterday. The bottom four are okay to go, with the corrections done in claims.

We have the CSC barcoding spreadsheet in, if the contractor finishes tonight, we need your spreadsheet early tomorrow morning to run the RNG. We want to send you the selected numbers tomorrow in time for all to be pulled and those not selected sent to reject processing.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

-----Original Message-----
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 4:10 PM
To: Loughlin, Stephen J; Stoddard, Becky M; Peck, Denis R

Subject: RE: Monday receipts

Denis -

Here is what I found on the five cases data entered with a 12/21 received date.

(b)(6)

[redacted] Rec'd date is 12/21 - entered in error

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Thanks
Mary-Lou

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 9:09 AM
To: Collins, Mary Lou E; Stoddard, Becky M
Subject: Fw: Monday receipts
Importance: High

Asap please
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J
Cc: Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
Sent: Tue Dec 22 09:07:49 2009
Subject: FW: Monday receipts

Steve,

We need you to research what happened with these 5 cases; did the contractor mistakenly enter Monday as the received date for work actually received last week, or did they in fact errorneously process a few that came in on Monday? Here are the receipt numbers.

If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing until we determine the best course of action.

Thanks,

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529 (b)(6)

[redacted]

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Tuesday, December 22, 2009 9:04 AM
To: Peck, Denis R
Cc: Young, Claudia F; Sweeney, Shelly A
Subject: Monday receipts

Denis,

Below are 5 receipt numbers from Monday.

On closer inspection, 170 H-1B cap numbers are left.

Jim

| RECEIPT | Recvdate | Rcptdate |
| --- | --- | --- |
| [redacted] | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 8:25 AM
**To:** Nguyen, Carolyn Q; Gooselaw, Kurt G; Perkins, Robert M
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

Carolyn, Kurt and Rob,

SCOPS has received an inquiry from the front office regarding the top reason(s) for RFE issuance, as this year's RFE rate is higher than last year's. We believe that this may stem from TARP RFEs, but we would like to seek confirmation from all of you. Would it be possible for the CSC and VSC to provide the top reason(s) for RFEs as soon as possible? If the majority of RFEs fall into a certain category (ie. TARP), please let us know.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 8:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, June 15, 2009 9:42 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060 (b)(6)

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---

**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 10:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Cummings, Kevin J
**Sent:** Monday, May 18, 2009 7:57 AM
**To:** Williams, Carol L; Sweeney, Shelly A
**Cc:** Young, Claudia F; Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

Carol or Shelly,

Can one of you please check with VSC and CSC for their thoughts on this? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted]
Cell: [redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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---

**From:** Jones, Rendell L
**Sent:** Monday, May 18, 2009 8:54 AM
**To:** Velarde, Barbara Q
**Cc:** Rogers, Debra A; Neufeld, Donald; Cummings, Kevin J
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Barbara –

Without knowing any context or sense of the typical rate, the 48% RFE rate for regular H1Bs seems high. What are the top reasons for the RFEs? Are there just anomalies this year?

Thanks. R

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 11:25 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

Please take a look at the question below and see if you would like to reply to Kerry.

Thank you!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

---

**From:** Contaldi, Kerry
**Sent:** Monday, October 05, 2009 12:09 PM
**To:** Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Is the language in the bullet below accurate?

- **9/21: Update on H-1B Petitions**—USCIS is still accepting petitions requesting FY 2010 employment and will continue to do so until meeting the Congressionally-mandated cap of 65,000. **62,500** petitions have been approved thus far, with **7,600** still pending approval. USCIS accepts H-1B petitions beyond the amount allowed by the cap because experience shows that not all petitions received are approvable, while others simply drop-out.

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**
**Department of Homeland Security**
kerry.contaldi@dhs.gov
[redacted] (b)(6)

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---

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 12:01 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren

**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, June 01, 2009 8:13 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

Here are your numbers.

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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---

**From:** Fitzsimmons, James
**Sent:** Monday, June 01, 2009 9:10 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 15,900 | 29,900 | 45,800 | 17,400 | 29,200 | 63% | 43% | 4.6% |
| Masters | 15,400 | 6,900 | 22,300 | 1,600 | 20,800 | 93% | 25% | 0.8% |

Data available as of close of business, May 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, May 18, 2009 7:49 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

FYI. Not the weekly number of receipts, but adjudication.

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Gooselaw, Kurt G
**Sent:** Monday, October 05, 2009 12:59 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Doherty, Shannon P; Tamanaha, Emisa T
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

edits

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 05, 2009 1:26 PM
**To:** Gooselaw, Kurt G
**Cc:** Young, Claudia F; Doherty, Shannon P; Tamanaha, Emisa T
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Kurt,

If she needs a bullet from us, I would suggest the below (my changes in red). As for H-2B, I defer to Shannon and Emisa. Let me know if you want me to send the below out or if you have any changes.

Thanks!

Shelly

10/5: **Update on H-1B Petitions**—USCIS is still accepting petitions requesting FY 2010 employment and will continue to do so until meeting the Congressionally-mandated cap of 65,000. Approximately 41,000 petitions have been approved thus far, with approximately 6,000 which remain pending. In addition, approximately 21,500 petitions for prospective H-1B aliens with a master's or higher degree earned at a U.S. institution have been approved thus far, with approximately 1,600 which remain pending. Although the Congressionally-mandated exemption for these advanced degree petitions is set at 20,000, USCIS accepts H-1B petitions beyond the amount allowed by the exemption because not all petitions received are approvable and those accepted after reconciliation will be rolled into the regular cap of 65,000.

---

**From:** Contaldi, Kerry
**Sent:** Monday, October 05, 2009 1:13 PM
**To:** Sweeney, Shelly A
**Cc:** Gooselaw, Kurt G; Young, Claudia F; Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Each week I have to send a bullet with the updated H-1B info. I realized the bullet we had been sending was not quite accurate and drafted a new one.

I am looking for a succinct bullet to provide the necessary background info and the numbers that are updated weekly.

If someone can provide such a two or three line bullet, I would be grateful.

I have to do the same for the H-2B numbers; again any assistance is more than welcome, and greatly appreciated.

Thank you.

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**
**Department of Homeland Security**
kerry.contaldi@dhs.gov
[redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Monday, October 05, 2009 12:55 PM
**To:** Contaldi, Kerry
**Cc:** Gooselaw, Kurt G; Young, Claudia F; Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Kerry,

The below bullet is not quite accurate. The regular cap (65,000) is listed in the first row of the chart below. The second row is for the master's exemption. The first 20,000 H-1B petitions filed for beneficiaries who have a master's degree or higher are exempt from the regular annual cap of 65,000. Although the total for the second row is slightly greater than 20,000, we have not yet received sufficient petitions to close the master's exemption. Based upon historical trends, some petitions in the master's exemption category will be denied or revoked.

Kurt and/or Claudia, please feel free to jump in.

Thanks!

Shelly

---

**From:** Contaldi, Kerry
**Sent:** Monday, October 05, 2009 12:09 PM
**To:** Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Is the language in the bullet below accurate?

- **9/21: Update on H-1B Petitions**—USCIS is still accepting petitions requesting FY 2010 employment and will continue to do so until meeting the Congressionally-mandated cap of 65,000. **62,500** petitions have been approved thus far, with **7,600** still pending approval. USCIS accepts H-1B petitions beyond the amount allowed by the cap because experience shows that not all petitions received are approvable, while others simply drop-out.

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**

Department of Homeland Security
kerry.contaldi@dhs.gov
[redacted] (b)(6)
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Please print only when necessary.

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**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 12:01 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 1:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, January 26, 2011 12:40 PM
**To:** Peck, Denis R; McConnell, James E; Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H-1B cap numbers

All,
We are about 1,300 short through Monday.
Jim

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**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 10, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 3,300 cap numbers remain (84,000 minus 80,700). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Wednesday, December 16th.

The latest H-1B cap numbers for FY 2010 as of December 9th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,400 | 7,600 | 57,000 | 55,700 | 4,900 | 62,500 | 93% | 48% | 17% |
| Masters | 23,400 | 1,800 | 25,200 | 25,000 | 1,300 | 26,000 | 95% | 32% | 9% |
| **COMBINED** | **72,800** | **9,400** | **82,200** | **80,700** | **6,200** | **88,500** | **93%** | **43%** | **15%** |

Data available as of close of business, December 9th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 7:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 4,200 cap numbers remain.

The latest H-1B cap numbers for FY 2010 as of December 7th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,000 | 7,300 | 56,300 | 55,000 | 4,700 | 62,000 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,300** | **9,000** | **81,300** | **79,800** | **5,900** | **87,900** | **94%** | **43%** | **15%** |

Data available as of close of business, December 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 07, 2009 7:45 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,200. The FY 2010 cap will very likely be reached next week, probably by December 15.

The latest H-1B cap numbers for FY 2010 as of December 4th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,900 | 7,200 | 56,100 | 54,800 | 4,600 | 61,800 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,200** | **8,900** | **81,100** | **79,600** | **5,800** | **87,700** | **94%** | **43%** | **15%** |

Data available as of close of business, December 4th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 03, 2009 8:36 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** has risen 1,000 this week or 333 per day. Extrapolated for the week, the volume is 1,665, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of petitions pending), 5,600 cap numbers are left (84,000-78,400). If a daily volume of 333 continues, then the cap will be reached in 17 workdays or December 28th.

The latest H-1B cap numbers for FY 2010 as of December 2nd are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,100 | 6,900 | 55,000 | 53,800 | 4,200 | 61,000 | 94% | 49% | 18% |
| Masters | 23,200 | 1,600 | 24,800 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,300** | **8,500** | **79,800** | **78,400** | **5,400** | **86,800** | **94%** | **44%** | **15%** |

Data available as of close of business, December 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 7:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| COMBINED | 71,000 | 8,400 | 79,400 | 78,000 | 5,300 | 86,500 | 94% | 44% | 15% |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 01, 2009 8:17 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** rose 100 yesterday.

The latest H-1B cap numbers for FY 2010 as of November 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,600 | 6,700 | 54,300 | 53,100 | 4,000 | 60,500 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,700** | **8,300** | **79,000** | **77,600** | **5,100** | **86,200** | **94%** | **44%** | **15%** |

Data available as of close of business, November 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 30, 2009 8:48 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,000. Between November 13 and November 20, the corresponding increase was 1,300. If last week's volume continues in December, the FY 2010 cap will be reached by yearend.

The latest H-1B cap numbers for FY 2010 as of November 27th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,500 | 6,700 | 54,200 | 53,000 | 4,000 | 60,400 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,600** | **8,300** | **78,900** | **77,500** | **5,100** | **86,100** | **94%** | **44%** | **15%** |

Data available as of close of business, November 27th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 23, 2009 11:25 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 1,300. Between October 23 and November 13, the average weekly increase was 900.

The latest H-1B cap numbers for FY 2010 as of November 20th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 47,000 | 5,500 | 52,500 | 2,800 | 59,800 | 96% | 49% | 18% |
| Masters | 22,900 | 1,500 | 24,400 | 1,100 | 25,500 | 96% | 32% | 9% |
| **COMBINED** | **69,900** | **7,000** | **76,900** | **3,900** | **85,300** | **96%** | **44%** | **15%** |

Data available as of close of business, November 20th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 16, 2009 1:26 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 13th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 46,200 | 5,200 | 51,400 | 2,600 | 58,900 | 96% | 49% | 18% |
| Masters | 22,700 | 1,500 | 24,200 | 1,100 | 25,200 | 96% | 32% | 9% |
| **COMBINED** | **68,900** | **6,700** | **75,600** | **3,700** | **84,100** | **96%** | **44%** | **15%** |

Data available as of close of business, November 13th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 09, 2009 8:17 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 6th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 45,700 | 5,100 | 50,800 | 2,500 | 58,300 | 96% | 49% | 18% |
| Masters | 22,500 | 1,400 | 23,900 | 1,100 | 25,100 | 96% | 32% | 9% |
| **COMBINED** | **68,200** | **6,500** | **74,700** | **3,600** | **83,400** | **96%** | **44%** | **15%** |

Data available as of close of business, November 6th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 02, 2009 10:39 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,900 | 5,100 | 50,000 | 2,500 | 57,300 | 96% | 49% | 18% |
| Masters | 22,300 | 1,500 | 23,800 | 1,100 | 24,900 | 96% | 32% | 9% |
| **COMBINED** | **67,200** | **6,600** | **73,800** | **3,600** | **82,200** | **96%** | **44%** | **15%** |

Data available as of close of business, October 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 13, 2009 3:28 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

After returning from a lovely honeymoon on Victoria Island, I provide the latest H-1B cap numbers for FY 2010 as of October 12th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 42,300 | 5,600 | 47,900 | 2,800 | 54,400 | 95% | 50% | 18% |
| Masters | 21,700 | 1,500 | 23,200 | 1,100 | 24,300 | 96% | 32% | 9% |
| **COMBINED** | **64,000** | **7,100** | **71,100** | **3,900** | **78,700** | **95%** | **45%** | **15%** |

Data available as of close of business, October 12th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 11:01 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, September 28, 2009 4:24 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 25th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 40,600 | 6,100 | 46,700 |
| Masters | 21,400 | 1,600 | 23,000 |
| **COMBINED** | **62,000** | **7,700** | **69,700** |

Data available as of close of business, September 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 21, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 18th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 39,600 | 6,400 | 46,000 | 2,300 | 52,300 | 96% | 51% | 18% |
| Masters | 21,200 | 1,500 | 22,700 | 1,000 | 23,700 | 96% | 33% | 8% |
| **COMBINED** | **60,800** | **7,900** | **68,700** | **3,300** | **76,000** | **96%** | **45%** | **15%** |

Data available as of close of business, September 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 08, 2009 9:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,200 | 7,100 | 45,300 | 1,900 | 51,500 | 96% | 10% | 17% |
| Masters | 20,800 | 1,600 | 22,400 | 900 | 23,400 | 96% | 3% | 8% |
| **COMBINED** | **59,000** | **8,700** | **67,700** | **2,800** | **74,900** | **96%** | **8%** | **14%** |

Data available as of close of business, September 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 31, 2009 3:17 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 28th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 37,200 | 7,900 | 45,100 | 1,900 | 50,900 | 96% | 12% | 17% |
| Masters | 20,700 | 1,600 | 22,300 | 900 | 23,300 | 96% | 3% | 8% |
| **COMBINED** | **57,900** | **9,500** | **67,400** | **2,800** | **74,200** | **96%** | **9%** | **14%** |

Data available as of close of business, August 28th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 17, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 14th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 34,300 | 10,700 | 45,000 | 3,400 | 48,400 | 93% | 15% | 17% |
| Masters | 20,300 | 1,900 | 22,200 | 1,000 | 22,900 | 96% | 4% | 8% |
| **COMBINED** | **54,600** | **12,600** | **67,200** | **4,400** | **71,300** | **94%** | **12%** | **14%** |

Data available as of close of business, August 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 10, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 32,600 | 12,300 | 44,900 | 4,300 | 46,900 | 92% | 17% | 16% |
| Masters | 20,100 | 2,000 | 22,100 | 900 | 22,900 | 96% | 5% | 7% |
| **COMBINED** | **52,700** | **14,300** | **67,000** | **5,200** | **69,800** | **93%** | **13%** | **13%** |

Data available as of close of business, August 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Allowing for a projected 1,000 Chile and Singapore cap petitions under Free Trade Agreements, the maximum number for FY 2010 is **84,000** approved petitions counting towards combined H-1B regular and masters FY 2010 caps as of September 30, 2010. Revocations of previously approved FY 2010 cap petitions will increasingly occur during FY 2010, reducing the number of approved cap petitions.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, July 30, 2009 12:10 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

EARLY UPDATE (before July 31)
NEXT UPDATE: August 10

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,800 | 14,100 | 44,900 | 4,400 | 46,100 | 91% | 21% | 15% |
| Masters | 19,700 | 2,300 | 22,000 | 1,100 | 22,500 | 96% | 6% | 7% |

Data available as of close of business, July 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 27, 2009 7:09 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 24th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,100 | 14,800 | 44,900 | 4,700 | 45,600 | 91% | 22% | 15% |
| Masters | 19,600 | 2,500 | 22,100 | 1,100 | 22,400 | 96% | 6% | 7% |

Data available as of close of business, July 24th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 20, 2009 8:26 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 17th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 28,300 | 16,600 | 44,900 | 4,900 | 44,900 | 90% | 26% | 15% |
| Masters | 19,200 | 2,900 | 22,100 | 1,100 | 22,200 | 95% | 8% | 6% |

Data available as of close of business, July 17th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 13, 2009 8:58 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 10th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 26,800 | 18,100 | 44,900 | 5,400 | 44,000 | 89% | 29% | 14% |
| Masters | 18,800 | 3,400 | 22,200 | 1,200 | 22,000 | 95% | 10% | 5% |

Data available as of close of business, July 10th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Nguyen, Carolyn Q
**Sent:** Monday, May 18, 2009 10:28 AM
**To:** Perkins, Robert M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Gooselaw, Kurt G; Boudreau, Lynn A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Hi,

Those were the same two issues addressed in our RFEs.

Thanks.

---

**From:** Perkins, Robert M
**Sent:** Monday, May 18, 2009 7:43 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Nguyen, Carolyn Q; Gooselaw, Kurt G; Boudreau, Lynn A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,

VSCs increased RFE rate can be attributed to two main areas:

1 – Request for contracts and itineraries as delineated in the attached E-mail string. Note: We issued almost 1,900 RFEs on Cognizant Technology Solutions alone.
2 – TARP

Thanks,

Rob

---

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 9:25 AM
**To:** Nguyen, Carolyn Q; Gooselaw, Kurt G; Perkins, Robert M
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carolyn, Kurt and Rob,

SCOPS has received an inquiry from the front office regarding the top reason(s) for RFE issuance, as this year's RFE rate is higher than last year's. We believe that this may stem from TARP RFEs, but we would like to seek confirmation from all of you. Would it be possible for the CSC and VSC to provide the top reason(s) for RFEs as soon as possible? If the majority of RFEs fall into a certain category (ie. TARP), please let us know.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Monday, May 18, 2009 8:01 AM
**To:** Sweeney, Shelly A
**Cc:** Williams, Carol L
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly –

It appears from Claudia's email sent after yours, nothing is needed from either of us on this issue.

Carol

---

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 9:00 AM
**To:** Williams, Carol L
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carol,

I can send out unless you prefer to take this. I don't want to duplicate efforts. Just let me know.

Thanks!

Shelly

---

**From:** Cummings, Kevin J
**Sent:** Monday, May 18, 2009 8:57 AM
**To:** Williams, Carol L; Sweeney, Shelly A
**Cc:** Young, Claudia F; Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carol or Shelly,

Can one of you please check with VSC and CSC for their thoughts on this? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted]
Cell: [redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Jones, Rendell L
**Sent:** Monday, May 18, 2009 8:54 AM
**To:** Velarde, Barbara Q
**Cc:** Rogers, Debra A; Neufeld, Donald; Cummings, Kevin J
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Barbara –

Without knowing any context or sense of the typical rate, the 48% RFE rate for regular H1Bs seems high. What are the top reasons for the RFEs? Are there just anomalies this year?

Thanks. R

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Cummings, Kevin J
**Sent:** Monday, May 18, 2009 8:13 AM
**To:** Fitzsimmons, James; Young, Claudia F; Williams, Carol L; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Thanks, Jim. So we do have confirmation that the RFE rates are higher this H-1B filing season, and we also likely know the reason why.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security (b)(6)
Office: [redacted]
Cell: [redacted]
Fax: 202-272-1542
kevin.cummings@dhs.gov

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---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 9:12 AM
**To:** Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Kevin,
Based on the number of petitions touched, the corresponding RFE rates in FY 2009 were 20% and 13% for regular and masters respectively.
Jim

---

**From:** Cummings, Kevin J
**Sent:** Monday, May 18, 2009 9:02 AM
**To:** Young, Claudia F; Williams, Carol L; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Fitzsimmons, James; McConnell, James E
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

I agree, but I thought it might be a good idea to get confirmation on that since it is Rendell who is asking. We can easily respond now and state that we do believe that is the reason for the high rate, but we also might want to check and see what the RFE rate was last spring at this stage for purpose of comparison.

Jim, can we do that? Thanks.

--Kevin

Kevin J. Cummings

Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted]
Cell: [redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Young, Claudia F
**Sent:** Monday, May 18, 2009 9:00 AM
**To:** Cummings, Kevin J; Williams, Carol L; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

I don't think there's any reason to reach out. The primary reason we knew about was the TARP issue and using the old form. If the petitioner used the old form, we are automatically RFEing for the 1st page of the supplement on the new form to answer the TARP question. Hence, the higher RFE rate.

Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Cummings, Kevin J
**Sent:** Monday, May 18, 2009 8:57 AM
**To:** Williams, Carol L; Sweeney, Shelly A
**Cc:** Young, Claudia F; Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carol or Shelly,

Can one of you please check with VSC and CSC for their thoughts on this? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 02, 2009 9:01 AM
**To:** Johnson, Bobbie L
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

I'll try to start work on the update this afternoon.

---

**From:** Johnson, Bobbie L
**Sent:** Wednesday, December 02, 2009 9:58 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Shelly – Let's get a posting ready to go in case the cap is reached by December 30th. Thanks!

---

**From:** Velarde, Barbara Q
**Sent:** Wednesday, December 02, 2009 9:46 AM
**To:** McConnell, James E; Young, Claudia F; Johnson, Bobbie L
**Cc:** Kruszka, Robert F
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Who is here during that holiday period to monitor this? We probably need to have an update in our back pocket ready to post when we shut down.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 8:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,000** | **8,400** | **79,400** | **78,000** | **5,300** | **86,500** | **94%** | **44%** | **15%** |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 8:47 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

What's our target on the combined?

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:41 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,
There is no target on masters. The target would be on combined. But a target isn't necessary unless we get real close to cap and must then start thinking about a final receipt date. That day may not come.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 9:37 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

What is our final target on the masters? Just for my own knowledge.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, June 15, 2009 9:51 AM
**To:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Is that denial rate normal, or is it skewed by Cognizant?

---

**From:** Young, Claudia F
**Sent:** Monday, June 15, 2009 10:42 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 10:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched

[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 10:48 AM
**To:** Nguyen, Carolyn Q; Perkins, Robert M
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Gooselaw, Kurt G; Boudreau, Lynn A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Many thanks, Rob and Carolyn!

---

**From:** Nguyen, Carolyn Q
**Sent:** Monday, May 18, 2009 11:28 AM
**To:** Perkins, Robert M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Gooselaw, Kurt G; Boudreau, Lynn A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Hi,

Those were the same two issues addressed in our RFEs.

Thanks.

---

**From:** Perkins, Robert M
**Sent:** Monday, May 18, 2009 7:43 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S; Nguyen, Carolyn Q; Gooselaw, Kurt G; Boudreau, Lynn A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,

VSCs increased RFE rate can be attributed to two main areas:

1 – Request for contracts and itineraries as delineated in the attached E-mail string. Note: We issued almost 1,900 RFEs on Cognizant Technology Solutions alone.
2 – TARP

Thanks,

Rob

---

**From:** Sweeney, Shelly A
**Sent:** Monday, May 18, 2009 9:25 AM
**To:** Nguyen, Carolyn Q; Gooselaw, Kurt G; Perkins, Robert M
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Hazuda, Mark J; Gregg, Bret S
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Carolyn, Kurt and Rob,

SCOPS has received an inquiry from the front office regarding the top reason(s) for RFE issuance, as this year's RFE rate is higher than last year's. We believe that this may stem from TARP RFEs, but we would like to seek confirmation from all of you. Would it be possible for the CSC and VSC to provide the top reason(s) for RFEs as soon as possible? If the majority of RFEs fall into a certain category (ie. TARP), please let us know.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 18, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 11,700 | 33,800 | 45,500 | 24,100 | 21,500 | 45% | 1.2% |
| Masters | 14,300 | 7,800 | 22,100 | 2,300 | 19,900 | 28% | 0.4% |

Data available as of close of business, May 15th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Friday, December 18, 2009 8:41 AM
**To:** Doherty, Shannon P; Johnson, Bobbie L
**Cc:** Sweeney, Shelly A; Peck, Denis R
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Absolutely on giving OCOMM and HQ a heads up. I have cc'd in Denis so he can pass word on to the centers.
Thanks!
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060

(b)(6)

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 9:04 AM
**To:** Johnson, Bobbie L; Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Is it ok for me to ask the Service Centers to accept all petitions received today, as Jim is recommending?

Also, I'd like to let OCOMM and the other HQ offices know about Jim's revised estimate, if that's ok with you.

Shannon

---

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 8:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| COMBINED | 74,900 | 10,000 | 84,900 | 83,300 | 6,500 | 91,200 | 93% | 43% | 15% |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 24, 2009 8:23 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 21st

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 36,000 | 9,100 | 45,100 | 2,500 | 49,900 | 95% | 13% | 17% |
| Masters | 20,400 | 1,800 | 22,200 | 1,000 | 23,000 | 96% | 4% | 8% |
| **COMBINED** | **56,400** | **10,900** | **67,300** | **3,500** | **72,900** | **95%** | **10%** | **14%** |

Data available as of close of business, August 21st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 15, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 2,300 cap numbers remain (84,300 minus 82,000). During the last five working days, the current volume was 2,100 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 14th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,300 | 7,900 | 58,200 | 56,800 | 5,000 | 63,600 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,200 | 1,400 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,800** | **9,700** | **83,500** | **82,000** | **6,400** | **89,800** | **93%** | **43%** | **15%** |

Data available as of close of business, December 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 1:49 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,
Yes through Monday, there were about 4,000 left based on subtracting 80,000 (estimated count) from 84,000 (65,000 minus 1,000 for Chile/Singapore plus 20,000 for Masters).
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 2:44 PM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

Just to confirm, there are only approximately 4,000 cap numbers remaining, correct?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 8:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched

[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 11, 2009 8:09 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 3,000 cap numbers remain (84,000 minus 81,000). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Thursday, December 17th.

The latest H-1B cap numbers for FY 2010 as of December 10th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,700 | 7,600 | 57,300 | 56,000 | 4,800 | 62,900 | 93% | 48% | 17% |
| Masters | 23,500 | 1,700 | 25,200 | 25,000 | 1,300 | 26,100 | 95% | 32% | 9% |
| **COMBINED** | **73,200** | **9,300** | **82,500** | **81,000** | **6,100** | **89,000** | **93%** | **43%** | **15%** |

Data available as of close of business, December 10th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 30, 2009 1:46 PM
**To:** Young, Claudia F; Gooselaw, Kurt G
**Cc:** Velarde, Barbara Q
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

Here are the H-1B FY10 cap numbers from last Friday. **Approximately 46,700 regular cap and the approximately 20,000(+) for the masters exemption.**

---

**From:** Liang, Gwen
**Sent:** Monday, September 28, 2009 5:24 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 25th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 40,600 | 6,100 | 46,700 |
| Masters | 21,400 | 1,600 | 23,000 |
| **COMBINED** | **62,000** | **7,700** | **69,700** |

Data available as of close of business, September 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, June 15, 2009 9:42 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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---

**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 10:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Tuesday, May 26, 2009 8:11 AM
**To:** Pearce, Timothy A
**Cc:** Sweeney, Shelly A
**Subject:** FW: H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

Tim,
Can you please input the new H1B number into the website page and send to our regular group of folks for posting. Keep the masters at around 20,000. Let me know if you have any questions.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

**FOR OFFICIAL USE ONLY (FOUO)**

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---

**From:** Fitzsimmons, James
**Sent:** Tuesday, May 26, 2009 9:05 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; 'Cummings, Kevin J'; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 22nd:

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 14,300 | 31,400 | 45,700 | 20,000 | 26,200 | 57% | 44% | 3.7% |
| Masters | 15,000 | 7,200 | 22,200 | 1,800 | 20,500 | 92% | 26% | 0.6% |

Data available as of close of business, May 22nd

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that are touched

[6] Percentage of petitions touched that are RFE's
[7] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:10 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 1,400 cap numbers remain (84,300 minus 82,900). My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 16th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,700 | 8,200 | 59,000 | 57,600 | 5,200 | 64,200 | 92% | 48% | 17% |
| Masters | 23,700 | 1,900 | 25,500 | 25,300 | 1,400 | 26,400 | 95% | 32% | 9% |
| **COMBINED** | **74,400** | **10,100** | **84,500** | **82,900** | **6,600** | **90,600** | **93%** | **43%** | **15%** |

Data available as of close of business, December 16th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 16, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,700 cap numbers remain (84,300 minus 82,600). The most H-1B cap-eligible petitions were received on Monday (833) since the first week in April. During the last five working days (Tuesday through Monday), the current volume was 2,400 petitions. My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 15th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,500 | 8,200 | 58,700 | 57,300 | 5,300 | 63,900 | 92% | 48% | 17% |
| Masters | 23,600 | 1,900 | 25,500 | 25,300 | 1,400 | 26,300 | 95% | 32% | 9% |
| **COMBINED** | **74,100** | **10,100** | **84,200** | **82,600** | **6,700** | **90,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 15th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 14, 2009 8:55 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 2,900 cap numbers remain (84,300 minus 81,400). During the last five working days, the current volume was 2,200 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 11th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,100 | 7,500 | 57,600 | 56,000 | 4,700 | 63,400 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,000 | 1,300 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,600** | **9,300** | **82,900** | **81,400** | **6,000** | **89,600** | **94%** | **43%** | **15%** |

Data available as of close of business, December 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 26, 2009 10:07 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 25th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,000 | 5,200 | 49,200 | 2,600 | 56,300 | 95% | 50% | 18% |
| Masters | 22,100 | 1,500 | 23,600 | 1,100 | 24,700 | 96% | 32% | 9% |
| **COMBINED** | **66,100** | **6,700** | **72,800** | **3,700** | **81,000** | **96%** | **44%** | **15%** |

Data available as of close of business, October 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, December 18, 2009 4:11 PM
**To:** Garner, Deanna L
**Cc:** Benavente, Jessy J; Loughlin, Stephen J; Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Bushey, Sandra T; Fries, Juliet M; Kruszka, Robert F; Richardson, Gregory A
**Subject:** H1B CAP plans for Monday

While I am out on Monday, with Dee acting branch chief, I will be monitoring my email. We are very close to being at the CAP limits for H1B. Jim Fitzsimmons runs a query in CISCORS in the morning to determine the current count. Vermont and California will have the contractor do a rack and stack of Monday's mail until we give them further notice on what to do. That decision will be based on Jim's numbers.

Rich Nicholson the CSC ACD is on leave, I believe Jessy is acting ACD on Monday. I have a few extra people copied just as insurance that this message is widely distributed as a precaution. We are under a severe storm watch through Sunday and there is a chance the government will not be open on Monday. If that happens we may not have an H1B count to send out. Just rack and stack Monday's CAP filings and we will be in touch no later than Tuesday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Fitzsimmons, James; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Greg,

The Service Centers received more than sufficient petitions to reach the regular cap yesterday. The SCs will begin bar coding those cap-subject petitions that were received yesterday (December 21) and run a lottery on those petitions. We will send OCOMM the cleared USCIS Update with the final receipt date of December 21 for posting today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:32 AM
**To:** Salem, Claudia S; Cummings, Kevin J
**Cc:** Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Claudia and Kevin,

Just wanted to give you both a heads up that we received sufficient petitions yesterday to reach the regular cap. We have determined that we will, in fact, need to conduct a lottery on the petitions that were received yesterday. OCOMM will be issuing the Update later today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Cummings, Kevin J
**Sent:** Tuesday, December 22, 2009 10:44 AM
**To:** Salem, Claudia S; Sweeney, Shelly A
**Cc:** Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Doherty, Shannon P; Bacon, Roxana; Carpenter, Dea D; Dalal-Dheini, Sharvari P; Chang, Pearl B; 'sara.kuncaitis-wall@dhs.gov'; Brown, John W
**Subject:** PeaRe: H-1B Cap Reached

Thanks.

--Kevin

----- Original Message -----
From: Salem, Claudia S
To: Sweeney, Shelly A; Cummings, Kevin J
Cc: Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Doherty, Shannon P; Bacon, Roxana; Carpenter, Dea D; Dalal-Dheini, Sharvari P
Sent: Tue Dec 22 11:36:28 2009
Subject: RE: H-1B Cap Reached

Thanks for letting us know. (b)(5)

[redacted]

C

Claudia Salem

Department of Homeland Security

USCIS Chief Counsel's Office

Adjudications Law Division

(b)(6)

w1: [redacted]

w2:

claudia.salem@dhs.gov

fax: 202-272-1405

---

From: Sweeney, Shelly A
Sent: Tuesday, December 22, 2009 11:32 AM
To: Salem, Claudia S; Cummings, Kevin J
Cc: Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Doherty, Shannon P
Subject: H-1B Cap Reached

Claudia and Kevin,

Just wanted to give you both a heads up that we received sufficient petitions yesterday to reach the regular cap. We have determined that we will, in fact, need to conduct a lottery on the petitions that were received yesterday. OCOMM will be issuing the Update later today.

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Employment Services Team

Service Center Operations

20 Massachusetts Ave N.W., Ste 2000

Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Tuesday, December 22, 2009 2:06 PM
**To:** Wright, William G; Parisi, Thomas
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Reached

**Importance:** High

OCOMM,
Reuters is announcing the cap, yet we haven't put the update on our own website. May I ask what the hold up is?
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** Wright, William G
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Reached
**Importance:** High

Bill,

We received sufficient petitions to reach the H-1B regular cap on December 21. There will be a lottery on the petitions that were received yesterday. I have filled in the final receipt date and the issuance date on the update and removed all comments. I also removed the "draft" watermark. We would like this update to be posted today.

I am separately sending a cap count webpage change to New Media with a request that the webpage be posted **simultaneously** with the USCIS Update. I will copy you and the OCOMM box on that request.

Please let me know if you need anything else from SCOPS.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000

Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Wright, William G
**Sent:** Tuesday, December 22, 2009 2:07 PM
**To:** Young, Claudia F; Parisi, Thomas
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Reached

**Importance:** High

Claudia – I just spoke with Tom; he's pushing it as we speak.

Keep in mind; I sent the release through our PRNewswire service – it went far and wide quickly. That's why Reuters has it (as does AP).

r/
Bill

---

**From:** Young, Claudia F
**Sent:** Tuesday, December 22, 2009 3:06 PM
**To:** Wright, William G; Parisi, Thomas
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Reached
**Importance:** High

OCOMM,
Reuters is announcing the cap, yet we haven't put the update on our own website. May I ask what the hold up is?
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted]

(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** Wright, William G
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Reached
**Importance:** High

Bill,

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Monday, April 06, 2009 1:13 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B Cap Receipt Dates

Claudia has asked me to forward this to you.

---

**From:** Williams, Carol L
**Sent:** Monday, April 06, 2009 1:59 PM
**To:** Nicholson, Richard E; Mehta, Dilipkumar N; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Manahan, Lisa F; Collins, Mary Lou E
**Cc:** Williams, Carol L; Cummings, Kevin J; Young, Claudia F; Hale, Paola Rodriguez
**Subject:** H-1B Cap Receipt Dates

All –

In speaking with Denis today it is my understanding the receipt dates that will be issued to cap petitions will be changed to the following:

| Date petitions physically received into the service center | Receipt date |
|---|---|
| April 1-7 | April 7 |
| April 8 | April 8 |
| April 9 | April 9 |
| April 10 etc. | April 10 etc. |

Let me know if you have any questions.

Thank you

Carol

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P [redacted]
F: 202-272-1543 (b)(6)

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, May 04, 2009 10:58 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B CAP Report for May 4: 67,180

FYI.

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060 (b)(6)

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---

**From:** Peck, Denis R
**Sent:** Monday, May 04, 2009 11:54 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for May 4: 67,180

CAP filings remained at about a 250 per day level last week. The statistics through cob on Friday, May 1 are:

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,841 | 0 | 9,841 | 18,000 | 0 | 18,000 | 27,841 | 0 |
| | | | | | | | | |
| VSC | 12,404 | 14 | 12,418 | 25,763 | 1,158 | 26,921 | 38,167 | 1,172 |
| | | | | | | | | |
| TOTALS | 22,245 | 14 | 22,259 | 43,763 | 1,158 | 44,921 | 66,008 | 1,172 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and the nonMasters as is.

Other data;

For the week of April 27 we received 1,236 filings – 442 at CSC, 794 at VSC.

We have rejected 845 filings at CSC (2.95%) and 886 at VSC (2.20%).

We became current with receipting filings on April 30 at CSC and anticipate being current at close of business today at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 27, 2009 11:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, March 09, 2010 9:51 AM
**To:** Sweeney, Shelly A; Fitzsimmons, James; Nicholson, Richard E; Loughlin, Stephen J; Schmidt, Bruce H; Perkins, Robert M; Gooselaw, Kurt G
**Cc:** Velarde, Barbara Q; Young, Claudia F; Neufeld, Donald
**Subject:** FW: H-1B CAP Report for May 4: 67,180

Some background refresher data from 2009;

Last year we got fully current with CAP filings at CSC on April 30 and at VSC the following Monday. The plans submitted by Stanley this year do not maintain this schedule and I've asked them to come in Thursday with improved daily production goals. Assuming an April 7 start date I really don't think we should approve any goal less than being fully current at the cob on April 30 at the latest, at both centers.

If filings are under the 67,000 we received last April we should expect completion at an earlier date accordingly. I understand they are trying to maintain some other work at a better rate than they did last year, but CAP is our priority.

**From:** Peck, Denis R
**Sent:** Monday, May 04, 2009 11:54 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for May 4: 67,180

CAP filings remained at about a 250 per day level last week. The statistics through cob on Friday, May 1 are:

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,841 | 0 | 9,841 | 18,000 | 0 | 18,000 | 27,841 | 0 |
| | | | | | | | | |
| VSC | 12,404 | 14 | 12,418 | 25,763 | 1,158 | 26,921 | 38,167 | 1,172 |
| | | | | | | | | |
| TOTALS | 22,245 | 14 | 22,259 | 43,763 | 1,158 | 44,921 | 66,008 | 1,172 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and the nonMasters as is.

Other data;

For the week of April 27 we received 1,236 filings – 442 at CSC, 794 at VSC.

We have rejected 845 filings at CSC (2.95%) and 886 at VSC (2.20%).

We became current with receipting filings on April 30 at CSC and anticipate being current at close of business today at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 27, 2009 11:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted]

202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, November 30, 2009 9:50 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B Cap Total

The updated potential H-1B regular cap number is 58,900, which includes approved and all pending (also includes master's rollovers). Jim has also provided an internal estimated count of 57,500. This is the approvals plus the pending which we anticipate will be appoved based on current approval rates.

## Shirk, Georgette L

**From:** Harton, Frank A
**Sent:** Thursday, January 27, 2011 8:04 AM
**To:** Harvey, Mark E
**Cc:** Sweeney, Shelly A
**Subject:** FW: H1B CAP update

**Importance:** High

Mark,

Today is the final receipt date for the FY11 cap. Let's get the communication piece going ASAP.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F
Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU
[redacted] (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T

Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 1:25 PM
**To:** Pearce, Timothy A
**Cc:** Young, Claudia F
**Subject:** RE: H1B Cap Web Page

Thanks. I will take your draft language, strike the labor test market info, and leave the final sentence regarding the June and July timeframes.

---

**From:** Pearce, Timothy A
**Sent:** Tuesday, April 14, 2009 2:09 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: H1B Cap Web Page

I'd say that if you want to continue to work in the wording about the labor market test ( a DOL issue), that would be fine. However, this section of the cap page seems to be specific to H-2Bs. So, I would edit specific to H-2Bs, something along the lines of:

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. USCIS regulations allow for filings H-2B petitions 120 days ~~6 months~~ in advance.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 1:59 PM
**To:** Pearce, Timothy A
**Cc:** Young, Claudia F
**Subject:** RE: H1B Cap Web Page

Thanks for the catch! So we would need to amend the below to read the following, right?

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. ~~USCIS regulations allow for filings 6 months in advance. However,~~ USCIS regulations allow for H-2B filings ~~petitioners first must obtain a temporary labor certification from the Department of Labor (DOL). DOL regulations stipulate that the application for temporary labor certification may not be filed~~ no more than 120 days in advance of the need for the employee to ensure the accuracy of the labor market test. Thus, USCIS normally begins receiving H-2B petitions with employment start dates in October in June or July.

---

**From:** Pearce, Timothy A
**Sent:** Tuesday, April 14, 2009 1:53 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H1B Cap Web Page

Shelly,

I'm a little unclear on the purpose of the cap page. So, at this time, I will only make a comment about the second paragraph in the H-2B section. In regard to how early a petition may be filed for H classification, the new regs at 8 C.F.R. 214.2(h)(9)(i)(B) state:

> The petition may not be filed or approved earlier than 6 months before the date of actual need for the beneficiary's service or training, except that an H-2B petition...may not be filed or approved more than 120 days before the date of the actual need for the beneficiary's temporary nonagricultural services that is identified on the temporary labor certification.

Of course, the DOL regulations preventing the filing of an application for a labor certification more than 120 days in advance impacted a petitioner's ability to file an H-2B the full 6 months in advance even before the new regulations. However, the new regs explicitly limit how early an H-2B can be filed.

Tim

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 1:05 PM
**To:** Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A
**Subject:** H1B Cap Web Page

All,

Attached are some rough preliminary edits to the H1B/H2B cap page. I have not inserted numbers into the table yet as it will change before this has cleared OCC and is ready for posting.

I have a question for the group as a whole regarding the data table currently on the web site. Is it mandatory that we include the number of approvals in the update? If not, can we remove that block? I don't see where we currently have this information filled out, and I think it raises a number of questions (especially since this number will fluctuate).

This is definitely an opportunity to remove any language you feel is unnecessary and add language to items that need clarification. Please let me know of any comments/edits you may have. I will consolidate SCOPS comments/edits and forward to OCC for their clearance.

Thanks!

Shelly

(b)(6)

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted]
*Fax: (202) 272-1542*

**FOR OFFICIAL USE ONLY (FOUO)**

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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 14, 2009 2:27 PM
**To:** Cummings, Kevin J; Sweeney, Shelly A; Young, Claudia F; Williams, Carol L; Peck, Denis R
**Cc:** Pearce, Timothy A; Kruszka, Robert F
**Subject:** RE: H1B Cap Web Page

I am in favor of deleting the H-1B table (and footnotes) and replacing it with two simple sentences: "As of April xx, 43,000 H-1B cap-eligible petitions and 22,000 petitions qualifying for advanced degree exemption had been filed. Petitions are very likely to be accepted for both categories until at least 85,000 H-1B petitions have been received, allowing for denials, revocations, and withdrawals." (or whatever language is used in public announcement issued by OCOMM)

I am not aware of a H-1B wait list plan in FY 2010. If petitions continue to trickle in, most petitions will have been adjudicated by the final receipt date. That would make a wait list unnecessary. (A wait list is particularly useful when the nearly all the petitions arrive in a very short time such as last April.)

H-1B1 projection is 1,000 H-1B1s for FY 2010.

Keep H-2B table BUT remove "Cap Reached" in total column and dates in "Date of last Count" column since this webpage is for FY 2010. In June or July, this table will begin to be populated.

As of March 30, 2009, three H-3 visas had been approved with a start date in FY 2009.

Jim

---

**From:** Cummings, Kevin J
**Sent:** Tuesday, April 14, 2009 1:26 PM
**To:** Sweeney, Shelly A; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A; Kruszka, Robert F
**Subject:** RE: H1B Cap Web Page
**Importance:** High

My edits and comments are in the attached. Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted] (b)(6)
Cell: [redacted]
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Sweeney, Shelly A
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**To:** Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A
**Subject:** H1B Cap Web Page

All,

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I have a question for the group as a whole regarding the data table currently on the web site. Is it mandatory that we include the number of approvals in the update? If not, can we remove that block? I don't see where we currently have this information filled out, and I think it raises a number of questions (especially since this number will fluctuate).

This is definitely an opportunity to remove any language you feel is unnecessary and add language to items that need clarification. Please let me know of any comments/edits you may have. I will consolidate SCOPS comments/edits and forward to OCC for their clearance.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone* [redacted] (b)(6)
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 1:53 PM
**To:** Perkins, Robert M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P
**Subject:** H-1B Cap

VSC and CSC,

I have confirmed with Jim that there are approximately 4,000 cap numbers left as of COB 12/8. This was calculated by subtracting 80,000 (estimated count) from 84,000 (65,000 minus 1,000 for Chile/Singapore plus 20,000 for Masters).

Rob, can you let BEST know what the contractor front log estimate is?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Thursday, January 27, 2011 8:38 AM
**To:** Harton, Frank A; Peck, Denis R; Sweeney, Shelly A
**Subject:** FW: H1B CAP update

fyi

-----Original Message-----
From: Humphrey, Buck H
Sent: Thursday, January 27, 2011 9:35 AM
To: Neufeld, Donald; Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; 'Denise.Vanison@dhs.gov'; Monica, Donald J; Melero, Mariela; Crocetti, Don; Moore, Joseph; 'rosalina.lacot@dhs.gov'; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Subject: Re: H1B CAP update

Thanks, Don. I'll alert the team.

Buck Humphrey
Chief, Office of Communications
DHS-USCIS
W- [redacted]
C- [redacted] (b)(6)

----- Original Message -----
From: Neufeld, Donald
To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina <rosalina.lacot@dhs.gov>; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Sent: Thu Jan 27 09:33:45 2011
Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 9:06 AM
To: Neufeld, Donald
Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F

Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
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-----Original Message-----
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To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

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-----Original Message-----
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Sent: Thursday, January 27, 2011 8:31 AM
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-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

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PP H1B - 272
Total: 494

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Thank you,
Heidi Ashline (b)(6)
VSC/SISA/CPAU
[redacted]

-----Original Message-----
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Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

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Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted]

(b)(6)

202-272-1542 FAX

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Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
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Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM

To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 01, 2009 11:39 AM
**To:** Contaldi, Kerry
**Cc:** Liang, Gwen; Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: H-1B Caps

Kerry,

The cap for FY10 is 65,000 as 214(g)(1)(A)(viii) of the INA and 8 CFR 214.2(h)(8)(i)(A)(4) state that the cap is currently set at 65,000 per fiscal year.

Please let me know if you have any other questions.

Thanks!

Shelly

---

**From:** Liang, Gwen
**Sent:** Thursday, October 01, 2009 12:14 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: H-1B Caps
**Importance:** High

Shelly,

Please help replying to Kerry's question.

Thank you!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

---

**From:** Contaldi, Kerry
**Sent:** Thursday, October 01, 2009 11:04 AM
**To:** Liang, Gwen
**Subject:** H-1B Caps
**Importance:** High

Ms. Liang,

The H-1B cap for FY 2009 is 65,000, will this number be increased in FY 2010, or will the cap remain 65,000?

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**

Office of the Executive Secretariat
U.S. Citizenship and Immigration Services
Department of Homeland Security
kerry.contaldi@dhs.gov
[redacted] (b)(6)
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## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Thursday, October 01, 2009 11:24 AM
**To:** Sweeney, Shelly A; Gooselaw, Kurt G
**Subject:** RE: H-1B Caps

Yes as it's reg.

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted]
(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 01, 2009 12:17 PM
**To:** Young, Claudia F; Gooselaw, Kurt G
**Subject:** RE: H-1B Caps

Am I cleared to answer directly to Kerry and let her know that the cap is set at 65K?

---

**From:** Liang, Gwen
**Sent:** Thursday, October 01, 2009 12:14 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: H-1B Caps
**Importance:** High

Shelly,

Please help replying to Kerry's question.

Thank you!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

---

**From:** Contaldi, Kerry
**Sent:** Thursday, October 01, 2009 11:04 AM
**To:** Liang, Gwen
**Subject:** H-1B Caps
**Importance:** High

Ms. Liang,

The H-1B cap for FY 2009 is 65,000, will this number be increased in FY 2010, or will the cap remain 65,000?

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**
**Department of Homeland Security**
kerry.contaldi@dhs.gov (b)(6)
[redacted]

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## Shirk, Georgette L

**From:** Contaldi, Kerry
**Sent:** Thursday, October 01, 2009 1:51 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Caps

Thank you so much.

Kerry T. Contaldi
Analyst (Contractor, Labat-Anderson)
Office of the Executive Secretariat
U.S. Citizenship and Immigration Services
Department of Homeland Security
kerry.contaldi@dhs.gov
[redacted] (b)(6)

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---

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 01, 2009 12:39 PM
**To:** Contaldi, Kerry
**Cc:** Liang, Gwen; Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: H-1B Caps

Kerry,

The cap for FY10 is 65,000 as 214(g)(1)(A)(viii) of the INA and 8 CFR 214.2(h)(8)(i)(A)(4) state that the cap is currently set at 65,000 per fiscal year.

Please let me know if you have any other questions.

Thanks!

Shelly

---

**From:** Liang, Gwen
**Sent:** Thursday, October 01, 2009 12:14 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: H-1B Caps
**Importance:** High

Shelly,

Please help replying to Kerry's question.

Thank you!

**Shirk, Georgette L**

**From:** Wright, William G <William.G.Wright@dhs.gov>
**Sent:** Tuesday, May 04, 2010 11:43 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B count

Shelly – I provided below to AP; do you know how this compares to this time last year?

r/
Bill

---

**From:** prvs=733626ff1=SGamboa@ap.org [mailto:prvs=733626ff1=SGamboa@ap.org] **On Behalf Of** Gamboa, Suzanne
**Sent:** Tuesday, May 04, 2010 12:27 PM
**To:** Wright, William G
**Subject:** RE: H-1B count

do you know how this compares to last year? Last I heard they were below but don't know if things have picked up.

---

**From:** Wright, William G [mailto:William.G.Wright@dhs.gov]
**Sent:** Tuesday, May 04, 2010 12:24 PM
**To:** Gamboa, Suzanne
**Subject:** H-1B count

Suzanne – Latest available H-1B stats (on the Web) are below. You can access this via www.uscis.gov/h-1b_count. (I'll try to get you updated numbers as of today).

r/
Bill
272-1299

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,500 | | 4/27/2010 |
| H-1B Master's Exemption | 20,000 | 6,900 | | 4/27/2010 |

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and delete this e-mail. Thank you.
[IP_US_DISC]
msk dccc60c6d2c3a6438f0cf467d9a4938

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Tuesday, April 07, 2009 12:05 PM
**To:** Sweeney, Shelly A
**Subject:** Re: Draft H1B Update

Nothing. Why don't you give Chris a call?

----- Original Message -----
From: Sweeney, Shelly A
To: Young, Claudia F
Sent: Tue Apr 07 12:49:46 2009
Subject: RE: Draft H1B Update

Have you seen any traffic on this? Just checking as I have not and I am just a little concerned that because I didn't specifically mention that I haven't received OCC clearance, OCOMM would assume that it has cleared OCC.

---

From: Sweeney, Shelly A
Sent: Tuesday, April 07, 2009 11:17 AM
To: Bentley, Christopher S; Rhatigan, Chris; Wright, William G
Cc: Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
Subject: Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Operations Branch

Service Center Operations

Phon[redacted] (b)(6)

Fax: (202) 272-1542

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 12:36 PM
**To:** Rhatigan, Chris
**Cc:** Young, Claudia F
**Subject:** RE: Draft H1B Update

Chris,

Since this will need to be cleared and ready for release tomorrow morning, I am on standby to respond to any questions/concerns. ☺

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 11:17 AM
**To:** Bentley, Christopher S; Rhatigan, Chris; Wright, William G
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
**Subject:** Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch* (b)(6)
*Service Center Operations*
*Phone:* [redacted]
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Thursday, May 21, 2009 1:51 PM
**To:** Young, Claudia F; Kruszka, Robert F
**Cc:** Williams, Carol L; Cummings, Kevin J; Sweeney, Shelly A
**Subject:** RE: H-1B Duplicate Filing Question

Sent it to Don so he can bless it because I could see someone thinking we are being overly technical since they can turn around and re file. You can draft but lets see what Don thinks. Thanks

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Young, Claudia F
Sent: Thursday, May 21, 2009 2:49 PM
To: Velarde, Barbara Q; Kruszka, Robert F
Cc: Williams, Carol L; Cummings, Kevin J; Sweeney, Shelly A
Subject: RE: H-1B Duplicate Filing Question

BOSS will draft an email for your review which can be sent to the field regarding the duplicates and any subsequent filings after denial.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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-----Original Message-----
From: Salem, Claudia S
Sent: Thursday, May 21, 2009 2:47 PM
To: Cummings, Kevin J; Young, Claudia F; Sweeney, Shelly A; Choi, Sunny
Cc: Williams, Carol L; Velarde, Barbara Q; Kruszka, Robert F
Subject: RE: H-1B Duplicate Filing Question

Yes, we're fine with that course of action.

Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1
w2
email: claudia.salem@dhs.gov
fax 202-272-1405 (b)(6)

-----Original Message-----
From: Cummings, Kevin J
Sent: Thursday, May 21, 2009 2:46 PM
To: Young, Claudia F; Salem, Claudia S; Sweeney, Shelly A; Choi, Sunny
Cc: Williams, Carol L; Velarde, Barbara Q; Kruszka, Robert F
Subject: RE: H-1B Duplicate Filing Question
Importance: High

This is still a bit unclear to me.

Scenario: Two of more petitions are filed by the same employer for the same beneficiary for the same job on April 2nd and therefore represents a clear attempt to gain an advantage in the lottery. Under our duplicate filing prohibition regulation, we should be able to deny such petitions on the basis of prohibited duplicate filings. Once such petitions are denied on this basis and are no longer pending with USCIS, the employer could once again file a new petition for the same alien in the same job provided cap numbers are still available and not be penalized.

Is OCC OK with this course of action? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office:
Cell: (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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-----Original Message-----
From: Young, Claudia F
Sent: Thursday, May 21, 2009 2:35 PM
To: Salem, Claudia S; Cummings, Kevin J; Sweeney, Shelly A; Choi, Sunny
Cc: Williams, Carol L; Velarde, Barbara Q; Kruszka, Robert F
Subject: RE: H-1B Duplicate Filing Question

Claudia,
Thank you. As an FYI, we are probably looking at less that 250 potential duplicates. These potential duplicates are reviewed by the centers to determine if they are true duplicates or if they fall into one of the exceptions listed in the regulations.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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-----Original Message-----
From: Salem, Claudia S
Sent: Thursday, May 21, 2009 2:29 PM
To: Cummings, Kevin J; Sweeney, Shelly A; Choi, Sunny
Cc: Young, Claudia F; Williams, Carol L; Velarde, Barbara Q; Kruszka, Robert F
Subject: RE: H-1B Duplicate Filing Question

(b)(5)

Hi folks,

It seems to be that there is some concern about implementing 8 CFR 214.2(h)(2)(i)(G) when USCIS has not had to resort to the H-1B lottery selection system to date. [redacted]

(b)(5)

Feel free to let me know if something is unclear. Thanks!

8 CFR 214.2(h)(2)(i)(G):

Multiple H–1B petitions. An employer may not file, in the same fiscal year, more than one H–1B petition on behalf of the same alien if the alien is subject to the numerical limitations of section 214(g)(1)(A) of the Act or is exempt from those limitations under section 214(g)(5)(C) of the Act. If an H–1B petition is denied, on a basis other than fraud or misrepresentation, the employer may file a subsequent H–1B petition on behalf of the same alien in the same fiscal year, provided that the numerical limitation has not been reached or if the filing qualifies as exempt from the numerical limitation. Otherwise, filing more than one H–1B petition by an employer on behalf of the same alien in the same fiscal year will result in the denial or revocation of all such petitions. If USCIS believes that related entities (such as a parent company, subsidiary, or affiliate) may not have a legitimate business need to file more than one H–1B petition on behalf of the same alien subject to the numerical limitations of section 214(g)(1)(A) of the Act or otherwise eligible for an exemption under section 214(g)(5)(C) of the Act, USCIS may issue a request for additional evidence or notice of intent to deny, or notice of intent to revoke each petition. If any of the related entities fail to demonstrate a legitimate business need to file an H–1B petition on behalf of the same alien, all petitions filed on that alien's behalf by the related entities will be denied or revoked.

Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1.
w2. (b)(6)
email: claudia.salem@dhs.gov
fax 202-272-1405
-----Original Message-----
From: Cummings, Kevin J
Sent: Thursday, May 21, 2009 11:04 AM
To: Sweeney, Shelly A; Salem, Claudia S; Choi, Sunny
Cc: Young, Claudia F; Williams, Carol L; Velarde, Barbara Q; Kruszka, Robert F
Subject: H-1B Duplicate Filing Question

Importance: High

Thanks in advance for your thoughts on this, Claudia and Sunny. This is an important and interesting issue. We are looking at upwards of 475 sets of duplicates at present during the current H-1B filing season.

--Kevin

----- Original Message -----
From: Sweeney, Shelly A
To: Salem, Claudia S; Choi, Sunny
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L
Sent: Thu May 21 10:54:46 2009
Subject: Duplicate Filing Question

Claudia S. and Co.,

SCOPS has a situation that we would like to run by OCC. Last year, we denied all duplicate filings and retained any fees filed in association with those duplicate filings per 214.2(h)(2)(i)(G). As the filing traffic has been significantly slower than last year and we did not have to run the lottery, SCOPS wanted to confirm with OCC that we are still on solid legal ground to deny any duplicate filings we have received. We believe that we are per the regulations.

If it is confirmed that we have the authority to deny the duplicate filings regardless of whether we needed to run the lottery, we have one additional question. It is possible that some petitioners may file another petition on behalf of the beneficiary. If the petitioner, after the denial of the duplicates, decides to file a new I-129 as the cap has not been met, would they be allowed to file that application or should it be denied also as a duplicate? We believe that these should also be denied per 214.2(h)(2)(i)(G). Please let us know if we are correct.

Please feel free to forward if I have inadvertently missed anyone.

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Operations Branch

Service Center Operations

Phone: [redacted] (b)(6)

Fax: (202) 272-1542

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## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Thursday, May 21, 2009 8:16 AM
**To:** Sweeney, Shelly A
**Subject:** FW: Possible duplicate filings
**Attachments:** H1B dups--protected--May 19.zip

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Wednesday, May 20, 2009 3:38 PM
**To:** Fitzsimmons, James; Cummings, Kevin J; Young, Claudia F
**Subject:** FW: Possible duplicate filings

Great work, Jim,

I think we owe it to Kevin and Claudia to see it first. I'll send it to the centers for file pulling and investigating when I hear back from you both.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, May 20, 2009 2:59 PM
**To:** Peck, Denis R
**Subject:** Possible duplicate filings

Denis
Attached is an encrypted worksheet with 477 records representing possible duplicate H-1B filings in FY 2010 cap season. The possible duplicate records are based on an exact match of full name, date of birth and employer name. Encryption password to follow.
Jim

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 10:42 AM
**To:** Sweeney, Shelly A
**Subject:** Fw: H1B Filings

----- Original Message -----
From: Neufeld, Donald
To: Humphrey, Buck H; Alfonso-Royals, Angelica M; Bentley, Christopher S
Cc: Velarde, Barbara Q; Johnson, Bobbie L
Sent: Thu Apr 08 11:39:59 2010
Subject: H1B Filings

Hello,

Now that we are past the 5 day opening window for H1B filings, we will be providing stats on the number received for external communication. The numbers will be low, around 19,000 total for both centers.

Ali asked that we be prepared to respond to allegations that the H1B memo (aka the "Neufeld Memo") is to blame. We obviously can't provide a definitive explanation as to why the volume is down, however we can point out that unlike years past, we did not reach the FY 2010 cap until December 21 last year. The only pent up demand would that which developed in a little over 3 months where petitions were not accepted. In prior years, demand was so great that a lottery was run to select winners from the excessive number of filings in the first 5 days. Therefore the pent up demand for the next filing window had 12 months to develop, and could include the "losers" from the prior lottery.

In terms of talking points, I think we would use the same talkers we developed when the H1B memo was issued, and add something along the lines of what I said above.

We'll be forwarding the receipt data for the first 5 days of the filing window for FY 11, as well as historic receipt data for prior filing windows. Do you need anything more from SCOPS?

## Shirk, Georgette L

**From:** Hale, Paola Rodriguez
**Sent:** Tuesday, April 07, 2009 9:55 AM
**To:** Williams, Carol L; Sweeney, Shelly A
**Cc:** Young, Claudia F; Cummings, Kevin J
**Subject:** RE: H-1B numbers

The push is to get something out there quickly, so I agree that any notice should be generic. Once we have final numbers, that we want to share, we can release.

-----Original Message-----
From: Williams, Carol L
Sent: Tuesday, April 07, 2009 10:20 AM
To: Sweeney, Shelly A; Hale, Paola Rodriguez
Cc: Young, Claudia F; Cummings, Kevin J; Williams, Carol L
Subject: RE: H-1B numbers

All -

If we are going to issue a press release tomorrow without knowing the exact numbers, I would not release any numbers. I think a generic notice would be better simply indicating we did not reach the cap and are still accepting petitions, essentially what Shelly has already drafted, and issue an update with numbers later. If we are willing/able to hold the press release another day until we have exact numbers that I'd release numbers and tell petitioners they can still file.

That said, I will defer to the group as well as OCOMM on any decisions on update timelines that were made last week.

Thank you.

-----Original Message-----
From: Sweeney, Shelly A
Sent: Tuesday, April 07, 2009 9:40 AM
To: Hale, Paola Rodriguez; Williams, Carol L
Cc: Young, Claudia F
Subject: FW: H-1B numbers

Paola and Carol,

While I am waiting on a draft copy from Chris, I was wondering whether we would actually want to provide filing estimates at this point. I got the impression that we were trying not to get into that level of specificity, but I was wondering if this is a requirement that I wasn't aware of.

Thanks!

Shelly

-----Original Message-----
From: Sweeney, Shelly A
Sent: Tuesday, April 07, 2009 9:27 AM
To: Bentley, Christopher S
Cc: Young, Claudia F; Hale, Paola Rodriguez
Subject: FW: H-1B numbers

Chris,

You had indicated below that you have draft language from a couple of years ago that we could use in this situation. Would it be possible for you to forward a copy to me?

Thanks!

Shelly

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, April 07, 2009 9:22 AM
To: Sweeney, Shelly A
Subject: Fw: H-1B numbers

May want to check with Chris on previous drafts.

----- Original Message -----
From: Bentley, Christopher S
To: Kruszka, Robert F; Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Cummings, Kevin J; Young, Claudia F
Sent: Tue Apr 07 09:18:47 2009
Subject: RE: H-1B numbers

Robert,

Let us know what we can do to help. We already have draft language from a couple of years ago when we were in a similar situation. There's no use re-inventing the wheel with this one. It would speed the process to have the wording vetted in advance of the numbers becoming available. Once we issue the notice, will we be able to provide a daily update? Is there a reason Wednesday was chosen or is that the first date the numbers will become available? Thanks, Chris

Christopher S. Bentley
Acting Chief
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (work) [redacted] (cell) (b)(6)

-----Original Message-----
From: Kruszka, Robert F
Sent: Monday, April 06, 2009 5:37 PM
To: Velarde, Barbara Q; Bentley, Christopher S; Neufeld, Donald; Rogers, Debra A

Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Cummings, Kevin J; Young, Claudia F
Subject: Re: H-1B numbers

We are working onb a notice for Wednesday.

----- Original Message -----
From: Velarde, Barbara Q
To: Bentley, Christopher S; Neufeld, Donald; Rogers, Debra A
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Kruszka, Robert F; Cummings, Kevin J; Young, Claudia F
Sent: Mon Apr 06 17:14:52 2009
Subject: Re: H-1B numbers

Including our H1B folks who were preparing communication materials

----- Original Message -----
From: Bentley, Christopher S
To: Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W
Sent: Mon Apr 06 17:05:43 2009
Subject: H-1B numbers

Don/Debbie/Barbara,

We need to update the public regarding the number of H-1B petitions we received last week. I'm assuming we didn't meet the numbers during the first five days. With that said, we need to give the public a ballpark concerning the numbers we did receive, reassure them that the filing window remains open and re-explain the random selection process – given that process will now only involve those petitions received on the "final receipt date."

Thanks, Chris

Christopher S. Bentley

Acting Chief

Office of Communications

U.S. Citizenship and Immigration Services

Department of Homeland Security

[redacted] (work) [redacted] cell)

(b)(6)

## Shirk, Georgette L

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 9:39 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B numbers

Shelly – can you help me with this question?

Thank you,
Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
(b)(6)
[redacted]

---

**From:** Bentley, Christopher S
**Sent:** Thursday, April 08, 2010 10:37 AM
**To:** Irazabal, Luz; Wright, William G
**Cc:** Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** RE: H-1B numbers

Luz,

Can we find out how those numbers compared with the same time frame last year? - Chris

**Christopher S. Bentley**
Press Secretary
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (work) [redacted] (cell) (b)(6)

---

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:34 AM
**To:** Wright, William G
**Cc:** Bentley, Christopher S; Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** H-1B numbers

Bill – here are the latest numbers on the H-1B cap.

**USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.**

We are still waiting on clearance from the front office in order to release the USCIS Update.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services

Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office
Cell
luz.irazabal@dhs.gov

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:01 AM
**To:** Peck, Denis R
**Cc:** Johnson, Bobbie L
**Subject:** FW: H-1B numbers

Denis,

OCOMM would like to know the break out for the first five days last year. I saw in your message earlier that the combined total was under 64,000. What was the approximate number of advanced degree and regular cap filings during that time period?

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:56 AM
**To:** Irazabal, Luz; Johnson, Bobbie L
**Subject:** RE: H-1B numbers

Adding Bobbie.

---

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:39 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B numbers

Shelly – can you help me with this question?

Thank you,
Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
[redacted] (b)(6)

---

**From:** Bentley, Christopher S
**Sent:** Thursday, April 08, 2010 10:37 AM
**To:** Irazabal, Luz; Wright, William G
**Cc:** Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** RE: H-1B numbers

Luz,

Can we find out how those numbers compared with the same time frame last year? - Chris

**Christopher S. Bentley**
Press Secretary

Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (work) [redacted] (cell)

(b)(6)

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:34 AM
**To:** Wright, William G
**Cc:** Bentley, Christopher S; Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** H-1B numbers

Bill – here are the latest numbers on the H-1B cap.

**USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.**

We are still waiting on clearance from the front office in order to release the USCIS Update.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office
Cell (b)(6)
luz.irazabal@dhs.gov

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 7:22 AM
**To:** Johnson, Bobbie L
**Subject:** FW: H-1B pending

FYI...I am drafting up the synopsis for you to send to Barbara this morning.

---

**From:** Fierro, Joseph
**Sent:** Thursday, October 14, 2010 4:49 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly:

H-1B Regular Cap – 8/5/10
H-1B Master Cap – 8/15/10
H-1B Cap Exempt – 7/1/10
EOS 6/9/10

| CSC I-129 H1Bs (10-04-2010 to 10-08-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,120 | 103 | 493 | 1,716 |
| I-129 PP H1B | 1,403 | 92 | 354 | 1,849 |
| Total: | 2,523 | 195 | 847 | 3,565 |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 8:39 AM
**To:** Fierro, Joseph; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** RE: H-1B pending

Joe,

Can we also have the CSC's actions on these cases for the last week and the current processing date for initials and EOS petitions added to these reports?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

Here is the CSC report of pending H-1B cases.

Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Tuesday, April 07, 2009 9:20 AM
**To:** Sweeney, Shelly A; Hale, Paola Rodriguez
**Cc:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L
**Subject:** RE: H-1B numbers

All -

If we are going to issue a press release tomorrow without knowing the exact numbers, I would not release any numbers. I think a generic notice would be better simply indicating we did not reach the cap and are still accepting petitions, essentially what Shelly has already drafted, and issue an update with numbers later. If we are willing/able to hold the press release another day until we have exact numbers that I'd release numbers and tell petitioners they can still file.

That said, I will defer to the group as well as OCOMM on any decisions on update timelines that were made last week.

Thank you.

-----Original Message-----
From: Sweeney, Shelly A
Sent: Tuesday, April 07, 2009 9:40 AM
To: Hale, Paola Rodriguez; Williams, Carol L
Cc: Young, Claudia F
Subject: FW: H-1B numbers

Paola and Carol,

While I am waiting on a draft copy from Chris, I was wondering whether we would actually want to provide filing estimates at this point. I got the impression that we were trying not to get into that level of specificity, but I was wondering if this is a requirement that I wasn't aware of.

Thanks!

Shelly

-----Original Message-----
From: Sweeney, Shelly A
Sent: Tuesday, April 07, 2009 9:27 AM
To: Bentley, Christopher S
Cc: Young, Claudia F; Hale, Paola Rodriguez
Subject: FW: H-1B numbers

Chris,

You had indicated below that you have draft language from a couple of years ago that we could use in this situation. Would it be possible for you to forward a copy to me?

Thanks!

Shelly

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, April 07, 2009 9:22 AM
To: Sweeney, Shelly A
Subject: Fw: H-1B numbers

May want to check with Chris on previous drafts.

----- Original Message -----
From: Bentley, Christopher S
To: Kruszka, Robert F; Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Cummings, Kevin J; Young, Claudia F
Sent: Tue Apr 07 09:18:47 2009
Subject: RE: H-1B numbers

Robert,

Let us know what we can do to help. We already have draft language from a couple of years ago when we were in a similar situation. There's no use re-inventing the wheel with this one. It would speed the process to have the wording vetted in advance of the numbers becoming available. Once we issue the notice, will we be able to provide a daily update? Is there a reason Wednesday was chosen or is that the first date the numbers will become available? Thanks, Chris

Christopher S. Bentley
Acting Chief
Office of Communications
U.S. Citizenship and Immigration Services Department of Homeland Security
[redacted] work) [redacted] (cell)

-----Original Message----- (b)(6)
From: Kruszka, Robert F
Sent: Monday, April 06, 2009 5:37 PM
To: Velarde, Barbara Q; Bentley, Christopher S; Neufeld, Donald; Rogers, Debra A
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Cummings, Kevin J; Young, Claudia F
Subject: Re: H-1B numbers

We are working onb a notice for Wednesday.

----- Original Message -----
From: Velarde, Barbara Q
To: Bentley, Christopher S; Neufeld, Donald; Rogers, Debra A
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W; Kruszka, Robert F; Cummings, Kevin J; Young, Claudia F
Sent: Mon Apr 06 17:14:52 2009
Subject: Re: H-1B numbers

Including our H1B folks who were preparing communication materials

----- Original Message -----
From: Bentley, Christopher S
To: Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q
Cc: Melero, Mariela; Alfonso-Royals, Angelica M; Wright, William G; McCament, James W
Sent: Mon Apr 06 17:05:43 2009
Subject: H-1B numbers

Don/Debbie/Barbara,

We need to update the public regarding the number of H-1B petitions we received last week. I'm assuming we didn't meet the numbers during the first five days. With that said, we need to give the public a ballpark concerning the numbers we did receive, reassure them that the filing window remains open and re-explain the random selection process – given that process will now only involve those petitions received on the "final receipt date."

Thanks, Chris

Christopher S. Bentley

Acting Chief

Office of Communications

U.S. Citizenship and Immigration Services

Department of Homeland Security

[redacted] (work) [redacted] (cell)

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, October 14, 2010 3:49 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly:

H-1B Regular Cap – 8/5/10
H-1B Master Cap – 8/15/10
H-1B Cap Exempt – 7/1/10
EOS 6/9/10

| CSC I-129 H1Bs (10-04-2010 to 10-08-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,120 | 103 | 493 | 1,716 |
| I-129 PP H1B | 1,403 | 92 | 354 | 1,849 |
| Total: | 2,523 | 195 | 847 | 3,565 |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 8:39 AM
**To:** Fierro, Joseph; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** RE: H-1B pending

Joe,

Can we also have the CSC's actions on these cases for the last week and the current processing date for initials and EOS petitions added to these reports?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

Here is the CSC report of pending H-1B cases.

Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 8:00 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Subject:** FW: H-1B pending cases

**Importance:** High

FYI...

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, September 22, 2010 8:58 AM
**To:** Sweeney, Shelly A
**Cc:** McConnell, James E
**Subject:** H-1B pending cases

Shelly,
See below.
Jim

H-1B petitions pending adjudication received between April 1 and July 31, 2010

| | Current nonimmigrant status | | |
|---|---|---|---|
| **CSC** | All | F1 | Other |
| Cap | 5,950 | 1,963 | 3,987 |
| Non-cap | 13,674 | 424 | 13,250 |
| | 19,624 | 2,387 | 17,237 |
| | | | |
| **VSC** | | | |
| Cap | 6,429 | 2,412 | 4,017 |
| Non-cap | 11,842 | 75 | 11,767 |
| | 18,271 | 2,487 | 15,784 |
| | | | |
| **All** | | | |
| Cap | 12,379 | 4,375 | 8,004 |
| Non-cap | 25,516 | 499 | 25,017 |
| | 37,895 | 4,874 | 33,021 |

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Wednesday, October 13, 2010 10:17 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly,

Barbara wants a quick written synopsis of what these numbers from both centers mean (e.g., where each center is with cap cases, EOS, etc.). You can probably take what you wrote up before and just make any date changes that might be more current.

Thanks!

Bobbie

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

Here is the CSC report of pending H-1B cases.

Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
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| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |

| | | |
|---|---|---|
| **Total:** | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, November 04, 2010 6:40 AM
**To:** Canney, Keith J; Fierro, Joseph
**Subject:** FW: H-1B Processing

Sorry to be a pest (:-(), but I'm just checking on the status of this week's processing reports...

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 27, 2010 11:38 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Canney, Keith J; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** H-1B Processing

Shelly,

Here is this week's report. Processing dates are: Cap - 8/20/2010 and EOS – 6/3/2010.

| FY11 CAP NON PP | | | | |
|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 |
| **With Contractor** | 393 | 287 | 616 | 868 |
| **ADJ Staged** | 292 | 419 | 470 | 141 |
| **Other** | 108 | 59 | 63 | 73 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | **518** | **512** | **552** |
| DENIED | | **25** | **42** | **60** |
| RFE/ ITD | | 377 | 92 | 209 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 |
| DENIED | | 17 | 36 | 28 |
| RFE/ ITD | | 196 | 200 | 209 |
| TOTAL ACTIONS | | **841** | **778** | **1007** |

| FY10 EOS NON PP |
|---|

| Report date | | 12-Oct-10 | 18-Oct-10 | 25-Oct-10 |
|---|---|---|---|---|
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** |
| **With Officer** | | 1386 | 1246 | 1135 |
| **With Contractor** | | 9084 | 9418 | 10030 |
| **ADJ Staged** | | 415 | 441 | 501 |
| **Other** | | 152 | 137 | 117 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** |
| DENIED | | **39** | **60** | **73** |
| RFE/ ITD | | 21 | 42 | 33 |
| **TOTAL ACTIONS** | | **283** | **538** | **326** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 |
| DENIED | | 39 | 53 | 41 |
| RFE/ ITD | | 257 | 161 | 174 |
| **TOTAL ACTIONS** | | **1371** | **1067** | **1392** |

Our premium production was up over the last week (and this week as well) as we needed to move some of our temporary resources to premium to help our regular officers gain some buffer time in their daily premium workloads.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] / **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Tuesday, October 19, 2010 8:28 AM
**To:** Velarde, Barbara Q
**Cc:** Richardson, Gregory A; Sweeney, Shelly A
**Subject:** FW: H-1B Processing Update

FYI.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 19, 2010 8:52 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the VSC and the CSC:

**CSC**:

The CSC reported that they are at an 8/9 processing date for regular cap cases and an 8/15 processing date for master's cap. This is an improvement of a couple of days for the regular cap workload. The processing date for master's cap is the same as last week. Cap exempt is at 7/17 (last week this was at 7/11). The processing date for EOS moved forward slightly to 6/15 (last week was 6/9). As of October 18, there were 6,575 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,523 have had an RFE/NOID issued and are pending response. The initial pending outside of 2 months has shot up from last week by about 1,600. I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 12,415 EOS petitions still pending that are outside of the two month processing goal. Of that number, 488 have had an RFE/NOID issued and are pending response.

From 10/11 to 10/15, the CSC approved 511 non premium cases, denied 42 non premium cases, and issued an RFE on 214 non premium cases. CSC also approved 1,016 premium cases, denied 55 premium cases, and issued an RFE on 234 premium cases during the same time period.

**VSC**:

The VSC changed their processing date reporting to mimic the way that CSC reports its processing date. The VSC reported that they are at a 8/16 processing date for cap cases, which is no change from last week. The processing date for EOS is at 5/27. As of October 18, there were 3,022 untouched cap petitions still pending that are outside of the two-month processing goal. The initial pending outside of 2 months has shot up from last week by about 1,175. As with CSC, I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 11,242 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/10 to 10/16, the VSC approved 948 non premium cases, denied 102 non premium cases, and issued an RFE/NOID on 134 non premium cases. VSC also approved 1,395 premium cases, denied 89 premium cases, and issued an RFE/NOID on 361 premium cases during the same time period.

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Friday, October 15, 2010 8:34 AM
**To:** Velarde, Barbara Q
**Cc:** Sweeney, Shelly A
**Subject:** FW: H-1B Processing Update

FYI.

---

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 8:54 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the VSC and the CSC:

**CSC**:

The CSC reported that they are at an 8/5 processing date for regular cap cases and an 8/15 processing date for master's cap. This is an improvement of a couple of days from last week's report. Cap exempt is at 7/11 (last week this was at 6/15). The processing date for EOS stayed the same as last week and is at 6/9. As of October 12, there were 4,968 initial H-1B petitions still pending that are outside of the two-month processing goal. There were 12,601 EOS petitions still pending that are outside of the two month processing goal.

From 10/4 to 10/8, the CSC has approved 1,120 non premium cases, denied 103 non premium cases, and issued an RFE on 493 non premium cases. CSC has also approved 1,403 premium cases, denied 92 premium cases, and issued an RFE on 354 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 6/11 processing date for cap cases but that mid-August untouched work is going down to the floor. Last week, the VSC reported that July untouched work was going down to the floor. The processing date for EOS stayed the same as last week and is at 5/21. They expect movement on the EOS processing date shortly as they are distributing EOS work to their newly trained officers. As of October 12, there were 1,847 untouched cap petitions still pending that are outside of the two-month processing goal. There were 11,037 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/3 to 10/9, the VSC has approved 741 non premium cases, denied 64 non premium cases, and issued an RFE on 398 non premium cases. VSC has also approved 1,703 premium cases, denied 56 premium cases, and issued an RFE on 453 premium cases during the same time period.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000

Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Tuesday, April 21, 2009 1:44 PM
**To:** Velarde, Barbara Q; Cummings, Kevin J; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Williams, Carol L
**Subject:** RE: H-1B Registration Rule Meeting 4/17/2009

All –

Below is the language in question.

**Successful petitioners who proceed to file an H-1B petition have a very high probability of obtaining an H-1B cap number under the 65,000 or 20,000 cap for the beneficiary named on the selected registration. USCIS notes that, while the registration system is designed to increase the public's assurance that numbers are available for successful petitioners that file otherwise eligible petitions, each successful petitioner is not absolutely guaranteed that an H-1B number will be available for the beneficiary at the time of filing of their petition. As USCIS will accept more registrations than the prescribed statutory limit for H-1B petitions to account for petitioners who fail to file a petition in a timely manner as well as, withdrawals and denials during the adjudication process, there is a minimal chance that a petition filed based on a selected registration may be rejected if the cap has been exceeded at the time of filing. USCIS is statutorily obligated not to exceed the applicable numerical caps and to allocate visas in the order which petitions are received. Therefore, once actual petition filings commence on April 1st of the current fiscal year, USCIS will monitor receipts closely to ensure adherence to the numerical caps. Petitions filed with USCIS will be adjudicated in the order they are received.**

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, April 21, 2009 12:48 PM
**To:** Williams, Carol L; Cummings, Kevin J; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: H-1B Registration Rule Meeting 4/17/2009

No, I just want us to have wiggle room if our counting is not precise.

Barbara Q. Velarde
Chief, Service Center Operations

U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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---

**From:** Williams, Carol L
**Sent:** Tuesday, April 21, 2009 12:46 PM
**To:** Velarde, Barbara Q; Cummings, Kevin J; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: H-1B Registration Rule Meeting 4/17/2009

Barbara -

I amended the regulation per the conversation with OCC and added the language back into the rule. OCC explained to OGC that as a practical matter all petitioners chosen will receive a cap number. OGC still wants language in the rule that indicating if the agency believes it will go over the numerical limitation all other petitions will be rejected. In the meeting last Friday there was no mention of SCOPS being held liable if the actual number of approved petitions goes over. The discussion touched on that fact that the count for various reasons will most likely not be precise.

Is this a questions, you like me to bring to OCC?

Thank you

Carol

Jim –

If I am not explaining this well, please correct me as you were also in the meeting.

Thank you

Carol

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, April 21, 2009 12:27 PM
**To:** Williams, Carol L; Cummings, Kevin J; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: H-1B Registration Rule Meeting 4/17/2009

You amended it per the discussion, correct? As long as everyone knows we probably will approve these and there isn't restrictive language that makes us somehow liable if we go over by a few case, I am okay

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132

Washington, DC 20529

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---

**From:** Williams, Carol L
**Sent:** Tuesday, April 21, 2009 11:28 AM
**To:** Cummings, Kevin J; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Williams, Carol L
**Subject:** RE: H-1B Registration Rule Meeting 4/17/2009

All –

I am following up o the email below. Julia Wilcox called me today and asked when SCOPS anticipates sending the rule back to OCC.

Thank you

Carol

---

**From:** Williams, Carol L
**Sent:** Monday, April 20, 2009 4:55 PM
**To:** Cummings, Kevin J; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A
**Cc:** Fitzsimmons, James; Williams, Carol L; Young, Claudia F; Sweeney, Shelly A
**Subject:** H-1B Registration Rule Meeting 4/17/2009

All –

I attended the meeting with OCC, OPS and Julia Wilcox. OCC was fine with the major revisions outlined below with the exception of points 3 and 4. Julia emphasized that David Martin is behind the rule and operationally believes it will benefit the agency. Claudia explained that DHS will block the rule if it does not include language that explains 1) that USCIS will deny petitions if it believes it already has enough petitions to meet the cap even though petitioners were informed they had won the lottery and were able to file a petition and 2) USCIS is not statutorily allowed to exceed the cap.

In the meeting with OGC, OCC emphasized that because of the calculations that are done, as a practical matter all petitioners chosen will receive a cap number. OGC understood this but still wants language in the rule indicating if the agency believes it will go over the numerical limitation all other petitions will be rejected.

I have added in the language that was deleted and attached the document. If there are no objections, I will send the rule back to OCC for their continued review. Let me know.

Thank you

Carol

The following was changed in the H-1B Registration Rule

1. All references to "registrant" were removed. Companies are referred to as either "company" or "petitioner." The change was made to simplify the terms.

2. The lottery and wait list process was described. The steps are as follows:

Step 1: More than the 65,000 and 20,000 will be chosen to receive a cap number and allowed to file an H-1B petition
Step 2: A wait list will be created from a percentage of the remaining registrations.
Step 3: As petitions are needed to meet the caps petitioners will be informed they can file an H-1B petition.
Step 4: Petitioners whose registrations were not initially chosen in Step 1 or Step 2 will receive notification they will not be able to file a petition for the applicable fiscal year.

This change was made per SCOPS management and how SCOPS management prefers to run and manage the cap count.

3. Language regarding petitioners potentially not receiving cap numbers if more than the 65,000 and 20,000 are initially chosen to file H-1B petitions has been deleted.

This change was made because SCOPS management believes given past history this is not the case. Under the current system of receiving petitions and running a lottery when more than the actual cap number were initially chosen all those petition received a cap number. Selecting more than the cap number of petitions takes into account that not all selected petitions will be approved for various reasons. SCOPS believes the same reasoning will hold true with a registration system.

4. References to USCIS being statutorily required not to allocate more than 65,000 and 20,000 cap numbers have been deleted.

This change was made because SCOPS management does not believe this is mandated by statute.

5. Deleted references to the registration program requesting information regarding the job offer.

This change was made because the information requested focuses on the petitioner and beneficiary and not the job offered.

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security (b)(6)
P
F: 202-272-1543

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 9:54 AM
**To:** Nguyen, Van T
**Cc:** Benavente, Jessy J; Fitzsimmons, James; Sweeney, Shelly A; Loughlin, Stephen J
**Subject:** RE: H1B results from yesterday's lottery - CSC results 82 receipted, 8 rejects

Van

Thanks for getting back with that and you also have a great holiday season. Yes, just set aside those 8 until next week.

Jim, Shelly, FYI on the CSC results and we should be getting Vermont back soon.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Nguyen, Van T
**Sent:** Thursday, December 24, 2009 10:50 AM
**To:** Peck, Denis R; Hallam, Larry J
**Cc:** Benavente, Jessy J
**Subject:** RE: H1B results from yesterday's lottery

Hi Denis:

Jessy's message was intended for yesterday. He will be in today at around 11:00.

CSC has 90 selected cap cases. All have been keyed, except for 6 CRN and 2 CRP cases which need to be rejected. We are holding these for further guidance.

Stay warm and have a wonderful Holiday, Denis.

*Van Nguyen*
*Supervisory Adjudications Officer*
*Phone:* [redacted] (b)(6)
*Fax: 949-389-3493*
*van.nguyen@dhs.gov*

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:14 AM
**To:** Hallam, Larry J; Nguyen, Van T
**Subject:** FW: H1B results from yesterday's lottery

I can't tell from Jessy's out of office message if he is out as of 1030 today or yesterday so to be safe am adding both of you. Merry etc. etc,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 10:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)
202-272-1542 FAX

## Shirk, Georgette L

**From:** Hale, Paola Rodriguez
**Sent:** Tuesday, April 07, 2009 9:41 AM
**To:** Velarde, Barbara Q
**Cc:** Henry, Marie M; 'Cummings, Kevin J'; Williams, Carol L; Sweeney, Shelly A; Young, Claudia F
**Subject:** H-1B- TARP plan and PP clock

Barbara,

I spoke to Morgan and she kindly placed us on your calendar for a couple of H-1B related issues that were raised in the BC meeting this morning. Specifically, we need to provide final direction to the SCs as to when the PP clock will start (e-mail pasted below). We will need to communicate our final plan to the SCs on the 2:30 call.

We would also like to talk to you about the TARP plan. The DOL attestation includes a box for the employer to indicate compliance. OCC believes that if DOL is not verifying employer compliance, beyond the checked box, then it is our job to verify. It is my understanding that the "verification" compromise with OCC was to place the question on the Form rather than to have the adjudicators physically go through the file and identify the companies. While the Form was revised to include a question asking whether the petitioner has received funding, this information is not captured electronically. OCC was willing to identify the companies upfront via this question, not capture it, and then send any questions regarding TARP H-1B filings to DOL.

This meeting should not take too long as we just want to get direction on the PP plan and clarification on TARP expectations.

Thank you,
Paola

---

**From:** Perkins, Robert M
**Sent:** Monday, April 06, 2009 11:48 AM
**To:** Peck, Denis R
**Cc:** Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** RE: VSC 2009 H1B CAP Report

Denis,

If the contractor can start data entry on 4/7 (2nd shift), however, utilize 4/8 as the received date in CLAIMS, this would be a viable option. Otherwise, I would prefer to have both shifts complete data entry on 4/8 and have 2,500 cases ready for Adjudications on 4/9 (day 2).

I still think we should explore delaying the PP clock until 4/9, thus giving the contractor one day to sort, count and commence acceptability review. Is this something you or Claudia could pursue with counsel?

Thanks,

**Robert M. Perkins| Assistant Center Director| Vermont Service Center |USCIS |** ☎: [redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Monday, April 06, 2009 11:37 AM
**To:** Perkins, Robert M
**Cc:** Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F;

Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** RE: VSC 2009 H1B CAP Report

Sounds like another telecon tomorrow may be in order.

I did not give the contractor a definitive go ahead to do this but told them to be ready for it. They would have had 1,000 at each center ready for adjudicating Wednesday morning. But if it doesn't make sense to tackle that way we'll hold off.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Perkins, Robert M
**Sent:** Monday, April 06, 2009 11:30 AM
**To:** Peck, Denis R
**Cc:** Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

We were just informed by the contractor that you would like for them to start data entry of premium processing petitions on 2nd shift tomorrow (4/7). If so, would the PP clock start on 4/7 or would we go with our original plan of the PP clock commencing on 4/8 (see attached Word doc)? If getting a jump start on 4/7 means that we would start the clock for all premium petitions on 4/7, then we would not maximize our data entry efforts, while losing a full day on the premium clock. In my opinion, this would be a big mistake.

Lisa and I were talking this morning (prior to hearing from the contractor) and we were actually going to inquire and see if we could delay D-day until 4/9. This would allow for a full and accurate count of all petitions at the conclusion of the five day filing window. It would also allow the contractor to get a jump on the ~~Post-RNG~~ Acceptability Review procedures that still need to be completed. I believe we may need legal counsel's opinion as to whether we would be on firm legal grounds to delay the start of the PP clock until 4/9, but if so, then it would provide huge dividends to Adjudications as we try to manage 8-10 K premium processing petitions within the 15-day processing window.

Thanks,

**Robert M. Perkins**

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, April 20, 2009 8:56 AM
**To:** Cummings, Kevin J; Williams, Carol L; Fitzsimmons, James; Peck, Denis R; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** RE: H-1B update

I'm with Kevin on this. Can we ask Bill if updating the webpage is sufficient or give them numbers for this week and then have them add to the update that the webpage will be updates every 2 weeks?

---

**From:** Cummings, Kevin J
**Sent:** Monday, April 20, 2009 9:48 AM
**To:** Williams, Carol L; Fitzsimmons, James; Young, Claudia F; Peck, Denis R; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B update

I thought that we had decided from this point forward to only update the Cap Count webpage rather than continue to issue Public Updates periodically. ???

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security
Office: [redacted] (b)(6)
Cell: [redacted]
Fax: 202-272-1542
kevin.cummings@dhs.gov

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---

**From:** Wright, William G
**Sent:** Monday, April 20, 2009 9:45 AM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'; Arroyo, Susan K; Rhatigan, Chris; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** H-1B update

Barbara – We'd like to post a new Update on the H-1B count. Would you please review attached and add current figure to the second paragraph?

We'd like to distribute before 2 p.m. today

ThanX!
Bill

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Monday, April 20, 2009 9:07 AM
**To:** Young, Claudia F; Cummings, Kevin J; Williams, Carol L; Fitzsimmons, James; Peck, Denis R; Sweeney, Shelly A
**Cc:** Kruszka, Robert F
**Subject:** RE: H-1B update

Yes please do that. Thanks

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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---

**From:** Young, Claudia F
**Sent:** Monday, April 20, 2009 9:56 AM
**To:** Cummings, Kevin J; Williams, Carol L; Fitzsimmons, James; Peck, Denis R; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** RE: H-1B update

I'm with Kevin on this. Can we ask Bill if updating the webpage is sufficient or give them numbers for this week and then have them add to the update that the webpage will be updates every 2 weeks?

---

**From:** Cummings, Kevin J
**Sent:** Monday, April 20, 2009 9:48 AM
**To:** Williams, Carol L; Fitzsimmons, James; Young, Claudia F; Peck, Denis R; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F
**Subject:** FW: H-1B update

I thought that we had decided from this point forward to only update the Cap Count webpage rather than continue to issue Public Updates periodically. ???

--Kevin

Kevin J. Cummings
Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security (b)(6)
Office
Cell: [redacted]
Fax: 202-272-1542
kevin.cummings@dhs.gov

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---

**From:** Wright, William G
**Sent:** Monday, April 20, 2009 9:45 AM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'; Arroyo, Susan K; Rhatigan, Chris; Rhatigan, Chris; Bentley, Christopher S; Sweeney, Shelly A
**Subject:** H-1B update

Barbara – We'd like to post a new Update on the H-1B count. Would you please review attached and add current figure to the second paragraph?

We'd like to distribute before 2 p.m. today

ThanX!
Bill

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Tuesday, April 07, 2009 12:49 PM
**To:** Sweeney, Shelly A; Hale, Paola Rodriguez
**Cc:** Williams, Carol L
**Subject:** RE: Draft H1B Update

My suggestion is to strike the sentence in red below. Barbara does not want to provide periodic updates involving numbers, based on our conversation this afternoon with her. I have also changed a word in green.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 1:39 PM
**To:** Williams, Carol L; Hale, Paola Rodriguez
**Subject:** FW: Draft H1B Update

Carol,

This looks okay to me, but let me know if I am wrong.

Thanks!

Shelly

---

**From:** Rhatigan, Chris
**Sent:** Tuesday, April 07, 2009 1:37 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: Draft H1B Update

Too timely – how about this:

(b)(5)

April 8, 2009

# USCIS Continues to Accept FY 2010 H-1B Petitions

[redacted]

(b)(5)

– USCIS –

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 1:36 PM
**To:** Rhatigan, Chris
**Cc:** Young, Claudia F
**Subject:** RE: Draft H1B Update

Chris,

Since this will need to be cleared and ready for release tomorrow morning, I am on standby to respond to any questions/concerns. ☺

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 07, 2009 11:17 AM
**To:** Bentley, Christopher S; Rhatigan, Chris; Wright, William G
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R
**Subject:** Draft H1B Update

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone:* [redacted] (b)(6)
*Fax: (202) 272-1542*

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## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, April 20, 2009 8:57 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H1B CAP numbers through April 17: 66,354
**Attachments:** HQ CAP report 4-20.xls

I'll make sure to forward to you from now on.

-----Original Message-----
From: Peck, Denis R
Sent: Monday, April 20, 2009 9:29 AM
To: Neufeld, Donald; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: RE: H1B CAP numbers through April 17: 66,354

Here is the sheet with the revision. I'll send this again next Monday unless anyone requires an update before then.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

-----Original Message-----
From: Neufeld, Donald
Sent: Monday, April 20, 2009 9:17 AM
To: Peck, Denis R; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: RE: H1B CAP numbers through April 17: 66,354

Thanks Denis. Please change the second line on the report to read "Premium CAP" instead of "Regular Premium".

-----Original Message-----
From: Peck, Denis R
Sent: Monday, April 20, 2009 8:42 AM
To: Velarde, Barbara Q; Neufeld, Donald; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: H1B CAP numbers through April 17: 66,354

Through last Friday, all received filings have been opened and sorted. Approximately 32,500 have been data entered.

Since the initial 5 days, we have received an average of 372 filings per day.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX
-----Original Message-----
From: Kielsmeier, Lauren
Sent: Monday, April 20, 2009 8:15 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Barbara/Denis, I am interested in seeing the latest update on the H1B CAP numbers when you have them. Thanks.

Lauren

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 7:41 AM
To: Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Peck, Denis R
Subject: RE: For tomorrow morning.

I have asked Denis to provide the most up to date numbers we have. We will be posting weekly updates every Monday beginning next Monday.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Paar, Tom
Sent: Thursday, April 16, 2009 6:41 AM
To: Richardson, Gregory A
Cc: Kruszka, Robert F; Velarde, Barbara Q
Subject: FW: For tomorrow morning.

Greg,

Knowing who the "early birds" are around here, could you please address Lauren's email below...thanks.

Respectfully,

-----Original Message-----
From: Kielsmeier, Lauren
Sent: Thursday, April 16, 2009 6:04 AM
To: Neufeld, Donald
Cc: Jones, Rendell L; Paar, Tom
Subject: Fw: For tomorrow morning.

Hi Don, can you pls send me the most current H-1B numbers for WH report. Possible to get more current figures, or is 4/9 the last count? Would be great to have this info by 10am - let me know.

Thanks,
Lauren

----- Original Message -----
From: Grossman, Jordan <Jordan.Grossman@dhs.gov>
To: Kielsmeier, Lauren <Lauren.Kielsmeier@dhs.gov>
Sent: Wed Apr 15 22:39:40 2009
Subject: For tomorrow morning.

Hi Lauren,

Could you let me know how many visas short you guys are for the WH report? The report is due at noon tomorrow.

Thanks!

---

From: Shlossman, Amy
Sent: Wednesday, April 15, 2009 10:24 PM
To: Grossman, Jordan
Subject: CIS

Did they send any updates on the HB-1 visas? Lauren mentioned this am that they still haven't reached their limit for the non-master degree category. Would be good to include in the WH report.

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, May 04, 2009 2:07 PM
**To:** Sweeney, Shelly A
**Subject:** FW: latest H-1B cap numbers for FY 2010

**Importance:** High

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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---

**From:** Fitzsimmons, James
**Sent:** Monday, May 04, 2009 9:09 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 1st :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 6,700 | 36,200 | 42,900 | 30,700 | 12,200 | 45% | 0.7% |
| Masters | 12,300 | 9,500 | 21,800 | 5,000 | 16,800 | 27% | 0.2% |

Data available as of close of business, May 1st

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, December 23, 2009 9:57 AM
**To:** Loughlin, Stephen J; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Hazuda, Mark J; Gregg, Bret S; Fitzsimmons, James; Shiflett, Julie M; Richardson, Gregory A; Velarde, Barbara Q
**Subject:** FW: Lottery winners of the H1B CAP 90 CSC, 180 VSC, 270 total
**Attachments:** CSC WINNERS.xls; VSC WINNERS.xls

Steve, Jessy,

Here are Jim's random number generated results; please have the contractor select these barcodes and receipt the acceptable filings. We also would like to know how many rejects you identify out of this 270 that are not receipted.

Also, please continue to hold all the Monday filings that are not selected. We have no need to reject these immediately. Next week we will make a final decision on them.

However all filings received Tuesday and thereafter should be rejected. December 21 is the final date for FY10 and has been posted online. Thanks and let me know your results when finished.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 23, 2009 10:48 AM
**To:** Peck, Denis R
**Subject:** Lottery winners

Jim
See attachment.

WINNERS

| | | | |
|---|---|---|---|
| CMP | 4 | VMP | 8 |
| CMN | 6 | VMN | 8 |
| CRN | 64 | VRN | 124 |
| CRP | 16 | VRP | 40 |
| | 90 | | 180 |

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 8:08 AM
**To:** Loughlin, Stephen J
**Cc:** Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
**Subject:** FW: Monday receipts

Steve,

We need you to research what happened with these 5 cases; did the contractor mistakenly enter Monday as the received date for work actually received last week, or did they in fact errorneously process a few that came in on Monday? Here are the receipt numbers.

If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing until we determine the best course of action.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 22, 2009 9:04 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Sweeney, Shelly A
**Subject:** Monday receipts

Denis,
Below are 5 receipt numbers from Monday.
On closer inspection, 170 H-1B cap numbers are left.
Jim

| RECEIPT | Recvdate | Reptdate |
|---|---|---|
| [redacted] | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 5:04 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A
**Subject:** Fw: Monday receipts
**Attachments:** Dec 21 barcodes.xls

Jim

Here is vermonts. We will talk tomorrow

----- Original Message -----
From: Collins, Mary Lou E
To: Peck, Denis R; Loughlin, Stephen J; Stoddard, Becky M; Petherbridge, Dan R
Sent: Tue Dec 22 17:59:24 2009
Subject: RE: Monday receipts

Denis -

I have attached the ranges we used, let me know if you need anything further from me.

Thanks
Mary-Lou

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, December 22, 2009 4:18 PM
To: Collins, Mary Lou E; Loughlin, Stephen J; Stoddard, Becky M
Subject: RE: Monday receipts

All right, well this is not as bad as first indicated. The top one, received yesterday, has to be barcoded like all the others received yesterday. The bottom four are okay to go, with the corrections done in claims.

We have the CSC barcoding spreadsheet in, if the contractor finishes tonight, we need your spreadsheet early tomorrow morning to run the RNG. We want to send you the selected numbers tomorrow in time for all to be pulled and those not selected sent to reject processing.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----

From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 4:10 PM
To: Loughlin, Stephen J; Stoddard, Becky M; Peck, Denis R
Subject: RE: Monday receipts

Denis -

Here is what I found on the five cases data entered with a 12/21 received date.

[redacted] Rec'd date is 12/21 - entered in error

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Thanks (b)(6)
Mary-Lou

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 9:09 AM
To: Collins, Mary Lou E; Stoddard, Becky M
Subject: Fw: Monday receipts
Importance: High

Asap please
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]

(b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J
Cc: Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
Sent: Tue Dec 22 09:07:49 2009
Subject: FW: Monday receipts

Steve,

We need you to research what happened with these 5 cases; did the contractor mistakenly enter Monday as the received date for work actually received last week, or did they in fact errorneously process a few that came in on Monday? Here are the receipt numbers.

If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing until we determine the best course of action.

Thanks,

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

[redacted]

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Tuesday, December 22, 2009 9:04 AM
To: Peck, Denis R
Cc: Young, Claudia F; Sweeney, Shelly A
Subject: Monday receipts

Denis,

Below are 5 receipt numbers from Monday.

On closer inspection, 170 H-1B cap numbers are left.

Jim

| RECEIPT | Recvdate | Rcptdate |
| --- | --- | --- |
| [redacted] | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 8:48 AM
**To:** Irazabal, Luz
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** FW: PLEASE REVIEW - USCIS Update for H-1B Cap

**Importance:** High

Luz,

It's looking like tomorrow or Monday might be THE day. Since we are getting close to the holidays, I was just wondering if you will be in tomorrow and Monday. If you will be out of the office, who should we work with?

I will be out both days, but Shannon and Claudia will be available. Bobbie will be available on Friday, but will be out on Monday.

Thanks!

Shelly

CLEARED DRAFT
USCIS Update H...

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 12:02 PM
**To:** Sweeney, Shelly A; Dalal-Dheini, Sharvari P
**Cc:** Salem, Claudia S; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Perfect... here's the final version that I'll have ready to go for release. You ladies are lovely to work with! Regards, Luz

---

**From:** Sweeney, Shelly A
**Sent:** Friday, December 11, 2009 11:42 AM
**To:** Dalal-Dheini, Sharvari P; Irazabal, Luz
**Cc:** Salem, Claudia S; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

I would like to propose added the words "Properly filed" in front of the sentence that begins "Cases will be considered accepted on the final date..."

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 11:19 AM
**To:** Irazabal, Luz; Sweeney, Shelly A
**Cc:** Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Luz, (b)(5)

<< File: DRAFT USCIS Update H-1B Cap Reached occ.doc >>

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: [redacted]
Cell:
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

(b)(5)

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Thank you.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:58 AM
**To:** Dalal-Dheini, Sharvari P; Sweeney, Shelly A
**Cc:** Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Let me know if this works for you both. Thanks for your help getting this completed. Regards, Lu << File: DRAFT USCIS Update H-1B Cap Reached.doc >> z

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 10:50 AM
**To:** Irazabal, Luz
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

(b)(5)

[redacted]

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
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(b)(6)

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Thank you.

**From:** Sweeney, Shelly A
**Sent:** Friday, December 11, 2009 10:47 AM
**To:** Irazabal, Luz; Dalal-Dheini, Sharvari P; Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

I've thought about this some more and I believe that this would not work if we get a huge influx of petitions and need to run the lottery on the final receipt date. Some petitions received on the final receipt date would be rejected if we have to run the lottery.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:39 AM
**To:** Irazabal, Luz; Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Just on the phone with Shelly... Here's a recommended rewrite...

USCIS will accept petitions if properly filed by date final receipt date, not the petition was postmarked.

Sorry for being difficult with the wording... looking for simple and accurate since this group is very particular ☺

Thanks,
Luz

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:29 AM
**To:** Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Hello Shev:

I'm concerned that "final receipt date" may create confusion --- is this date when the filing is in the hands of the adjudicators for review? Or is it the "final receipt date" after we have completed the front processing for fees, etc? Is there a difference between mailing and electronic filing? Why are we using the term "final receipt date"?

Today I can be reached at [redacted] Please give me a call.

Thanks,
Luz (b)(6)

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 10:14 AM
**To:** Irazabal, Luz; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap (b)(5)

Luz,

[redacted]

The final receipt date will be based on the date USCIS physically receives the petition, not the date that the petition is postmarked

Hope that works,

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
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Thank you.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:01 AM
**To:** Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Shev, would you be OK if I rephrased your edit to receipt date as follows:

Petitions will be accepted based on the USCIS receipt date, not the postmarked date.

Otherwise, I have accepted all edits. Thank you, Luz

-----Original Message-----
From: Dalal-Dheini, Sharvari P
Sent: Thursday, December 10, 2009 3:43 PM
To: Irazabal, Luz; Salem, Claudia S; Sweeney, Shelly A; OCC-Clearance; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L
Subject: RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Attached please find OCC's edits to the document.

Ms. Sharvari (Shev) Dalal-Dheini
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120

Office: [redacted] (b)(6)
Cell:
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, the reader is hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

Thank you.

-----Original Message-----
From: Irazabal, Luz
Sent: Thursday, December 10, 2009 3:39 PM
To: Salem, Claudia S; Sweeney, Shelly A; OCC-Clearance; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Subject: RE: PLEASE REVIEW - USCIS Update for H-1B Cap

OCC and OCR colleagues - a friendly reminder...

OPE and OP&S already cleared.

Thanks,
Luz

Luz Figuereo Irazabal
USCIS Media Relations
[redacted] (b)(6)

-----Original Message-----
From: Irazabal, Luz
Sent: Thursday, December 10, 2009 8:14 AM
To: Salem, Claudia S; Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Subject: Re: PLEASE REVIEW - USCIS Update for H-1B Cap

No one has made edits yet. Thanks.

Luz Figuereo Irazabal
USCIS Media Relations
[redacted] office (b)(6)
cell

----- Original Message -----
From: Salem, Claudia S
To: Irazabal, Luz; Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Sent: Thu Dec 10 08:11:14 2009
Subject: Re: PLEASE REVIEW - USCIS Update for H-1B Cap

Adding Shev for OCC. Thanks!
Can someone pls send us the latest version so we don't waste your time?
C

----- Original Message -----
From: Irazabal, Luz
To: Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Salem, Claudia S; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L
Sent: Thu Dec 10 08:02:32 2009
Subject: Re: PLEASE REVIEW - USCIS Update for H-1B Cap

Thanks, Shelly. We'd like the update ready to go for when we reach that point -- expected to be pretty soon. Regards.

Luz Figuereo Irazabal
USCIS Media Relations
[redacted] office
cell (b)(6)

----- Original Message -----
From: Sweeney, Shelly A
To: Irazabal, Luz; Cummings, Kevin J; OCC-Clearance; Salem, Claudia S; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L
Sent: Thu Dec 10 07:41:35 2009
Subject: RE: PLEASE REVIEW - USCIS Update for H-1B Cap

As a point of clarification, the cap has not yet been reached, but we are getting close.

Thanks!

Shelly

---

From: Irazabal, Luz
Sent: Wednesday, December 09, 2009 5:12 PM
To: Cummings, Kevin J; OCC-Clearance; Salem, Claudia S; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Sweeney, Shelly A; Johnson, Bobbie L
Subject: PLEASE REVIEW - USCIS Update for H-1B Cap
Importance: High

Colleagues - please review and provide feedback on this USCIS Update on the H-1B cap being reached.

It would be great to receive your input by 3 p.m. tomorrow, Thursday, Dec. 10. Thank you, Luz

Luz Figuereo Irazabal

Media Relations Manager

U.S. Citizenship and Immigration Services

Department of Homeland Security

20 Massachusetts Avenue, NW

Washington, DC 20589

[redacted] Office

Cell (b)(6)

luz.irazabal@dhs.gov <mailto:luz.irazabal@dhs.gov>

## Shirk, Georgette L

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 9:38 AM
**To:** Irazabal, Luz; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Hi Luz,

"Final Reciept Date" is a regulatory term as used in 8 CFR 214.2(h)(8)(ii)(B), which discusses how petitions will be accepted. We have used this term in the past to be consistent with the regulations.

Here is the text of the regulation:

(B) When calculating the numerical limitations or the number of exemptions under section 214(g)(5)(C) of the Act for a given fiscal year, USCIS will make numbers available to petitions in the order in which the petitions are filed. USCIS will make projections of the number of petitions necessary to achieve the numerical limit of approvals, taking into account historical data related to approvals, denials, revocations, and other relevant factors. USCIS will monitor the number of petitions (including the number of beneficiaries requested when necessary) received **and will notify the public of the date that US CIS has received the necessary number of petitions (the ``final receipt date''). The day the news is published will not control the final receipt date**. When necessary to ensure the fair and orderly allocation of numbers in a particular classification subject to a numerical limitation or the exemption under section 214(g)(5)(C) of the Act, USCIS may randomly select from among the petitions received on the final receipt date the remaining number of petitions deemed necessary to generate the numerical limit of approvals. This random selection will be made via computer-generated selection as validated by the Office of Immigration Statistics. Petitions subject to a numerical limitation not randomly selected or that were received after the final receipt date will be rejected. Petitions filed on behalf of aliens otherwise eligible for the exemption under section 214(g)(5)(C) of the Act not randomly selected or that were received after the final receipt date will be rejected if the numerical limitation under 214(g)(1) of the Act has been reached for that fiscal year. Petitions indicating that they are exempt from the numerical limitation but that are determined by USCIS after the final receipt date to be subject to the numerical limit will be denied and filing fees will not be returned or refunded. If the final receipt date is any of the first five business days on which petitions subject to the applicable numerical limit may be received (i.e., if the numerical limit is reached on any one of the first five business days that filings can be made), USCIS will randomly apply all of the numbers among the petitions received on any of those five business days, conducting the random selection among the petitions subject to the exemption under section 214(g)(5)(C) of the Act first. (Revised 3/24/08; 73 FR 15389 ) (Revised 5/5/05; 70 FR 23775 ).

I am about to give you a call to discuss.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 08, 2010 10:21 AM
**To:** Sweeney, Shelly A
**Subject:** Fw: Premium filing percentage was down about 5% this year

----- Original Message -----
From: Peck, Denis R
To: Velarde, Barbara Q; Johnson, Bobbie L
Sent: Thu Apr 08 10:26:55 2010
Subject: Premium filing percentage was down about 5% this year

I found this old update I sent out on the same date last year. Not surprisingly some companies figured out they can save the money and get the same results in sufficient time.

From: Peck, Denis R
Sent: Thursday, April 09, 2009 9:39 AM
To: Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
Cc: Jones, Rendell L; Bentley, Christopher S; Wright, William G
Subject: CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Velarde, Barbara Q
Sent: Thursday, April 08, 2010 10:11 AM
To: Peck, Denis R; Johnson, Bobbie L
Subject: RE: CAP first five day filings total- 19,206

Wow what a huge decline. Amazing

Barbara Q. Velarde

Deputy Associate Director

Service Center Operations Directorate

U.S. Citizenship and Immigration Services

20 Massachusetts Avenue, Room 2134

Washington, DC 20529

---

From: Peck, Denis R
Sent: Thursday, April 08, 2010 10:08 AM
To: Johnson, Bobbie L
Cc: Velarde, Barbara Q
Subject: RE: CAP first five day filings total- 19,206

I agree. That looks good and it is correct to go.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Johnson, Bobbie L
Sent: Thursday, April 08, 2010 10:06 AM
To: Peck, Denis R
Cc: Velarde, Barbara Q
Subject: FW: CAP first five day filings total- 19,206
Importance: High

Denis,

I just want to confirm that the numbers you give below are the numbers we should send to OCOMM for the public update. Last year we rounded the numbers and are planning to do the same this year.

Please confirm.

Thanks!

Bobbie

---

From: Sweeney, Shelly A
Sent: Thursday, April 08, 2010 9:57 AM
To: Johnson, Bobbie L
Subject: RE: CAP first five day filings total- 19,206

Bobbie,

I would like to confirm with you that the information below ready for issuance in the USCIS Update:

Approximately 5,600 masters and approximately 13,500 regular.

Last year's figures were rounded. Do you want me to continue with rounding or use the actual figures below?

Thanks!

Shelly

---

From: Peck, Denis R
Sent: Thursday, April 08, 2010 9:26 AM
To: Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K; Shiflett, Julie M; Lundquist, Mark E
Subject: CAP first five day filings total- 19,206
Importance: High

I count 4,293 Premiums – 22.35%

The master-nonmasters breakdown looks like 5,631 masters and 13,575 regular.

Our comparable five day total last year was just under 64,000.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, July 29, 2009 10:02 AM
**To:** Cummings, Kevin J; Gooselaw, Kurt G; Williams, Carol L
**Cc:** Sweeney, Shelly A; Tamanaha, Emisa T; Mattice, Michael; Kruszka, Robert F
**Subject:** RE: Public Data

I think it is prudent to focus on cap-eligible petitions. My interpretation of Kevin's suggestion is that denials are included in "filed". Denials are obviously not included in cap count.
Jim

---

**From:** Cummings, Kevin J
**Sent:** Wednesday, July 29, 2009 10:54 AM
**To:** Fitzsimmons, James; Gooselaw, Kurt G; Williams, Carol L
**Cc:** Sweeney, Shelly A; Tamanaha, Emisa T; Mattice, Michael; Kruszka, Robert F
**Subject:** RE: Public Data

How about this?

Since April 1st, approximately **[INSERT NUMBER]** H-1B petitions (temporary work visas for specialty occupations) have been filed with USCIS requesting FY 2010 employment to commence on or after October 1st. USCIS will continue to accept petitions until reaching the Congressionally-mandated 65,000 cap. In addition, over 20,000 petitions for prospective H-1B aliens with a master's or higher degree earned at a U.S. institution have been filed with USCIS. Although the Congressionally-mandated cap for these advanced degree petitions is set at 20,000, USCIS continues to accept more of these H-1B petitions since past experience has shown that not all petitions received are approvable (update from previous reports).

--Kevin

Kevin J. Cummings
Branch Chief, Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, July 29, 2009 9:52 AM
**To:** Gooselaw, Kurt G; Cummings, Kevin J
**Cc:** Sweeney, Shelly A; Tamanaha, Emisa T; Mattice, Michael
**Subject:** FW: Public Data
**Importance:** High

Kurt/Kevin

This weekly update to DHS coincides with cap webpage update.

Please advise.

Thanks.

Jim

My recommendation on language is: **As of July xx, approximately xx,000 cap-eligible petitions have been filed since April 1 that have either been approved or are pending adjudication.**

---

**From:** Mattice, Michael
**Sent:** Wednesday, July 29, 2009 9:37 AM
**To:** Fitzsimmons, James
**Subject:** FW: Public Data

Jim,

This is an example of what DHS thinks it would like to have included in our weekly report:

**VII. Additional items of importance not covered above**

- Approximately **45,000 people have filed with USCIS for FY2010 H-1B petitions** (temporary work visas for professionals) since **4/1**. USCIS will continue to accept petitions until reaching the Congressional-mandated 65,000 cap. In addition, 20,000 aliens with advanced degrees have filed petitions with USCIS. Although the mandated cap for these advanced degree applications stands at 20,000, USCIS continues to accept more petitions since experience has shown that not all petitions received are valid (update from previous reports).

Can you structure information like this to be sent to us (and others, as you described your process) each Monday? Please let me know if this presentation, which may represent publicly available information, should be expanded or differently presented to more fully present USCIS H-1B activity to DHS. As discussed, I'll clear with or loop-in DOMO, etc. Thanks very much.

Respectfully,

Michael C. Mattice
USCIS Office of the Executive Secretariat
*Facilitators of Success*
[redacted] (Office)
[redacted] (Cell) (b)(6)
202-272-0997 (Fax)
michael.mattice@dhs.gov
uscisexecsec@dhs.gov
michael.mattice@dhs.sgov.gov
michael.c.mattice@dhs.ic.gov
http://uscis.dhs.gov/exs/pages

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Monday, August 17, 2009 11:12 AM
**To:** Cummings, Kevin J; Fitzsimmons, James; McConnell, James E; Richardson, Gregory A
**Cc:** Kruszka, Robert F; Williams, Carol L; Sweeney, Shelly A; Gooselaw, Kurt G
**Subject:** RE: Question on H-1B Numbers

Jim F,

Can you answer her questions? I'm not sure how to because her numbers seem higher than the numbers you gave us earlier today. I don't want to get it wrong.

Thanks,

Shannon Doherty
Adjudications Officer
Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security

---

**From:** Cummings, Kevin J
**Sent:** Monday, August 17, 2009 11:16 AM
**To:** Atteberry, Kimberly R; Fitzsimmons, James; McConnell, James E; Richardson, Gregory A
**Cc:** Kruszka, Robert F; Doherty, Shannon P; Williams, Carol L; Sweeney, Shelly A; Gooselaw, Kurt G; Kuncaitis-Wall, Sara E
**Subject:** Question on H-1B Numbers

Hi Kim,

Today is my first day with the USCIS Office of Policy & Strategy in my new position. I am including some folks in SCOPS who should be able to assist in confirming the numbers below. Glad you are on board!

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

---

**From:** Atteberry, Kimberly R
**Sent:** Monday, August 17, 2009 11:13 AM
**To:** Cummings, Kevin J
**Subject:** Question

Kevin,

I'm working on the H-1B rule for CIS and (as the new kid on the block) was hoping to confirm some numbers. I saw your name on the comment list for the rule, so hoped you might be able to help me or point me in the right direction for the stats. Just looking to confirm the following stats (not the averages, just filings etc). I appreciate your help/advice! Hope all is well with you…

Best,
Kim

## C. Recent Petition Filing Volume[1]

65,000 cap.

| *Fiscal Year* | *2010*[2] | *2009* | *2008* | *2007* | *2006* | *Average* |
|---|---|---|---|---|---|---|
| Filings | 50,000 | 130,000 | 120,000 | 67,000 | 74,000 | 88,200 |
| Accepted[3] | 48,000 | 74,000 | 71,000 | 67,000 | 74,000 | 66,800 |
| Approved | 23,000 | 60,000 | 64,000 | 65,000 | 63,000 | 55,000 |

20,000 masters exemption.

| *Fiscal Year* | *2010** | *2009* | *2008* | *2007* | *2006* | *Average* |
|---|---|---|---|---|---|---|
| Filings | 24,000 | 30,000 | 21,000 | 21,000 | 21,000 | 23,400 |
| Accepted | 23,000 | 23,000 | 21,000 | 21,000 | 21,000 | 21,800 |
| Approved | 17,000 | 19,000 | 19,000 | 20,000 | 20,000 | 19,000 |

[1] Rounded to nearest thousand, except for average.

[2] As of June 22, 2009.

[3] A small percentage above the 65,000 or 20,000 are processed based on historic denial rates in order to ensure that all 85,000 spots are used by those selected.

## Shirk, Georgette L

**From:** Wright, William G
**Sent:** Friday, December 18, 2009 10:32 AM
**To:** Doherty, Shannon P; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

That works…thank you, Shannon.

r/
Bill

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 11:31 AM
**To:** Wright, William G; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

Bill,

I cannot fill in or clear on this document until we have more information on Monday. For now, we are only predicting that we are likely to meet the cap by Monday. Also, it is still unclear whether a lottery will be made on the last day or not (depends on the volume of petitions received on the final day). This will affect the language used on the update.

If the cap is indeed reached on Monday, I will send you a final version of this update after noon on Monday.

Thanks,

Shannon

---

**From:** Wright, William G
**Sent:** Friday, December 18, 2009 10:27 AM
**To:** Doherty, Shannon P; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

Thank you, Shannon. We will date the Update for 21 Dec.

Would you mind filling in the blanks on the attached?

Regards,
Bill

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 10:22 AM

**To:** Doherty, Shannon P; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap
**Importance:** High

Just want you to know that we can stand down for today. SCOPS now expects the H-1B cap will be reached on Monday December 21st.

Shannon

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 8:31 AM
**To:** Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

We do not yet know. Due to the time difference with the West Coast (where the California Service Center is located), we do not anticipate that we will know until at least noon today. I will update you as soon as possible.

Shannon Doherty
Adjudications Officer
Business Employment Services Team
USCIS HQ - Service Center Operations
Department of Homeland Security

---

**From:** Irazabal, Luz
**Sent:** Friday, December 18, 2009 8:29 AM
**To:** Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** FW: Status of USCIS Update for H-1B Cap
**Importance:** High

Morning – checking on the status of H1B cap and whether or not we will have a lottery... Thanks, Luz

---

**From:** Irazabal, Luz
**Sent:** Thursday, December 17, 2009 9:53 AM
**To:** Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** Status of USCIS Update for H-1B Cap
**Importance:** High

Hello Shelly – thanks for the heads up. Please copy Chris Bentley and Bill Wright on all communications on the cap. I'll be working tomorrow, but on leave next week. Do we know if we will have a lottery?

Tom/Trish – who would be the POC at New Media to ensure that the FINAL release (not the one currently attached to this message) is promptly posted on the Web site?

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 10:31 AM
**To:** Wright, William G; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

Bill,

I cannot fill in or clear on this document until we have more information on Monday. For now, we are only predicting that we are likely to meet the cap by Monday. Also, it is still unclear whether a lottery will be made on the last day or not (depends on the volume of petitions received on the final day). This will affect the language used on the update.

If the cap is indeed reached on Monday, I will send you a final version of this update after noon on Monday.

Thanks,

Shannon

---

**From:** Wright, William G
**Sent:** Friday, December 18, 2009 10:27 AM
**To:** Doherty, Shannon P; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

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Would you mind filling in the blanks on the attached?

Regards,
Bill

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 10:22 AM
**To:** Doherty, Shannon P; Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap
**Importance:** High

Just want you to know that we can stand down for today. SCOPS now expects the H-1B cap will be reached on Monday December 21st.

Shannon

---

**From:** Doherty, Shannon P
**Sent:** Friday, December 18, 2009 8:31 AM
**To:** Irazabal, Luz; Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: Status of USCIS Update for H-1B Cap

We do not yet know. Due to the time difference with the West Coast (where the California Service Center is located), we do not anticipate that we will know until at least noon today. I will update you as soon as possible.

Shannon Doherty
Adjudications Officer
Business Employment Services Team
USCIS HQ - Service Center Operations
Department of Homeland Security

---

**From:** Irazabal, Luz
**Sent:** Friday, December 18, 2009 8:29 AM
**To:** Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** FW: Status of USCIS Update for H-1B Cap
**Importance:** High

Morning – checking on the status of H1B cap and whether or not we will have a lottery... Thanks, Luz

---

**From:** Irazabal, Luz
**Sent:** Thursday, December 17, 2009 9:53 AM
**To:** Sweeney, Shelly A; Bentley, Christopher S; Wright, William G; McKenzie, Trish H; Parisi, Thomas
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** Status of USCIS Update for H-1B Cap
**Importance:** High

Hello Shelly – thanks for the heads up. Please copy Chris Bentley and Bill Wright on all communications on the cap. I'll be working tomorrow, but on leave next week. Do we know if we will have a lottery?

Tom/Trish – who would be the POC at New Media to ensure that the FINAL release (not the one currently attached to this message) is promptly posted on the Web site?

Thanks!
- Luz

<< File: CLEARED DRAFT USCIS Update H-1B Cap Reached.doc >>

**Luz Figuereo Irazabal**
USCIS Media Relations
(202) 272-1206

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 9:48 AM
**To:** Irazabal, Luz
**Cc:** Office Of Communications; Johnson, Bobbie L; Doherty, Shannon P; Young, Claudia F
**Subject:** FW: PLEASE REVIEW - USCIS Update for H-1B Cap
**Importance:** High

Luz,

It's looking like tomorrow or Monday might be THE day. Since we are getting close to the holidays, I was just wondering if you will be in tomorrow and Monday. If you will be out of the office, who should we work with?

I will be out both days, but Shannon and Claudia will be available. Bobbie will be available on Friday, but will be out on Monday.

Thanks!

Shelly
<< File: CLEARED DRAFT USCIS Update H-1B Cap Reached.doc >>

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 12:02 PM
**To:** Sweeney, Shelly A; Dalal-Dheini, Sharvari P
**Cc:** Salem, Claudia S; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Perfect... here's the final version that I'll have ready to go for release. You ladies are lovely to work with! Regards, Luz

---

**From:** Sweeney, Shelly A
**Sent:** Friday, December 11, 2009 11:42 AM
**To:** Dalal-Dheini, Sharvari P; Irazabal, Luz
**Cc:** Salem, Claudia S; Johnson, Bobbie L; Young, Claudia F
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

I would like to propose added the words "Properly filed" in front of the sentence that begins "Cases will be considered accepted on the final date..."

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 11:19 AM
**To:** Irazabal, Luz; Sweeney, Shelly A
**Cc:** Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Luz,

I have kept the same language as you proposed, but reorganized this a little bit. We are announcing that both the 65,000 and 20,000 cap have been reached, so we should not separate that in two different paragraphs. See if this works for you and Shelly. << File: DRAFT USCIS Update H-1B Cap Reached occ.doc >>

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: (202) 272-1414
Cell: (202) 427-8499
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Email: Sharvari.Dalal-Dheini@dhs.gov

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Thank you.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:58 AM
**To:** Dalal-Dheini, Sharvari P; Sweeney, Shelly A
**Cc:** Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Let me know if this works for you both. Thanks for your help getting this completed. Regards, Lu << File: DRAFT USCIS Update H-1B Cap Reached.doc >> z

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 10:50 AM
**To:** Irazabal, Luz
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

– U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of petitions to reach the congressionally mandated cap for fiscal year 2010 (FY2010). USCIS is hereby notifying the public that [insert date] is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY2010. The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. **Cases will be considered accepted on the date that USCIS physically receives the petition; not the date that the petition was postmarked.** USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption.

USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY2010 that arrive after [insert date].

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: (202) 272-1414
Cell: (202) 427-8499
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

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Thank you.

---

**From:** Sweeney, Shelly A
**Sent:** Friday, December 11, 2009 10:47 AM
**To:** Irazabal, Luz; Dalal-Dheini, Sharvari P; Salem, Claudia S
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

I've thought about this some more and I believe that this would not work if we get a huge influx of petitions and need to run the lottery on the final receipt date. Some petitions received on the final receipt date would be rejected if we have to run the lottery.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:39 AM
**To:** Irazabal, Luz; Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Just on the phone with Shelly... Here's a recommended rewrite...

USCIS will accept petitions if properly filed by date final receipt date, not the petition was postmarked.

Sorry for being difficult with the wording... looking for simple and accurate since this group is very particular ☺

Thanks,
Luz

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:29 AM
**To:** Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Hello Shev:

I'm concerned that "final receipt date" may create confusion --- is this date when the filing is in the hands of the adjudicators for review? Or is it the "final receipt date" after we have completed the front processing for fees, etc? Is there a difference between mailing and electronic filing? Why are we using the term "final receipt date"?

Today I can be reached at 202-384-5867. Please give me a call.

Thanks,
Luz

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Friday, December 11, 2009 10:14 AM
**To:** Irazabal, Luz; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Luz,

My only concern is that we are defining "final receipt date" with the word "receipt date." I believe that there may be some uncertainty by the public as to what USCIS defines as the receipt date, that is why we used the language "the date USCIS takes possession of the petition." How about the following language which was used in an earlier update this year:

The final receipt date will be based on the date USCIS physically receives the petition, not the date that the petition is postmarked

Hope that works,

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: (202) 272-1414
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Thank you.

---

**From:** Irazabal, Luz
**Sent:** Friday, December 11, 2009 10:01 AM
**To:** Dalal-Dheini, Sharvari P; Salem, Claudia S
**Cc:** Sweeney, Shelly A
**Subject:** RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Shev, would you be OK if I rephrased your edit to receipt date as follows:

Petitions will be accepted based on the USCIS receipt date, not the postmarked date.

Otherwise, I have accepted all edits. Thank you, Luz

-----Original Message-----
From: Dalal-Dheini, Sharvari P
Sent: Thursday, December 10, 2009 3:43 PM
To: Irazabal, Luz; Salem, Claudia S; Sweeney, Shelly A; OCC-Clearance; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L
Subject: RE: PLEASE REVIEW - USCIS Update for H-1B Cap

Attached please find OCC's edits to the document.

Ms. Sharvari (Shev) Dalal-Dheini
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
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strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.

Thank you.

-----Original Message-----
From: Irazabal, Luz
Sent: Thursday, December 10, 2009 3:39 PM
To: Salem, Claudia S; Sweeney, Shelly A; OCC-Clearance; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Subject: RE: PLEASE REVIEW - USCIS Update for H-1B Cap

OCC and OCR colleagues - a friendly reminder...

OPE and OP&S already cleared.

Thanks,
Luz

Luz Figuereo Irazabal
USCIS Media Relations
(202) 272-1206

-----Original Message-----
From: Irazabal, Luz
Sent: Thursday, December 10, 2009 8:14 AM
To: Salem, Claudia S; Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Subject: Re: PLEASE REVIEW - USCIS Update for H-1B Cap

No one has made edits yet. Thanks.

Luz Figuereo Irazabal
USCIS Media Relations
202-272-1206 office
202-384-5867 cell

----- Original Message -----
From: Salem, Claudia S
To: Irazabal, Luz; Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L; Dalal-Dheini, Sharvari P
Sent: Thu Dec 10 08:11:14 2009
Subject: Re: PLEASE REVIEW - USCIS Update for H-1B Cap

Adding Shev for OCC. Thanks!
Can someone pls send us the latest version so we don't waste your time?
C

----- Original Message -----
From: Irazabal, Luz
To: Sweeney, Shelly A; Cummings, Kevin J; OCC-Clearance; Salem, Claudia S; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J
Cc: Bentley, Christopher S; Wright, William G; Johnson, Bobbie L

## Shirk, Georgette L

**From:** Williams, Carol L
**Sent:** Monday, April 06, 2009 1:13 PM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC 2009 H1B CAP Report

Claudia has asked me to forward this to you.

-----Original Message-----
From: Young, Claudia F
Sent: Monday, April 06, 2009 2:10 PM
To: Williams, Carol L
Subject: Re: VSC 2009 H1B CAP Report

Carol, please include Shelly on these also.
Thanks!
Claudia

----- Original Message -----
From: Williams, Carol L
To: Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Manahan, Lisa F; Collins, Mary Lou E
Cc: Peck, Denis R; Cummings, Kevin J; Williams, Carol L; Hale, Paola Rodriguez; Young, Claudia F
Sent: Mon Apr 06 14:05:26 2009
Subject: FW: VSC 2009 H1B CAP Report

All –

Denis and I thought a call would be helpful to discuss the proposed new processing timeline. This is the only agenda item for the calendar notice I just sent. If you would like to add any items to the agenda, please send me one consolidated email from your centers. Please forward as appropriate.

Thank you

Carol

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From: Perkins, Robert M
Sent: Monday, April 06, 2009 11:48 AM
To: Peck, Denis R

Cc: Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
Subject: RE: VSC 2009 H1B CAP Report

Denis,

If the contractor can start data entry on 4/7 (2nd shift), however, utilize 4/8 as the received date in CLAIMS, this would be a viable option. Otherwise, I would prefer to have both shifts complete data entry on 4/8 and have 2,500 cases ready for Adjudications on 4/9 (day 2).

I still think we should explore delaying the PP clock until 4/9, thus giving the contractor one day to sort, count and commence acceptability review. Is this something you or Claudia could pursue with counsel?

Thanks,

(b)(6)

Robert M. Perkins| Assistant Center Director| Vermont Service Center |USCIS | (

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From: Peck, Denis R
Sent: Monday, April 06, 2009 11:37 AM
To: Perkins, Robert M
Cc: Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
Subject: RE: VSC 2009 H1B CAP Report

Sounds like another telecon tomorrow may be in order.

I did not give the contractor a definitive go ahead to do this but told them to be ready for it. They would have had 1,000 at each center ready for adjudicating Wednesday morning. But if it doesn't make sense to tackle that way we'll hold off.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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From: Perkins, Robert M
Sent: Monday, April 06, 2009 11:30 AM
To: Peck, Denis R
Cc: Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
Subject: FW: VSC 2009 H1B CAP Report

Denis,

We were just informed by the contractor that you would like for them to start data entry of premium processing petitions on 2nd shift tomorrow (4/7). If so, would the PP clock start on 4/7 or would we go with our original plan of the PP clock commencing on 4/8 (see attached Word doc)? If getting a jump start on 4/7 means that we would start the clock for all premium petitions on 4/7, then we would not maximize our data entry efforts, while losing a full day on the premium clock. In my opinion, this would be a big mistake.

Lisa and I were talking this morning (prior to hearing from the contractor) and we were actually going to inquire and see if we could delay D-day until 4/9. This would allow for a full and accurate count of all petitions at the conclusion of the five day filing window. It would also allow the contractor to get a jump on the Post-RNG Acceptability Review procedures that still need to be completed. I believe we may need legal counsel's opinion as to whether we would be on firm legal grounds to delay the start of the PP clock until 4/9, but if so, then it would provide huge dividends to Adjudications as we try to manage 8-10 K premium processing petitions within the 15-day processing window.

Thanks,

Robert M. Perkins| Assistant Center Director| Vermont Service Center |USCIS | ([redacted] (b)(6)

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From: Manahan, Lisa F
Sent: Monday, April 06, 2009 9:51 AM
To: Peck, Denis R; Perkins, Robert M
Subject: FW: VSC 2009 H1B CAP Report

Denis,

The combined totals for VSC & CSC should be:

Reg. Cap – 21,551

PP Cap - 10,003

Total Reg. – 31,584

Reg. Masters – 11,704

PP Masters - 5,787

Total Master – 17,491

Lisa F. Manahan

Assistant Center Director Records/COTR

Vermont Service Center

Phone [redacted] (b)(6)

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From: Manahan, Lisa F
Sent: Monday, April 06, 2009 9:19 AM
To: Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
Cc: Collins, Mary Lou E
Subject: FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan

Assistant Center Director Records/COTR

Vermont Service Center

Phone: [redacted]

(b)(6)

From: Upton, Mandy L
Sent: Monday, April 06, 2009 9:08 AM
To: VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Subject: VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

Premium 937

Other 2582

Total 3519 pieces

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

Premium 181

Others 1129

Total 1310 pieces

Thank you,

(b)(6)

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: [redacted] *:
Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, December 27, 2010 11:10 AM
**To:** Harton, Frank A
**Subject:** FW: FY 2011 H-1B cap update

We hit the master's. I sent a follow-up message to OCC on clearance of the redlines to the webpage earlier this morning as I suspected that the below might happen. I will also get the DOD H-1B count update from Jim as that was something that OCC requested be included.

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 27, 2010 12:07 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 01, 2010 10:06 AM
**To:** Johnson, Bobbie L
**Subject:** FW: CAP day...so far

Ouch. I wasn't expecting it to be that low.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 01, 2010 11:05 AM
**To:** Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Shiflett, Julie M; Fitzsimmons, James; Lundquist, Mark E
**Cc:** Velarde, Barbara Q; Arroyo, Susan K
**Subject:** FW: CAP day...so far

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Renaud, Daniel M
**Sent:** Thursday, April 01, 2010 11:00 AM
**To:** Poulos, Christina; Velarde, Barbara Q; Neufeld, Donald; Peck, Denis R
**Cc:** Nicholson, Richard E; Hazuda, Mark J; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Bushey, Sandra T
**Subject:** RE: CAP day...

FedEx aircraft in the area have been delayed due to fog, but from our conversations with FedEx, we should be similarly low.

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

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**From:** Poulos, Christina
**Sent:** Thursday, April 01, 2010 10:57 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Peck, Denis R
**Cc:** Nicholson, Richard E; Hazuda, Mark J; Gregg, Bret S; Renaud, Daniel M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** CAP day...

Looks like pretty much routine volume regular and express mail. FedEx says they have about 20,000 pieces for us but that will include other submissions as well.

If Vermont is similarly low and this continues, can we discuss keying early?

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, February 11, 2011 11:58 AM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Canney, Keith J; Sweeney, Shelly A; Johnson, Bobbie L
**Subject:** CSC H-1B Report

Mark:

CSC H-1B Processing Times:

CAP – 12/14/10
CAP Exempt – 12/15/10
Mater CAP – 12/14/10
EOS – 01/05/11

| CSC I-129 H1Bs Pending as of 02/07/2011 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 12/07/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 875 | 3,471 |
| | | PENDING | 379 | 383 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,849 | 1,877 |
| | | SUSPENSE | 13 | 15 |
| | | TRANSFERRED IN | 387 | 550 |
| | Others | NEW CASE | 493 | 4,071 |
| | | PENDING | 361 | 361 |
| | | REOPENED | 2 | 2 |
| | | RULE 103 | 996 | 1,058 |
| | | SUSPENSE | 20 | 23 |
| | | TRANSFERRED IN | 145 | 174 |
| **Total:** | | | **5,528** | **11,993** |

| CSC I-129 H1Bs (01-30-2011 to 02-05-2011) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 559 | 141 | 336 | 1,036 |
| | I-129 H1B EOS | 91 | 43 | 30 | 164 |
| | I-129 PP H1B | 656 | 72 | 188 | 916 |
| | I-129 PP H1B EOS | 423 | 16 | 71 | 510 |
| | **Total:** | **1,729** | **272** | **625** | **2,626** |
| Div II | I-129 H1B | 5 | 19 | 2 | 26 |
| | I-129 H1B EOS | 15 | 2 | 1 | 18 |
| | I-129 PP H1B | 3 | 1 | 5 | 9 |
| | I-129 PP H1B EOS | 1 | 0 | 0 | 1 |
| | **Total:** | **24** | **22** | **8** | **54** |
| Div V | I-129 H1B | 115 | 0 | 33 | 148 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 H1B EOS | 269 | 13 | 21 | 303 |
| | I-129 PP H1B | 3 | 0 | 1 | 4 |
| | I-129 PP H1B EOS | 15 | 0 | 1 | 16 |
| | **Total:** | **402** | **13** | **56** | **471** |
| **Div VI** | I-129 H1B | 43 | 0 | 7 | 50 |
| | I-129 H1B EOS | 665 | 13 | 57 | 735 |
| | I-129 PP H1B | 1 | 0 | 0 | 1 |
| | I-129 PP H1B EOS | 7 | 0 | 0 | 7 |
| | **Total:** | **716** | **13** | **64** | **793** |
| **Grand Total:** | | **2,871** | **320** | **753** | **3,944** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 6:29 AM
**To:** Young, Claudia F
**Subject:** RE: H1! Cap

I'm not sure yet. Waiting on something from Jim. I didn't receive any emails from the Center over the weekend or on Monday.

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, December 22, 2009 7:27 AM
To: Fitzsimmons, James; Sweeney, Shelly A
Subject: H1! Cap

Did we hit it? Do we know how many were racked and stacked yesterday?

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 8:41 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Shelly,
There is no target on masters. The target would be on combined. But a target isn't necessary unless we get real close to cap and must then start thinking about a final receipt date. That day may not come.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 19, 2009 9:37 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

What is our final target on the masters? Just for my own knowledge.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 9:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's

[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Monday, October 05, 2009 12:56 PM
**To:** Sweeney, Shelly A; Gooselaw, Kurt G
**Cc:** Young, Claudia F; Tamanaha, Emisa T
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Here's a bullet for H-2Bs:

- **10/05/2009: Update on H-2B Petitions**—USCIS is still accepting petitions for H-2B employment for the 1st half of FY 2010 and will continue to do so until meeting the semi-annual Congressionally-mandated cap of 33,000 is reached. **17,220** petitions have been approved thus far, with **9,013** still pending adjudication. Please note, a shortfall of H-2B workers allocated in the 1st half of the fiscal year will be added to the number of H-2B workers that may be allocated in the 2nd half of the fiscal year.

Shannon Doherty
Adjudications Officer
Business & Trade Services
USCIS Service Center Operations
Department of Homeland Security

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 05, 2009 1:26 PM
**To:** Gooselaw, Kurt G
**Cc:** Young, Claudia F; Doherty, Shannon P; Tamanaha, Emisa T
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Kurt,

If she needs a bullet from us, I would suggest the below (my changes in red). As for H-2B, I defer to Shannon and Emisa. Let me know if you want me to send the below out or if you have any changes.

Thanks!

Shelly

10/5: **Update on H-1B Petitions**—USCIS is still accepting petitions requesting FY 2010 employment and will continue to do so until meeting the Congressionally-mandated cap of 65,000. Approximately 41,000 petitions have been approved thus far, with approximately 6,000 remaining pending. In addition, approximately 21,500 petitions for prospective H-1B aliens with a master's or higher degree earned at a U.S. institution have been approved thus far, with approximately 1,600 remaining pending. Although the Congressionally-mandated exemption for these advanced degree petitions is set at 20,000, USCIS accepts H-1B petitions beyond the amount allowed by the exemption because experience shows that not all petitions received are approvable, while others simply drop-out.

---

**From:** Contaldi, Kerry
**Sent:** Monday, October 05, 2009 1:13 PM

**To:** Sweeney, Shelly A
**Cc:** Gooselaw, Kurt G; Young, Claudia F; Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Each week I have to send a bullet with the updated H-1B info. I realized the bullet we had been sending was not quite accurate and drafted a new one.

I am looking for a succinct bullet to provide the necessary background info and the numbers that are updated weekly.

If someone can provide such a two or three line bullet, I would be grateful.

I have to do the same for the H-2B numbers; again any assistance is more than welcome, and greatly appreciated.

Thank you.

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**
**Department of Homeland Security**
kerry.contaldi@dhs.gov
[redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Monday, October 05, 2009 12:55 PM
**To:** Contaldi, Kerry
**Cc:** Gooselaw, Kurt G; Young, Claudia F; Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Kerry,

The below bullet is not quite accurate. The regular cap (65,000) is listed in the first row of the chart below. The second row is for the master's exemption. The first 20,000 H-1B petitions filed for beneficiaries who have a master's degree or higher are exempt from the regular annual cap of 65,000. Although the total for the second row is slightly greater than 20,000, we have not yet received sufficient petitions to close the master's exemption. Based upon historical trends, some petitions in the master's exemption category will be denied or revoked.

Kurt and/or Claudia, please feel free to jump in.

Thanks!

Shelly

---

**From:** Contaldi, Kerry
**Sent:** Monday, October 05, 2009 12:09 PM
**To:** Liang, Gwen
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

Is the language in the bullet below accurate?

- **9/21: Update on H-1B Petitions**—USCIS is still accepting petitions requesting FY 2010 employment and will continue to do so until meeting the Congressionally-mandated cap of 65,000. **62,500** petitions have been approved thus far, with **7,600** still pending approval. USCIS accepts H-1B petitions beyond the amount allowed by the cap because experience shows that not all petitions received are approvable, while others simply drop-out.

**Kerry T. Contaldi**
**Analyst (Contractor, Labat-Anderson)**
**Office of the Executive Secretariat**
**U.S. Citizenship and Immigration Services**
**Department of Homeland Security**
kerry.contaldi@dhs.gov
[redacted] (b)(6)

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Please print only when necessary.

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**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 12:01 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 1:44 PM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap numbers for FY 2010 UPDATE

Jim,

Just to confirm, there are only approximately 4,000 cap numbers remaining, correct?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 8:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 14, 2009 8:59 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 11th. Note that RFE rate has been redefined as explained in superscript 6 below.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,900 | 6,600 | 45,500 | 2,000 | 51,900 | 96% | 51% | 18% |
| Masters | 21,000 | 1,500 | 22,500 | 900 | 23,500 | 96% | 33% | 8% |
| **COMBINED** | **59,900** | **8,100** | **68,000** | **2,900** | **75,400** | **96%** | **45%** | **15%** |

Data available as of close of business, September 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 8:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |

| | | | |
|---|---|---|---|
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Thursday, January 27, 2011 8:38 AM
**To:** Harton, Frank A; Peck, Denis R; Sweeney, Shelly A
**Subject:** FW: H1B CAP update

fyi

-----Original Message-----
From: Humphrey, Buck H
Sent: Thursday, January 27, 2011 9:35 AM
To: Neufeld, Donald; Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; 'Denise.Vanison@dhs.gov'; Monica, Donald J; Melero, Mariela; Crocetti, Don; Moore, Joseph; 'rosalina.lacot@dhs.gov'; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Subject: Re: H1B CAP update

Thanks, Don. I'll alert the team.

Buck Humphrey
Chief, Office of Communications
DHS-USCIS
W
C- [redacted] (b)(6)

----- Original Message -----
From: Neufeld, Donald
To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina <rosalina.lacot@dhs.gov>; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Sent: Thu Jan 27 09:33:45 2011
Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 9:06 AM
To: Neufeld, Donald
Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F

Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline (b)(6)
VSC/SISA/CPAU
[redacted]

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM

To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Harton, Frank A
**Sent:** Thursday, January 13, 2011 2:55 PM
**To:** Harvey, Mark E
**Cc:** Sweeney, Shelly A; Richardson, Gregory A; Velarde, Barbara Q
**Subject:** FW: H-1B Processing Update

Mark,

Each week, Keith Canney from VSC and Joe Fierro will send you an update (like the one I just forwarded to you) on where they are with processing FY11 cap cases. Please plop the numbers from those charts into the summary below and forward to Barbara, Greg, and me as you get them. This week is already done.

Frank

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, January 12, 2011 11:14 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

CSC:

The CSC reported that they are at a 11/3 processing date for both regular and master's cap cases (it was 10/25 and 10/21, respectively, last week). Cap exempt is at 11/17 (it was 10/20 last week). **The processing date for EOS has moved to 11/18** (the previous week it was at 11/1). As of January 10, there were 4,635 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,209 have had an RFE/NOID issued but ave not been worked to completion (either pending response or response not yet adjudicated). There were 4,751 EOS petitions still pending that are outside of the two month processing goal. Of that number, 1,230 have had an RFE/NOID issued already.

From 1/2 to 1/8, the CSC approved 2,084 non premium cases, denied 176 non premium cases, and issued an RFE on 259 non premium cases. CSC also approved 1,629 premium cases, denied 105 premium cases, and issued an RFE on 406 premium cases during the same time period. *Total actions during that time period were 4,659.*

VSC:

The VSC reported that they are at a 10/27 processing date for cap cases ( it was10/25 last week). **The processing date for EOS is at 8/30** (they reported 8/18 last week). As of January 10, there were 1,694 untouched cap petitions still pending that are outside of the two-month processing goal. There were 10,016 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 1/2 to 1/9, the VSC approved 1,362 non premium cases, denied 166 non premium cases, and issued an RFE/NOID on 163 non premium cases. VSC also approved 1,655 premium cases, denied 114 premium cases, and issued an RFE/NOID on 352 premium cases during the same time period. *Total actions during that time period were 3,812.*

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, February 17, 2011 5:41 PM
**To:** Velarde, Barbara Q
**Cc:** Harton, Frank A; Sweeney, Shelly A; Harvey, Mark E
**Subject:** FW: H-1B Report

Barbara,

You'll notice below that we have quite a chunk of notices sitting with clerical. We're focusing our clerical efforts tomorrow and on Monday (holiday work) on this workload. We'll also be taking a look at why this happened and how to prevent this from occurring, such as getting these cases to clerical sooner during the 60-day clock to give them the time they need to issue the notices.

Please let me know if you have additional questions or concerns.

Thanks!

Bobbie

*Bobbie L. Johnson*
*Acting Deputy Director*
*California Service Center*
[redacted]

(b)(6)

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**From:** Fierro, Joseph
**Sent:** Thursday, February 17, 2011 2:38 PM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Canney, Keith J; Velarde, Barbara Q
**Subject:** H-1B Report

Mark/Frank:

I have changed the report slightly in the hopes of making it clearer. If you have any suggestions to this, please let me know. The dates I provide from this date forward will indicate cases that are distributed to the officers on the floor. I would like to give some explanatory notes to help in the understanding of how this report works for our purposes and how CSC works this report to identify the status of cases in the work flow and determine where we are in processing.

PDA (our analysts) runs this initial report in CLAIMS3 (C3). There are many codes in C3 that define or identify a "pending" case for the purposes of the G-22 and this report. Many of these codes considered "pending" for the purposes of the G-22 and this report are in fact, when further or individually analyzed, closed. The CSC continually has to manually review the report to identify the cases that come up as "pending" that are not actually pending. The cases that are identified on this report as "pending" but are actually closed for some reason or other are eventually closed out and removed from the report. This will explain why some cases may come up as passed a reported time on this report.

Also, various other anomalies occur each week and may appear on the report as passed reported times. Some examples of anomalies include cases that have gone to BCU for IBIS resolution or CARRP review, CFDO for fraud, have been adjudicated but were never updated, have been misrouted, are placed on adjudicative hold for non security or fraud reasons, placed out of JIT order by the contractor, etc. Anomalies are continually being identified and are either closed out or adjudicated if possible, or continue to be held in abeyance if required by BCU or CFDO.

Many cases have been reviewed by the officer and supervisor prior to the reported time, but only need clerical updating. These cases usually get updated within 1-3 days. This is why I have added the "w/clerical" part of the report.

Please keep in mind that the majority of the cases "W/officer" and with supervisors are resubmits which means that they have already been RFEd.

Finally, there are a small number of cases that "fall through the cracks" and must be identified and picked up for adjudication. We identify these cases immediately and send e-mail messages to the officer, supervisor, or ACD to have these adjudicated immediately and keep them within reported times. Currently, we have 6 divisions adjudicating H-1Bs, so it takes some tracking and effort to ensure everyone gets those cases that fall through the cracks done.

In the past I have used the most accurate times possible, or a time that most reflects the reality of the vast majority of cases vs. using the proportionately small number of cases that are open, are anomalies, or simply fall through the cracks, as the reported date. The reported time included a review of the JIT shelves, both physically and on paper, a review of the reports provided by our analysts, and a physical review of what is on the floor.

To help avoid confusion in the future, I will now report the time that cases are being distributed to the floor as the reported time.

- Joe

CAP/EOS dates distributed to officers:

Regular CAP: 12/22/10
Master Cap: 12/19/10
CAP Exempt: 12/18/10
EOS distributed to officers: 1/11/11

| CSC I-129 H1Bs Pending with NFTS location as of 02/14/2011 | | | | |
|---|---|---|---|---|
| Data Source: C3 | | | | |
| | | Status | Counts filed before 12/14/2010 | Everything filed up today |
| H-1Bs | Initials | At BCU | 2 | 2 |
| | | At CFDO | 27 | 30 |
| | | In File Room/Jit Shelf | 43 | 1,919 |
| | | On RFE Shelf/Rule 103 | 700 | 703 |
| | | Other Location | 91 | 127 |
| | | W/Clerical/Incl Resubmits | 628 | 826 |
| | | W/Officer/Incl Resubmits | 638 | 880 |
| | Others | At BCU | 21 | 31 |
| | | At CFDO | 18 | 22 |
| | | In File Room/Jit Shelf | 45 | 2,660 |
| | | On RFE Shelf/Rule 103 | 467 | 499 |
| | | Other Location | 67 | 198 |
| | | W/Clerical/Incl Resubmits | 230 | 488 |
| | | W/Officer/Incl Resubmits | 335 | 801 |
| Total: | | | 3,312 | 9,186 |
| Notes: | | | | |

| CSC I-129 H1Bs (02- | |
|---|---|
| Data Sou | |
| | |
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |

- Resubmits are cases that have already been RFEd.
- Cases “In file room/JIT Shelf” beyond reported times are pulled and reviewed.
- “Other Location” consists mostly of contractor locations.

| | Total: | |
|---|---|---|
| Grand Total: | | |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 7:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |
| **COMBINED** | **74,900** | **10,000** | **84,900** | **83,300** | **6,500** | **91,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 06, 2010 12:01 PM
**To:** Johnson, Bobbie L; Richardson, Gregory A
**Subject:** FW: Daily Cap processing

**Importance:** High

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**From:** Shuttle, Peter J
**Sent:** Wednesday, October 06, 2010 12:57 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** Daily Cap processing
**Importance:** High

Shelly,

Here is today's report.

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 |
|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Wednesday, September 29, 2010 12:13 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Chadwick, Donna; Janson, Nancy D; Lamothe, Judy L; Lockerby, Beth A; Montgomery, Laura; Rhodes-Gibney, Cathy S; Sweeney, Mark M
**Subject:** F-1 Cap processing

**Importance:** High

Shelly,

Here are today's figures.

Here is today's **initial receipts summary** that you asked for:

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | 799 |
| With Officer | 578 |
| With Contractor* | 165 |
| ADJ Staged | 31 |
| Other | 25 |

| | |
|---|---|
| **All Cap > 60** | 3141 |
| With Officer | 2199 |
| With Contractor* | 646 |
| ADJ Staged | 184 |
| Other | 112 |

- The "with contractor" includes some cases that were approved or rfed yesterday after the oracle tables were updated.
- For the F-1s in the first section all of the 165 appear to be approvals or RFEs where CLAIMS has not caught up with the location.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell** [redacted]

(b)(6)

(b)(5)

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

**USCIS Reaches FY 2010 H-1B Cap**

– USCIS

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**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM.

(b)(5)

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

**USCIS Reaches FY 2010 H-1B Cap**

– USCIS

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*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

**USCIS Reaches FY 2010 H-1B Cap**

– USCIS

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Comment [sas1]: This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

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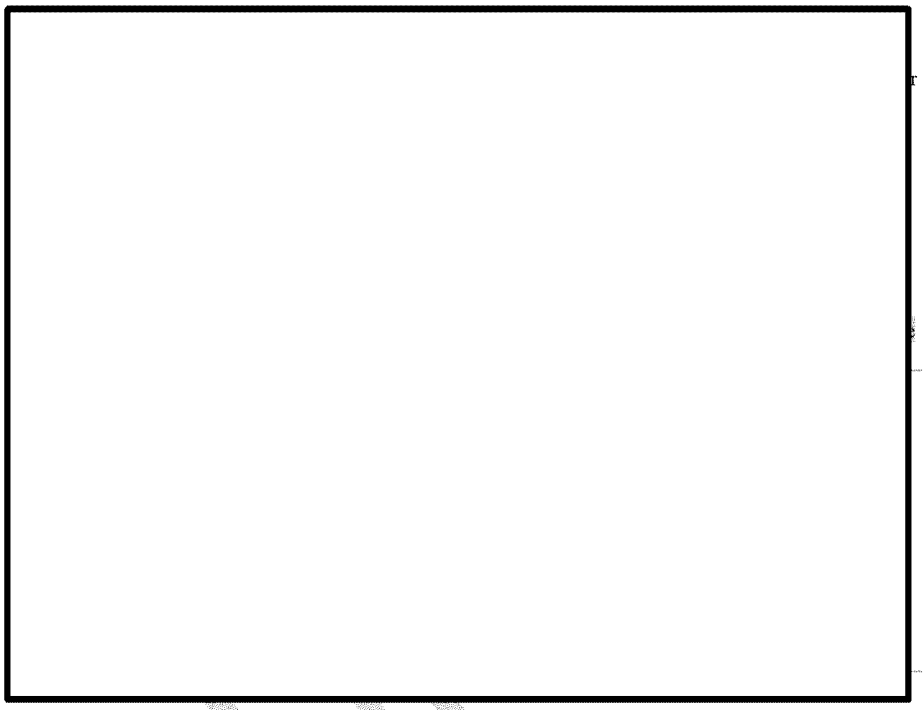
*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

## USCIS Reaches FY 2010 H-1B Cap



– USCIS

**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM

(b)(5)

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

## USCIS Reaches FY 2010 H-1B Cap

– USCIS

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**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM.

(b)(5)

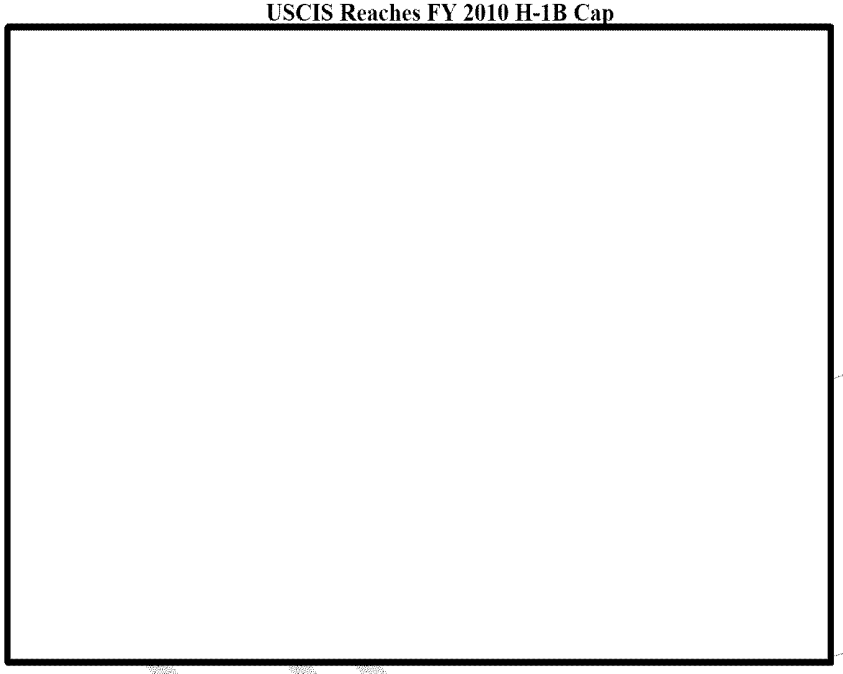
*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

**USCIS Reaches FY 2010 H-1B Cap**



– USCIS

**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM.

*Office of Communications*

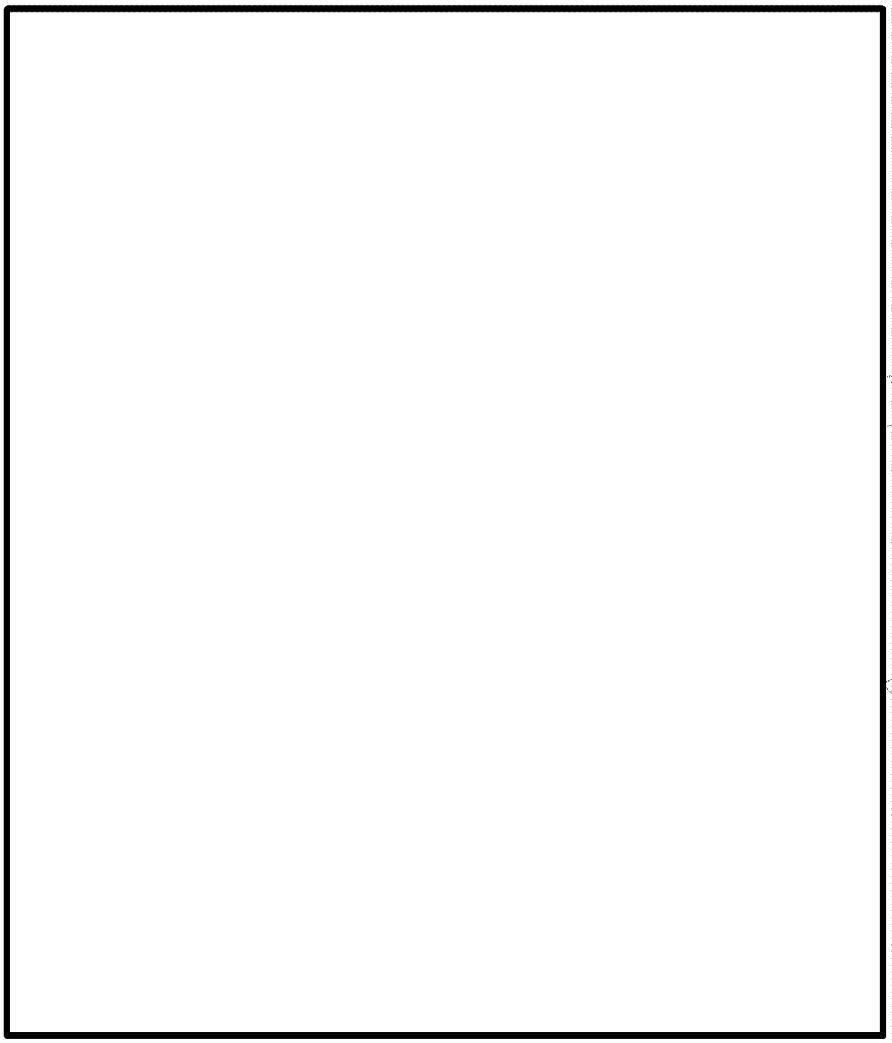
U.S. Citizenship and Immigration Services

# USCIS Update

[Insert Date]

(b)(5)

## USCIS Reaches FY 2010 H-1B Cap



Formatted: Font: Not Bold

Formatted: Font: Joanna MT

Comment [sas1]: This will need to be deleted if it is determined that a lottery is not needed for the final receipt day.

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*Office of Communications*

U.S. Citizenship and Immigration Services

– USCIS

DRAFT

# FW: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Wednesday, February 10, 2016
11:22 AM

| | |
|---|---|
| Subject | **FW: For Your Review-H-1B 2011 Cap Season Materials-REMINDER** |
| From | Sweeney, Shelly A |
| To | Clark, Matthew J |
| Cc | OCC-Clearance; Dalal-Dheini, Sharvari P; Johnson, Bobbie L; Doherty, Shannon P; Weidemann, James; Young, Claudia F |
| Sent | Wednesday, March 03, 2010 11:32 AM |
| Attachments | USCIS Upd... 2011 H-1B... |

Matt,

Here is the OCC cleared webpage and USCIS Update. James Weidemann is the individual from the forms group who is coordinating the optional processing worksheet that needs to be linked to the page. Please let me know if you need anything else from me.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P
**Sent:** Wednesday, March 03, 2010 11:56 AM
**To:** Sweeney, Shelly A
**Cc:** OCC-Clearance; ALD
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shelly,

I'm good with your edits. We clear.

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: [redacted] (b)(6)
Cell:
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov
This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, the reader is hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.
Thank you.

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 03, 2010 11:40 AM
**To:** Dalal-Dheini, Sharvari P
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shev,

I am ok with the edits to the Update. I am also ok with the edits to the webpage. I have added some language regarding the Form I-907 section to address the issue regarding acceptable versions of the form. Let me know if OCC clears on these changes or if you have any additional comments/edits.

Thanks!

Shelly

**From:** Dalal-Dheini, Sharvari P
**Sent:** Wednesday, March 03, 2010 9:50 AM
**To:** Sweeney, Shelly A
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Thanks, Shelly. (b)(5)

I've attached my edits to the Cap materials here.

[redacted]

I'm working from home today, so if you need anything call me on my cell number below.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office
Cell: [redacted] (b)(6)
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov
This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, the reader is hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.
Thank you.

*Office of Communications*

U.S. Citizenship and Immigration Services

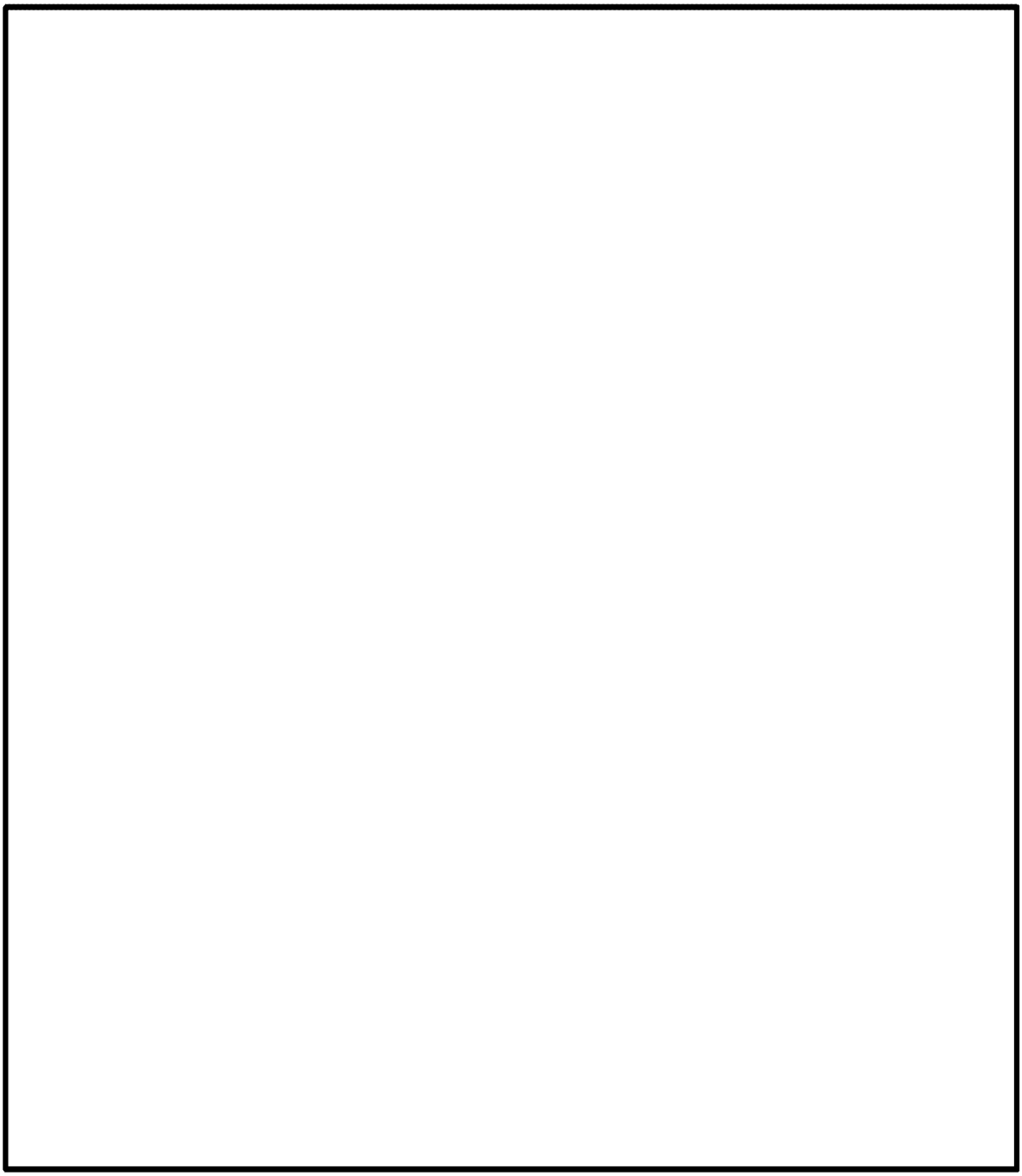
# USCIS Update

[Insert date]

## USCIS to Accept H-1B Petitions for Fiscal Year 2011 Beginning April 1, 2010

*Petitioners are Reminded to Follow Regulatory Requirements*

(b)(5)



(b)(5)

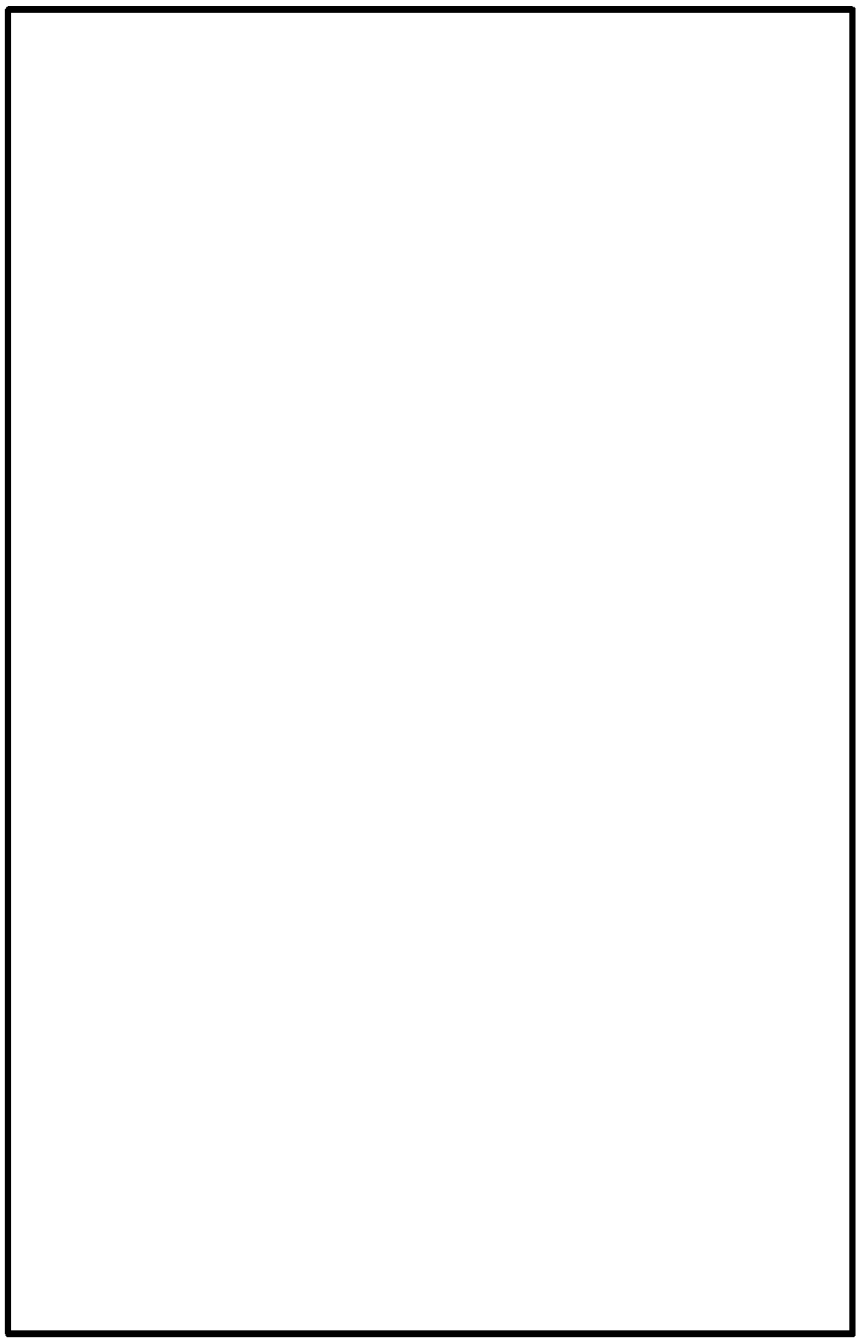
[redacted]

– USCIS –

\Fiscal Year (FY) 2011 H-1B Cap Season

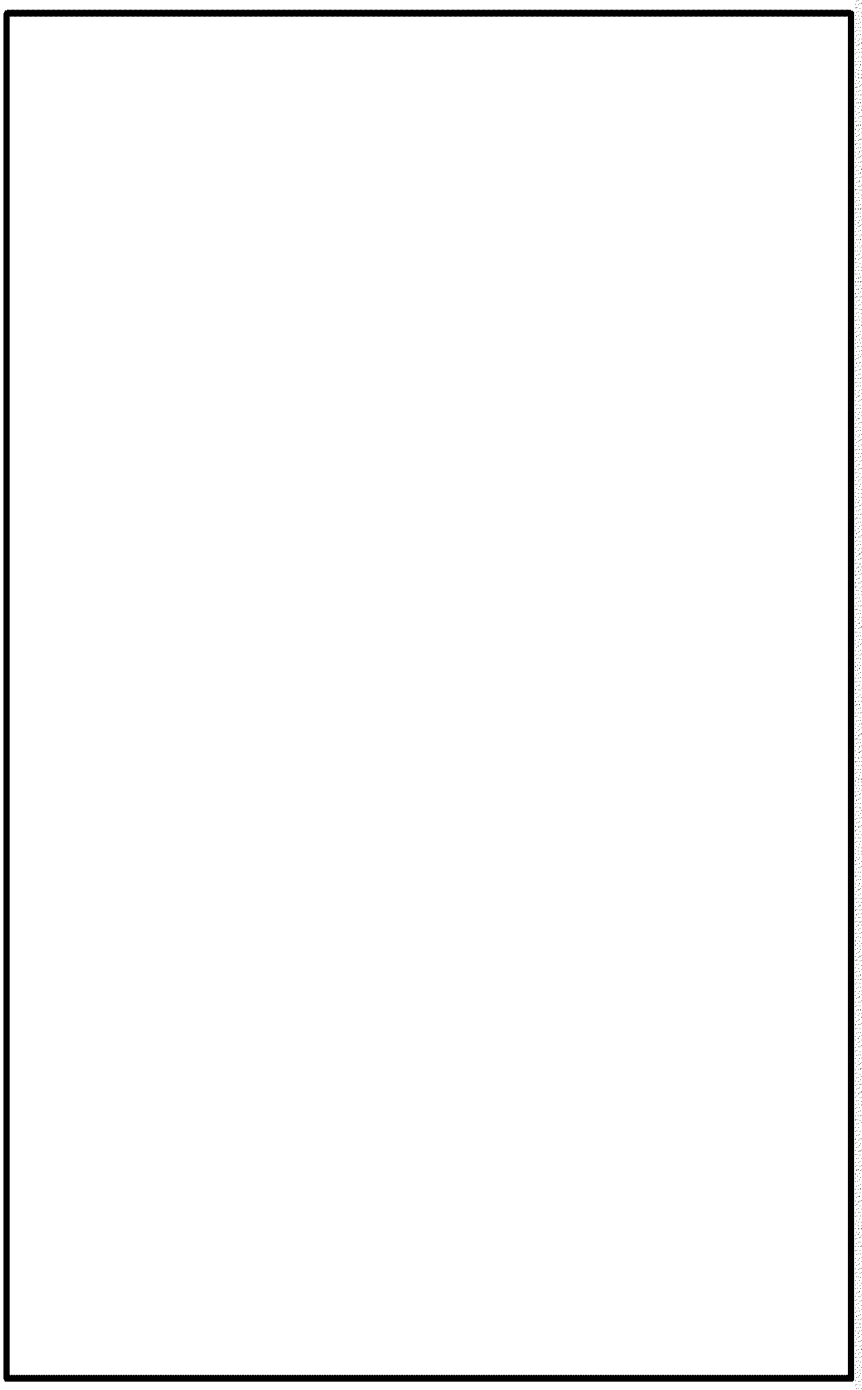
**The H-1B Program**

(b)(5)

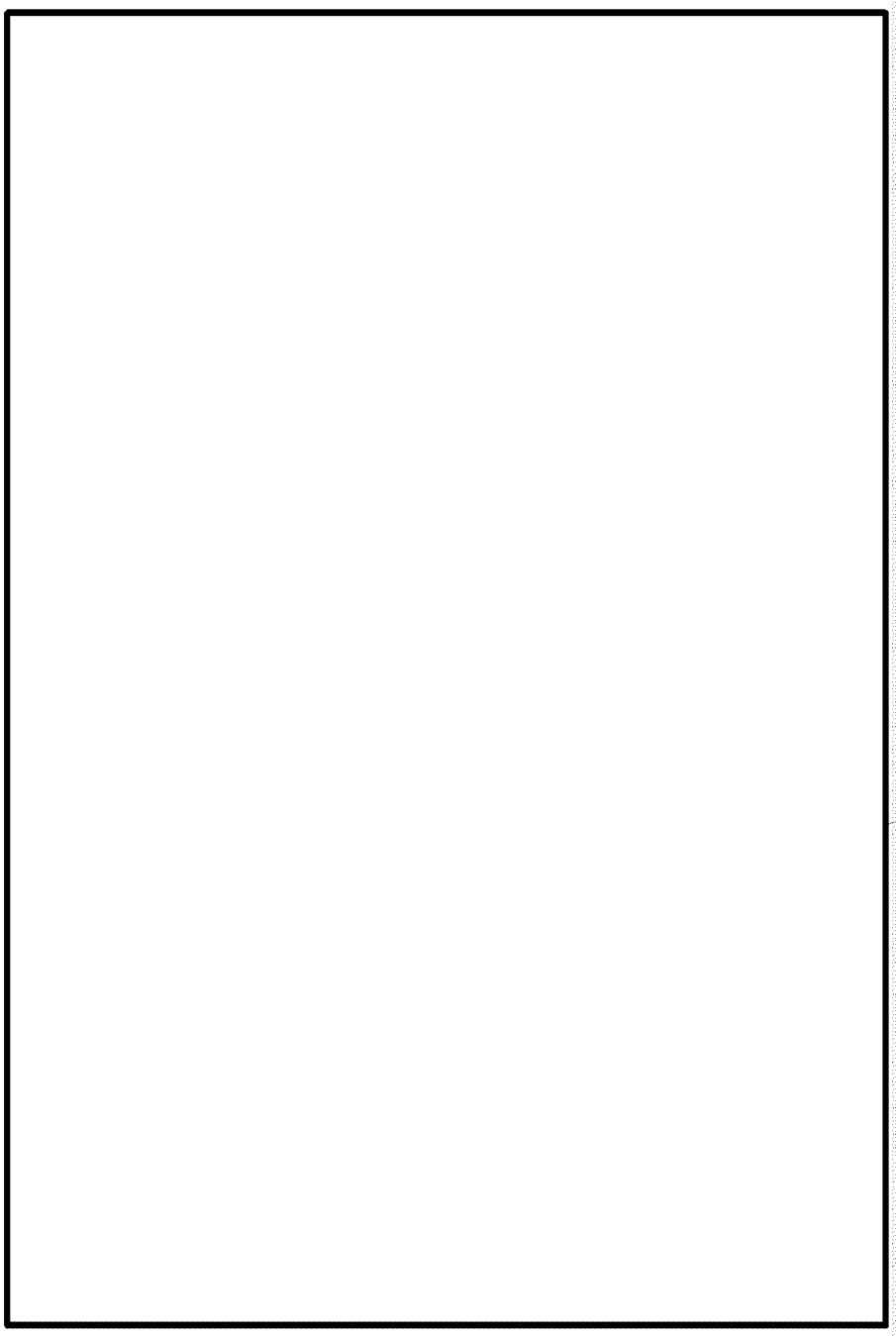


(b)(5)

**When to File an FY 2011 H-1B Cap-Subject Petition**

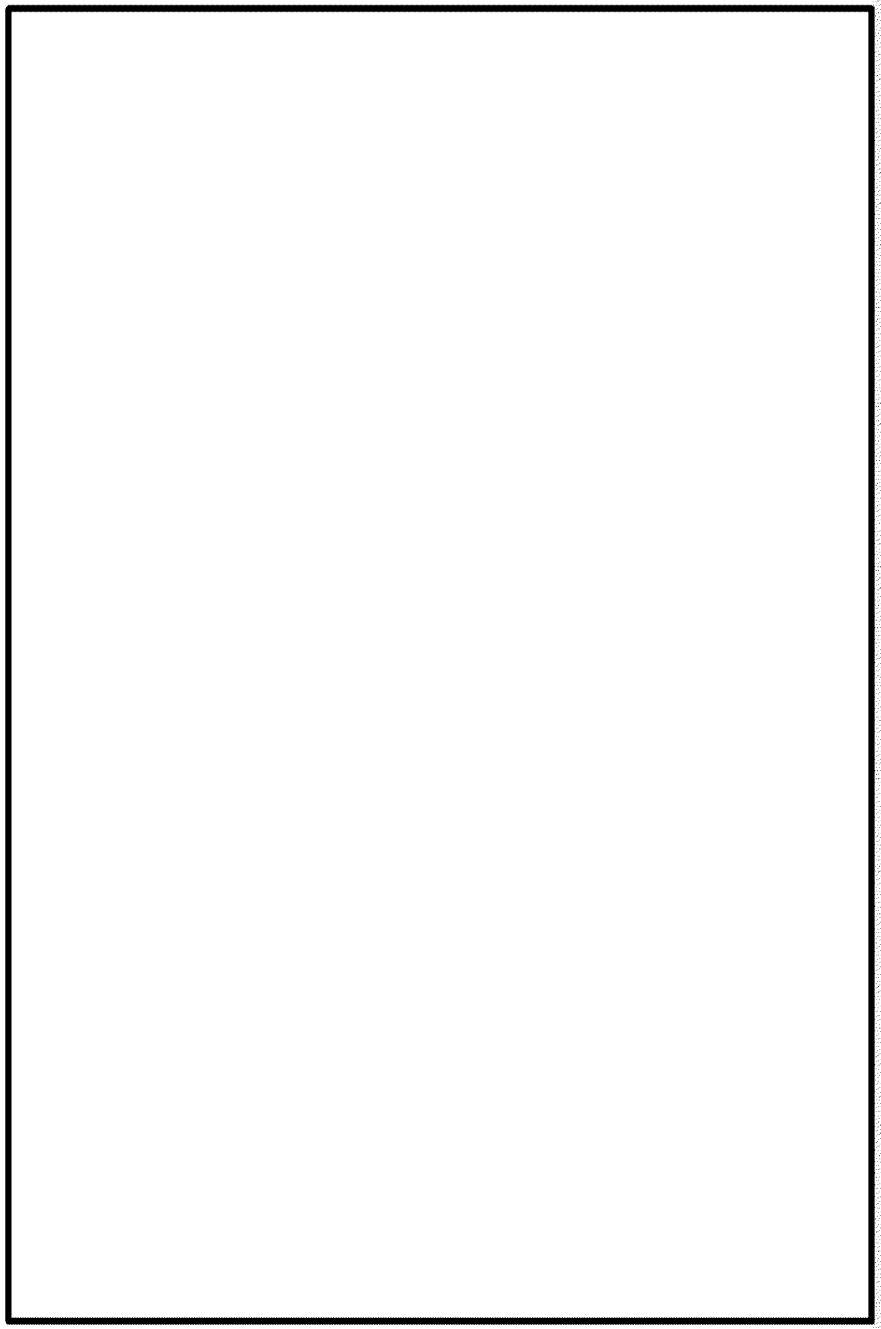


(b)(5)

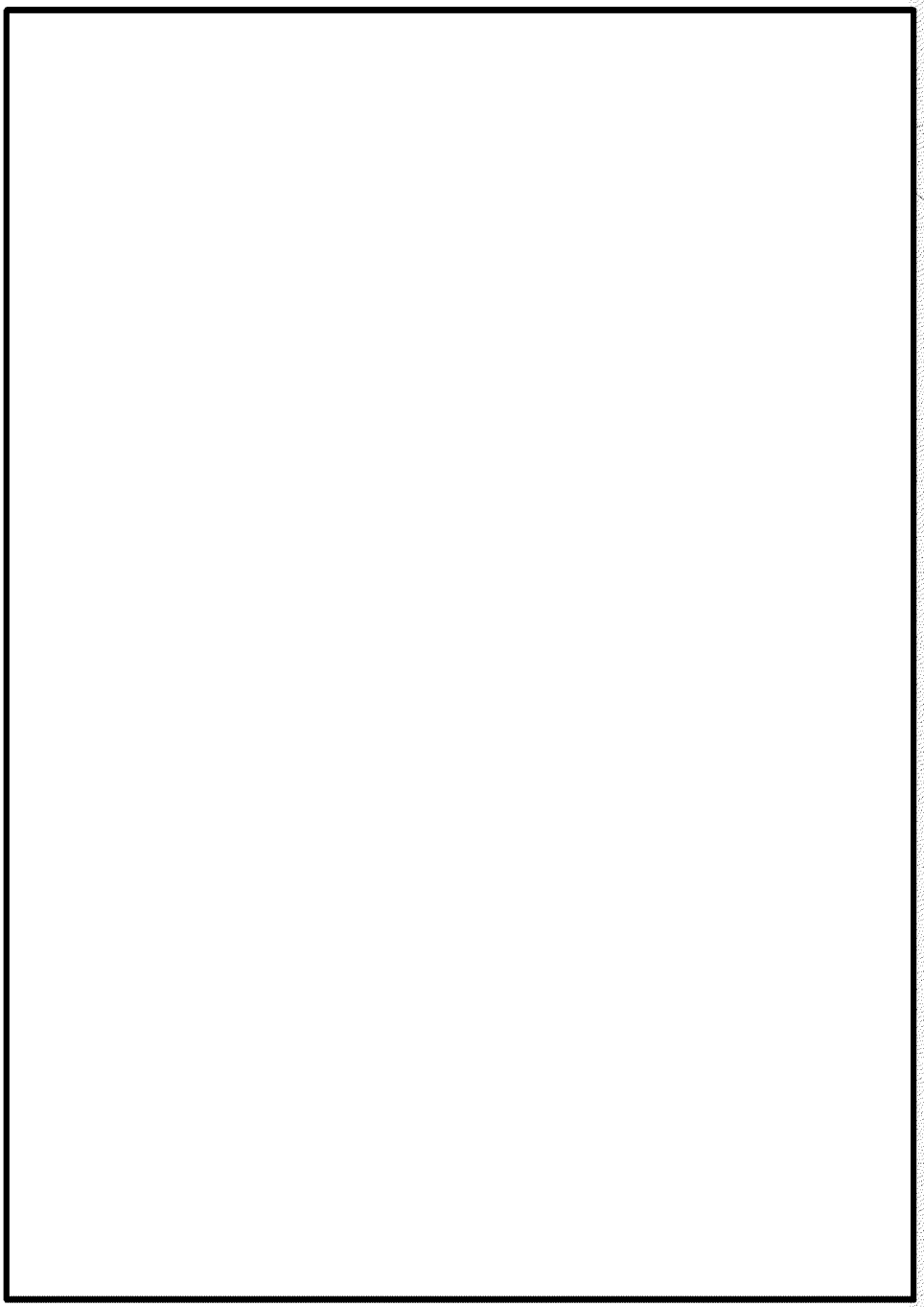


**Comment [MC1]:** Link to I-129 Direct Filing Chart off of the form entry page.

(b)(5)



(b)(5)



**Comment [SDD2]:** Include revised language.

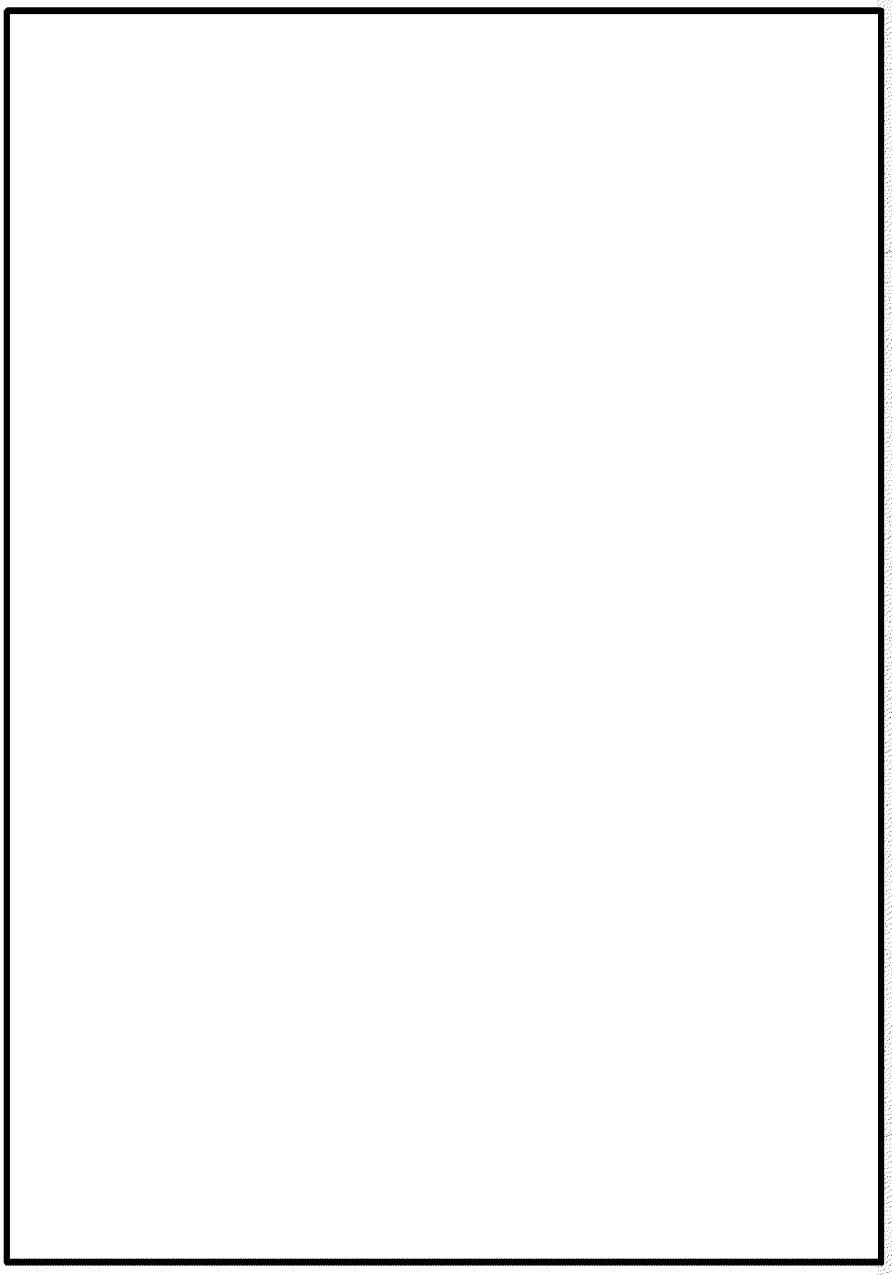
**SCOPS:** See revised language.

**OCC:** Thanks.

**Comment [MC3]:** Link the premium processing page to the right.

(b)(5)

**Form G-28,** ***Notice of Entry of Appearance as Attorney or Representative***



**Comment [sas4]:** Insert whatever webpage that is current for signatures. If no webpage is up right now, this sentence will need to be deleted.

**Comment [SDD5]:** Include revision date information.

**SCOPS:** See revised language.

**OCC:** Thanks.

(b)(5)

# USCIS Update: H-1B Cap Count as of April 27, 2009

Tuesday, February 09, 2016
3:40 PM

| | |
|---|---|
| Subject | **USCIS Update: H-1B Cap Count as of April 27, 2009** |
| From | Mattingly, Kathryn A |
| To | Alfonso-Royals, Angelica M; Ash, Matthew L; Bacon, William H; Beason, Daniel J; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Busch, Philip B; Cabrera, Marilu; Carter, Constance L; Chandler, Matthew; Clark, Matthew J; Drake, Raymond; Ellis, Rachel; Evans, Janna M; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gradowski, Leonard S; Herrmann, Mary K; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; Mcgee, Ramona L; McKenzie, Trish H; Melero, Mariela; Metellus, Harry SJ; Morales-Flores, Margarita; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Ostapowich, Stephanie A; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Santos, David M; Scarborough, Sarah Frances; Scheidhauer, Sharon E; Sebrechts, Marie T; Strong, Susan; Tintary, Ruth E; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Winstead, Allison R; Wright, William G |
| Cc | Peck, Denis R; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; Cummings, Kevin J; Young, Claudia F; Arroyo, Susan K; Sweeney, Shelly A; Richardson, Gregory A; McConnell, James E |
| Sent | Monday, April 27, 2009 12:37 PM |
| Attachments | USCISUpd... |

Good afternoon -- Attached is a USCIS Update announcing the latest number of H-1B filings for FY2010. It's up 1,000 from last week's announcement; advanced degree number is unchanged.

**Document:** USCIS Update

**Date for Release:** Monday, Apr. 27, 2009

**Guidance:**

- Regional Media Managers, Community Relations and Congressional – For your information and distribution, as appropriate.
- Internal – For your information and your use as appropriate.
- Customer Service – For your information.
- New Media – Please post on the home page and in the press room.

Thanks,
Kathryn

**Kathryn Mattingly**
U.S. Citizenship and Immigration Services
Office of Communications, Media Relations Division
[redacted] (blackberry)

(b)(6)

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 27, 2009

## USCIS Updates Count of FY2010 H-1B Petition Filings

***Regular Updates Posted on USCIS Web site***

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced an updated number of filings for H-1B petitions for the fiscal year 2010 program.

USCIS has received approximately 45,000 H-1B petitions counting toward the Congressionally-mandated 65,000 cap. The agency continues to accept petitions subject to the general cap.

Additionally, the agency has received approximately 20,000 petitions for aliens with advanced degrees; however, we continue to accept advanced degree petitions since experience has shown that not all petitions received are approvable. Congress mandated that the first 20,000 of these types of petitions are exempt from any fiscal year cap on available H-1B visas.

For cases filed for premium processing during the initial five-day filing window, the 15-day premium processing period began April 7. For cases filed for premium processing after the filing window, the premium processing period begins on the date USCIS takes physical possession of the petition.

USCIS will provide regular updates on the processing of FY2010 H-1B petitions. The updates can be found on the USCIS' Web site at www.uscis.gov/h-1b_count.

– USCIS –

# USCIS Update (H-1B cap reached for FY2010)

Tuesday, February 09, 2016
3:41 PM

| | |
|---|---|
| Subject | **USCIS Update (H-1B cap reached for FY2010)** |
| From | Wright, William G |
| To | Alfonso-Royals, Angelica M; Ash, Matthew L; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Cabrera, Marilu; Carpenter, Dea D; Carson, Rebecca S; Carter, Constance L; Chandler, Matthew; Chang, Carrol; Chung, Jane; Clark, Matthew J; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gitomer, Mariana; Humphrey, Buck H; Irazabal, Luz; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; Melero, Mariela; Metellus, Harry SJ; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Onyango, Paul O; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Scheidhauer, Sharon E; Sebrechts, Marie T; Tichacek, Katherine; Tintary, Ruth E; USCIS Web Publishing; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Wright, William G |
| Cc | Sweeney, Shelly A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P |
| Sent | Tuesday, December 22, 2009 11:11 AM |
| Attachments | USCISUpd... |

Gents / Ladies -- USCIS has reached the FY2010 H-1B cap. Attached USCIS Update refers. Final receipt date is Dec. 21, 2009.

**Document:** USCIS Update

**Date for Release:** Tuesday, Dec. 22, 2009

**Guidance:**

- Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- Internal – For your information and your use as appropriate.
- Customer Service – For your information.
- New Media – Please post USCIS Update on the *News* page and on the H-1B cap page. Request **EXPEDITED** posting.

r/
Bill

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that Dec. 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after Dec. 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Dec. 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

# PLEASE REVIEW - USCIS Update for H-1B Cap

Tuesday, February 09, 2016
1:00 PM

| | |
|---|---|
| Subject | **PLEASE REVIEW - USCIS Update for H-1B Cap** |
| From | Irazabal, Luz |
| To | Cummings, Kevin J; OCC-Clearance; Salem, Claudia S; Blauvelt, Sally; Herrmann, Mary K; McCament, James W; Roles, Rebecca J |
| Cc | Bentley, Christopher S; Wright, William G; Sweeney, Shelly A; Johnson, Bobbie L |
| Sent | Wednesday, December 09, 2009 4:12 PM |
| Attachments | DRAFT Up... |

Colleagues – please review and provide feedback on this USCIS Update on the H-1B cap being reached.

It would be great to receive your input by **3 p.m. tomorrow, Thursday, Dec. 10**. Thank you, Luz

**Luz Figuereo Irazabal**
Media Relations Manager
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted]Office
[redacted]Cell
luz.irazabal@dhs.gov

(b)(6)

*Office of Communications*

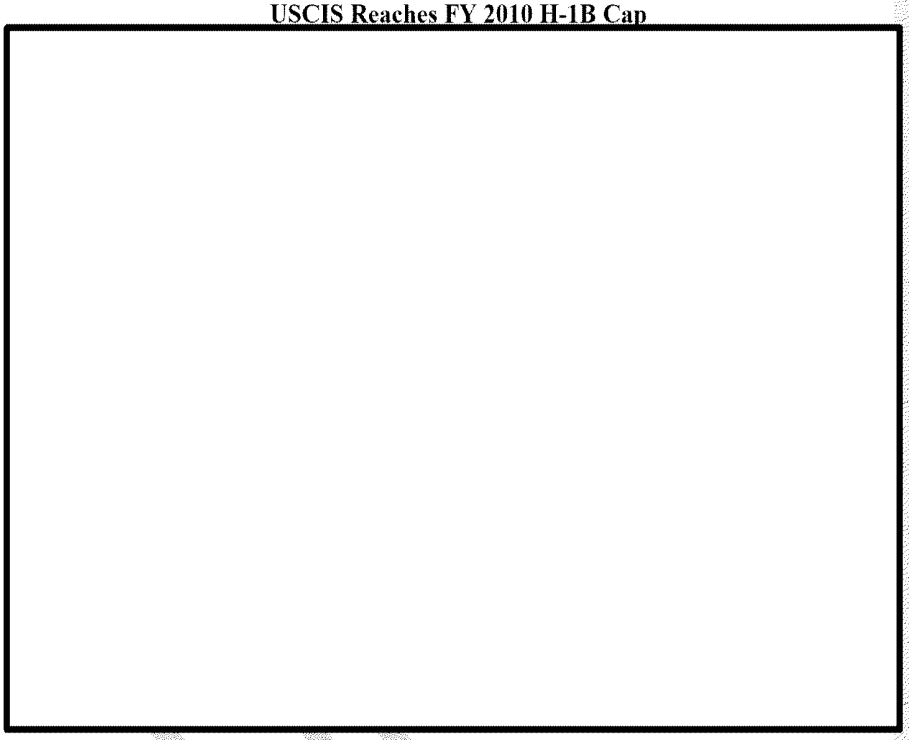
U.S. Citizenship and Immigration Services

(b)(5)

# USCIS Update

[Insert Date]

**USCIS Reaches FY 2010 H-1B Cap**



– USCIS

**Comment [sas1]:** This will need to be deleted if it is determined that a lottery is not needed for the final receipt day

**Comment [sas2]:** This was added to the last USCIS update on cap numbers by OCOMM

# RE: CAP Ranges

Thursday, February 11, 2016
7:59 AM

| | |
|---|---|
| Subject | **RE: CAP Ranges** |
| From | Peck, Denis R |
| To | Peacock, Walter W. |
| Cc | Shiflett, Julie M; Fitzsimmons, James; Sweeney, Shelly A; Nicholson, Richard E; Loughlin, Stephen J |
| Sent | Monday, April 05, 2010 11:19 AM |
| Attachments | VSC and CSC Cap reports |

Thanks, Walter. We do want the excel spreadsheet used as the primary reporting method though. This is the template we thought we had approved for use.

Let's shoot for having final data for Thursday and Friday in by cob today, including the breakdowns by regular/masters and premium/nonpremium. I also just got a msg from Vermont saying there was unopened mail from Friday not yet determined if it was CAP or not so, I'm okay with waiting a little longer to get firmed up numbers.

From what I have gotten this morning it appears

18,290 total of which 3,998 were premium. Depending on slight changes to this it looks like after we start data entry April 7th, we should be completely done with premium at both centers by cob Thursday and with all the cases by late next week.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Monday, April 05, 2010 11:53 AM
**To:** denis.peck@dhs.gov
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP Ranges

FYI from VSC

**From:** Petherbridge, Dan R [mailto:Dan.Petherbridge@dhs.gov]
**Sent:** Monday, April 05, 2010 11:41 AM
**To:** Peacock, Walter W.; Treacy, Erin
**Cc:** Surprenant, Mandy
**Subject:** FW: CAP Ranges

Here is the tally for Thursday and Friday.

*Dan*

[redacted]
Site Manager
Stanley SCOSS
USCIS Vermont Service Center
[redacted] (b)(6)
Please consider the environment before printing

**From:** Briggs, Shawn M [mailto:shawn.briggs@dhs.gov]
**Sent:** Monday, April 05, 2010 11:36 AM
**To:** Petherbridge, Dan R
**Subject:** CAP Ranges

VRN; SW Ranges
4/1 = 0001 - 0263 Total:4,723
4/2 = 0264 - 0300 Total:644
4/3 = 0301 - ____ Total:
4/4 = xxxx - xxxx Total:

VRP; SX Ranges
4/1 = 0001 - 0077 Total:1,267

4/2 = 0078 - 0088 Total:157
4/3 = 0089 - ____ Total:
4/4 = xxxx - xxxx Total:

VMN; SY Ranges
4/1 = 0001 - 0073 Total:1,523
4/2 = 0074 - 0091 Total:359
4/3 = 0092 - ____ Total:
4/4 = xxxx - ____ Total:

VMP; SZ Ranges
4/1 = 0001 - 0045 Total:780
4/2 = 0046 - 0049 Total:72
4/3 = 0050 - ____ Total:
4/4 = xxxx - xxxx Total:

**Grand Total: 9,525**

(b)(6)

Thank You,
Shawn Briggs |VSC|SCOSS| Assistant Site Manager | [redacted] or
| x7614 shawn.briggs@dhs.gov
Consider the environment before printing

# ??? Service Center

| | Cap Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-premium | Premium | Non-premium | Premium | Non-premium | Premium | Non-premium | Premium |
| 4/8/2010 | | | | | | | | |
| 4/9/2010 | | | | | | | | |
| 4/10/2010 | | | | | | | | |
| 4/11/2010 | | | | | | | | |
| 4/12/2010 | | | | | | | | |
| 4/13/2010 | | | | | | | | |
| etc | | | | | | | | |
| TOTALS | | 0 | | 0 | | 0 | | 0 |

Rev: 3/4/08

# RE: For Your Review-H-1B 2011 Cap Season Materials

Thursday, February 11, 2016
9:09 AM

| | |
|---|---|
| Subject | **RE: For Your Review-H-1B 2011 Cap Season Materials** |
| From | Sweeney, Shelly A |
| To | Clark, Matthew J |
| Cc | Johnson, Bobbie L; Doherty, Shannon P |
| Sent | Friday, February 26, 2010 10:12 AM |
| Attachments | USCIS Upd... 2011 H-1B... |

Matt,

On the chart for the webpage, I'm not sure about the following:

**Cap Amounts**
The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

The information is correct, but it just doesn't seem to work under the title "cap amounts" as it only deals with the 65,000 regular cap not the Master's exemption. Is there any way that we could footnote the data (like we had before)?

Additionally, as I stated on the phone the other day, while I like the chart and the information in it, I think that it should be left off the page until the cap actually opens and we have information to provide within it. I agree that now is the time to get all of the offices to clear on it, but that we hold off on putting it up blank. We can then post it right away when we have numbers once the cap opens.

I will be out of the office on Monday. Please copy Bobbie and Shannon on any email traffic if OCC clears on Monday.

Thanks!

Shelly

**From:** Clark, Matthew J
**Sent:** Wednesday, February 24, 2010 1:51 PM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally
**Cc:** Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H
**Subject:** For Your Review-H-1B 2011 Cap Season Materials
**Importance:** High

All,

For your review are the attached USCIS Update and Webpage for the 2011 H-1B cap season. The webpage has replaced the previously drafted Q&A and will serve as a central location on USCIS.gov for all information regarding the 2011 Cap filing season.

The target date for releasing this was March 1, I realize this is a short turnaround and ask that comments and/or edits be returned to me by **COB Monday, March 1**, in order to get this posted early next week, allowing enough time for information to get out prior to the filing season opening on April 1.

Thank you in advance.

Respectfully,

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
[redacted] office
[redacted] Blackberry
www.uscis.gov

(b)(6)

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:52 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; McKenzie, Trish H; Parisi, Thomas |
| Sent | Tuesday, September 07, 2010 9:02 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 364,6900 | | 98/327/2010 |
| H-1B Master's Exemption | 20,000 | 13,4000 | | 98/327/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:56 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, August 23, 2010 12:37 PM |
| Attachments | FY11 H-1B ... |

Good afternoon.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 3329,9700 | | 8/2013/2010 |
| H-1B Master's Exemption | 20,000 | 12,6300 | | 8/2013/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# RE: H-1B count

Thursday, February 11, 2016
1:44 PM

| | |
|---|---|
| Subject | **RE: H-1B count** |
| From | Sweeney, Shelly A |
| To | Wright, William G |
| Cc | Johnson, Bobbie L |
| Sent | Tuesday, May 04, 2010 11:49 AM |
| Attachments | H1B Websi... |

Bill,

Here is the webpage update with numbers through April 24 of last year. This is as close as I could find to a comparable update.

Thanks!

Shelly

**From:** Wright, William G [mailto:William.G.Wright@dhs.gov]
**Sent:** Tuesday, May 04, 2010 12:43 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B count

Shelly – I provided below to AP; do you know how this compares to this time last year?

r/
Bill

**From:** prvs=733626ff1=SGamboa@ap.org [mailto:prvs=733626ff1=SGamboa@ap.org] **On Behalf Of** Gamboa, Suzanne
**Sent:** Tuesday, May 04, 2010 12:27 PM
**To:** Wright, William G
**Subject:** RE: H-1B count

do you know how this compares to last year? Last I heard they were below but don't know if things have picked up.

**From:** Wright, William G [mailto:William.G.Wright@dhs.gov]

**Sent:** Tuesday, May 04, 2010 12:24 PM

**To:** Gamboa, Suzanne

**Subject:** H-1B count

Suzanne – Latest available H-1B stats (on the Web) are below. You can access this via www.uscis.gov/h-1b_count. (I'll try to get you updated numbers as of today).

r/
Bill

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,500 | | 4/27/2010 |
| H-1B Master's Exemption | 20,000 | 6,900 | | 4/27/2010 |

The information contained in this communication is intended for the use
of the designated recipients named above. If the reader of this
communication is not the intended recipient, you are hereby notified
that you have received this communication in error, and that any review,
dissemination, distribution or copying of this communication is strictly
prohibited. If you have received this communication in error, please
notify The Associated Press immediately by telephone at +1-212-621-1898
and delete this e-mail. Thank you.
[IP_US_DISC]
msk dccc60c6d2c3a6438f0cf467d9a4938

# RE: H1B CAP update

Thursday, February 11, 2016
1:38 PM

| | |
|---|---|
| Subject | **RE: H1B CAP update** |
| From | Harvey, Mark E |
| To | Wright, William G |
| Cc | Sweeney, Shelly A; Harton, Frank A |
| Sent | Thursday, January 27, 2011 9:42 AM |
| Attachments | H-1B Web... |

Bill,

Sorry about that.

Mark

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 10:37 AM
**To:** Harvey, Mark E
**Cc:** Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H1B CAP update
**Importance:** High

ThanX Mark … if you don't mind, would you go through the Web update document and insert the dates necessary (Jan. 27, right??). I just want to ensure that I don't insert the wrong date in the wrong place…also, don't want to miss one.

I've attached the clean version of the USCIS Update, for your info.

r/
Bill

**From:** Harvey, Mark E
**Sent:** Thursday, January 27, 2011 10:15 AM
**To:** Wright, William G
**Cc:** Harton, Frank A; Sweeney, Shelly A
**Subject:** RE: H1B CAP update
**Importance:** High

Bill,

Here are the two documents we discussed. As mentioned in our discussion I left the track changes in both documents which will have to be removed before posting. Let me know if anything else is needed or I may have missed. Also as we discussed there will be a mini-lottery so that part can stay in.

Thanks,
Mark

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 9:45 AM
**To:** Sweeney, Shelly A; Harton, Frank A; Harvey, Mark E

**Subject:** RE: H1B CAP update

Shelley, et al – see below. Can you finalize attached?

ThanX

r/
Bill

**From:** Humphrey, Buck H [mailto:Buck.Humphrey@dhs.gov]
**Sent:** Thursday, January 27, 2011 9:38 AM
**To:** Wheeler, Shannon L; Higdon, Jamie C
**Cc:** Parisi, Thomas; Bentley, Christopher S; Wright, William G
**Subject:** Fw: H1B CAP update
**Importance:** High

We have the comms plans and materials in draft, correct? I think I asked you that a couple days ago and you said yes?

If so, please send to me.

Buck Humphrey

Chief, Office of Communications

DHS-USCIS

W

C [redacted] (b)(6)

----- Original Message -----

From: Mayorkas, Alejandro N

To: Neufeld, Donald; Kielsmeier, Lauren; Carpenter, Dea D; 'Vanison, Denise' <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; 'Lacot, Rosalina' <rosalina.lacot@dhs.gov>; Scialabba, Lori

Cc: Velarde, Barbara Q; Richardson, Gregory A

Sent: Thu Jan 27 09:35:22 2011

Subject: RE: H1B CAP update

Thank you very much, Don. Great work.

Buck, this is important and we should have a robust communications plan to execute today. This has been imminent.

Thanks. Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(202) 272-1000

Alejandro.Mayorkas@dhs.gov

-----Original Message-----

From: Neufeld, Donald

Sent: Thursday, January 27, 2011 9:34 AM

To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina; Scialabba, Lori

Cc: Velarde, Barbara Q; Richardson, Gregory A

Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----

From: Velarde, Barbara Q

Sent: Thursday, January 27, 2011 9:06 AM

To: Neufeld, Donald

Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----

From: Harton, Frank A

Sent: Thursday, January 27, 2011 9:03 AM

To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F

Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----

From: Peck, Denis R

Sent: Thursday, January 27, 2011 8:43 AM

To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A

Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----

From: Velarde, Barbara Q

Sent: Thursday, January 27, 2011 8:33 AM

To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A

Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----

From: Fitzsimmons, James

Sent: Thursday, January 27, 2011 8:31 AM

To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q

Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----

From: Peck, Denis R

Sent: Thursday, January 27, 2011 8:30 AM

To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q

Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----

From: Ashline, Heidi L

Sent: Thursday, January 27, 2011 8:28 AM

To: Peck, Denis R

Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E

Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222

PP H1B - 272

Total: 494

If you have any questions, please let me know.

Thank you,

Heidi Ashline

VSC/SISA/CPAU

[redacted] (b)(6)

-----Original Message-----

From: Loughlin, Stephen J

Sent: Monday, January 24, 2011 2:54 PM

To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L

Cc: Canney, Keith J; Kane, Donna K

Subject: Fw: H1B CAP update

Fyi

Stephen J. Loughlin

Assistant Center Director

U.S. Citizenship & Immigration Services

U.S. Department of Homeland Security

[redacted]

(b)(6)

----- Original Message -----

From: Peck, Denis R

To: Loughlin, Stephen J; Nicholson, Richard E

Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T

Sent: Mon Jan 24 13:55:23 2011

Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

[redacted]

202-272-1542 FAX

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From: Fitzsimmons, James

Sent: Monday, January 24, 2011 12:02 PM

To: Peck, Denis R

Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

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From: Peck, Denis R

Sent: Monday, January 24, 2011 9:12 AM

To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A

Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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From: Fitzsimmons, James

Sent: Monday, January 24, 2011 8:58 AM

To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q

Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:15 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, January 04, 2011 7:53 AM |
| Attachments | FY11 H-1B ... |

Good morning.
We have received updated numbers to include new receipts last week. The only changes from yesterday's update are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 575,3800 | | 12/3124/2010 |
| H-1B Master's Exemption | 20,000 | 20,000 | | 12/3124/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied. While USCIS has now received over 20,000 petitions filed on behalf of individuals who have earned a Master's degree or higher from a U.S. institution of higher education, USCIS continues to accept these petitions and they will be counted against the regular cap until the regular cap is reached.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of December 24, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 17 through 19).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (pages 17 through 19 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has

been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)

Complete all sections of the form accurately.

Be sure to answer appropriately in Part C if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will only accept Form I-907 with a revision date of 8/10/09 or later.

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# H-1B Cap Count Update

Wednesday, February 10, 2016
4:58 PM

| | |
|---|---|
| Subject | **H-1B Cap Count Update** |
| From | Doherty, Shannon P |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; Johnson, Bobbie L; Sweeney, Shelly A |
| Sent | Wednesday, June 02, 2010 7:40 AM |
| Attachments | H-1B Cap ... |

Hi OCOMM,

Attached is the updated H-1B Cap Count to be posted at www.uscis.gov/h-1b_count.

Thanks for your help,

Shannon Doherty
Adjudications Officer
Business Employment Services Team
USCIS HQ - Service Center Operations
Department of Homeland Security

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,800~~19,600~~ | | 5/2~~2~~18/2010 |
| H-1B Master's Exemption | 20,000 | 8,700~~8,200~~ | | 5/28~~2~~1/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# H-1B Cap Count Update

Wednesday, February 10, 2016
4:57 PM

| | |
|---|---|
| Subject | **H-1B Cap Count Update** |
| From | Doherty, Shannon P |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; Johnson, Bobbie L; Sweeney, Shelly A |
| Sent | Monday, April 26, 2010 12:47 PM |
| Attachments | H-1B Cap ... |

Good afternoon!

Attached is the H-1B Cap Count Update for url www.uscis.gov/h-1b_count.

Thanks,

Shannon Doherty
Adjudications Officer
Business Employment Services Team
USCIS HQ - Service Center Operations
Department of Homeland Security

Home > Working in the United States > Temporary Workers > H-1B Specialty Occupations and Fashion Models

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,025~~13,600~~ | | 4/22~~15~~/2010 |
| H-1B Master's Exemption | 20,000 | 6,739~~5,800~~ | | 4/22~~15~~/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

> Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

> Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:00 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, July 26, 2010 9:19 AM |
| Attachments | FY H-1B 26... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 265,0300 | | 7/2316/2010 |
| H-1B Master's Exemption | 20,000 | 11,3e00 | | 7/2316/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:04 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L; Kermani, Souzan B |
| Sent | Tuesday, July 20, 2010 6:32 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 254,3800 | | 7/169/2010 |
| H-1B Master's Exemption | 20,000 | 110,0600 | | 7/169/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:05 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L; Kermani, Souzan B |
| Sent | Wednesday, July 07, 2010 8:31 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 243,2500 | | 76/25/2010 |
| H-1B Master's Exemption | 20,000 | 10,4000 | | 76/25/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:06 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, June 28, 2010 9:00 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 232,5900 | | 6/2518/2010 |
| H-1B Master's Exemption | 20,000 | 109,0700 | | 6/2518/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:08 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Tuesday, May 25, 2010 6:44 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,600~~000~~ | | 5/21~~14~~/2010 |
| H-1B Master's Exemption | 20,000 | 8,2~~4~~00 | | 5/21~~14~~/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:09 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Tuesday, May 18, 2010 7:27 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 198,000 | | 5/614/2010 |
| H-1B Master's Exemption | 20,000 | 87,1600 | | 5/614/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:11 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, May 03, 2010 10:23 AM |
| Attachments | FY11 Upda... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,502500 | | 4/272/2010 |
| H-1B Master's Exemption | 20,000 | 6,900739 | | 4/272/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:11 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L; Young, Claudia F |
| Sent | Monday, April 19, 2010 8:57 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600~~500~~ | | 4/15~~8~~/2010 |
| H-1B Master's Exemption | 20,000 | 5,~~600~~800 | | 4/15~~8~~/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600~~500~~ | | 4/1~~5~~8/2010 |
| H-1B Master's Exemption | 20,000 | 5,~~600~~800 | | 4/1~~5~~8/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

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the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

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Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

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Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

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H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

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SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:12 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, October 05, 2010 6:14 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 4039,600 | | 109/124/2010 |
| H-1B Master's Exemption | 20,000 | 14,9400 | | 109/124/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:14 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, January 18, 2011 10:13 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Attached is the updated FY11 H-1B cap count webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 6058,700 | | 1/147/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | | 1/147/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied. While USCIS has now received over 20,000 petitions filed on behalf of individuals who have earned a Master's degree or higher from a U.S. institution of higher education, USCIS continues to accept these petitions and they will be counted against the regular cap until the regular cap is reached.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of December 24, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 17 through 19).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (pages 17 through 19 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has

been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)

Complete all sections of the form accurately.

Be sure to answer appropriately in Part C if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will only accept Form I-907 with a revision date of 8/10/09 or later.

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:14 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H |
| Sent | Monday, January 10, 2011 8:25 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Attached is the updated FY11 H-1B cap count webpage. The only changes from yesterday's update are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 587,7300 | | 112/731/20110 |
| H-1B Master's Exemption | 20,000 | 20,000 | | 112/731/20110 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied. While USCIS has now received over 20,000 petitions filed on behalf of individuals who have earned a Master's degree or higher from a U.S. institution of higher education, USCIS continues to accept these petitions and they will be counted against the regular cap until the regular cap is reached.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of December 24, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 17 through 19).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (pages 17 through 19 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has

been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)

Complete all sections of the form accurately.

Be sure to answer appropriately in Part C if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

# Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will only accept Form I-907 with a revision date of 8/10/09 or later.

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:59 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Tuesday, August 03, 2010 6:44 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 276,3000 | | 7/3023/2010 |
| H-1B Master's Exemption | 20,000 | 11,6300 | | 7/2330/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation

should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-12

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:57 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Tuesday, August 17, 2010 6:36 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 298,7500 | | 8/1306/2010 |
| H-1B Master's Exemption | 20,000 | 124,3900 | | 8/1306/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:58 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, August 09, 2010 9:38 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 287,5300 | | 87/0630/2010 |
| H-1B Master's Exemption | 20,000 | 11,9600 | | 87/0630/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

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# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:10 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L; Doherty, Shannon P |
| Sent | Tuesday, May 11, 2010 6:48 AM |
| Attachments | FY11 H-1 ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

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U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 186,0500 | | 54/627/2010 |
| H-1B Master's Exemption | 20,000 | 76,6900 | | 54/627/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:57 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Tuesday, August 17, 2010 6:36 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 298,7500 | | 8/1306/2010 |
| H-1B Master's Exemption | 20,000 | 124,3900 | | 8/1306/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:53 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; McKenzie, Trish H; Parisi, Thomas |
| Sent | Tuesday, August 31, 2010 7:30 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 343,900 | | 8/270/2010 |
| H-1B Master's Exemption | 20,000 | 132,0600 | | 8/270/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:51 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Tamanaha, Emisa T; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, September 21, 2010 6:09 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 387,3400 | | 9/170/2010 |
| H-1B Master's Exemption | 20,000 | 143,0700 | | 9/170/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:50 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Tamanaha, Emisa T; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, September 28, 2010 9:02 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 398,6300 | | 9/2417/2010 |
| H-1B Master's Exemption | 20,000 | 14,4000 | | 9/1724/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:20 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; McKenzie, Trish H; Parisi, Thomas |
| Sent | Tuesday, December 07, 2010 7:24 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,20050,400 | | 121/326/2010 |
| H-1B Master's Exemption | 20,000 | 18,7400 | | 121/326/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:20 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; McKenzie, Trish H; Parisi, Thomas |
| Sent | Monday, November 29, 2010 11:13 AM |
| Attachments | FY11 H-1B ... |

Good afternoon.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,400~~48,977~~ | | 11/26~~19~~/2010 |
| H-1B Master's Exemption | 20,000 | 18~~7~~,400~~836~~ | | 11/26~~19~~/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:43 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; McKenzie, Trish H; Parisi, Thomas |
| Sent | Monday, November 15, 2010 8:49 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 476,800 | | 11/125/2010 |
| H-1B Master's Exemption | 20,000 | 17,4200 | | 11/125/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:43 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; McKenzie, Trish H; Parisi, Thomas |
| Sent | Tuesday, November 09, 2010 7:52 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 465,8600 | | 110/529/2010 |
| H-1B Master's Exemption | 20,000 | 176,2700 | | 110/529/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:44 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; Harton, Frank A; McKenzie, Trish H; Parisi, Thomas |
| Sent | Monday, November 01, 2010 8:29 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 454,6300 | | 10/292/2010 |
| H-1B Master's Exemption | 20,000 | 16,7200 | | 10/292/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:45 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; McKenzie, Trish H; Parisi, Thomas |
| Sent | Wednesday, October 27, 2010 10:12 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 442,3800 | | 10/2215/2010 |
| H-1B Master's Exemption | 20,000 | 165,2700 | | 10/2215/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:45 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Johnson, Bobbie L; McKenzie, Trish H; Parisi, Thomas |
| Sent | Monday, October 18, 2010 9:52 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart and in the DOD research project worker section just below the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 421,8900 | | 10/158/2010 |
| H-1B Master's Exemption | 20,000 | 15,7400 | | 10/158/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13~~June 15~~, 2010, the count for this category of H-1B nonimmigrants is ~~8~~5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:46 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H; Harvey, Mark E |
| Sent | Monday, January 24, 2011 9:35 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Attached is the updated FY11 H-1B cap count webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 62,8000,700 | | 1/2114/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | | 1/2114/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied. While USCIS has now received over 20,000 petitions filed on behalf of individuals who have earned a Master's degree or higher from a U.S. institution of higher education, USCIS continues to accept these petitions and they will be counted against the regular cap until the regular cap is reached.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of December 24, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 17 through 19).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (pages 17 through 19 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has

been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)

Complete all sections of the form accurately.

Be sure to answer appropriately in Part C if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will only accept Form I-907 with a revision date of 8/10/09 or later.

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

## Shirk, Georgette L

**From:** Cox, Robert H <Robert.H.Cox@dhs.gov>
**Sent:** Tuesday, December 28, 2010 5:07 PM
**To:** Sweeney, Shelly A; Harton, Frank A
**Cc:** Salem, Claudia S; Dalal-Dheini, Sharvari P; OCC-Clearance; Ald; Morgan, Carmen J
**Subject:** FW: Cap Count Webpage
**Attachments:** FY11 H-1B Update 20000 Rec'd 12-13-10 OCC ALD comments 12-15-10 scops responses.doc

Hi Shelly,

We are ok with revised cap count webpage (of course the chart on page 1 will have to be updated with the most recent numbers).

Thanks,

Robert H. Cox, Jr.
*Associate Counsel, Adjudications Law Division*
*USCIS Office of the Chief Counsel*
*US Department of Homeland Security*
*20 Massachusetts Avenue, N.W. Suite 4210*
*Washington, D.C. 20529-2120*
*Office:* [redacted] (b)(6)
*Cell:*
*Robert.H.Cox@dhs.gov*

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**From:** Sweeney, Shelly A
**Sent:** Monday, December 27, 2010 11:02 AM
**To:** Dalal-Dheini, Sharvari P; Cox, Robert H
**Cc:** Harton, Frank A
**Subject:** FW: Cap Count Webpage

Shev and Robert,

Hope you had a wonderful holiday weekend!

We're very, very close to hitting the master's exemption so I was wondering if you guys had a chance to take a look at this. We haven't gotten the figures yet from last week but we were only about 300 petitions short the week before last, so I figured it might be best to be prepared. :-)

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Friday, December 17, 2010 1:11 PM
**To:** Dalal-Dheini, Sharvari P; Cox, Robert H

**Cc:** Harton, Frank A; 'Salem, Claudia S (claudia.salem@dhs.gov)'; Doherty, Shannon P
**Subject:** RE: Cap Count Webpage

Shev and Robert,

I've provided responses/additional edits based on your comments. Please let me know if you have any other comments/edits or if you are ok with this.

Thanks!

Shelly

---

**From:** Dalal-Dheini, Sharvari P
**Sent:** Wednesday, December 15, 2010 11:25 AM
**To:** Sweeney, Shelly A; Cox, Robert H
**Cc:** Harton, Frank A; Salem, Claudia S (claudia.salem@dhs.gov)
**Subject:** RE: Cap Count Webpage

Shelly,

Attached are our comments and edits on the Update for your review.

Shev

***Ms. Sharvari (Shev) Dalal-Dheini***
Associate Counsel, Adjudications Law Division
Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
Mail Stop 2120
Washington, D.C. 20529-2120
Office: [redacted] (b)(6)
Cell:
Fax: (202) 272-1478
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Thank you.

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**From:** Sweeney, Shelly A
**Sent:** Monday, December 13, 2010 4:29 PM
**To:** Dalal-Dheini, Sharvari P; Cox, Robert H
**Cc:** Harton, Frank A
**Subject:** Cap Count Webpage

Shev and Robert,

We're starting to get very close to meeting the advanced degree exemption. The current count as of Friday is at approximately 19,100. SCOPS would like to make sure that we're ready to update the cap count webpage to let the public know that we're still accepting advanced degree petitions, but that they are now going to count against the regular cap. I have drafted the attached redlines for your review. Tweak away!

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:04 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L; Kermani, Souzan B |
| Sent | Tuesday, July 13, 2010 9:45 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 24,8200 | | 7/92/2010 |
| H-1B Master's Exemption | 20,000 | 10,6400 | | 7/92/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:19 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H |
| Sent | Monday, December 13, 2010 9:42 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 521,4200 | | 12/103/2010 |
| H-1B Master's Exemption | 20,000 | 198,1700 | | 12/103/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
3:51 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Tamanaha, Emisa T; 'McKenzie, Trish H'; Parisi, Thomas |
| Sent | Monday, September 13, 2010 11:57 AM |
| Attachments | FY11 H-1B ... |

Good afternoon.

Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 376,4600 | | 9/103/2010 |
| H-1B Master's Exemption | 20,000 | 13,7400 | | 9/103/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 376,4600 | | 9/103/2010 |
| H-1B Master's Exemption | 20,000 | 13,7400 | | 9/103/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of June 15, 2010, the count for this category of H-1B nonimmigrants is 5.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

# FY11 H-1B Cap Page Update

Wednesday, February 10, 2016
4:18 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Page Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Harton, Frank A; Parisi, Thomas; McKenzie, Trish H |
| Sent | Tuesday, December 21, 2010 7:15 AM |
| Attachments | FY11 H-1B ... |

Good morning.
Here is the update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.
Thanks!
Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 53,92,400 | | 12/170/2010 |
| H-1B Master's Exemption | 20,000 | 19,7400 | | 12/170/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Department of Defense (DOD) Cooperative Research Project Workers Count

Regulations allow for no more than 100 aliens to be admitted as an H-1B nonimmigrant performing services related to a DOD cooperative research and development project or coproduction project in the United States at any one time. See 8 CFR 214.2(h)(8)(B). As of October 13, 2010, the count for this category of H-1B nonimmigrants is 8.

## When to File an FY 2011 H-1B Cap-Subject Petition

We began accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and

the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such

letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to the H-1B Data Collection and Filing Exemption Supplement (page 13 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Additional Fee Required Under Public Law 111-230**

$2,000 to be submitted with each H-1B petition filed

to initially grant an alien H-1B nonimmigrant status or

to obtain authorization for an alien having such status to change employers

if the petitioner has 50 or more employees in the U.S. and more than 50% of petitioner's employees in the U.S. are in H-1B, L-1A or L-1B nonimmigrant status (Public Law 111-230 does not apply to Chile/Singapore H-1B1 petitions).

The additional fee does not apply to extension requests filed by the same petitioner for the same individual.

**Premium Processing fee**

$1,225 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature. A separate check for the fee mandated under Public Law 111-230 is requested.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accurate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will now only accept the 8/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

This page can be found at http://www.uscis.gov/h-1b_count

# H1B Website update

Thursday, February 11, 2016
1:45 PM

| | |
|---|---|
| Subject | **H1B Website update** |
| From | Young, Claudia F |
| To | Bacon, William H |
| Cc | Wright, William G; Mattingly, Kathryn A; Cummings, Kevin J; Sweeney, Shelly A; Kruszka, Robert F |
| Sent | Monday, April 27, 2009 11:29 AM |
| Attachments | Cap Count... |

Bill,
For the webpage www.uscis.gov/h-1b_count, I have attached the H1B Cap webpage with the updated numbers for this week. Would it be possible to revise the webpage today?
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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# Cap Count for H-1B and H-2B Workers for Fiscal Year 2010

**Please see the information relating to H-1B Program Changes for FY 2010 in the Related Links section of this page.**

## What is a "Cap"

The word "Cap" used in this Update refers to annual numerical limitations set by Congress on certain nonimmigrant visa classifications, e.g., H-1B and H-2B. Caps control the number of workers that can be issued a visa in a given fiscal year to enter the United States pursuant to a particular nonimmigrant classification. Caps also control the number of aliens already in the United States that may be authorized to change status to a cap-subject classification.

## H-1B

The H-1B visa program is used by some U.S.employers to employ foreign workers in specialty occupations that require theoretical or technical expertise in a specialized field and a bachelor's degree or its equivalent. Typical H-1B occupations include architects, engineers, computer programmers, accountants, doctors and college professors. The H-1B visa program also includes certain fashion models of distinguished merit and ability and up to 100 persons who will performing services of an exceptional nature in connection with Department of Defense (DOD) research and development projects or coproduction projects. The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## H-1B Employer Exemptions

H-1B nonimmigrants who are employed, or who have received an offer of employment, by institutions of higher education or a related or affiliated nonprofit entity, as well as those employed, or who will be employed, by a nonprofit research organization or a governmental research organization are exempt from the cap.

## H-1B Advanced Degree Exemption

The H-1B Visa Reform Act of 2004 makes available 20,000 new H-1B visas for foreign workers with a Master's or higher level degree from a U.S. academic institution. For each fiscal year, 20,000 beneficiaries of H-1B petitions on behalf of persons who hold such credentials are statutorily exempted from the cap.

## Duplicate H-1B Petitions Filed Requesting Fiscal Year 2010 Employment

USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one filing is discovered. If multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

**As of April ~~13~~24, 2009**, approximately 4~~3~~5,000 H-1B cap-subject petitions and approximately 20,000 petitions qualifying for the advanced degree cap exemption had been filed. USCIS will continue to accept both cap-subject petitions and advanced degree petitions until a sufficient number of H-1B petitions have been received to reach the statutory limits, taking into account the fact that some of these petitions may be denied, revoked, or withdrawn.

## H-1B1

An H-1B1 is a national of Chile or Singapore coming to the United States to work temporarily in a specialty occupation. The law defines an H-1B1 specialty occupation as a position that requires theoretical and practical application of a body of specialized knowledge. The beneficiary must have a bachelor's degree or higher (or equivalent) in the specific specialty. The combined statutory limit is 6,800 per year. The cap for H-1B1 for FY2010 has not been reached as of the date of this Update.

## H-2B

The H-2B visa category allows U.S. employers in industries with peak load, seasonal or intermittent needs to augment their existing labor force with temporary workers. The H-2B visa category also allows U.S. employers to augment their existing labor force when necessary due to a one-time occurrence which necessitates a temporary increase in workers. Typically, H-2B workers fill labor needs in occupational areas such as construction, health care, landscaping, lumber, manufacturing, food service/processing, and resort/hospitality services.

The Save Our Small and Seasonal Businesses Act of 2005 (SOS Act) divided the annual numerical limitations of 66,000 into two halves. As of FY 2010, an H-2B petition may not be filed more than 120 days before the date of the actual need for the H-2B worker's labor/services identified on the labor certification. As a result, USCIS normally begins receiving H-2B petitions with employment start dates in October and June.

## What is the H-2B numerical limit set by Congress?

The H-2B numerical limit set by Congress per fiscal year is 66,000. Generally, an H-2B worker who extends his/her stay in H-2B status will not be counted again against the numerical limit. An alien who changes nonimmigrant status to H-2B is counted against the annual H-2B cap.

As USCIS begins receiving H-2B petitions, the below chart will be regularly updated.

| Cap Type | Cap Amount | Beneficiaries Approved | Beneficiaries Pending | Beneficiaries Target [1] | Total | Date of Last Count |
|---|---|---|---|---|---|---|
| H-2B 1st Half | 33,000 | ------ | ------ | ------ | ------ | ------- |
| H-2B 2nd Half | 33,000 [2] | ------- | ------ | ----- | ------ | ----- |
| Total H-2B Per FY | 66,000 [3] | ------ | ------ | ------ | ------ | ------ |

[1] Refers to the estimated numbers of beneficiary applications needed to reach a cap, with an allowance for withdrawals, denials and revocations.
[2] A shortfall in the 1st half would be made up in the 2nd half.
[3] Visas issued plus beneficiaries changing status already in the United States.

## H-3

The H-3 nonimmigrant visa category is for aliens who are coming temporarily to the U.S. to receive training (other than graduate medical education or training) that is not available in their home countries. The training may be provided by a

business entity, academic, or vocational institute. The H-3 nonimmigrant visa category also includes aliens who are coming temporarily to the U.S. to participate in a special education training program for children with physical, mental, or emotional disabilities. There is a limit of 50 visas per fiscal year allocated to H-3 aliens participating in special education training programs. As of **March 30, 2009**, three of these H-3 visas had been approved with a start date in FY 2009.

This page can be found at http://www.uscis.gov/h-1b_count

Last updated:04/17/2009

# FY11 H-1B Cap Number Update

Wednesday, February 10, 2016
4:08 PM

| | |
|---|---|
| Subject | **FY11 H-1B Cap Number Update** |
| From | Sweeney, Shelly A |
| To | USCIS Web Publishing |
| Cc | Parisi, Thomas; McKenzie, Trish H; Johnson, Bobbie L |
| Sent | Monday, June 14, 2010 10:50 AM |
| Attachments | FY11 H-1B ... |

Good morning.

Here is the filing numbers update for the FY11 H-1B cap webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2011 Cap Season

*NOTE: Information about the H-2B cap count has been moved and can now be found at www.uscis.gov/h-2b_count*

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations, DOD Cooperative Research and Development Project Workers, and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2011 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 14 through 15) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Petition Target | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,20020,800 | | 65/1128/2010 |
| H-1B Master's Exemption | 20,000 | 9,4008,700 | | 65/1128/2010 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2011 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions on April 1, 2010 that are subject to the FY 2011 cap. Petitions subject to the FY 2011 cap must request a start date on or after October 1, 2010, the first day of the fiscal year. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2011 H-1B cap number with an Oct. 1, 2010 start date can be filed no sooner than April 1, 2010.

Usually the majority of H-1B cap-subject petitions are filed at that time in order to obtain a new visa number for FY 2011.

Note: If you request a start date for a FY 2011 cap-subject H-1B petition that is prior to Oct. 1, 2010 or submit a cap-subject petition prior to April 1, 2010, your petition will be rejected.

How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 13 through 15).

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "Where to Mail Your H-1B Cap-Subject Petition."

## Additional Documents Required With Your Petition

*Labor Condition Application (LCA)*

You must submit a Department of Labor (DOL) certified LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, provide the name and USCIS case receipt number of any alien who has previously utilized it.

Petitioners should ensure that they have signed the LCA prior to it being submitted.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

*Evidence of Beneficiary's Educational Background*

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

*A Duplicate Copy of the H-1B Petition*

You must submit a duplicate copy of your H-1B petition at the time of filing only if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

Review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on your jurisdiction. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see the link to the right for H-1B filing locations.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject it. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to Fee Exemption and/or Determination (page 14 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$320

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** (see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Premium Processing fee**

$1,000 for employers seeking Premium Processing Service

**Checks:** Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders:** Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

## Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit

the Form I-907 and

the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of Form I-907 through April 30, 2010. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

Please see the link to the right for more information concerning the Premium Processing program.

## Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s)

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly identify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

## How to mail multiple petitions together

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

## Filing Tips: Form G-28, Notice of Entry of Appearance as Attorney or Representative

Use if the petitioner will be represented by an attorney or other accredited representative

Complete all sections of the form accurately

Include the printed name and signature of the representative, preferably in blue ink

Include the original signature of the petitioner, preferably in blue ink

## Form I-129, Petition for a Nonimmigrant Worker

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, review that the country of birth/citizenship and the I-94 number (if applicable) is accuracate.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, include a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, you may provide a copy is suggested, but it is not required.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Provide a copy of the beneficiary's valid passport.

## H Classification Supplement to Form I-129 (pages 8 and 9 of Form I-129)

Complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

## H-1B Data Collection and Filing Fee Supplement form (pages 13 through 15 of Form I-129)

Complete all sections of the form accurately.

Enclose page 13 of the Form I-129 (with a revision date of March 11, 2009 or later) and answer question 1d in Part A if you are using a version of Form I-129 with a revision date prior to March 11, 2009.

Be sure to answer appropriately in Part A, question 5 and Part C, question 7 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

Part C, question 6 is not relevant if the petition does not involve a change of employer. Thus, please answer "no" or provide an "N/A" in the margin of the form to the left of the question.

Petitioner must sign the form, preferably in blue ink.

## Form I-907, Request for Premium Processing

Complete all sections of the form accurately with original signatures. We will accept the 08/28/06, 04/02/07, 07/30/07, and the 8/10/09 editions of

Form I-907 through April 30, 2010. After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

The representative should sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

| Form | Backlog | EUs Needed to Complete Backlog | EUS Needed Per Month (4 to Go) | Monthly Backlog FTE | FTE To Maintain Currency | Total Monthly ISOs Needed |
|---|---|---|---|---|---|---|
| I129 1B1 | 14,000 | 8,383.23 | 2,095.81 | 17.47 | 49.90 | 67.37 |
| I129 E3 | 0 | - | - | - | 0.39 | 0.39 |
| I129 H2A/H2B | 0 | - | - | - | 0.86 | 0.86 |
| H3 | 0 | - | - | - | 0.43 | 0.43 |
| I129 HSC | 27 | 12.86 | 3.21 | 0.03 | 0.08 | 0.10 |
| I129 TN | 0 | - | - | - | 0.52 | 0.52 |
| | | | | | | |
| | | | | | | |
| | | | | 17.49 | 52.17 | 69.66 |

| Form | Backlog | EUs Needed to Complete Backlog | EUS Needed Per Month (4 to Go) | Monthly Backlog FTE | FTE To Maintain Currency | Total Monthly ISOs Needed |
|---|---|---|---|---|---|---|
| I129 1B1 | 14,000 | 8,383.23 | 2,095.81 | 17.47 | 49.90 | 67.37 |
| I129 E3 | 0 | - | - | - | 0.39 | 0.39 |
| I129 H2A/H2B | 0 | - | - | - | 0.86 | 0.86 |
| H3 | 0 | - | - | - | 0.43 | 0.43 |
| I129 HSC | 27 | 12.86 | 3.21 | 0.03 | 0.08 | 0.10 |
| I129 TN | 0 | - | - | - | 0.52 | 0.52 |
| | | | | | | |
| | | | | | | |
| | | | | 17.49 | 52.17 | 69.66 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 23, 2010 9:13 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,
There was a surge in regular cap petitions last week: the count went from 29,700 to 33,900.

Also, the analysis in the blog below is sound in my judgment.

Jim

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 33,931 | 8/20/2010 |
| H-1B Master's Exemption | 20,000 | 12,645 | 8/20/2010 |

## Bloggings On Immigration Law And Policy
*by Greg Siskind*

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, August 30, 2010 10:37 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,943 | 8/27/2010 |
| H-1B Master's Exemption | 20,000 | 13,029 | 8/27/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

*Gwen Liang*
Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2246, Washington, DC 20529-2060
☎ 202-272-8161

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 2:00 PM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** Harton, Frank A
**Subject:** RE: H-1B cap numbers

Shelly,
The target incorporates a factor for petitions pending adjudication as of a specific date that will be denied based on current cap season data.
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 18, 2011 2:52 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

Good question. Before I can respond, I'd like to ask you a few additional questions. How far behind are they on letters? Does the contractor separate out the withdrawal requests from the regular RFE responses? If so, are they behind in RFE responses as well? Theoretically, any response to an RFE/ITD could ultimately result in a denial. It really comes down to what is contained in the response.

And this leads for a question for Jim...have you already factored potential withdrawals into your calculations for the target?

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

VSC is currently creating the extract file only on Saturday. With petitions trickling in, I don't think it is worth making a change. The file is going to be incomplete for CSC no matter what day it is created.

---

**From:** Johnson, Bobbie L
**Sent:** Monday, April 12, 2010 11:59 AM
**To:** Fitzsimmons, James; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

Adding Shelly. With the start of a new filing season, I'm wondering if we should move the weekly reporting day to Tuesday of each week. Would that make a difference (positive or negative or none) on the data you report weekly, Jim? For example, would you have complete data from CSC by tomorrow?

---

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P
**Subject:** FY 2011 H-1B Cap Count

All,

Below are the incomplete counts through April 9. CSC data for Friday was not captured in these counts.

Who should be on this email each week?

Jim

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 2,654 | 4/9/2010 |
| H-1B Master's Exemption | 20,000 | 2,459 | 4/9/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 13, 2010 9:36 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 52,383 | 12/10/2010 |
| H-1B Master's Exemption | 20,000 | 19,080 | 12/10/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 7:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|

| | | |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 9:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

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Jim

| | FY 2011[1] | FY 2010[2] |
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| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, August 19, 2010 9:57 AM
**To:** McConnell, James E; Velarde, Barbara Q; Fitzsimmons, James; Richardson, Gregory A
**Cc:** Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Thomas, Carolyn; Neufeld, Donald
**Subject:** RE: FY10 vs FY11 H-1B cap counts

**Importance:** High

Jim,

Is this the cycle time at CSC for all I-129s? Is it possible to know what the processing time is at CSC and VSC for H1Bs specifically, and also for L1As and L1Bs? I'm hearing that both centers have a 4-month PT for H1Bs, and that Ls are behind as well.

Thanks!

Bobbie

---

**From:** McConnell, James E
**Sent:** Tuesday, August 17, 2010 3:46 PM
**To:** Velarde, Barbara Q; Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Thomas, Carolyn
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Barbara,

I am showing a cycle time for the I-129's at CSC of 2.1 months for July, this a slight improvement from June of 2.2 months. The I-129 are coming in a little later this year than last, this would result in a larger pending at the end of July:

I-129 Receipts

| | July | June | May | April |
|---|---|---|---|---|
| FY | | | | |
| 2010 | 15,112 | 17,692 | 15,624 | 23,675 |
| 2009 | 12,277 | 15,680 | 17,851 | 37,188 |
| Change from 2009 to 2010 | 2,835 | 2,012 | (2,227) | (13,513) |

Let me know if you need additional information or have any further questions.


==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] Voice
202-272-1543 - FAX (b)(6)
==========

**From:** Velarde, Barbara Q
**Sent:** Tuesday, August 17, 2010 11:05 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim M: maybe I am making a mountain out of a molehill, but the numbers are lower this year as far as receipts so I am having trouble understanding why our pending is higher. I would think that this year we actually have more capacity (at least in California. I understand VSC has overlapping TPS). What troubles me is that CSC had been reporting a 60 day processing time on I-129s and then when we did the ACD switch it jumped to 4 months. So not sure how the cases were being reported in the past. Could you let me know if I need to bring this to the centers' attention or if we are okay as far as backlog etc. Thanks

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 5:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
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| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
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| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
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---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

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[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, January 10, 2011 9:45 AM
**To:** Fitzsimmons, James
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** RE: H-1B cap counts

Ok. I can update the cap webpages a little more starting next week. I've already reached out to OCOMM to make sure that they've dusted off the USCIS Update.

I've never heard of the SSM history action code. Do we know how that is applied? Is it something that would be done at data entry? Or is it something that would be done by the adjudicator?

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 10:13 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** H-1B cap counts

Shelly,
FYI---I am going to provide H-1B cap counts each Monday and Wednesday this week and next. Then on 24th , I plan to begin providing daily counts.

By the way, have you ever heard of SSM ( Special Masters) historical action code?

Jim

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Tuesday, August 17, 2010 10:05 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim M: maybe I am making a mountain out of a molehill, but the numbers are lower this year as far as receipts so I am having trouble understanding why our pending is higher. I would think that this year we actually have more capacity (at least in California. I understand VSC has overlapping TPS). What troubles me is that CSC had been reporting a 60 day processing time on I-129s and then when we did the ACD switch it jumped to 4 months. So not sure how the cases were being reported in the past. Could you let me know if I need to bring this to the centers' attention or if we are okay as far as backlog etc. Thanks

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---

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All,
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| | | |
| **Pending** | | |
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| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
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| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, February 19, 2010 11:05 AM
**To:** Clark, Matthew J
**Subject:** RE: FY11 H-1B Cap Documents

Matt,

How is the webpage design coming for the Q&As? :-)

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 17, 2010 2:00 PM
**To:** Clark, Matthew J; Clarke, Suzanne E; Brown, John W; Dalal-Dheini, Sharvari P
**Cc:** Johnson, Bobbie L; Young, Claudia F; Wheeler, Shannon L; Cummings, Kevin J; Blauvelt, Sally; Salem, Claudia S; Doherty, Shannon P
**Subject:** FY11 H-1B Cap Documents

Good afternoon,

As promised during today's meeting, here are the latest versions of the USCIS Update and Q&As for the H-1B cap filing season. OCOMM will use the Q&A to develop a webpage for the group to review. The cap gap specific Q&A is still under review and will be sent separately once a couple of issues are resolved.

Additionally, I have included the draft pdf of the M-735, Optional Processing Worksheet for H-1B Filings. Please note that there are a couple of items in the first "check box" that we are working on getting fixed: one typo ("tow" should be "two") and removal of the phrase "dated within the last six months" as I have double checked and it does not apply to money orders. Please advise if you have any issues with this or if your office is ok with this document as it is currently designed.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 8:24 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M; Sweeney, Mark M; Madore, Matthew T; Richardson, Gregory A
**Subject:** RE: H-1B Cap F-1 COS push

Some time in the afternoon. We don't get the report until some time late morning/early afternoon.

**Peter Shuttle**
**USCIS - VSC** (b)(6)
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 28, 2010 9:16 AM
**To:** Shuttle, Peter J; Velarde, Barbara Q
**Cc:** Perkins, Robert M; Sweeney, Mark M; Madore, Matthew T; Richardson, Gregory A
**Subject:** RE: H-1B Cap F-1 COS push

Pete,

When will VSC be able to provide the update that includes last weekend's completions?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Monday, September 27, 2010 1:17 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M; Sweeney, Mark M; Madore, Matthew T
**Subject:** H-1B Cap F-1 COS push
**Importance:** High

Shelly,

Here is our current count, as we discussed late last week there doesn't show a lot of completions at this point due to the lack of systems available over the weekend. I'm hoping tomorrow's report will reflect a lot better where we are at. As you can see a majority of the Cap F-1 COS cases have been pushed out to officers now we just need to see the actions go out the door.

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | 1472 |
| With Officer | 1213 |
| With Contractor | 82 |
| ADJ Staged | 138 |
| Other | 39 |

| Other COS to H1B | 715 |
|---|---|
| With Officer | 570 |
| With Contractor | 61 |
| ADJ Staged | 67 |
| Other | 17 |

| Consular Notification | 2476 |
|---|---|
| With Officer | 1723 |
| With Contractor | 349 |
| ADJ Staged | 329 |
| Other | 75 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 11, 2011 8:26 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Cap Met USCIS Update

Shelly,
For the record, last year 270 receipts were randomly selected from 970 final day receipts.
Jim

| | | |
|---|---|---|
| Dec 21 receipts needed | 270 | Lottery done on Dec 23 using 970 barcodes for Dec 21receipts |

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 11, 2011 8:59 AM
**To:** Fitzsimmons, James
**Subject:** RE: Cap Met USCIS Update

Good point. I'll throw something in there about us still accepting cap exempt petitions.

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 11, 2011 8:55 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Cap Met USCIS Update

Shelly,
I agree with your comment. If the volume is in the hundreds on final receipt date, then a lottery may not be necessary. Should exemption for petitions from Guam be mentioned?
Jim

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 11, 2011 8:50 AM
**To:** Fitzsimmons, James
**Subject:** Cap Met USCIS Update

Jim,

OCOMM is aware that we're getting closer to reaching the cap and has dusted off their old USCIS Update. I made one comment and one minor edit, but wanted to run this by you before I send back to OCOMM. Is there anything that you would recommend removing/changing?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000

## Shirk, Georgette L

**From:** Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
**Sent:** Wednesday, February 17, 2010 6:24 AM
**To:** Peck, Denis R
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** RE: H1B CAP planning

Morning,

Thank you for the updates.

I will make sure you get a copy of the VSC revised CAP Plan this week.

Do you have a preference for a time in March that you would like to see the overall plan?

thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, February 16, 2010 4:17 PM
**To:** Peacock, Walter W.
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** H1B CAP planning

Walter,

We've been occupied with the Haiti filings for the past month but I don't want to ignore the approaching CAP season. At this time we can advise you to plan based on these expectations –

1) The Lockbox Release 4, scheduled for March 15, will not take place until mid to late April at the earliest, hence there will be no data entry workers surplused to assist in CAP work.
2) We expect the volume to be approximately the same as in 2009. This totaled about 64,000 in the initial five day filing period. For a safety margin you should plan, at this time, for receiving up to 75,000 filings this year; 45,000 at VSC and 30,000 at CSC. If we change this projection I will notify you promptly.
3) Of the volumes shown above you should plan for receiving up to 12,000 Premium filings at VSC and 9,000 at CSC during the initial five day period.
4) As in previous years we do not plan to require you to work weekends including the initial weekend of April 3-4.

CSC has sent me a draft version of their center specific plan, which I commented on and returned to their Records ACD. I would like to see a revised version and a VSC specific plan when they are ready. Sometime in March we would like you to present the overall plan here at HQ, as you have the past two years. Based on the assumptions above the plan's schedule should show all Premium filings data entered not later than the 8th calendar day after beginning data entry, to meet the requirement for 15 day decision making.

These are the general objectives I would expect to see in your plan. If you have questions please contact me so we can iron them out well before the final meeting in March.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, October 05, 2010 5:21 PM
**To:** Sweeney, Shelly A
**Subject:** RE: Cap Processing Update

The time is ok for the conference call.

---

**From:** Fierro, Joseph
**Sent:** Tuesday, October 05, 2010 7:34 AM
**To:** Sweeney, Shelly A; Shuttle, Peter J
**Cc:** Johnson, Bobbie L; Richardson, Gregory A
**Subject:** RE: Cap Processing Update

Shelly:

Please see below for what is pending.

Today we will start adjudicating cap cases filed between 7/23/10 and 7/27/10.

Our EOS is still somewhat behind. We are at about 6/5/10 on EOS. We currently have 7 officers devoted full time to EOS, however, at a 1.5 CPH production standard, they move very slowly. I am looking at ways to increase the number of officers on EOS, and I possibly raising the standard.

Thanks,

Joe

[redacted] (b)(6)

| CSC I-129 H1Bs Pending as of 10/04/2010 | | | | |
|---|---|---|---|---|
| | | Status | Filed before 08/01/2010 | Filed up to 10/4/10 |
| H-1Bs | Initials | NEW CASE | 1,530 | 6,492 |
| | | PENDING | 283 | 284 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,108 | 2,278 |
| | | SUSPENSE | 16 | 20 |
| | | TRANSFERRED IN | 375 | 404 |
| | Others | NEW CASE | 9,884 | 19,206 |
| | | PENDING | 225 | 227 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 446 | 449 |
| | | SUSPENSE | 20 | 27 |
| | | TRANSFERRED IN | 157 | 171 |

---

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Tuesday, October 05, 2010 7:16 AM
**To:** Sweeney, Shelly A; Fierro, Joseph
**Cc:** Johnson, Bobbie L; Richardson, Gregory A; Sweeney, Mark M; Lockerby, Beth A; Perkins, Robert M; Madore, Matthew T
**Subject:** RE: Cap Processing Update

Shelly,

Here is our latest Cap processing report as of yesterday.

| | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 |
|---|---|---|---|---|
| All Cap > 60 days | 3141 | 2696 | 2200 | 1908 |
| With Officer | 2199 | 1865 | 1401 | 1115 |
| With Contractor | 646 | 574 | 570 | 393 |
| ADJ Staged | 184 | 148 | 102 | 292 |
| Other | 112 | 109 | 127 | 108 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 05, 2010 7:27 AM
**To:** Fierro, Joseph; Shuttle, Peter J
**Cc:** Johnson, Bobbie L; Richardson, Gregory A
**Subject:** Cap Processing Update

Joe and Pete,

Could each center please provide an update on adjudicative actions taken on cap cases since your last update? In addition, I'd like to set up a call for 3 pm EST on Thursday to get a status update on FY11 cap processing from the centers. Please let me know if that time does not work for you.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
**Sent:** Monday, April 05, 2010 11:27 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Fitzsimmons, James; Sweeney, Shelly A; Nicholson, Richard E; Loughlin, Stephen J
**Subject:** RE: CAP Ranges

Afternoon,

Sure thing Denis – the sites are tabulating the info and they will be using this Matrix.

Dan sent a message on VSC:

Keep in mind that the day 2 CAP will go up some as they had us do a 2nd pickup on Friday which is the 2,071 unidentified pieces. This was not opened on Friday since it was received late and we hadn't opened all the "regular" mail yet

Just an FYI.

Thanks, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Monday, April 05, 2010 12:20 PM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Fitzsimmons, James; Sweeney, Shelly A; Nicholson, Richard E; Loughlin, Stephen J
**Subject:** RE: CAP Ranges

Thanks, Walter. We do want the excel spreadsheet used as the primary reporting method though. This is the template we thought we had approved for use.

Let's shoot for having final data for Thursday and Friday in by cob today, including the breakdowns by regular/masters and premium/nonpremium. I also just got a msg from Vermont saying there was unopened mail from Friday not yet determined if it was CAP or not so, I'm okay with waiting a little longer to get firmed up numbers.

From what I have gotten this morning it appears

18,290 total of which 3,998 were premium. Depending on slight changes to this it looks like after we start data entry April 7th, we should be completely done with premium at both centers by cob Thursday and with all the cases by late next week.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Monday, April 05, 2010 11:53 AM
**To:** denis.peck@dhs.gov
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP Ranges

FYI from VSC

---

**From:** Petherbridge, Dan R [mailto:Dan.Petherbridge@dhs.gov]
**Sent:** Monday, April 05, 2010 11:41 AM
**To:** Peacock, Walter W.; Treacy, Erin
**Cc:** Surprenant, Mandy
**Subject:** FW: CAP Ranges

Here is the tally for Thursday and Friday.

*Dan*

Dan R. Petherbridge

Site Manager
Stanley SCOSS
USCIS Vermont Service Center
[redacted] (b)(6)
Please consider the environment before printing

---

**From:** Briggs, Shawn M [mailto:shawn.briggs@dhs.gov]
**Sent:** Monday, April 05, 2010 11:36 AM
**To:** Petherbridge, Dan R
**Subject:** CAP Ranges

VRN; SW Ranges
4/1 = 0001 - 0263 Total:4,723
4/2 = 0264 - 0300 Total:644
4/3 = 0301 - ____ Total:
4/4 = xxxx - xxxx Total:

VRP; SX Ranges
4/1 = 0001 - 0077 Total:1,267
4/2 = 0078 - 0088 Total:157
4/3 = 0089 - ____ Total:
4/4 = xxxx - xxxx Total:

VMN; SY Ranges
4/1 = 0001 - 0073 Total:1,523
4/2 = 0074 - 0091 Total:359
4/3 = 0092 - ____ Total:
4/4 = xxxx - ____ Total:

VMP; SZ Ranges
4/1 = 0001 - 0045 Total:780
4/2 = 0046 - 0049 Total:72
4/3 = 0050 - ____ Total:
4/4 = xxxx - xxxx Total:

**Grand Total: 9,525**

## Shirk, Georgette L

**From:** Harton, Frank A
**Sent:** Monday, February 07, 2011 7:29 AM
**To:** Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: CAP Rejects - letter

I did take care of this. When I get out of the BC meeting I'll look for the e-mail traffic and forward.

-----Original Message-----
From: Young, Claudia F
Sent: Monday, February 07, 2011 8:22 AM
To: Sweeney, Shelly A; Harton, Frank A
Subject: RE: CAP Rejects - letter

Whoops- adding Frank as I noticed this is for FY11 which Frank was handling. I am thinking it was taken care of, but I will let Frank respond.
Thanks,
Claudia

-----Original Message-----
From: Young, Claudia F
Sent: Monday, February 07, 2011 7:39 AM
To: Sweeney, Shelly A
Subject: Re: CAP Rejects - letter

Taken care of during the call on Thursday.

Welcome back! I can't wait to hear about your trip. I'll be in soon.

----- Original Message -----
From: Sweeney, Shelly A
To: Young, Claudia F
Sent: Mon Feb 07 07:37:21 2011
Subject: FW: CAP Rejects - letter

Claudia,

Was this already taken care of or is this something I need to get working on? I didn't see any further traffic on this.

Thanks!

Shelly

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, February 01, 2011 9:19 AM
To: Sweeney, Shelly A
Cc: Young, Claudia F

Subject: FW: CAP Rejects - letter

Is there anything more you would want in the reject letters about to be used than this language? Is there any need for the lottery losers from Wednesday to have different language in the letter?

Denis Peck
Branch Chief, Service Center Records Management SCOPS/USCIS/DHS 20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

-----Original Message-----
From: Ashline, Heidi L
Sent: Tuesday, February 01, 2011 9:14 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J
Subject: RE: CAP Rejects

Denis,

Please find attached the Reject Letter we use here at VSC for CAP cases. We do not have a separate letter for cases received Wed. and cases received after that. Let me know what you think.

Thank you,

Heidi Ashline
VSC/SISA/CPAU
(802) 527-4700 x-5098
-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, February 01, 2011 9:11 AM
To: Ashline, Heidi L
Subject: Fw: CAP Rejects

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

----- Original Message -----
From: Peck, Denis R
To: Nicholson, Richard E
Cc: Loughlin, Stephen J
Sent: Tue Feb 01 09:08:47 2011
Subject: RE: CAP Rejects

First we need to see the reject letters. Do we have a different letter for those not selected from Wednesday's mail vs. all the days after Wednesday? There really should be a specific reject letter just for them.

I'm going to check here with Shelly Sweeney.

But in any case we were going to start Wednesday.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

202-272-1081

202-272-1542 FAX

---

From: Nicholson, Richard E
Sent: Tuesday, February 01, 2011 8:40 AM
To: Peck, Denis R
Subject: CAP Rejects

Denis: We can start rejecting today correct?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

## Shirk, Georgette L

**From:** Young, Claudia F
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**To:** Sweeney, Shelly A; Harton, Frank A
**Subject:** RE: CAP Rejects - letter

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Shelly

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Cc: Young, Claudia F
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Denis Peck
Branch Chief, Service Center Records Management SCOPS/USCIS/DHS 20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081

202-272-1542 FAX

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To: Peck, Denis R
Cc: Loughlin, Stephen J
Subject: RE: CAP Rejects

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Thank you,

Heidi Ashline
VSC/SISA/CPAU
(802) 527-4700 x-5098
-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, February 01, 2011 9:11 AM
To: Ashline, Heidi L
Subject: Fw: CAP Rejects

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

----- Original Message -----
From: Peck, Denis R
To: Nicholson, Richard E
Cc: Loughlin, Stephen J
Sent: Tue Feb 01 09:08:47 2011
Subject: RE: CAP Rejects

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I'm going to check here with Shelly Sweeney.

But in any case we were going to start Wednesday.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

202-272-1081

202-272-1542 FAX

---

From: Nicholson, Richard E
Sent: Tuesday, February 01, 2011 8:40 AM
To: Peck, Denis R
Subject: CAP Rejects

Denis: We can start rejecting today correct?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(949) 389-3168

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 16, 2010 9:48 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

PP percentage was unfortunately a little lower than last year. They processed 4,703 Premiums through last night and none of the 600 remaining in DE are premiums.

4,703/20,600 total DE is 22.83%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Velarde, Barbara Q
**Sent:** Friday, April 16, 2010 10:35 AM
**To:** Peck, Denis R; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

And the PP percentage?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Peck, Denis R
**Sent:** Friday, April 16, 2010 10:29 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
[redacted] office
mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
*www.stanleyassociates.com*

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Friday, February 19, 2010 2:13 PM
**To:** Peacock, Walter W.
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** RE: H1B CAP planning

Walter,

I have the reading material now, thanks. Shelly is the project manager for CAP this year and she is looking at the week of March 8 for you to come to HQ. Someone will get back to you next week, as for me I will be enjoying some leave time in Nevada. See you when I get back.

On a different note, did we get the monthly program summary for January yet? Maybe I just got left off distribution. Can someone resend that to me ?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, February 17, 2010 7:24 AM
**To:** Peck, Denis R
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** RE: H1B CAP planning

Morning,

Thank you for the updates.

I will make sure you get a copy of the VSC revised CAP Plan this week.

Do you have a preference for a time in March that you would like to see the overall plan?

thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, February 16, 2010 4:17 PM
**To:** Peacock, Walter W.
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** H1B CAP planning

Walter,

We've been occupied with the Haiti filings for the past month but I don't want to ignore the approaching CAP season. At this time we can advise you to plan based on these expectations –

1) The Lockbox Release 4, scheduled for March 15, will not take place until mid to late April at the earliest, hence there will be no data entry workers surplused to assist in CAP work.
2) We expect the volume to be approximately the same as in 2009. This totaled about 64,000 in the initial five day filing period. For a safety margin you should plan, at this time, for receiving up to 75,000 filings this year; 45,000 at VSC and 30,000 at CSC. If we change this projection I will notify you promptly.
3) Of the volumes shown above you should plan for receiving up to 12,000 Premium filings at VSC and 9,000 at CSC during the initial five day period.
4) As in previous years we do not plan to require you to work weekends including the initial weekend of April 3-4.

CSC has sent me a draft version of their center specific plan, which I commented on and returned to their Records ACD. I would like to see a revised version and a VSC specific plan when they are ready. Sometime in March we would like you to present the overall plan here at HQ, as you have the past two years. Based on the assumptions above the plan's schedule should show all Premium filings data entered not later than the 8th calendar day after beginning data entry, to meet the requirement for 15 day decision making.

These are the general objectives I would expect to see in your plan. If you have questions please contact me so we can iron them out well before the final meeting in March.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Poulos, Christina
**Sent:** Friday, April 02, 2010 10:01 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A
**Cc:** Loughlin, Stephen J; 'Nguyen, Carolyn Q'; Gooselaw, Kurt G; Nicholson, Richard E; Gregg, Bret S
**Subject:** RE: CSC CAP report / estimate (April 1st)

Sorry that is the 2008 number, 24,613 is the 2009 first day number.

---

**From:** Nicholson, Richard E
**Sent:** Friday, April 02, 2010 7:43 AM
**To:** Gregg, Bret S; Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Poulos, Christina
**Cc:** Loughlin, Stephen J; 'Nguyen, Carolyn Q'; Gooselaw, Kurt G
**Subject:** RE: CSC CAP report / estimate (April 1st)

42,380….

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS (b)(6)

---

**From:** Gregg, Bret S
**Sent:** Friday, April 02, 2010 7:20 AM
**To:** Nicholson, Richard E; Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Poulos, Christina
**Cc:** Loughlin, Stephen J; 'Nguyen, Carolyn Q'; Gooselaw, Kurt G
**Subject:** RE: CSC CAP report / estimate (April 1st)

What were our first day numbers from last year? Anyone recall?

---

**From:** Nicholson, Richard E
**Sent:** Friday, April 02, 2010 7:09 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Poulos, Christina; Gregg, Bret S
**Cc:** Loughlin, Stephen J; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** FW: CSC CAP report / estimate (April 1st)
**Importance:** High

Our first numbers.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS

(b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Thursday, April 01, 2010 5:27 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Treacy, Erin; Petherbridge, Dan R; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Nicholson, Richard E; Valencia, Valerie L
**Subject:** CSC CAP report / estimate (April 1st)

Walter/Rich,

Attached is the CSC CAP report and Day 1 estimate (7,843 total). Number will be refined as we start to scan into boxes.

Regards,

Greg

Site Manager
CSC Stanley SCOSS Team

[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 08, 2010 10:37 AM
**To:** Shuttle, Peter J; Fierro, Joseph
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Johnson, Bobbie L
**Subject:** RE: Daily H-1B spread sheet

Pete,

I would agree that daily updates are not necessary. I also like the reports below. I would like to suggest one addition. Would it be possible to also include a weekly report on the pending EOS cases that are over 60 days similar to the cap pending chart?

Joe,

Would it be possible for CSC to provide similar information on a weekly basis?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Friday, October 08, 2010 10:55 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** Daily H-1B spread sheet

Shelly,

I'd like to propose a change to our daily reporting of H-1B Cap cases outside of 60 days, as the report doesn't change much from day-to-day and was more relevant last week when pushing through the F-1s in a finite timeframe.

I think it would be a better snap shot if we combined our weekly production report to show actual numbers that we have worked, with the report of Cap cases outside of 60 days (where are they). That way you would get one set of reports each week by COB Monday and we could discuss progress on our call later in the week.

The reports would look something like the following, just sent in once per week –

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 | 7-Oct-10 |
|---|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 | 8-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 | 1767 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 | 1056 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 | 374 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 | 240 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 | 97 |

| ACTION DATE | AG | EMPLOYEE_DAYS | POSITION TITLE | FORM | INTENTS | APPROVALS | RFES | DENIALS | RELOCS | COS_EXTS | REG HOURS | OT HOURS | CREDIT HOURS | HOLIDAY WORKED HOURS | TOTAL PROD HOURS |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 20100923 | | 44 | ISO (2) | I129 H1B | 3 | 488 | 134 | 35 | 0 | 2 | 301.25 | 20.75 | 3.50 | 0.00 | 325.50 |
| 20100924 | | 48 | ISO (2) | I129 H1B | 1 | 442 | 119 | 14 | 0 | 8 | 226.50 | 77.25 | 8.25 | 0.00 | 312.00 |
| 20100925 | | 32 | ISO (2) | I129 H1B | 0 | 0 | 0 | 0 | 0 | 0 | 4.00 | 179.75 | 0.75 | 0.00 | 184.50 |
| 20100926 | | 23 | ISO (2) | I129 H1B | 0 | 38 | 0 | 0 | 0 | 0 | 0.00 | 137.75 | 0.00 | 0.00 | 137.75 |
| 20100927 | | 61 | ISO (2) | I129 H1B | 2 | 606 | 171 | 26 | 0 | 8 | 213.25 | 68.75 | 2.25 | 0.00 | 284.25 |
| 20100928 | | 75 | ISO (2) | I129 H1B | 0 | 1117 | 275 | 20 | 0 | 8 | 293.75 | 73.00 | 1.25 | 0.00 | 368.00 |
| 20100929 | | 66 | ISO (2) | I129 H1B | 1 | 822 | 230 | 13 | 0 | 3 | 336.00 | 122.25 | 0.25 | 0.00 | 458.50 |
| 20100930 | | 68 | ISO (2) | I129 H1B | 2 | 1032 | 239 | 29 | 0 | 6 | 364.75 | 98.75 | 1.00 | 0.00 | 464.50 |
| 20101001 | | 40 | ISO (2) | I129 H1B | 1 | 388 | 106 | 19 | 0 | 1 | 205.50 | 0.00 | 2.50 | 0.00 | 208.00 |
| 20101002 | | 15 | ISO (2) | I129 H1B | 0 | 119 | 40 | 0 | 0 | 0 | 43.50 | 0.00 | 13.50 | 0.00 | 57.00 |
| 20101003 | | 0 | | | 0 | 0 | 0 | 0 | 0 | 0 | | 0.00 | 0.00 | 0.00 | 0.00 |
| 20101004 | | 50 | ISO (2) | I129 H1D | 1 | 541 | 104 | 25 | 0 | 5 | 251.00 | 0.00 | 5.25 | 0.00 | 256.25 |
| SEP23rd-OCT4th | 1,2,3,5,6,CTU | 515 | ISO (2) | I129 H1B | 11 | 5793 | 1448 | 187 | 0 | 41 | 2739.50 | 776.75 | 38.50 | 0.00 | 3056.25 |
| SEP23rd OCT2nd | ADJ 3 ONLY | 29 | ISO (1) | CIS REVIEW | 0 | 0 | 0 | 0 | 0 | 0 | 152.25 | 198.25 | 0.00 | 0.00 | 350.50 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] / cell [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, March 19, 2010 10:52 AM
**To:** Howrigan, Tanya L
**Cc:** Perkins, Robert M; Sweeney, Mark M
**Subject:** RE: DRAFT FY11 Cap Updates

Excellent. I will take out the cushion reference.

---

**From:** Howrigan, Tanya L
**Sent:** Friday, March 19, 2010 11:49 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Sweeney, Mark M
**Subject:** FW: DRAFT FY11 Cap Updates

Shelly –

I am responding for Rob because he is out of the office today. I have included our comments on the attachments.

One comment we have is about the "cushion" cases. We did not have "cushion" cases last year. Last year Jim had a magic number of filings we would accept for both the master's cap as well as the regular cap (see attached email traffic). I believe Jim calculated these numbers based on the amount of filings from previous years. Jim's recommendations last year were to accept 24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total of 100,000.

Thanks.

(b)(6)

**Tanya L. Howrigan**|**Senior Adjudications Officer (ISO 3)**| **Vermont Service Center** |**USCIS** | ☎: [redacted] | 802.527.4843| ✉: **tanya.howrigan@dhs.gov**

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**From:** Perkins, Robert M
**Sent:** Wednesday, March 17, 2010 4:43 PM
**To:** Howrigan, Tanya L; Sweeney, Mark M
**Subject:** FW: DRAFT FY11 Cap Updates

Comments?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, March 17, 2010 4:19 PM
**To:** Perkins, Robert M; Loughlin, Stephen J; Gooselaw, Kurt G; Nguyen, Carolyn Q; Nicholson, Richard E
**Cc:** Johnson, Bobbie L; Hazuda, Mark J; Gregg, Bret S
**Subject:** DRAFT FY11 Cap Updates

VSC and CSC,

I want to start the ball rolling on review for the USCIS Update(s) that will need to be issued at the end of the 5-day filing window. Since we don't know whether we will meet the cap or not, I have drafted two different sets of documents. I know that things could go either way (though it *seems* likely that we will not meet the cap), but I didn't want to wait until the filing period starts to begin drafting and review as we will all be extremely busy at that time. I would like to get your Center's comments/edits by **COB Friday (3/19)** so that I can send to OCOMM and OPE for them to initiate USCIS component clearance.

The first document is a draft USCIS Update if we do not meet the cap. I have also included alternative language in it for a scenario in which we don't meet the regular cap, but we do get sufficient advanced degree petitions.

The remaining documents are drafts of Updates in the event we do meet the cap. These are all based on documents that were issued for the FY09 filing season. I think the cap met and estimate documents could be combined if the filing is not extraordinarily heavy, but perhaps I am wrong.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 28, 2010 2:22 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Subject:** RE: F-1 Cap Numbers

Ok. I talked to Pete and asked him to break this down kindergarten-style for me since numbers are not my strong suit. You both may have already be aware of what each category and chart represents so I apologize if the information is redundant.

The information in the first chart is based on the location of all F-1 COS to H-1B petitions that are currently pending. "With officer" means exactly that. It is with an officer. The officer may have recently taken an action on the petition, but the case is still physically with them and the case status hasn't been closed out in C3. "With contractor" generally means that the file is still on a shelf, etc. "ADJ Staged" are clean cases that have been staged outside of the ACDs' offices. They are in the process of being distributed to an officer. "Other" petitions are primarily comprised of cases in the BCU and CFDO.

The second chart is all untouched cap cases broken down by month and would be inclusive of some of the same cases counted in the first chart.

---

**From:** Shuttle, Peter J
**Sent:** Tuesday, September 28, 2010 2:38 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Renaud, Daniel M; Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Madore, Matthew T
**Subject:** F-1 Cap Numbers
**Importance:** High

Shelly,

The report is a little off from what I sent yesterday but what you'll see below is most of our Cap that is older than 60 days is either with officers or already processed (RFE/Approval). We have 699 Cap cases that are dated prior to 8/1/2010 that are not with officers yet (lower numbers).

The F-1 numbers have dropped significantly since yesterday's report.

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | 854 |
| With Officer | 757 |
| With Contractor | 0 |
| ADJ Staged | 72 |
| Other | 25 |

Here is an estimation of the cases remaining in initial receipts that are not with an officer.
I have not included cases that clearly show movement to an rfe shelf or approval shelf yesterday or today.

| **Remaining Monthly initial receipts not with officers** | |
|---|---|

| | |
|---|---|
| April | 55 |
| May | 83 |
| June | 258 |
| July | 303 |
| August | 4390 |
| September | 1522 |
| **Grand Total** | **6611** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 29, 2010 1:54 PM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Richardson, Gregory A; Murphy, George H
**Subject:** RE: F-1 Cap processing

Gotcha. Can we get the combined OT and regular time adjudicative actions? SCOPS needs to be prepared to report up as we get closer and closer to 10/1.

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, September 29, 2010 2:19 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Richardson, Gregory A; Murphy, George H
**Subject:** RE: F-1 Cap processing
**Importance:** High

Shelly,

Here is a quick look at the O/T usage. Unfortunately our stats are not set up in a way that we can see what was worked on O/T versus regular time. Further any exercise to try and put this together would be hampered by the fact that we could not update in CLAIMS or use most other systems (that connect to CLAIMS) over the weekend.

From Thursday through early this week we have used the following O/T –

ISO-2s – 604 hours roughly = $33,220.00
ISO-1s – 194 hours roughly = $6,596.00

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 29, 2010 1:54 PM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Richardson, Gregory A
**Subject:** RE: F-1 Cap processing

Pete,

Many thanks for the below. Is there any way that VSC could provide an update on the amount of OT used to date and officer actions (e.g. approvals, denials, RFEs, intents)?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, September 29, 2010 1:13 PM

**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Chadwick, Donna; Janson, Nancy D; Lamothe, Judy L; Lockerby, Beth A; Montgomery, Laura; Rhodes-Gibney, Cathy S; Sweeney, Mark M
**Subject:** F-1 Cap processing
**Importance:** High

Shelly,

Here are today's figures.

Here is today's **initial receipts summary** that you asked for:

| | **Older than 60 days:** |
|---|---|
| **F1 COS to H1B** | 799 |
| With Officer | 578 |
| With Contractor* | 165 |
| ADJ Staged | 31 |
| Other | 25 |

| | |
|---|---|
| **All Cap > 60** | 3141 |
| With Officer | 2199 |
| With Contractor* | 646 |
| ADJ Staged | 184 |
| Other | 112 |

- The "with contractor" includes some cases that were approved or rfed yesterday after the oracle tables were updated.
- For the F-1s in the first section all of the 165 appear to be approvals or RFEs where CLAIMS has not caught up with the location.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 1:36 PM
**To:** Fierro, Joseph; Shuttle, Peter J
**Cc:** Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Dutile, George J
**Subject:** RE: F-1 students and Cap Gap

Your admin officers were notified this afternoon that $100K in OT funding has been made available to each center to work these F-1 COS cap petitions. We would like regular updates on your progress towards getting these cases adjudicated by October 1.

-----Original Message-----
From: Fierro, Joseph
Sent: Wednesday, September 22, 2010 11:48 AM
To: Shuttle, Peter J; Sweeney, Shelly A; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Subject: RE: F-1 students and Cap Gap

Shelly:

About 1000 hrs for CSC as well.

-----Original Message-----
From: Shuttle, Peter J
Sent: Wednesday, September 22, 2010 8:17 AM
To: Sweeney, Shelly A; Fierro, Joseph; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Subject: Re: F-1 students and Cap Gap

Shelly,

Our rough estimate is 1000 hrs for our 40 officers. If we could get the date moved to 10/4 - giving us 2 weekends of work.

- Peter Shuttle
Supevisory ISO/VSC

----- Original Message -----
From: Sweeney, Shelly A
To: Fierro, Joseph; Shuttle, Peter J; Perkins, Robert M
Cc: Velarde, Barbara Q; Renaud, Daniel M; Kramar, John; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F; Bouchard, Armanda M; Dutile, George J
Sent: Wed Sep 22 09:43:41 2010
Subject: RE: F-1 students and Cap Gap

SCOPS HQ has reviewed the situation and determined that the pre-8/1 F-1 COS cap cases should be prioritized. There may be a possibility that SCOPS could obtain access to OT funds. We need to know ASAP how much each center projects it would need (if it is available) and exactly how the OT funds would be utilized. Please understand that SCOPS expects the F-1 COS cap cases to be completed by the end of September if OT funds can be obtained and are used.

---

From: Bouchard, Armanda M
Sent: Wednesday, September 22, 2010 8:21 AM

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, September 20, 2010 11:45 AM
**To:** Shuttle, Peter J; Sweeney, Shelly A
**Cc:** Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: F-1 students and Cap Gap

Shelly:

I have some questions/thoughts before going forward with any kind of expedite for this group of individuals.

1. Is this in line with the expedite criteria rules for PP?

2. The only concern to these individuals is that the start date for employment will be little delayed? However they will be able to maintain their status and will not be required to depart. Many have valid EAD cards and can continue to work or will just need to be patient a 3-4 weeks more. It is no different for anyone else who needs a start date of 10/1 and is going to be delayed a little due to the processing times being behind. If someone is going to lose the job or something like that due to any delay, we could consider those, but still there is the PP route.

3. My understanding is that we have not expedited these here at CSC in the past couple of years at least.

Can we discuss this a little more before going forward? Please let me know if you are available to discuss or have any thoughts on the above.

Thanks,

Joe

-----Original Message-----
From: Shuttle, Peter J
Sent: Monday, September 20, 2010 6:58 AM
To: Sweeney, Shelly A; Fierro, Joseph
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Tamanaha, Emisa T; Richardson, Gregory A; Young, Claudia F
Subject: Re: F-1 students and Cap Gap

Shelly,

We are still waiting on data.

- Peter Shuttle
Supevisory ISO/VSC

----- Original Message -----
From: Sweeney, Shelly A
To: Shuttle, Peter J; Fierro, Joseph

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 8:57 AM
**To:** Johnson, Bobbie L
**Subject:** RE: CAP first five day filings total- 19,206

Bobbie,

I would like to confirm with you that the information below ready for issuance in the USCIS Update:

Approximately 5,600 masters and approximately 13,500 regular.

Last year's figures were rounded. Do you want me to continue with rounding or use the actual figures below?

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Thursday, April 08, 2010 9:26 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K; Shiflett, Julie M; Lundquist, Mark E
**Subject:** CAP first five day filings total- 19,206
**Importance:** High

I count 4,293 Premiums – 22.35%

The master-nonmasters breakdown looks like 5,631 masters and 13,575 regular.

Our comparable five day total last year was just under 64,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

## Shirk, Georgette L

**From:** Clark, Matthew J
**Sent:** Friday, February 26, 2010 3:21 PM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Doherty, Shannon P
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials

Let's wait and see what OCC comes back with before we make any changes. One thing I can say definitively is that we will not be putting a footnote in a web page; it is a webpage and not a document and have completely different best practices and rules in terms of the way people read web pages versus a paper document.

As far as the "Cap Amounts" heading, a simple fix would be to change the heading.

Matt

---

**From:** Sweeney, Shelly A
**Sent:** Friday, February 26, 2010 11:12 AM
**To:** Clark, Matthew J
**Cc:** Johnson, Bobbie L; Doherty, Shannon P
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials

Matt,

On the chart for the webpage, I'm not sure about the following:

**Cap Amounts**
The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas may be set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

The information is correct, but it just doesn't seem to work under the title "cap amounts" as it only deals with the 65,000 regular cap not the Master's exemption. Is there any way that we could footnote the data (like we had before)?

Additionally, as I stated on the phone the other day, while I like the chart and the information in it, I think thatit should be left off the page until the cap actually opens and we have information to provide within it. I agree that now is the time to get all of the offices to clear on it, but that we hold off on putting it up blank. We can then post it right away when we have numbers once the cap opens.

I will be out of the office on Monday. Please copy Bobbie and Shannon on any email traffic if OCC clears on Monday.

Thanks!

Shelly

---

**From:** Clark, Matthew J
**Sent:** Wednesday, February 24, 2010 1:51 PM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally
**Cc:** Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H
**Subject:** For Your Review-H-1B 2011 Cap Season Materials
**Importance:** High

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 02, 2010 12:28 PM
**To:** Clark, Matthew J
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

I'll check with Shev to see what the status is.

---

**From:** Clark, Matthew J
**Sent:** Tuesday, March 02, 2010 12:59 PM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Shelly,

I still have not received clearance from OCC, I will send another reminder today. It may help if you know the folks who review H-1B in OCC to give them a call.

As far as your edit, that will be simple enough to change that date.

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
(202)272-1319 office
(202)487-5577 Blackberry
www.uscis.gov

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 02, 2010 12:34 PM
**To:** Clark, Matthew J
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Matt,

How are things going with the clearance of the H-1B cap page? I have a last minute change that will need to be made regarding the acceptance of Form I-907 (premium processing). The current version of the webpage states that only the 8/10/09 version of Form I-907 will be accepted. I have just learned that we are extending the "grace period" for previous versions of the Form I-907 through April 30, 2010. See my suggested change below in red.

Thanks!

Shelly

**Premium Processing Service**

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition adjudicated within 15 calendar days. To request premium processing submit:

- the Form I-907 and
- the filing fee of $1,000 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee:

- at the same time as Form I-129 or
- at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 10 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: After April 30, 2010, we will only accept the 08/10/09 edition of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

---

**From:** Clark, Matthew J
**Sent:** Friday, February 26, 2010 5:08 PM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally
**Cc:** Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H; Wheeler, Shannon L
**Subject:** RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

Good Evening,

This is just to remind everyone that comments and/or edits are requested back to OCOMM by COB Monday. Thank you to those of you who have already responded.

Respectfully,

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
(202)272-1319 office
(202)487-5577 Blackberry
www.uscis.gov

---

**From:** Clark, Matthew J
**Sent:** Wednesday, February 24, 2010 1:51 PM
**To:** OCC-Clearance; Salem, Claudia S; Cummings, Kevin J; Roles, Rebecca J; Blauvelt, Sally
**Cc:** Brown, John W; Sweeney, Shelly A; Kuncaitis-Wall, Sara E; Johnson, Bobbie L; Doherty, Shannon P; Irazabal, Luz; Herrmann, Mary K; McKenzie, Trish H
**Subject:** For Your Review-H-1B 2011 Cap Season Materials
**Importance:** High

All,

For your review are the attached USCIS Update and Webpage for the 2011 H-1B cap season. The webpage has replaced the previously drafted Q&A and will serve as a central location on USCIS.gov for all information regarding the 2011 Cap filing season.

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, December 07, 2010 2:29 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Harton, Frank A
**Cc:** Melville, Rosemary; Johnson, Bobbie L
**Subject:** H-1B Report

Hi Barbara:

Here are the H1B processing times:

Regular Cap – 10/6/2010

Master Cap – 10/5/2010

Cap Exempt – 10/1/2010

EOS – 9/22/2010 – Note: We have distributed or reviewed cases through 9/22/2010. However, some cases are currently being reviewed, while some cases have been adjudicated but are awaiting clerical updating. We plan on having all the EOS cases up to 9/22/2010 completed, including updating, by Tuesday or Wednesday next week.

- CSC adjudicated approximately 2500 cases last weekend on OT.
- CSC more than doubled its production from last week's report from a total of 3329 actions to 7573 this week's report.

| CSC I-129 H1Bs Pending as of 12/06/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 10/06/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,511 | 4,328 |
| | | PENDING | 391 | 391 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 3,035 | 3,041 |
| | | SUSPENSE | 18 | 19 |
| | | TRANSFERRED IN | 394 | 481 |
| | Others | NEW CASE | 8,847 | 13,860 |
| | | PENDING | 399 | 399 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 697 | 698 |
| | | SUSPENSE | 21 | 22 |
| | | TRANSFERRED IN | 175 | 207 |
| **Total:** | | | **15,499** | **23,457** |

| CSC I-129 H1Bs (11-28-2010 to 12-04-2010) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 684 | 79 | 296 | 1,059 |
| | I-129 H1B EOS | 1,445 | 33 | 69 | 1,547 |
| | I-129 PP H1B | 809 | 59 | 310 | 1,178 |
| | I-129 PP H1B EOS | 755 | 27 | 127 | 909 |

| | | | | | |
|---|---|---|---|---|---|
| | **Total:** | **3,693** | **198** | **802** | **4,693** |
| **Div II** | I-129 H1B | 437 | 79 | 60 | 576 |
| | I-129 H1B EOS | 422 | 8 | 45 | 475 |
| | I-129 PP H1B | 3 | 1 | 3 | 7 |
| | I-129 PP H1B EOS | 0 | 2 | 0 | 2 |
| | **Total:** | **862** | **90** | **108** | **1,060** |
| **Div V** | I-129 H1B | 3 | 0 | 0 | 3 |
| | I-129 H1B EOS | 493 | 15 | 8 | 516 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 2 | 0 | 0 | 2 |
| | **Total:** | **498** | **15** | **8** | **521** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 1,230 | 12 | 43 | 1,285 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 14 | 0 | 0 | 14 |
| | **Total:** | **1,244** | **12** | **43** | **1,299** |
| **Grand Total:** | | **6,297** | **315** | **961** | **7,573** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 8:13 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Okay. I'll start working on something and send it to you for review before it goes to OCC.

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 07, 2010 8:29 AM
**To:** Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B cap update

Shelly,
The emphasis has to be on combined cap since masters will count against regular beginning in five or six weeks. Also, petitioners must recognize that masters bennies are still eligible to be sponsored. Therefore, I suggest the following with a **big bold message** stating that masters petitions are still being accepted.

***FY 2011 H-1B Cap Count***

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ---- | |
| H-1B Master's Exemption | 20,000 | ---- | |
| Combined | 85,000 | XXXXX | 12/03/2010 |

Jim

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 8:16 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Jim,

How would you recommend amending the chart once we hit the master's. Last year we didn't have a chart, but OCOMM was insistent this year. Should we add a "combined" line (see example below) with a caveat that any petitions filed under the master's exemption are counted against the regular cap once we hit the 20,000th approval, or something like that? I wanted to get started on these changes right away as I'll have to get them cleared by OCC, which could take a while.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ---- | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | ---- | 12/3/2010 |
| Combined | 85,000 | XXXXX | |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 9:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 7:25 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Does this mean that you are ok with the below? Sorry, haven't had my coffee this morning and I'm not functioning correctly.

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 07, 2010 8:23 AM
**To:** Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B cap update

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 8:16 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Jim,

How would you recommend amending the chart once we hit the master's. Last year we didn't have a chart, but OCOMM was insistent this year. Should we add a "combined" line (see example below) with a caveat that any petitions filed under the master's exemption are counted against the regular cap once we hit the 20,000th approval, or something like that? I wanted to get started on these changes right away as I'll have to get them cleared by OCC, which could take a while.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |
| Combined | 85,000 | XXXXX | |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 7:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 07, 2010 7:23 AM
**To:** Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B cap update

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 8:16 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Jim,

How would you recommend amending the chart once we hit the master's. Last year we didn't have a chart, but OCOMM was insistent this year. Should we add a "combined" line (see example below) with a caveat that any petitions filed under the master's exemption are counted against the regular cap once we hit the 20,000th approval, or something like that? I wanted to get started on these changes right away as I'll have to get them cleared by OCC, which could take a while.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |
| Combined | 85,000 | XXXXX | |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, February 16, 2010 3:17 PM
**To:** Peacock, Walter W.
**Cc:** Schmidt, Bruce H; Alexander, Bruce R; Sweeney, Shelly A
**Subject:** H1B CAP planning

Walter,

We've been occupied with the Haiti filings for the past month but I don't want to ignore the approaching CAP season. At this time we can advise you to plan based on these expectations –

1) The Lockbox Release 4, scheduled for March 15, will not take place until mid to late April at the earliest, hence there will be no data entry workers surplused to assist in CAP work.
2) We expect the volume to be approximately the same as in 2009. This totaled about 64,000 in the initial five day filing period. For a safety margin you should plan, at this time, for receiving up to 75,000 filings this year; 45,000 at VSC and 30,000 at CSC. If we change this projection I will notify you promptly.
3) Of the volumes shown above you should plan for receiving up to 12,000 Premium filings at VSC and 9,000 at CSC during the initial five day period.
4) As in previous years we do not plan to require you to work weekends including the initial weekend of April 3-4.

CSC has sent me a draft version of their center specific plan, which I commented on and returned to their Records ACD. I would like to see a revised version and a VSC specific plan when they are ready. Sometime in March we would like you to present the overall plan here at HQ, as you have the past two years. Based on the assumptions above the plan's schedule should show all Premium filings data entered not later than the 8th calendar day after beginning data entry, to meet the requirement for 15 day decision making.

These are the general objectives I would expect to see in your plan. If you have questions please contact me so we can iron them out well before the final meeting in March.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 7:16 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Jim,

How would you recommend amending the chart once we hit the master's. Last year we didn't have a chart, but OCOMM was insistent this year. Should we add a "combined" line (see example below) with a caveat that any petitions filed under the master's exemption are counted against the regular cap once we hit the 20,000th approval, or something like that? I wanted to get started on these changes right away as I'll have to get them cleared by OCC, which could take a while.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |
| Combined | 85,000 | XXXXX | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, March 04, 2011 9:58 AM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Johnson, Bobbie L; Canney, Keith J; Melville, Rosemary; Sweeney, Shelly A
**Subject:** H-1B CAP Report

Mark:

CAP/EOS dates distributed to officers:

Regular CAP: 1/14/11
Master Cap: All distributed
CAP Exempt: 1/17/11
EOS distributed to officers: 1/24/11

Thanks,

Joe

**CSC I-129 H1Bs Pending with NFTS location as of 02/28/2011**

**Data Source: C3**

| | | Status | Counts filed before 12/28/2010 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 0 | 1 |
| | | At CFDO | 26 | 29 |
| | | In File Room/Jit Shelf | 28 | 785 |
| | | On RFE Shelf/Rule 103 | 1,183 | 1,357 |
| | | Other Location | 86 | 91 |
| | | W/Clerical/Incl Resubmits | 28 | 211 |
| | | W/Officer/Incl Resubmits | 321 | 662 |
| | Others | At BCU | 15 | 20 |
| | | At CFDO | 25 | 27 |
| | | In File Room/Jit Shelf | 31 | 3,568 |
| | | On RFE Shelf/Rule 103 | 390 | 455 |
| | | Other Location | 69 | 86 |
| | | W/Clerical/Incl Resubmits | 8 | 185 |
| | | W/Officer/Incl Resubmits | 159 | 454 |
| **Total:** | | | **2,369** | **7,931** |

Notes:

**CSC I-129 H1Bs (0**

**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |

- Resubmits are cases that have already been RFEd.
- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.
- "Other Location" consists mostly of contractor locations.

| | Total: |
|---|---|
| Grand Total: | |

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 9:59 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Perfect. I knew that we did something to reflect the close of the master's cap. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 10:25 AM
**To:** Velarde, Barbara Q; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Barbara,
An announcement is not necessary soon since Masters petitions roll over into regular cap after Masters cap has been reached. I will talk to Shelly about modifying the cap webpage to reflect this situation. In 2010, the H-1B cap webpage showed the combined cap count after the Masters cap was reached.
Jim

---

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 10:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS

Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, March 11, 2011 1:25 PM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Johnson, Bobbie L; Sweeney, Shelly A; Canney, Keith J; Melville, Rosemary
**Subject:** H-1B CAP Report

Mack:

CAP/EOS dates distributed to officers:

Regular CAP: All distributed
Master Cap: All distributed
CAP Exempt: 01/26/11
EOS distributed to officers: 02/01/11

Notes:

- **Resubmits are cases that have already been RFEd.**
- **Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
- **"Other Location" consists mostly of contractor locations.**

Thanks,

Joe

**CSC I-129 H1Bs Pending with NFTS location as of 03/07/2011**
**Data Source: C3**

| | | Status | Counts filed before 01.07.2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 0 | 4 |
| | | At CFDO | 23 | 26 |
| | | In File Room/Jit Shelf | 23 | 331 |
| | | On RFE Shelf/Rule 103 | 1,218 | 1,352 |
| | | Other Location | 35 | 37 |
| | | W/Clerical/Incl Resubmits | 144 | 300 |
| | | W/Officer/Incl Resubmits | 289 | 621 |
| | Others | At BCU | 15 | 18 |
| | | At CFDO | 23 | 26 |
| | | In File Room/Jit Shelf | 29 | 3,662 |
| | | On RFE Shelf/Rule 103 | 339 | 420 |
| | | Other Location | 32 | 41 |
| | | W/Clerical/Incl Resubmits | 60 | 294 |
| | | W/Officer/Incl Resubmits | 169 | 649 |
| **Total:** | | | **2,399** | **7,781** |

Notes:

- Resubmits are cases that have already been RFEd.

**CSC I-129 H1Bs (02-27-2011 to 03-05-2011)**
**Data Source: CATs**

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 539 | 62 | 224 | 825 |
| | I-129 H1B EOS | 420 | 23 | 54 | 497 |
| | I-129 PP H1B | 342 | 63 | 97 | 502 |
| | I-129 PP H1B EOS | 357 | 21 | 73 | 451 |
| | **Total:** | **1,658** | **169** | **448** | **2,275** |
| Div II | I-129 H1B | 19 | 4 | 3 | 26 |
| | I-129 H1B EOS | 63 | 6 | 14 | 83 |
| | I-129 PP H1B | 6 | 0 | 0 | 6 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **88** | **10** | **17** | **115** |
| Div V | I-129 H1B | 5 | 0 | 3 | 8 |
| | I-129 H1B EOS | 22 | 3 | 2 | 27 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 1 | 0 | 1 | 2 |
| | **Total:** | **28** | **3** | **6** | **37** |
| Div VI | I-129 H1B | 0 | 2 | 1 | 3 |
| | I-129 H1B EOS | 43 | 8 | 3 | 54 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 1 | 0 | 0 | 1 |
| | **Total:** | **44** | **10** | **4** | **58** |
| **Grand Total:** | | **1,818** | **192** | **475** | **2,485** |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:25 AM
**To:** Velarde, Barbara Q; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Barbara,
An announcement is not necessary soon since Masters petitions roll over into regular cap after Masters cap has been reached. I will talk to Shelly about modifying the cap webpage to reflect this situation. In 2010, the H-1B cap webpage showed the combined cap count after the Masters cap was reached.
Jim

---

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 10:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Friday, October 08, 2010 2:22 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** H-1B daily Cap report

Shelly,

Here is our last daily report. As of next week (Tuesday) we hope to get you the first of our weekly reports that will include the weekly production stats as part of the report. Further, the report will be broken into two sections (Cap and EOS >60 days).

| Report date | 29-Sep-10 | 30-Sep-10 | 1-Oct-10 | 4-Oct-10 | 5-Oct-10 | 6-Oct-10 | 7-Oct-10 | 8-Oct-10 |
|---|---|---|---|---|---|---|---|---|
| Filed Prior to : | 31-Jul-10 | 1-Aug-10 | 2-Aug-10 | 5-Aug-10 | 6-Aug-10 | 7-Aug-10 | 8-Aug-10 | 9-Aug-10 |
| All Non PP Initial Cap > 60 days | 3141 | 2696 | 2200 | 1908 | 1968 | 1891 | 1767 | 1617 |
| With Officer | 2199 | 1865 | 1401 | 1115 | 1103 | 1041 | 1056 | 1038 |
| With Contractor | 646 | 574 | 570 | 393 | 408 | 412 | 374 | 340 |
| ADJ Staged | 184 | 148 | 102 | 292 | 310 | 341 | 240 | 146 |
| Other | 112 | 109 | 127 | 108 | 147 | 97 | 97 | 93 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 9:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Monday, December 20, 2010 10:54 AM
**To:** Harton, Frank A; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B cap update

We haven't made the Master's cap yet....

Shannon

---

**From:** Liang, Gwen
**Sent:** Monday, December 20, 2010 11:52 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Cc:** Fitzsimmons, James
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 53,869 | 12/17/2010 |
| H-1B Master's Exemption | 20,000 | 19,661 | 12/17/2010 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** McConnell, James E
**Sent:** Tuesday, August 17, 2010 2:46 PM
**To:** Velarde, Barbara Q; Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Thomas, Carolyn
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Barbara,

I am showing a cycle time for the I-129's at CSC of 2.1 months for July, this a slight improvement from June of 2.2 months. The I-129 are coming in a little later this year than last, this would result in a larger pending at the end of July:

I-129 Receipts

| | July | June | May | April |
|---|---|---|---|---|
| FY | | | | |
| 2010 | 15,112 | 17,692 | 15,624 | 23,675 |
| 2009 | 12,277 | 15,680 | 17,851 | 37,188 |
| Change from 2009 to 2010 | 2,835 | 2,012 | (2,227) | (13,513) |

Let me know if you need additional information or have any further questions.

==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] Voice (b)(6)
202-272-1543 - FAX
==========

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, August 17, 2010 11:05 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim M: maybe I am making a mountain out of a molehill, but the numbers are lower this year as far as receipts so I am having trouble understanding why our pending is higher. I would think that this year we actually have more capacity (at least in California. I understand VSC has overlapping TPS). What troubles me is that CSC had been reporting a 60 day processing time on I-129s and then when we did the ACD switch it jumped to 4 months. So not sure how the cases were being reported in the past. Could you let me know if I need to bring this to the centers' attention or if we are okay as far as backlog etc. Thanks

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 5:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |

| Potential Cap | | |
|---|---|---|
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 23, 2010 11:57 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 10/21 processing date for cap cases (it was 10/8 last week). Cap exempt is at 10/9 (it was 10/1 last week). The processing date for EOS has moved to 10/22 (the previous week it was at 10/8). As of December 20, there were 4,583 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,582 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 5,995 EOS petitions still pending that are outside of the two month processing goal. Of that number, 1,128 have had an RFE/NOID issued already.

From 12/12 to 12/18, the CSC approved 2,273 non premium cases, denied 195 non premium cases, and issued an RFE on 396 non premium cases. CSC also approved 1,186 premium cases, denied 74 premium cases, and issued an RFE on 301 premium cases during the same time period. *Total actions during that time period was 4,425.*

**VSC**:

The VSC reported that they are at a 10/25 processing date for cap cases (it was 10/22 last week). The processing date for EOS is at 8/3 (they reported 7/12 last week). As of December 20, there were 1,110 untouched cap petitions still pending that are outside of the two-month processing goal. There were 11,319 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 12/12 to 12/18, the VSC approved 1,819 non premium cases, denied 145 non premium cases, and issued an RFE/NOID on 484 non premium cases. VSC also approved 1,651 premium cases, denied 139 premium cases, and issued an RFE/NOID on 274 premium cases during the same time period. *Total actions during that time period was 4,512.*

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, December 17, 2010 8:37 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 10/8 processing date for regular cap cases (it was 10/6 last week) and a 10/8 processing date for master's cap (it was 10/5 last week). Cap exempt is at 10/1 (same as last week). The processing date for EOS has moved to 10/8 (the previous week it was at 9/22). As of December 13, there were 4,934 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,892 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 8,897 EOS petitions still pending that are outside of the two month processing goal. Of that number, 881 have had an RFE/NOID issued already.

From 12/5 to 12/11, the CSC approved 3,238 non premium cases, denied 226 non premium cases, and issued an RFE on 450 non premium cases. CSC also approved 1,337 premium cases, denied 88 premium cases, and issued an RFE on 263 premium cases during the same time period. *Total actions during that time period was 5,602.*

**VSC**:

The VSC reported that they are at a 10/22 processing date for cap cases (same as last week). The processing date for EOS is at 7/12 (they reported 7/7 last week). As of December 13, there were 1,349 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,410 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 12/5 to 12/11, the VSC approved 2,139 non premium cases, denied 214 non premium cases, and issued an RFE/NOID on 600 non premium cases. VSC also approved 1,252 premium cases, denied 135 premium cases, and issued an RFE/NOID on 220 premium cases during the same time period. *Total actions during that time period was 4,560.*

The VSC has asked whether they need to keep providing weekly reports on H-1B cap processing since they are now within 60 days. Please advise if you would like reports to continue for this group of filings or if reports should continue for the time being.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 08, 2010 7:06 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 10/6 processing date for regular cap cases (it was 10/5 last week) and a 10/5 processing date for master's cap (it was 9/28 last week). Cap exempt is at 10/1 (last week was 9/21). The processing date for EOS has moved to 9/22 (the previous week it was at 8/11). As of December 6, there were 5,357 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 3,035 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 10,142 EOS petitions still pending that are outside of the two month processing goal. Of that number, 697 have had an RFE/NOID issued already.

From 11/28 to 12/4, the CSC approved 4,714 non premium cases, denied 226 non premium cases, and issued an RFE on 521 non premium cases. CSC also approved 1,583 premium cases, denied 89 premium cases, and issued an RFE on 440 premium cases during the same time period. *Total actions during that time period was 7,573.*

**VSC**:

The VSC reported that they are at a 10/22 processing date for cap cases (they reported 9/21 last week). The processing date for EOS is at 7/7 (they reported 6/15 last week). As they are now within 60 days on cap cases, the VSC plans to shift focus to staying with 60 days and eliminating the EOS backlog. As of December 6, there were 2,028 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,922 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/28 to 12/4, the VSC approved 1,588 non premium cases, denied 249 non premium cases, and issued an RFE/NOID on 215 non premium cases. VSC also approved 1,957 premium cases, denied 93 premium cases, and issued an RFE/NOID on 409 premium cases during the same time period. *Total actions during that time period was 4,511.*

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
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20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 02, 2010 9:37 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 10/5 processing date for regular cap cases (it was 9/14 last week) and a 9/28 processing date for master's cap (same as last week). Cap exempt is at 9/21 (last week was 9/16). The processing date for EOS has moved to 8/11 (the previous week it was at 7/22). As of December 1, there were 5,473 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 3,050 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,455 EOS petitions still pending that are outside of the two month processing goal. Of that number, 545 have had an RFE/NOID issued already.

From 11/22 to 11/26, the CSC approved 1,441 non premium cases, denied 65 non premium cases, and issued an RFE on 286 non premium cases. CSC also approved 1,183 premium cases, denied 73 premium cases, and issued an RFE on 283 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 9/21 processing date for cap cases (they reported 10/13 last week). The processing date for EOS is at 6/15 (they reported 6/21 last week). As of November 22, there were 2,130 untouched cap petitions still pending that are outside of the two-month processing goal. There were 13,034 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/21 to 11/27, the VSC approved 463 non premium cases, denied 38 non premium cases, and issued an RFE/NOID on 417 non premium cases. VSC also approved 1,307 premium cases, denied 63 premium cases, and issued an RFE/NOID on 468 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, November 29, 2010 7:39 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of last week's reports from the CSC and the VSC, which arrived while I was on leave:

**CSC**:

The CSC reported that they are at a 9/14 processing date for regular cap cases (it was 9/1 the previous week) and a 9/28 processing date for master's cap (it was 9/23 the previous week). Cap exempt is at 9/16 (previous week was 9/5). The processing date for EOS has moved slightly to 7/22 (the previous week it was at 7/16). As of November 22, there were 5,547 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 3,003 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,419 EOS petitions still pending that are outside of the two month processing goal. Of that number, 520 have had an RFE/NOID issued already.

From 11/15 to 11/19, the CSC approved 638 non premium cases, denied 106 non premium cases, and issued an RFE on 621 non premium cases. CSC also approved 1,448 premium cases, denied 94 premium cases, and issued an RFE on 350 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 10/13 processing date for cap cases (it was at 9/8 the previous week). The processing date for EOS is at 6/21 (it was at 6/4 the previous week). The VSC mentioned that they saw a significant spike in PP filings on 11/22 (over 800 filings) just before the fee increase took effect. As of November 22, there were 2,029 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,583 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/14 to 11/20, the VSC approved 1,147 non premium cases, denied 118 non premium cases, and issued an RFE/NOID on 945 non premium cases. VSC also approved 1,663 premium cases, denied 63 premium cases, and issued an RFE/NOID on 616 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, November 18, 2010 3:33 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's report from the CSC and the VSC. Please note that production is a bit lower as last week was a short week due to the holiday:

**CSC**:

The CSC reported that they are at a 9/1 processing date for regular cap cases (last week was 8/22) and a 9/23 processing date for master's cap (last week was 9/22). Cap exempt is at 9/5 (same as last week). The processing date for EOS has moved slightly to 7/16 (last week it was at 7/10). As of November 16, there were 5,972 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,760 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,826 EOS petitions still pending that are outside of the two month processing goal. Of that number, 532 have had an RFE/NOID issued already.

From 11/8 to 11/12, the CSC approved 1,119 non premium cases, denied 109 non premium cases, and issued an RFE on 251 non premium cases. CSC also approved 990 premium cases, denied 61 premium cases, and issued an RFE on 232 premium cases during the same time period.

**VSC**:

The VSC has not yet provided their updated processing date for cap or EOS cases. They did indicate that they are focusing right now on premium filings and may continue to do so for a few weeks. As of November 15, there were 2,314 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,566 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/7 to 11/13, the VSC approved 754 non premium cases, denied 98 non premium cases, and issued an RFE/NOID on 320 non premium cases. VSC also approved 1,272 premium cases, denied 91 premium cases, and issued an RFE/NOID on 285 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 10, 2010 3:29 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's report from the CSC and the VSC:

**CSC**:

The CSC reported that they are at an 8/22 processing date for regular cap cases (last week was 8/17) and a 9/22 processing date for master's cap (same as last week). Cap exempt is at 9/5 (last week this was at 8/20). The processing date for EOS has moved slightly to 7/10 (last week it was at 6/30). As of November 8, there were 6,114 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,738 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,667 EOS petitions still pending that are outside of the two month processing goal. Of that number, 536 have had an RFE/NOID issued already.

From 11/1 to 11/5, the CSC approved 1,573 non premium cases, denied 187 non premium cases, and issued an RFE on 327 non premium cases. CSC also approved 1,512 premium cases, denied 93 premium cases, and issued an RFE on 317 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 9/8 processing date for cap cases (last week this was at 9/1). They are almost within the two month processing goal. The processing date for EOS has essentially remained static at 6/4. As of November 8, there were 2,541 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,197 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 10/31 to 11/6, the VSC approved 1,064 non premium cases, denied 128 non premium cases, and issued an RFE/NOID on 377 non premium cases. VSC also approved 1,548 premium cases, denied 60 premium cases, and issued an RFE/NOID on 313 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, November 04, 2010 10:43 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's report from the CSC and the VSC:

**CSC**:

The CSC reported that they are at an 8/17 processing date for regular cap cases (same as last week) and a 9/22 processing date for master's cap (9/1 last week). Cap exempt is at 8/20 (last week this was at 8/13). The processing date for EOS has moved slightly to 6/30 (last week it was at 6/15). As of November 1, there were 6,611 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,746 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,877 EOS petitions still pending that are outside of the two month processing goal. Of that number, 538 have had an RFE/NOID issued already.

From 10/25 to 10/29, the CSC approved 1,313 non premium cases, denied 110 non premium cases, and issued an RFE on 348 non premium cases. CSC also approved 1,277 premium cases, denied 81 premium cases, and issued an RFE on 305 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 9/1 processing date for cap cases (last week this was at 8/20). They are now almost within the two month processing goal. The processing date for EOS remained static this week at 6/1-6/3. The VSC indicated that the EOS date has not moved from last week as most of the officers working EOS cases had to be put on PP to keep up with that workload. They are now returning to their EOS workload. As of November 1,
there were 3,008 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,113 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/24 to 10/31, the VSC approved 1,039 non premium cases, denied 142 non premium cases, and issued an RFE/NOID on 376 non premium cases. VSC also approved 1,693 premium cases, denied 66 premium cases, and issued an RFE/NOID on 342 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 19, 2010 7:52 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the VSC and the CSC:

**CSC**:

The CSC reported that they are at an 8/9 processing date for regular cap cases and an 8/15 processing date for master's cap. This is an improvement of a couple of days for the regular cap workload. The processing date for master's cap is the same as last week. Cap exempt is at 7/17 (last week this was at 7/11). The processing date for EOS moved forward slightly to 6/15 (last week was 6/9). As of October 18, there were 6,575 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,523 have had an RFE/NOID issued and are pending response. The initial pending outside of 2 months has shot up from last week by about 1,600. I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 12,415 EOS petitions still pending that are outside of the two month processing goal. Of that number, 488 have had an RFE/NOID issued and are pending response.

From 10/11 to 10/15, the CSC approved 511 non premium cases, denied 42 non premium cases, and issued an RFE on 214 non premium cases. CSC also approved 1,016 premium cases, denied 55 premium cases, and issued an RFE on 234 premium cases during the same time period.

**VSC**:

The VSC changed their processing date reporting to mimic the way that CSC reports its processing date. The VSC reported that they are at a 8/16 processing date for cap cases, which is no change from last week. The processing date for EOS is at 5/27. As of October 18, there were 3,022 untouched cap petitions still pending that are outside of the two-month processing goal. The initial pending outside of 2 months has shot up from last week by about 1,175. As with CSC, I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 11,242 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/10 to 10/16, the VSC approved 948 non premium cases, denied 102 non premium cases, and issued an RFE/NOID on 134 non premium cases. VSC also approved 1,395 premium cases, denied 89 premium cases, and issued an RFE/NOID on 361 premium cases during the same time period.

Thanks!

Shelly

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 7:54 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the VSC and the CSC:

**CSC**:

The CSC reported that they are at an 8/5 processing date for regular cap cases and an 8/15 processing date for master's cap. This is an improvement of a couple of days from last week's report. Cap exempt is at 7/11 (last week this was at 6/15). The processing date for EOS stayed the same as last week and is at 6/9. As of October 12, there were 4,968 initial H-1B petitions still pending that are outside of the two-month processing goal. There were 12,601 EOS petitions still pending that are outside of the two month processing goal.

From 10/4 to 10/8, the CSC has approved 1,120 non premium cases, denied 103 non premium cases, and issued an RFE on 493 non premium cases. CSC has also approved 1,403 premium cases, denied 92 premium cases, and issued an RFE on 354 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 6/11 processing date for cap cases but that mid-August untouched work is going down to the floor. Last week, the VSC reported that July untouched work was going down to the floor. The processing date for EOS stayed the same as last week and is at 5/21. They expect movement on the EOS processing date shortly as they are distributing EOS work to their newly trained officers. As of October 12, there were 1,847 untouched cap petitions still pending that are outside of the two-month processing goal. There were 11,037 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/3 to 10/9, the VSC has approved 741 non premium cases, denied 64 non premium cases, and issued an RFE on 398 non premium cases. VSC has also approved 1,703 premium cases, denied 56 premium cases, and issued an RFE on 453 premium cases during the same time period.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, January 12, 2011 10:14 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 11/3 processing date for both regular and master's cap cases (it was 10/25 and 10/21, respectively, last week). Cap exempt is at 11/17 (it was 10/20 last week). **The processing date for EOS has moved to 11/18** (the previous week it was at 11/1). As of January 10, there were 4,635 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,209 have had an RFE/NOID issued but ave not been worked to completion (either pending response or response not yet adjudicated). There were 4,751 EOS petitions still pending that are outside of the two month processing goal. Of that number, 1,230 have had an RFE/NOID issued already.

From 1/2 to 1/8, the CSC approved 2,084 non premium cases, denied 176 non premium cases, and issued an RFE on 259 non premium cases. CSC also approved 1,629 premium cases, denied 105 premium cases, and issued an RFE on 406 premium cases during the same time period. *Total actions during that time period were 4,659.*

**VSC**:

The VSC reported that they are at a 10/27 processing date for cap cases ( it was10/25 last week). **The processing date for EOS is at 8/30** (they reported 8/18 last week). As of January 10, there were 1,694 untouched cap petitions still pending that are outside of the two-month processing goal. There were 10,016 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 1/2 to 1/9, the VSC approved 1,362 non premium cases, denied 166 non premium cases, and issued an RFE/NOID on 163 non premium cases. VSC also approved 1,655 premium cases, denied 114 premium cases, and issued an RFE/NOID on 352 premium cases during the same time period. *Total actions during that time period were 3,812.*

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 27, 2010 10:38 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Canney, Keith J; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** H-1B Processing

Shelly,

Here is this week's report. Processing dates are: Cap - 8/20/2010 and EOS – 6/3/2010.

| FY11 CAP NON PP | | | | |
|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 |
| **With Contractor** | 393 | 287 | 616 | 868 |
| **ADJ Staged** | 292 | 419 | 470 | 141 |
| **Other** | 108 | 59 | 63 | 73 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | **518** | **512** | **552** |
| DENIED | | **25** | **42** | **60** |
| RFE/ ITD | | 377 | 92 | 209 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 |
| DENIED | | 17 | 36 | 28 |
| RFE/ ITD | | 196 | 200 | 209 |
| TOTAL ACTIONS | | **841** | **778** | **1007** |

| FY10 EOS NON PP | | | | |
|---|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** |
| **With Officer** | | 1386 | 1246 | 1135 |

| | | | | |
|---|---|---|---|---|
| **With Contractor** | | 9084 | 9418 | 10030 |
| **ADJ Staged** | | 415 | 441 | 501 |
| **Other** | | 152 | 137 | 117 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** |
| DENIED | | **39** | **60** | **73** |
| RFE/ ITD | | 21 | 42 | 33 |
| **TOTAL ACTIONS** | | 283 | 538 | 326 |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** |
|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 |
| DENIED | | 39 | 53 | 41 |
| RFE/ ITD | | 257 | 161 | 174 |
| TOTAL ACTIONS | | 1371 | 1067 | 1392 |

Our premium production was up over the last week (and this week as well) as we needed to move some of our temporary resources to premium to help our regular officers gain some buffer time in their daily premium workloads.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted]**/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, January 21, 2011 3:16 PM
**To:** Harvey, Mark E
**Cc:** Johnson, Bobbie L; Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Canney, Keith J
**Subject:** H-1B Report

Mark:

Mark:

Here are the CSC H-1B processing times:

Regular Cap – 11/16/2010
Master Cap - 11/15/2010
Cap Exempt - 11/21/2010
EOS – 12/15/2010

| CSC I-129 H1Bs Pending as of 01/18/2011 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 11/18/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,818 | 4,398 |
| | | PENDING | 377 | 377 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,834 | 1,835 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 414 | 581 |
| | Others | NEW CASE | 2,192 | 6,482 |
| | | PENDING | 375 | 376 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 1,184 | 1,195 |
| | | SUSPENSE | 21 | 22 |
| | | TRANSFERRED IN | 167 | 197 |
| **Total:** | | | **8,410** | **15,496** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, December 16, 2010 7:37 PM
**To:** Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Harton, Frank A; Melville, Rosemary; Johnson, Bobbie L; Canney, Keith J
**Subject:** H-1B Report

Hi Shelly:

Here are the CSC H-1B processing times:

Regular Cap – 10/8/2010

Master Cap – 10/8/2010

Cap Exempt – 10/1/2010

EOS – 10/8/2010

| CSC I-129 H1Bs Pending as of 12/13/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 10/13/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,249 | 4,019 |
| | | PENDING | 383 | 383 |
| | | REOPENED | 10 | 10 |
| | | RULE 103 | 2,892 | 2,895 |
| | | SUSPENSE | 18 | 20 |
| | | TRANSFERRED IN | 382 | 469 |
| | Others | NEW CASE | 7,434 | 12,269 |
| | | PENDING | 386 | 386 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 881 | 882 |
| | | SUSPENSE | 21 | 23 |
| | | TRANSFERRED IN | 172 | 204 |
| **Total:** | | | **13,831** | **21,563** |

| CSC I-129 H1Bs (12-05-2010 to 12-11-2010) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 401 | 70 | 129 | 600 |
| | I-129 H1B EOS | 952 | 29 | 187 | 1,168 |
| | I-129 PP H1B | 723 | 60 | 179 | 962 |
| | I-129 PP H1B EOS | 571 | 26 | 83 | 680 |
| | **Total:** | **2,647** | **185** | **578** | **3,410** |

| | | | | | |
|---|---|---|---|---|---|
| Div II | I-129 H1B | 100 | 89 | 14 | 203 |
| | I-129 H1B EOS | 187 | 15 | 72 | 274 |
| | I-129 PP H1B | 1 | 0 | 1 | 2 |
| | I-129 PP H1B EOS | 2 | 1 | 0 | 3 |
| | **Total:** | **290** | **105** | **87** | **482** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 486 | 8 | 23 | 517 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 6 | 0 | 0 | 6 |
| | **Total:** | **492** | **8** | **23** | **523** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 1,112 | 15 | 25 | 1,152 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 34 | 1 | 0 | 35 |
| | **Total:** | **1,146** | **16** | **25** | **1,187** |
| **Grand Total:** | | **4,575** | **314** | **713** | **5,602** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, December 01, 2010 4:30 PM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Louis, Jennifer E; Melville, Rosemary; Canney, Keith J; Harton, Frank A; Goodman, Lubirda L; Prince, Rose M
**Subject:** H-1B Report

Hi Shelly,

Here are the H1B processing times:

Regular Cap – 10/5/2010
Master Cap - 9/28/2010
Cap Exempt - 9/21/2010
EOS – 8/11/2010

| CSC I-129 H1Bs Pending as of 11/29/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 09/29/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,605 | 4,643 |
| | | PENDING | 390 | 391 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 3,050 | 3,054 |
| | | SUSPENSE | 17 | 19 |
| | | TRANSFERRED IN | 403 | 498 |
| | Others | NEW CASE | 11,308 | 16,739 |
| | | PENDING | 399 | 402 |
| | | REOPENED | 5 | 5 |
| | | RULE 103 | 545 | 548 |
| | | SUSPENSE | 21 | 22 |
| | | TRANSFERRED IN | 177 | 203 |
| **Total:** | | | **17,928** | **26,532** |

| CSC I-129 H1Bs (11-22-2010 to 11-26-2010) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 274 | 49 | 234 | 557 |
| | I-129 H1B EOS | 291 | 9 | 26 | 326 |
| | I-129 PP H1B | 612 | 47 | 193 | 852 |
| | I-129 PP H1B EOS | 533 | 24 | 90 | 647 |
| | **Total:** | **1,710** | **129** | **543** | **2,382** |
| Div V | I-129 H1B | 11 | 0 | 0 | 11 |
| | I-129 H1B EOS | 302 | 5 | 16 | 323 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 4 | 0 | 0 | 4 |

| | | | | | |
|---|---|---|---|---|---|
| | EOS | | | | |
| | **Total:** | **317** | **5** | **16** | **338** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 563 | 2 | 10 | 575 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 34 | 0 | 0 | 34 |
| | **Total:** | **597** | **2** | **10** | **609** |
| **Grand Total:** | | **2,624** | **136** | **569** | **3,329** |

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Tuesday, November 23, 2010 2:31 PM
**To:** Sweeney, Shelly A; Harton, Frank A; Perkins, Robert M; Lockerby, Beth A; Canney, Keith J; Fierro, Joseph
**Subject:** H-1B report

Shelly,

Our continued decrease in adjudicative actions during this period resulted from our continued push to get premium filings under control as we head into the long Thanksgiving weekend. VSC will continue to concentrate our efforts on the PP workload over the next several weeks. This increased focus on working our PP backlog down is an effort to position us well for the upcoming holiday season wherein we will experience high leave usage for those who process our PP work. Yesterday we did see a significant spike in premium receipts, upwards of 800 filings.

We are currently issuing the following non-premium H1B work with mailroom dates to officers:

CAP: 6/15/2010
EXT: 6/21/2010

Mark

| FY11 CAP NON PP | | |
|---|---|---|
| Report date | 15-Nov-10 | 22-Nov-10 |
| Filed between 1-April-10 and: | 15-Sep-10 | 22-Sep-10 |
| Initial Pending Cap > 60 days | 2314 | 2029 |
| With Officer | 1669 | 1481 |
| With Contractor | 413 | 299 |
| ADJ Staged | 180 | 195 |
| Other | 52 | 54 |
| | | |
| Weekly FY11 Non PP CAP actions | 11/7-11-13 | 11/14-11/20 |
| APPROVED | 398 | 474 |
| DENIED | 60 | 60 |
| RFE/ ITD | 292 | 840 |
| TOTAL | 750 | 1374 |
| | | |
| Weekly FY11 PP CAP actions | 11/7-11-13 | 11/14-11/20 |
| APPROVED | 502 | 664 |
| DENIED | 41 | 33 |
| RFE/ ITD | 153 | 336 |
| TOTAL | 696 | 1033 |
| | | |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **15-Nov-10** | **22-Nov-10** |
| Filed between 1-Oct-09 and: | 15-Sep-10 | 22-Sep-10 |
| **Initial Pending EOS > 60 days** | **12566** | **12583** |
| **With Officer** | 1354 | 1352 |
| **With Contractor** | 10474 | 10432 |
| **ADJ Staged** | 629 | 675 |
| **Other** | 109 | 124 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **11/7-11-13** | **11/14-11/20** |
| APPROVED | **356** | **673** |
| DENIED | **38** | **58** |
| RFE/ ITD | 28 | 105 |
| **TOTAL** | 422 | 836 |
| | | |
| **Weekly FY10/11 PP EOS actions** | 11/7-11-13 | 11/14-11/20 |
| APPROVED | 770 | 999 |
| DENIED | 50 | 30 |
| RELOC | | |
| RFE/ ITD | 132 | 280 |
| TOTAL | **952** | **1309** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Wednesday, November 17, 2010 6:56 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Harton, Frank A
**Cc:** Perkins, Robert M; Lockerby, Beth A; Sweeney, Mark M; Fierro, Joseph
**Subject:** H-1B report

Shelly,

Decreased adjudicative actions during this period resulted from the four-day workweek. As an FYI, VSC will be primarily concentrating our efforts of the PP workload over the next several weeks. This increased focus on working our PP backlog down is an effort to position us well for the upcoming holiday season wherein we will experience high leave usage for those who process our PP work.

Keith

| FY11 CAP NON PP | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** | **3008** | **2541** | **2314** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 | 2385 | 1909 | 1669 |
| **With Contractor** | 393 | 287 | 616 | 868 | 381 | 391 | 413 |
| **ADJ Staged** | 292 | 419 | 470 | 141 | 152 | 172 | 180 |
| **Other** | 108 | 59 | 63 | 73 | 90 | 69 | 52 |
| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
| APPROVED | | **518** | **512** | **552** | **582** | **568** | **398** |
| DENIED | | **25** | **42** | **60** | **51** | **71** | **60** |
| RFE/ ITD | | 377 | 92 | 209 | 335 | 321 | 292 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** | **968** | **960** | **750** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 | 717 | 595 | 502 |
| DENIED | | 17 | 36 | 28 | 26 | 34 | 41 |
| RFE/ ITD | | 196 | 200 | 209 | 180 | 172 | 153 |
| TOTAL ACTIONS | | **841** | **778** | **1007** | **923** | **801** | **696** |

| FY10 EOS NON PP | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |

| Initial Pending EOS > 60 days | | 11037 | 11242 | 11783 | 12112 | 12197 | 12566 |
|---|---|---|---|---|---|---|---|
| With Officer | | 1386 | 1246 | 1135 | 1063 | 1323 | 1354 |
| With Contractor | | 9084 | 9418 | 10030 | 10422 | 10199 | 10474 |
| ADJ Staged | | 415 | 441 | 501 | 504 | 550 | 629 |
| Other | | 152 | 137 | 117 | 123 | 125 | 109 |

| Weekly FY10 Non PP EOS actions | WEEK | 10/3-10/9 | 10/10-10/16 | 10/17 - 10/23 | 10/24-10/31 | 10/31-11/6 | 11/7-11-13 |
|---|---|---|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** | **457** | **496** | **356** |
| DENIED | | **39** | **60** | **73** | **91** | **57** | **38** |
| RFE/ ITD | | 21 | 42 | 33 | 41 | 56 | 28 |
| TOTAL ACTIONS | | 283 | 538 | 326 | 589 | 609 | 422 |

| Weekly FY10 PP EOS actions | WEEK | 10/3-10/9 | 10/10-10/16 | 10/17 - 10/23 | 10/24-10/31 | 10/31-11/6 | 11/7-11-13 |
|---|---|---|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 | 976 | 953 | 770 |
| DENIED | | 39 | 53 | 41 | 40 | 26 | 50 |
| RELOC | | | | | | 1 | |
| RFE/ ITD | | 257 | 161 | 174 | 162 | 141 | 132 |
| TOTAL ACTIONS | | **1371** | **1067** | **1392** | **1178** | **1121** | **952** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, November 16, 2010 7:46 PM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Canney, Keith J; Harton, Frank A
**Subject:** H-1B Report

Shelly:

H-1B Processing Times:

Regular Cap – 9/1/2010
Master Cap – 9/23/2010
Cap Exempt- 9/5/2010
EOS – 7/16/2010

| CSC I-129 H1Bs Pending as of 11/15/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 09/15/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 2,441 | 5,261 |
| | | PENDING | 363 | 369 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,760 | 2,788 |
| | | SUSPENSE | 16 | 19 |
| | | TRANSFERRED IN | 384 | 465 |
| | Others | NEW CASE | 11,772 | 17,718 |
| | | PENDING | 334 | 342 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 532 | 536 |
| | | SUSPENSE | 19 | 20 |
| | | TRANSFERRED IN | 166 | 193 |
| **Total:** | | | **18,798** | **27,722** |

| CSC I-129 H1Bs (11-08-2010 to 11-12-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 418 | 91 | 216 | 725 |
| I-129 H1B EOS | 701 | 18 | 35 | 754 |
| I-129 PP H1B | 534 | 41 | 154 | 729 |
| I-129 PP H1B EOS | 456 | 20 | 78 | 554 |
| **Total:** | **2,109** | **170** | **483** | **2,762** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, November 10, 2010 11:42 AM
**To:** Sweeney, Shelly A; Canney, Keith J
**Cc:** Johnson, Bobbie L; Harton, Frank A
**Subject:** H-1B Report

Shelly:

H-1B Processing Times:

Regular Cap – 8/28/2010
Master Cap – 9/22/2010
Cap Exempt- 9/5/2010
EOS – 7/10/2010

| CSC I-129 H1Bs Pending as of 11/08/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 09/08/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 2,606 | 5,460 |
| | | PENDING | 366 | 371 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,738 | 2,787 |
| | | SUSPENSE | 16 | 20 |
| | | TRANSFERRED IN | 380 | 449 |
| | Others | NEW CASE | 11,617 | 18,103 |
| | | PENDING | 332 | 342 |
| | | REOPENED | 2 | 2 |
| | | RULE 103 | 536 | 537 |
| | | SUSPENSE | 19 | 21 |
| | | TRANSFERRED IN | 161 | 190 |
| **Total:** | | | **18,781** | **28,290** |

| CSC I-129 H1Bs (11-01-2010 to 11-05-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 897 | 151 | 273 | 1,321 |
| I-129 H1B EOS | 676 | 36 | 54 | 766 |
| I-129 PP H1B | 784 | 60 | 229 | 1,073 |
| I-129 PP H1B EOS | 728 | 33 | 88 | 849 |
| **Total:** | **3,085** | **280** | **644** | **4,009** |

Thanks,

Joe

[redacted] (b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, October 18, 2010 4:48 PM
**To:** Sweeney, Shelly A
**Cc:** Shuttle, Peter J; Johnson, Bobbie L
**Subject:** H-1B Report

Shelly:

Our processing times for non PP H-IBs are:

Regular Cap - 8/9/2010

Non Master Cap – 8/15/2010

Cap Exempt – 7/17/2010

EOS – 6/15/2010

| CSC I-129 H1Bs Pending as of 10/18/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/18/2010 | Counts filed up to 10/18/2010 |
| H-1Bs | Initials | NEW CASE | 3,371 | 6,462 |
| | | PENDING | 275 | 277 |
| | | REOPENED | 10 | 10 |
| | | RULE 103 | 2,523 | 2,620 |
| | | SUSPENSE | 17 | 19 |
| | | TRANSFERRED IN | 379 | 425 |
| | Others | NEW CASE | 11,521 | 19,130 |
| | | PENDING | 221 | 229 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 488 | 490 |
| | | SUSPENSE | 19 | 22 |
| | | TRANSFERRED IN | 165 | 181 |
| **Total:** | | | **18,990** | **29,866** |

| CSC I-129 H1Bs (10-11-2010 to 10-15-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 511 | 42 | 214 | 767 |
| I-129 PP H1B | 1,016 | 55 | 234 | 1,305 |
| **Total:** | **1,527** | **97** | **448** | **2,072** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, February 17, 2011 4:38 PM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Canney, Keith J; Velarde, Barbara Q
**Subject:** H-1B Report

Mark/Frank:

I have changed the report slightly in the hopes of making it clearer. If you have any suggestions to this, please let me know. The dates I provide from this date forward will indicate cases that are distributed to the officers on the floor. I would like to give some explanatory notes to help in the understanding of how this report works for our purposes and how CSC works this report to identify the status of cases in the work flow and determine where we are in processing.

PDA (our analysts) runs this initial report in CLAIMS3 (C3). There are many codes in C3 that define or identify a "pending" case for the purposes of the G-22 and this report. Many of these codes considered "pending" for the purposes of the G-22 and this report are in fact, when further or individually analyzed, closed. The CSC continually has to manually review the report to identify the cases that come up as "pending" that are not actually pending. The cases that are identified on this report as "pending" but are actually closed for some reason or other are eventually closed out and removed from the report. This will explain why some cases may come up as passed a reported time on this report.

Also, various other anomalies occur each week and may appear on the report as passed reported times. Some examples of anomalies include cases that have gone to BCU for IBIS resolution or CARRP review, CFDO for fraud, have been adjudicated but were never updated, have been misrouted, are placed on adjudicative hold for non security or fraud reasons, placed out of JIT order by the contractor, etc. Anomalies are continually being identified and are either closed out or adjudicated if possible, or continue to be held in abeyance if required by BCU or CFDO.

Many cases have been reviewed by the officer and supervisor prior to the reported time, but only need clerical updating. These cases usually get updated within 1-3 days. This is why I have added the "w/clerical" part of the report.

Please keep in mind that the majority of the cases "W/officer" and with supervisors are resubmits which means that they have already been RFEd.

Finally, there are a small number of cases that "fall through the cracks" and must be identified and picked up for adjudication. We identify these cases immediately and send e-mail messages to the officer, supervisor, or ACD to have these adjudicated immediately and keep them within reported times. Currently, we have 6 divisions adjudicating H-1Bs, so it takes some tracking and effort to ensure everyone gets those cases that fall through the cracks done.

In the past I have used the most accurate times possible, or a time that most reflects the reality of the vast majority of cases vs. using the proportionately small number of cases that are open, are anomalies, or simply fall through the cracks, as the reported date. The reported time included a review of the JIT shelves, both physically and on paper, a review of the reports provided by our analysts, and a physical review of what is on the floor.

To help avoid confusion in the future, I will now report the time that cases are being distributed to the floor as the reported time.

- Joe

CAP/EOS dates distributed to officers:

Regular CAP: 12/22/10
Master Cap: 12/19/10
CAP Exempt: 12/18/10
EOS distributed to officers: 1/11/11

| CSC I-129 H1Bs Pending with NFTS location as of 02/14/2011 | | | | |
|---|---|---|---|---|
| Data Source: C3 | | | | |
| | | Status | Counts filed before 12/14/2010 | Everything filed up today |
| H-1Bs | Initials | At BCU | 2 | 2 |
| | | At CFDO | 27 | 30 |
| | | In File Room/Jit Shelf | 43 | 1,919 |
| | | On RFE Shelf/Rule 103 | 700 | 703 |
| | | Other Location | 91 | 127 |
| | | W/Clerical/Incl Resubmits | 628 | 826 |
| | | W/Officer/Incl Resubmits | 638 | 880 |
| | Others | At BCU | 21 | 31 |
| | | At CFDO | 18 | 22 |
| | | In File Room/Jit Shelf | 45 | 2,660 |
| | | On RFE Shelf/Rule 103 | 467 | 499 |
| | | Other Location | 67 | 198 |
| | | W/Clerical/Incl Resubmits | 230 | 488 |
| | | W/Officer/Incl Resubmits | 335 | 801 |
| **Total:** | | | **3,312** | **9,186** |

Notes:

- **Resubmits are cases that have already been RFEd.**
- **Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
- **"Other Location" consists mostly of contractor locations.**

| CSC I-129 H1Bs (02-0 | | |
|---|---|---|
| Data Sou | | |
| | | |
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, October 27, 2010 10:00 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Shuttle, Peter J
**Subject:** H-1B Update

Shelly:

Processing times for non pp H-1Bs:

Regular Cap - 8/17/2010 (70 days)
Master Cap – 9/1/2010 (56 days)
Cap Exempt – 8/13/2010 (73 days)
EOS 6/15/2010 (132 days)

We will be adding 21 officers to the non premium EOS cases and we will shoot to have everything current within 3 months. The training for the additional officers will occur this week and next week.

| CSC I-129 H1Bs Pending as of 10/25/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/25/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 3,253 | 6,188 |
| | | PENDING | 272 | 276 |
| | | REOPENED | 10 | 10 |
| | | RULE 103 | 2,648 | 2,721 |
| | | SUSPENSE | 18 | 22 |
| | | TRANSFERRED IN | 385 | 441 |
| | Others | NEW CASE | 11,628 | 18,831 |
| | | PENDING | 217 | 226 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 527 | 529 |
| | | SUSPENSE | 20 | 25 |
| | | TRANSFERRED IN | 168 | 186 |
| **Total:** | | | **19,147** | **29,456** |

| CSC I-129 H1Bs (10-18-2010 to 10-22-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 925 | 128 | 374 | 1,427 |
| I-129 PP H1B | 1,323 | 97 | 311 | 1,731 |
| **Total:** | **2,248** | **225** | **685** | **3,158** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, November 04, 2010 8:26 AM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Johnson, Bobbie L; Shuttle, Peter J
**Subject:** H-1B Weekly Update

Hi:

H-1B Non PP Processing Times:

Regular Cap – 8-17-10

Master Cap – 9-22-10

EOS – 6/30/10

Cap Exempt – 8/20/10

| CSC I-129 H1Bs Pending as of 11/01/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 09/01/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 3,180 | 5,795 |
| | | PENDING | 276 | 281 |
| | | REOPENED | 9 | 9 |
| | | RULE 103 | 2,746 | 2,810 |
| | | SUSPENSE | 18 | 20 |
| | | TRANSFERRED IN | 382 | 439 |
| | Others | NEW CASE | 11,943 | 18,596 |
| | | PENDING | 219 | 226 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 538 | 540 |
| | | SUSPENSE | 20 | 25 |
| | | TRANSFERRED IN | 166 | 190 |
| **Total:** | | | **19,498** | **28,932** |

| CSC I-129 H1Bs (10-25-2010 to 10-29-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,313 | 110 | 348 | 1,771 |
| I-129 PP H1B | 1,277 | 81 | 305 | 1,663 |
| **Total:** | **2,590** | **191** | **653** | **3,434** |

## Shirk, Georgette L

| | |
|---|---|
| **Subject:** | HQ Cap Final Meet |
| **Location:** | Bobbie or Denis's Office |
| **Start:** | Tue 3/30/2010 9:00 AM |
| **End:** | Tue 3/30/2010 10:00 AM |
| **Show Time As:** | Tentative |
| **Recurrence:** | (none) |
| **Meeting Status:** | Not yet responded |
| **Organizer:** | Sweeney, Shelly A |
| **Required Attendees:** | Sweeney, Shelly A; Peck, Denis R; Fitzsimmons, James; Johnson, Bobbie L |

When: Tuesday, March 30, 2010 10:00 AM-11:00 AM (GMT-05:00) Eastern Time (US & Canada).
Where: Bobbie or Denis's Office

*~*~*~*~*~*~*~*~*~*

This meeting will be to go over everything one last time and make sure SCOPS is ready for April 1.

## Shirk, Georgette L

**From:** Chong, Jenny
**Sent:** Wednesday, January 05, 2011 3:01 PM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Johnson, Bobbie L; Fierro, Joseph
**Subject:** I-129 Weekly Report

Hi.

I am sorry for not sending the report any sooner.

Please click on the link below to see current report for I-129 H1Bs Pending.
O:\PDA\PDA_Reports\DivX\DivI\CSC I-129 H1Bs Pending.xls

Here is our JIT Report.

I-129 H1B Master CAP: 10/21/2010
I-129 Regular CAP: 10/25/10
I-129 Cap Exempt: 10/20/2010

I-129 H1B EOS: 11/01/10

Please feel free to contact me if I missed anything.

Thank you.

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Thursday, September 23, 2010 1:02 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M
**Subject:** RE: H-1B Adjudication Plan

Barb/Shelly,

Here are our responses (below)

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3** (b)(6)
[redacted] **cell:** [redacted]

-----Original Appointment-----
**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 21, 2010 2:05 PM
**To:** Shuttle, Peter J; Fierro, Joseph; Richardson, Gregory A; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Kramar, John; Hazuda, Mark J
**Subject:** H-1B Adjudication Plan
**When:** Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:** Teleconference

When: Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: Teleconference

*~*~*~*~*~*~*~*~*~*

This meeting is for SCOPS to learn more about each center's plan to get within 60-days on H-1B adjudication. We'd like to get a handle on:

* the current initial H-1B petition inventory broken out by untouched vs. RFE/ITD already issued; - **4607 vs. 1627 (RFE/Response)**
* your processing date for initial H-1B petitions; - **Cap 5/14**
* the current EOS H-1B petition inventory broken out by untouched vs. RFE/ITD already issued; - **Don't have yet DRG is working on this**
* your processing date for EOS H-1B petitions (if different from initials); - **5/21**
* your current resources and CPH rate for these cases; **1.85 CPH (this has been fairly constant since the E/E memo)**
* any plans to augment current staff or shift resources (e.g. does either center plan to borrow resources temporarily from other allied groups or divisions?); - **some of Lynn's group will work O/T now through next week in advance of 10/1, and pulling in 11 to 16 officers needing refresher training to work over the coming months.**
* the projected date when the center will be within 60-days. **– 90 + days if we have 71 officers working full-time**

We'd also like to work with the centers to set up a process for temporary biweekly progress reports until we are current on H-1Bs.
Please feel free to forward this invite to the appropriate participants at your center.
The call-in number will be 866-860-5730. The passcode will be [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, September 28, 2010 4:28 PM
**To:** Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Richardson, Gregory A; Kramar, John; Melville, Rosemary; Louis, Jennifer E
**Subject:** RE: H-1B Adjudication Plan

Shelly:

On OT through Monday 9/27/10, this is what we completed on H-1B cap cases (including F-1 cap gap):

Approvals = 2062
Denials = 28
RFEs = 805

- $60,000 spent thus far

From the count we started with on Thursday of F-1 cap gap cases pending, this is where we are as of this morning.

- We have touched all F-1 cap cases.
- We are still working through the report to clean up the cases that are considered "new" on this report. The "new" cases have been touched by an officer, but are still going through clerical updating or sup review, and we are focusing on getting those done by today.
- Below is the summary chart of completions for F-1 Cap Gap cases:

| CSC I-129 F1s Cap Pre 08/01/10 | | | |
|---|---|---|---|
| | | **Status** | **Counts** |
| I-129 | F1 | APPROVED | 1,034 |
| | | DENIED | 40 |
| | | NEW CASE | 100 |
| | | RULE 103 | 701 |
| | | PENDING | 0 |
| **Total:** | | | **1,875** |

- Below is the summary chart of where we are with all non-pp cap cases and EOS cases:

| CSC I-129 H1Bs Pending as of 09/27/2010 | | | | |
|---|---|---|---|---|
| | | **Status** | **Filed before 08/01/2010** | **Filed before 9/28/10** |
| Non-PP | Initials | NEW CASE | 2461 | 10,470 |
| | | PENDING | 284 | 289 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 1,839 | 1,869 |
| | | SUSPENSE | 16 | 19 |
| | | TRANSFERRED IN | 378 | 398 |

| | | | | |
|---|---|---|---|---|
| | Others | NEW CASE | 10,741 | 19,320 |
| | | PENDING | 228 | 230 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 461 | 462 |
| | | SUSPENSE | 21 | 24 |
| | | TRANSFERRED IN | 164 | 172 |

- By Friday, I estimate our processing time for non-pp H-1B cases will be into early July. I will have a better idea of what the processing time is on Monday after all this OT is done and the clerical updating is completed. At that time, I would like to propose a date that we will be current or at 60 days processing time.

- 62 total adjudicators on H-1Bs

  36 – PP (Backfill Cap & EOS)
  19 – Non-PP
  7 - EOS

Thanks,

(b)(6)

Joe

[redacted]

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 28, 2010 6:18 AM
**To:** Fierro, Joseph
**Cc:** Velarde, Barbara Q; Richardson, Gregory A
**Subject:** RE: H-1B Adjudication Plan

Joe,

When do you think you would be able to provide an update on our cap processing?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Monday, September 27, 2010 12:17 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Adjudication Plan

Shelly:

It may be better if we give an update Tuesday morning. Most of the cases are on the floor now so tracking those means we have to do NFTS audits for accuracy of reports. We have been doing an NFTS audit this morning, and it won't show up in the systems until this afternoon. So a good updated report may not be done until late this afternoon or early tomorrow morning.

Thanks,

Joe

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, September 23, 2010 11:09 AM

**To:** Shuttle, Peter J; Fierro, Joseph; Perkins, Robert M; Madore, Matthew T
**Cc:** Velarde, Barbara Q; Kramar, John; Richardson, Gregory A
**Subject:** RE: H-1B Adjudication Plan

I would like to thank everyone for participating in this afternoon's call. In summary, we would request that each center send us its work plan (which includes the information listed below and discussed in our teleconference) in writing if it has not already been provided. Additionally, each center will need to provide SCOPS with an update on H-1B processing every Monday until we are within the 60-day processing goal, starting this coming Monday. We understand that Vermont's Monday update will not include cases adjudicated this weekend due to the fact that Claims will be unavailable for them. We would like to at least get a feel for how the weekend went and the progress made towards completing the F-1 cap gap caseload.

Finally, although you have probably already done so, we would like to ask that all of the F-1 cap gap H-1B cases be brought down to the floor to ensure that the adjudicators have this work available immediately.

I would like to set up our weekly teleconferences this week. Would Wednesday or Thursday at 1 PM EST work best for the centers?

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 21, 2010 2:05 PM
**To:** Shuttle, Peter J; Fierro, Joseph; Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kramar, John; Hazuda, Mark J
**Subject:** H-1B Adjudication Plan
**When:** Thursday, September 23, 2010 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:** Teleconference

This meeting is for SCOPS to learn more about each center's plan to get within 60-days on H-1B adjudication. We'd like to get a handle on:

- the current initial H-1B petition inventory broken out by untouched vs. RFE/ITD already issued;
- your processing date for initial H-1B petitions;
- the current EOS H-1B petition inventory broken out by untouched vs. RFE/ITD already issued;
- your processing date for EOS H-1B petitions (if different from initials);
- your current resources and CPH rate for these cases;
- any plans to augment current staff or shift resources (e.g. does either center plan to borrow resources temporarily from other allied groups or divisions?);
- the projected date when the center will be within 60-days.

We'd also like to work with the centers to set up a process for temporary biweekly progress reports until we are current on H-1Bs.

Please feel free to forward this invite to the appropriate participants at your center.

The call-in number will be 866-860-5730. The passcode will be [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 27, 2011 8:06 AM
**To:** Harton, Frank A; Harvey, Mark E
**Subject:** RE: H1B CAP update

Will there be a lottery? I'm guessing so based on the fact that Denis mentions barcoding, but just wanted to make sure.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:04 AM
To: Harvey, Mark E
Cc: Sweeney, Shelly A
Subject: FW: H1B CAP update
Importance: High

Mark,

Today is the final receipt date for the FY11 cap. Let's get the communication piece going ASAP.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F
Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU
[redacted] (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

| | |
|---|---|
| Saturday | 22-Jan |
| Wednesday | 19-Jan |
| Saturday | 15-Jan |
| Prior to Jan 3 | |
| | 76,751 |
| | 76,911 |
| | 76,942 |

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 9:43 AM
**To:** Harvey, Mark E
**Cc:** Sweeney, Shelly A; Harton, Frank A
**Subject:** RE: H1B CAP update

ThanX Mark.

r/
Bill

---

**From:** Harvey, Mark E
**Sent:** Thursday, January 27, 2011 10:42 AM
**To:** Wright, William G
**Cc:** Sweeney, Shelly A; Harton, Frank A
**Subject:** RE: H1B CAP update

Bill,

Sorry about that.

Mark

---

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 10:37 AM
**To:** Harvey, Mark E
**Cc:** Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H1B CAP update
**Importance:** High

ThanX Mark … if you don't mind, would you go through the Web update document and insert the dates necessary (Jan. 27, right??). I just want to ensure that I don't insert the wrong date in the wrong place…also, don't want to miss one.

I've attached the clean version of the USCIS Update, for your info.

r/
Bill

---

**From:** Harvey, Mark E
**Sent:** Thursday, January 27, 2011 10:15 AM
**To:** Wright, William G
**Cc:** Harton, Frank A; Sweeney, Shelly A
**Subject:** RE: H1B CAP update
**Importance:** High

Bill,

Here are the two documents we discussed. As mentioned in our discussion I left the track changes in both documents which will have to be removed before posting. Let me know if anything else is needed or I may have missed. Also as we discussed there will be a mini-lottery so that part can stay in.

Thanks,
Mark

---

**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 9:45 AM
**To:** Sweeney, Shelly A; Harton, Frank A; Harvey, Mark E
**Subject:** RE: H1B CAP update

Shelley, et al – see below. Can you finalize attached?

ThanX

r/
Bill

---

**From:** Humphrey, Buck H [mailto:Buck.Humphrey@dhs.gov]
**Sent:** Thursday, January 27, 2011 9:38 AM
**To:** Wheeler, Shannon L; Higdon, Jamie C
**Cc:** Parisi, Thomas; Bentley, Christopher S; Wright, William G
**Subject:** Fw: H1B CAP update
**Importance:** High

We have the comms plans and materials in draft, correct? I think I asked you that a couple days ago and you said yes?

If so, please send to me.

Buck Humphrey
Chief, Office of Communications
DHS-USCIS
W-
C- [redacted] (b)(6)

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald; Kielsmeier, Lauren; Carpenter, Dea D; 'Vanison, Denise' <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; 'Lacot, Rosalina' <rosalina.lacot@dhs.gov>; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Sent: Thu Jan 27 09:35:22 2011
Subject: RE: H1B CAP update

Thank you very much, Don. Great work.
Buck, this is important and we should have a robust communications plan to execute today. This has been imminent.
Thanks. Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529

(202) 272-1000
Alejandro.Mayorkas@dhs.gov

-----Original Message-----
From: Neufeld, Donald
Sent: Thursday, January 27, 2011 9:34 AM
To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 9:06 AM
To: Neufeld, Donald
Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F
Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM

To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
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Subject: H1B CAP update

H1B CAP update:

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Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master`s Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 20, 2010 8:09 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,282 | 9/17/2010 |
| H-1B Master's Exemption | 20,000 | 14,005 | 9/17/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 26, 2010 8:36 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,047 | 7/23/2010 |
| H-1B Master's Exemption | 20,000 | 11,306 | 7/23/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 06, 2010 7:58 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 24,241 | 7/2/2010 |
| H-1B Master's Exemption | 20,000 | 10,353 | 7/2/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, June 28, 2010 8:55 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,540 | 6/25/2010 |
| H-1B Master's Exemption | 20,000 | 9,972 | 6/25/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, June 21, 2010 9:27 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,939 | 6/18/2010 |
| H-1B Master's Exemption | 20,000 | 9,658 | 6/18/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, June 14, 2010 8:46 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,161 | 6/11/2010 |
| H-1B Master's Exemption | 20,000 | 9,359 | 6/11/2010 |

**Shirk, Georgette L**

**From:** Liang, Gwen
**Sent:** Monday, June 07, 2010 11:39 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,423 | 6/4/2010 |
| H-1B Master's Exemption | 20,000 | 9,062 | 6/4/2010 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

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**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 17, 2010 3:41 PM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,986 | 5/14/2010 |
| H-1B Master's Exemption | 20,000 | 8,072 | 5/14/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 10, 2010 9:55 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,984 | 5/6/2010 |
| H-1B Master's Exemption | 20,000 | 7,645 | 5/6/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 03, 2010 10:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,463 | 4/27/2010 |
| H-1B Master's Exemption | 20,000 | 6,947 | 4/27/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, April 26, 2010 12:36 PM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,025 | 4/22/2010 |
| H-1B Master's Exemption | 20,000 | 6,739 | 4/22/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, April 19, 2010 8:40 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,588 | 4/15/2010 |
| H-1B Master's Exemption | 20,000 | 5,803 | 4/15/2010 |

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, December 20, 2010 10:52 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Cc:** Fitzsimmons, James
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 53,869 | 12/17/2010 |
| H-1B Master's Exemption | 20,000 | 19,661 | 12/17/2010 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 8:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 29, 2010 8:32 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,442 | 11/26/2010 |
| H-1B Master's Exemption | 20,000 | 18,374 | 11/26/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 22, 2010 7:24 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 48,977 | 11/19/2010 |
| H-1B Master's Exemption | 20,000 | 17,836 | 11/19/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 15, 2010 8:30 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 47,757 | 11/12/2010 |
| H-1B Master's Exemption | 20,000 | 17,444 | 11/12/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 08, 2010 8:16 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,840 | 11/5/2010 |
| H-1B Master's Exemption | 20,000 | 17,154 | 11/5/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 01, 2010 8:20 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 45,574 | 10/29/2010 |
| H-1B Master's Exemption | 20,000 | 16,677 | 10/29/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 25, 2010 9:08 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 44,276 | 10/22/2010 |
| H-1B Master's Exemption | 20,000 | 16,232 | 10/22/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 18, 2010 8:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 42,806 | 10/15/2010 |
| H-1B Master's Exemption | 20,000 | 15,655 | 10/15/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 27, 2010 11:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 39,601 | 9/24/2010 |
| H-1B Master's Exemption | 20,000 | 14,425 | 9/24/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 11:19 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 37,374 | 9/10/2010 |
| H-1B Master's Exemption | 20,000 | 13,654 | 9/10/2010 |

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, September 07, 2010 8:46 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,606 | 9/3/2010 |
| H-1B Master's Exemption | 20,000 | 13,387 | 9/3/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

*Gwen Liang*
Management and Program Analyst

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 27, 2010 11:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 8:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 02, 2010 8:57 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 27,288 | 7/30/2010 |
| H-1B Master's Exemption | 20,000 | 11,631 | 7/30/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 8:12 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,736 | 8/13/2010 |
| H-1B Master's Exemption | 20,000 | 12,258 | 8/13/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 19, 2010 10:14 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,320 | 7/16/2010 |
| H-1B Master's Exemption | 20,000 | 10,983 | 7/16/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, September 22, 2010 7:58 AM
**To:** Sweeney, Shelly A
**Cc:** McConnell, James E
**Subject:** H-1B pending cases

Shelly,
See below.
Jim

H-1B petitions pending adjudication received between April 1 and July 31, 2010

| | Current nonimmigrant status | | |
|---|---|---|---|
| **CSC** | All | F1 | Other |
| Cap | 5,950 | 1,963 | 3,987 |
| Non-cap | 13,674 | 424 | 13,250 |
| | 19,624 | 2,387 | 17,237 |
| | | | |
| **VSC** | | | |
| Cap | 6,429 | 2,412 | 4,017 |
| Non-cap | 11,842 | 75 | 11,767 |
| | 18,271 | 2,487 | 15,784 |
| | | | |
| **All** | | | |
| Cap | 12,379 | 4,375 | 8,004 |
| Non-cap | 25,516 | 499 | 25,017 |
| | 37,895 | 4,874 | 33,021 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 6:28 AM
**To:** Richardson, Gregory A; Johnson, Bobbie L
**Subject:** FW: Weekly H-1B processing

FYI

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 7:23 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** Weekly H-1B processing

Shelly,

Here is our snapshot of H-1B processing for last week. We have both the Cap (non-premium >60 days, and premium processing), and the EOS (non-premium processing, and premium).

This represents **NON Premium Processing H1B** cases. Below...
The left is FY11 CAP that includes cases filed on and after 1-APR-10.
The right is FY10 and FY11 H1B EOS cases filed on or after 1-OCT-09. .
The Initial pending sections represent only untouched cases that are older than 60 days.
The actions in this section are last week's NON PP actions (on cases filed in the same timeframes.)

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** |
| **With Officer** | 1115 | 1082 |
| **With Contractor** | 393 | 287 |
| **ADJ Staged** | 292 | 419 |
| **Other** | 108 | 59 |

| FY10 EOS NON PP | | |
|---|---|---|
| **Report date** | | **12-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** |
| **With Officer** | | 1386 |
| **With Contractor** | | 9084 |
| **ADJ Staged** | | 415 |
| **Other** | | 152 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **518** |
| DENIED | | **25** |
| RFE/ ITD | | 377 |
| **TOTAL ACTIONS** | | **925** |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **223** |
| DENIED | | **39** |
| RFE/ ITD | | 21 |
| **TOTAL ACTIONS** | | **283** |

**For reference, here are the PREMIUM PROCESSING actions counts for last week.**

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 628 |
| DENIED | | 17 |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 1075 |
| DENIED | | 39 |

| | | |
|---|---|---|
| RFE/ ITD | | 196 |
| TOTAL ACTIONS | | 841 |

| | | |
|---|---|---|
| RFE/ ITD | | 257 |
| TOTAL ACTIONS | | 1371 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

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## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Monday, September 27, 2010 12:17 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M; Sweeney, Mark M; Madore, Matthew T
**Subject:** H-1B Cap F-1 COS push

**Importance:** High

Shelly,

Here is our current count, as we discussed late last week there doesn't show a lot of completions at this point due to the lack of systems available over the weekend. I'm hoping tomorrow's report will reflect a lot better where we are at. As you can see a majority of the Cap F-1 COS cases have been pushed out to officers now we just need to see the actions go out the door.

| | Older than 60 days: |
|---|---|
| **F1 COS to H1B** | 1472 |
| With Officer | 1213 |
| With Contractor | 82 |
| ADJ Staged | 138 |
| Other | 39 |

| | |
|---|---|
| **Other COS to H1B** | 715 |
| With Officer | 570 |
| With Contractor | 61 |
| ADJ Staged | 67 |
| Other | 17 |

| | |
|---|---|
| **Consular Notification** | 2476 |
| With Officer | 1723 |
| With Contractor | 349 |
| ADJ Staged | 329 |
| Other | 75 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 31, 2011 2:24 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** It is over

All,

In case you have not heard, the H-1B cap season for FY 2011 ended on January 26th. It was a fun ride.

FY 2012 cap season begins April 1. The next cap count will be in mid-April.

Stay tuned.

Jim

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | Cap reached on 1/26/2011 | Cap season is over |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 7:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Shirk, Georgette L

**From:** Harton, Frank A
**Sent:** Thursday, January 13, 2011 2:49 PM
**To:** Canney, Keith J; Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Harvey, Mark E
**Subject:** RE: VSC H-1B report

Joe/Keith,

With everything that's going on with VIBE right now, I am trying to temporarily reassign some of Shelly's work. Please continue to generate these reports but send them to Mark Harvey instead of Shelly.

Thanks,

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted] (b)(6)

---

**From:** Canney, Keith J
**Sent:** Wednesday, January 12, 2011 7:52 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC H-1B report

Shelly -

The VSC Cap processing date (being distributed to officers) is 10/27/2010 and the EOS processing date 8/30/10. We are working to ensure that we get the cap cases back to a 60 day processing time.

Keith

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-Oct-09 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending EOS > 60 days** | **10740** | **10016** |
| **With Officer** | 2526 | 3166 |
| **With Contractor** | 7214 | 5919 |
| **ADJ Staged** | 862 | 779 |
| **Other** | 138 | 152 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 503 | 968 |
| DENIED | 53 | 90 |
| RFE/ ITD | 88 | 141 |
| **TOTAL** | **644** | **1199** |
| | | |

| Weekly FY10/11 PP EOS actions | 12/26-1/1 | 1/2-1/9 |
|---|---|---|
| APPROVED | 477 | 749 |
| DENIED | 29 | 72 |
| RELOC | | |
| RFE/ ITD | 98 | 117 |
| TOTAL | **604** | **938** |

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-April-10 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending Cap > 60 days** | **1472** | **1694** |
| **With Officer** | 683 | 756 |
| **With Contractor** | 512 | 619 |
| **ADJ Staged** | 220 | 261 |
| **Other** | 57 | 58 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | **60** | **394** |
| DENIED | **24** | **76** |
| RFE/ ITD | 69 | 22 |
| **TOTAL** | 153 | 492 |
| | | |
| **Weekly FY11 PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 572 | 906 |
| DENIED | 33 | 42 |
| RELOC | | |
| RFE/ ITD | 162 | 235 |
| **TOTAL** | **767** | **1183** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 16, 2010 9:58 AM
**To:** Harton, Frank A
**Subject:** FW: VSC H-1B Report

Frank,

Do Barbara and Greg still want weekly H-1B cap filing reports from VSC since they are within the two-month processing time? I think we still need weekly updates on their EOS cases and processing.

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, December 16, 2010 6:11 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; Harton, Frank A; Perkins, Robert M
**Subject:** VSC H-1B Report

Shelley -

The VSC Cap processing date (being distributed to officers), is 10/22/2010 and the EOS processing date 7/12/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Now that we are within 60 days on cap filings, do you still need us to report out weekly on this subset of H-1B filings?

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **6-Dec-10** | **13-Dec-10** |
| Filed between 1-April-10 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending Cap > 60 days** | **2028** | **1349** |
| **With Officer** | 1516 | 953 |
| **With Contractor** | 254 | 130 |
| **ADJ Staged** | 208 | 214 |
| **Other** | 50 | 52 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | **956** | **1373** |
| DENIED | **122** | **102** |
| RFE/ ITD | 141 | 433 |
| **TOTAL** | **1219** | **1908** |

| Weekly FY11 PP CAP actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 838 | 577 |
| DENIED | 36 | 55 |
| RFE/ ITD | 263 | 130 |
| **TOTAL** | **1137** | **762** |

## FY10/11 EOS NON PP

| **Report date** | **6-Dec-10** | **13-Dec-10** |
|---|---|---|
| Filed between 1-Oct-09 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending EOS > 60 days** | **12922** | **12410** |
| **With Officer** | 803 | 3372 |
| **With Contractor** | 11351 | 7697 |
| **ADJ Staged** | 703 | 1219 |
| **Other** | 65 | 122 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | 632 | 766 |
| DENIED | 127 | 112 |
| RFE/ ITD | 74 | 167 |
| **TOTAL** | **833** | **1045** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | 1119 | 675 |
| DENIED | 57 | 80 |
| RELOC | | |
| RFE/ ITD | 146 | 90 |
| **TOTAL** | **1322** | **845** |

## Shirk, Georgette L

**From:** Bolog, Marguerite M <Marguerite.M.Bolog@uscis.dhs.gov>
**Sent:** Friday, April 29, 2011 8:04 AM
**To:** Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** FW: VSC H-1B report

Claudia—

Let me know when you have a moment to discuss these weekly reports.

Thanks,

--Mack

---

**From:** Harton, Frank A [mailto:faharton@fins3.dhs.gov]
**Sent:** Thursday, April 28, 2011 8:33 AM
**To:** Canney, Keith J
**Cc:** Fierro, Joseph; Young, Claudia F; Bolog, Marguerite M
**Subject:** RE: VSC H-1B report

Hi Keith –

I am no longer Acting Branch Chief as of this week. In case you haven't yet heard, Emisa is now the second branch chief within our branch.

We've also shuffled our responsibilities slightly. Claudia is now overseeing the H-1B classification, so I am copying her here.

---

**From:** Canney, Keith J [mailto:Keith.J.Canney@uscis.dhs.gov]
**Sent:** Thursday, April 28, 2011 7:19 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Fierro, Joseph
**Subject:** RE: VSC H-1B report

Mack/Frank –

As we are now accounting for a new fiscal years' worth of cap cases, let me know what information SCOPS finds useful from the reports below, and if there are any changes that you need as we start reporting/accounting for FY12 H-1B cases. It would also be good to know if this reports need to continue now that we are so current with H-1B's.

If SCOPS is primarily concerned with the high level pending numbers, is it possible to have SCOPS (i.e. Jim Fitzsimmons) run these numbers when needed and rely on the Centers to report distribution dates? Just trying to streamline/minimize the reporting of data (if possible) since there are so many different reports issued by the Centers on a regular basis.

Lastly, if these reports are to continue, please let me know of there are any modifications that need to be made to the list of recipients. Not sure if Claudia wants to be copied, Frank wants to be removed, others added/removed, etc...

Keith

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**From:** Canney, Keith J
**Sent:** Friday, April 22, 2011 7:23 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC H-1B report

Mack –

We are currently distributing EOS and Cap cases received on 4/1.

Keith

## FY10/11 EOS NON PP

| Report date | 11-Apr-11 | 18-Apr-11 |
|---|---|---|
| Filed between 1-Oct-09 and: | 9-Feb-11 | 16-Feb-11 |
| **Initial Pending EOS > 60 days** | **560** | **511** |
| **With Officer** | 367 | 338 |
| **With Contractor** | 71 | 46 |
| **ADJ Staged** | 30 | 31 |
| **Other** | 92 | 96 |

| Weekly FY10/11 Non PP EOS actions | 4/3-4/9 | 4/10-4/16 |
|---|---|---|
| APPROVED | 1686 | 1025 |
| DENIED | 104 | 94 |
| RELOC | 5 | 3 |
| RFE/ ITD | 424 | 292 |
| **TOTAL** | **2219** | **1414** |

| Weekly FY10/11 PP EOS actions | 4/3-4/9 | 4/10-4/16 |
|---|---|---|
| APPROVED | 698 | 787 |
| DENIED | 60 | 82 |
| RELOC | 1 | |
| RFE/ ITD | 130 | 179 |
| TOTAL | **889** | **1048** |

## FY11 CAP NON PP

| Report date | 11-Apr-11 | 18-Apr-11 |
|---|---|---|
| Filed between 1-April-10 and: | 9-Feb-11 | 16-Feb-11 |
| **Initial Pending Cap > 60 days** | **607** | **418** |
| **With Officer** | 462 | 309 |
| **With Contractor** | 62 | 19 |
| **ADJ Staged** | 32 | 38 |
| **Other** | 51 | 52 |

| Weekly FY11 Non PP CAP actions | 4/3-4/9 | 4/10-4/16 |
|---|---|---|
| APPROVED | 445 | 134 |
| DENIED | 53 | 35 |
| RELOC | 1 | 33 |
| RFE/ ITD | 325 | 77 |
| TOTAL | 824 | 279 |

| Weekly FY11 PP CAP actions | 4/3-4/9 | 4/10-4/16 |
|---|---|---|
| APPROVED | 89 | 48 |
| DENIED | 28 | 24 |
| RELOC | | |
| RFE/ ITD | 15 | 7 |
| TOTAL | 132 | 79 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, April 29, 2011 6:48 AM
**To:** Bolog, Marguerite M
**Subject:** FW: VSC H-1B report

Mack,

When Keith says, 4/1 below, is he talking FY11 or FY12? I'm a little confused as the tables are all specific to FY10 or FY11 data... If FY12 (which I am thinking might be the case), how do they tell those cases apart from the rest of the petitions that were filed during the first 5 business days? Weren't they all given a data entry receipt date of April 7? Or was that only the PP cases?

Thanks!

Shelly

---

**From:** Canney, Keith J [mailto:Keith.J.Canney@uscis.dhs.gov]
**Sent:** Friday, April 29, 2011 6:56 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Sweeney, Shelly A; Fierro, Joseph
**Subject:** VSC H-1B report

Mack –

Here is this week's H-1B report. We are currently distributing cases that were received on the following dates:

Cap 4/1
EOS 4/14

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **18-Apr-11** | **25-Apr-11** |
| Filed between 1-Oct-09 and: | 16-Feb-11 | 23-Feb-11 |
| **Initial Pending EOS > 60 days** | **511** | **428** |
| **With Officer** | 338 | 287 |
| **With Contractor** | 46 | 27 |
| **ADJ Staged** | 31 | 15 |
| **Other** | 96 | 99 |

| **Weekly FY10/11 Non PP EOS actions** | **4/10-4/16** | **4/17-4/23** |
|---|---|---|
| APPROVED | 1025 | 1464 |
| DENIED | 94 | 162 |
| RELOC | 3 | |
| RFE/ ITD | 292 | 449 |
| **TOTAL** | **1414** | **2075** |

| Weekly FY10/11 PP EOS actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 787 | 656 |
| DENIED | 82 | 110 |
| RELOC | | |
| RFE/ ITD | 179 | 117 |
| **TOTAL** | **1048** | **883** |

## FY11 CAP NON PP

| Report date | 18-Apr-11 | 25-Apr-11 |
|---|---|---|
| Filed between 1-April-10 and: | 16-Feb-11 | 23-Feb-11 |
| **Initial Pending Cap > 60 days** | **418** | **359** |
| **With Officer** | 309 | 270 |
| **With Contractor** | 19 | 22 |
| **ADJ Staged** | 38 | 23 |
| **Other** | 52 | 44 |

| Weekly FY11 Non PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | **134** | **107** |
| DENIED | **35** | **62** |
| RELOC | **33** | |
| RFE/ ITD | 77 | 24 |
| **TOTAL** | 279 | 193 |

| Weekly FY11 PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 48 | 30 |
| DENIED | 24 | 31 |
| RELOC | | |
| RFE/ ITD | 7 | 16 |
| **TOTAL** | **79** | **77** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, January 13, 2011 2:50 PM
**To:** Harton, Frank A; Canney, Keith J; Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Harvey, Mark E
**Subject:** RE: VSC H-1B report

No problem Frank.

---

**From:** Harton, Frank A
**Sent:** Thursday, January 13, 2011 12:49 PM
**To:** Canney, Keith J; Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Harvey, Mark E
**Subject:** RE: VSC H-1B report

Joe/Keith,

With everything that's going on with VIBE right now, I am trying to temporarily reassign some of Shelly's work. Please continue to generate these reports but send them to Mark Harvey instead of Shelly.

Thanks,

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted] (b)(6)

---

**From:** Canney, Keith J
**Sent:** Wednesday, January 12, 2011 7:52 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC H-1B report

Shelly -

The VSC Cap processing date (being distributed to officers) is 10/27/2010 and the EOS processing date 8/30/10. We are working to ensure that we get the cap cases back to a 60 day processing time.

Keith

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-Oct-09 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending EOS > 60 days** | **10740** | **10016** |
| **With Officer** | 2526 | 3166 |
| **With Contractor** | 7214 | 5919 |
| **ADJ Staged** | 862 | 779 |

| | | |
|---|---|---|
| **Other** | 138 | 152 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 503 | 968 |
| DENIED | 53 | 90 |
| RFE/ ITD | 88 | 141 |
| **TOTAL** | **644** | **1199** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 477 | 749 |
| DENIED | 29 | 72 |
| RELOC | | |
| RFE/ ITD | 98 | 117 |
| **TOTAL** | **604** | **938** |

| **FY11 CAP NON PP** | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-April-10 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending Cap > 60 days** | **1472** | **1694** |
| **With Officer** | 683 | 756 |
| **With Contractor** | 512 | 619 |
| **ADJ Staged** | 220 | 261 |
| **Other** | 57 | 58 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | **60** | **394** |
| DENIED | **24** | **76** |
| RFE/ ITD | 69 | 22 |
| **TOTAL** | **153** | **492** |
| | | |
| **Weekly FY11 PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 572 | 906 |
| DENIED | 33 | 42 |
| RELOC | | |
| RFE/ ITD | 162 | 235 |
| **TOTAL** | **767** | **1183** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Wednesday, February 09, 2011 12:01 PM
**To:** Harvey, Mark E
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Harton, Frank A; Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Mark -

The VSC Cap processing date (being distributed to officers) is 12/20/2010 and the EOS processing date 11/10/10.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **31-Jan-11** | **7-Feb-11** |
| Filed between 1-April-10 and: | 1-Dec-10 | 8-Dec-10 |
| **Initial Pending Cap > 60 days** | **1952** | **2276** |
| **With Officer** | 1484 | 1600 |
| **With Contractor** | 195 | 238 |
| **ADJ Staged** | 219 | 381 |
| **Other** | 54 | 57 |
| **Weekly FY11 Non PP CAP actions** | **1/23-1/29** | **1/30-2/5** |
| APPROVED | **378** | **360** |
| DENIED | **123** | **65** |
| RFE/ ITD | 307 | 92 |
| **TOTAL** | **808** | **517** |

| Weekly FY11 PP CAP actions | 1/23-1/29 | 1/30-2/5 |
|---|---|---|
| APPROVED | 794 | 653 |
| DENIED | 75 | 46 |
| RELOC | | |
| RFE/ ITD | 220 | 330 |
| TOTAL | **1089** | **1029** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **31-Jan-11** | **7-Feb-11** |
| Filed between 1-Oct-09 and: | 1-Dec-10 | 8-Dec-10 |
| **Initial Pending EOS > 60 days** | **7132** | **6448** |

| | | |
|---|---|---|
| **With Officer** | 3231 | 2819 |
| **With Contractor** | 3015 | 2567 |
| **ADJ Staged** | 751 | 921 |
| **Other** | 135 | 141 |

| **Weekly FY10/11 Non PP EOS actions** | **1/23-1/29** | **1/30-2/5** |
|---|---|---|
| APPROVED | 1224 | 964 |
| DENIED | 194 | 83 |
| RFE/ ITD | 528 | 211 |
| **TOTAL** | **1946** | **1258** |

| **Weekly FY10/11 PP EOS actions** | **1/23-1/29** | **1/30-2/5** |
|---|---|---|
| APPROVED | 590 | 644 |
| DENIED | 133 | 58 |
| RELOC | | |
| RFE/ ITD | 89 | 152 |
| TOTAL | **812** | **854** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 18, 2010 2:07 PM
**To:** Johnson, Bobbie L
**Subject:** FW: Weekly H-1B Cap and EOS processing

FYI, I will provide a summary of both centers once I receive the CSC's report.

---

**From:** Shuttle, Peter J
**Sent:** Monday, October 18, 2010 2:21 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Canney, Keith J; Fierro, Joseph
**Subject:** Weekly H-1B Cap and EOS processing

Shelly,

Here is this weeks report. We are changing our processing dates to be in line with California so currently our processing time (what we are distributing to officers) is 8/16/2010. I don't have this week's pending reports yet so I can't give you a back end date showing what we have worked through.

Our EOS date appears to be 5/27/2010.

| FY11 CAP NON PP | | | |
|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** |
| **With Officer** | 1115 | 1082 | 1873 |
| **With Contractor** | 393 | 287 | 616 |
| **ADJ Staged** | 292 | 419 | 470 |
| **Other** | 108 | 59 | 63 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | **518** | **512** |
| DENIED | | **25** | **42** |
| RFE/ ITD | | 377 | 92 |
| **TOTAL ACTIONS** | | **925** | **646** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | 628 | 542 |
| DENIED | | 17 | 36 |
| RFE/ ITD | | 196 | 200 |
| **TOTAL ACTIONS** | | **841** | **778** |

| FY10 EOS NON PP | | | |
|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** |
| **With Officer** | | 1386 | 1246 |
| **With Contractor** | | 9084 | 9418 |
| **ADJ Staged** | | 415 | 441 |
| **Other** | | 152 | 137 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | **223** | **436** |
| DENIED | | **39** | **60** |
| RFE/ ITD | | 21 | 42 |
| **TOTAL ACTIONS** | | **283** | **538** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | 1075 | 853 |
| DENIED | | 39 | 53 |
| RFE/ ITD | | 257 | 161 |
| TOTAL ACTIONS | | 1371 | 1067 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 3:26 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

As of cob last Friday Vermont had 516 unprocessed withdrawal letters and California had 77. These are a separately reported item for the contractor. However there is no breakdown for how many apply to the current FY H1B CAP. For me to require them to get current with same day processing will only help though if the adjudicative end is also same day killing off the cases.

For a short period of two weeks, to make the CAP season as accurate and fair as possible, I have no problem putting this as a top priority for the contractor to see to if you can send the same guidance on your end.

Regular RFE responses seem to be getting processed timely. I have no idea what the outstanding RFE inventory is for the CAP cases.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 18, 2011 2:52 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

Good question. Before I can respond, I'd like to ask you a few additional questions. How far behind are they on letters? Does the contractor separate out the withdrawal requests from the regular RFE responses? If so, are they behind in RFE responses as well? Theoretically, any response to an RFE/ITD could ultimately result in a denial. It really comes down to what is contained in the response.

And this leads for a question for Jim...have you already factored potential withdrawals into your calculations for the target?

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**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, October 05, 2010 9:34 AM
**To:** Sweeney, Shelly A; Shuttle, Peter J
**Cc:** Johnson, Bobbie L; Richardson, Gregory A
**Subject:** RE: Cap Processing Update

Shelly:

Please see below for what is pending.

Today we will start adjudicating cap cases filed between 7/23/10 and 7/27/10.

Our EOS is still somewhat behind. We are at about 6/5/10 on EOS. We currently have 7 officers devoted full time to EOS, however, at a 1.5 CPH production standard, they move very slowly. I am looking at ways to increase the number of officers on EOS, and I possibly raising the standard.

Thanks,

Joe
[redacted] (b)(6)

| CSC I-129 H1Bs Pending as of 10/04/2010 | | | | |
|---|---|---|---|---|
| | | Status | Filed before 08/01/2010 | Filed up to 10/4/10 |
| H-1Bs | Initials | NEW CASE | 1,530 | 6,492 |
| | | PENDING | 283 | 284 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,108 | 2,278 |
| | | SUSPENSE | 16 | 20 |
| | | TRANSFERRED IN | 375 | 404 |
| | Others | NEW CASE | 9,884 | 19,206 |
| | | PENDING | 225 | 227 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 446 | 449 |
| | | SUSPENSE | 20 | 27 |
| | | TRANSFERRED IN | 157 | 171 |

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 05, 2010 4:27 AM
**To:** Fierro, Joseph; Shuttle, Peter J
**Cc:** Johnson, Bobbie L; Richardson, Gregory A
**Subject:** Cap Processing Update

Joe and Pete,

Could each center please provide an update on adjudicative actions taken on cap cases since your last update? In addition, I'd like to set up a call for 3 pm EST on Thursday to get a status update on FY11 cap processing from the centers. Please let me know if that time does not work for you.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 6:48 AM
**To:** Peck, Denis R
**Cc:** Johnson, Bobbie L; Fitzsimmons, James
**Subject:** RE: CAP report (4/6/10) - 18,503 through Tuesday

Denis,

What time today do you think that we'll have the total approximate numbers of regular cap and master's cap petitions? OCOMM has requested an ETA so that they can ensure that the web team is prepared to post immediately.

Thanks!

Shelly

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**From:** Peck, Denis R
**Sent:** Wednesday, April 07, 2010 11:17 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Shiflett, Julie M; Lundquist, Mark E; Schmidt, Bruce H
**Subject:** FW: CAP report (4/6/10) - 18,503 through Tuesday

Yesterday's volume was only 323 at VSC, 307 CSC, 630 total.

I asked them to get numbers through Wednesday to me very early tomorrow morning so we can include the total filing count in the news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

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**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, April 07, 2010 11:06 AM
**To:** Peck, Denis R
**Subject:** RE: CAP report (4/6/10)

Morning Denis,

Please find the latest report from VSC.

Understand the importance of the report for tomorrow and will work at getting the completed reports to you late tonight or early tomorrow morning.

Thanks, Walter

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 24, 2010 10:16 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,584 | 5/21/2010 |
| H-1B Master's Exemption | 20,000 | 8,229 | 5/21/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 12, 2010 8:32 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers. The combined count is 57,300. Last year at this time, the combined count was 71,000.
That is a 20% decline.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,884 | 10/8/2010 |
| H-1B Master's Exemption | 20,000 | 15,378 | 10/8/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 04, 2010 8:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 40,584 | 10/1/2010 |
| H-1B Master's Exemption | 20,000 | 14,905 | 10/1/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 12, 2010 7:24 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 24,779 | 7/9/2010 |
| H-1B Master's Exemption | 20,000 | 10,633 | 7/9/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 01, 2010 8:50 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,840 | 5/28/2010 |
| H-1B Master's Exemption | 20,000 | 8,754 | 5/28/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 09, 2010 8:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 28,516 | 8/06/2010 |
| H-1B Master's Exemption | 20,000 | 11,942 | 8/06/2010 |

## Shirk, Georgette L

**From:** Harvey, Mark E
**Sent:** Thursday, January 27, 2011 8:59 AM
**To:** Wright, William G; Sweeney, Shelly A; Harton, Frank A
**Subject:** RE: H1B CAP update

Hi Bill,

I am tackling this task for Shelly. Can I give you a quick call with a couple of questions I have? Can you please provide you contact number or you can call me at [redacted]

Thanks,
Mark

(b)(6)

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**From:** Wright, William G
**Sent:** Thursday, January 27, 2011 9:45 AM
**To:** Sweeney, Shelly A; Harton, Frank A; Harvey, Mark E
**Subject:** RE: H1B CAP update

Shelley, et al – see below. Can you finalize attached?

ThanX

r/
Bill

---

**From:** Humphrey, Buck H [mailto:Buck.Humphrey@dhs.gov]
**Sent:** Thursday, January 27, 2011 9:38 AM
**To:** Wheeler, Shannon L; Higdon, Jamie C
**Cc:** Parisi, Thomas; Bentley, Christopher S; Wright, William G
**Subject:** Fw: H1B CAP update
**Importance:** High

We have the comms plans and materials in draft, correct? I think I asked you that a couple days ago and you said yes?

If so, please send to me.

Buck Humphrey
Chief, Office of Communications
DHS-USCIS
W-
C- [redacted]

(b)(6)

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald; Kielsmeier, Lauren; Carpenter, Dea D; 'Vanison, Denise' <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; 'Lacot, Rosalina' <rosalina.lacot@dhs.gov>; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Sent: Thu Jan 27 09:35:22 2011
Subject: RE: H1B CAP update

Thank you very much, Don. Great work.
Buck, this is important and we should have a robust communications plan to execute today. This has been imminent.
Thanks. Ali

Alejandro N. Mayorkas
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., N.W.
Washington, DC 20529
(202) 272-1000
Alejandro.Mayorkas@dhs.gov

-----Original Message-----
From: Neufeld, Donald
Sent: Thursday, January 27, 2011 9:34 AM
To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 9:06 AM
To: Neufeld, Donald
Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F
Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----

From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU
[redacted] (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM

To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 10:38 AM
**To:** Johnson, Bobbie L
**Subject:** FW: Weekly H-1B processing

Urgghhh...I keep forgetting that Pete doesn't have you included on the mailing list.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 11:37 AM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** RE: Weekly H-1B processing

Pete,

Many thanks for the below. One last quick question...can we add the current processing dates for cap and EOS to the reports?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 7:23 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** Weekly H-1B processing

Shelly,

Here is our snapshot of H-1B processing for last week. We have both the Cap (non-premium >60 days, and premium processing), and the EOS (non-premium processing, and premium).

This represents **NON Premium Processing H1B** cases. Below...
The left is FY11 CAP that includes cases filed on and after 1-APR-10.
The right is FY10 and FY11 H1B EOS cases filed on or after 1-OCT-09. .
The Initial pending sections represent only untouched cases that are older than 60 days.
The actions in this section are last week's NON PP actions (on cases filed in the same timeframes.)

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** |
| **With Officer** | 1115 | 1082 |
| **With Contractor** | 393 | 287 |
| **ADJ Staged** | 292 | 419 |

| FY10 EOS NON PP | | |
|---|---|---|
| **Report date** | | **12-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** |
| **With Officer** | | 1386 |
| **With Contractor** | | 9084 |
| **ADJ Staged** | | 415 |

| | | |
|---|---|---|
| Other | 108 | 59 |

| | | |
|---|---|---|
| Other | | 152 |

| Weekly FY11 Non PP CAP actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | **518** |
| DENIED | | **25** |
| RFE/ ITD | | 377 |
| **TOTAL ACTIONS** | | 925 |

| Weekly FY10 Non PP EOS actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | **223** |
| DENIED | | **39** |
| RFE/ ITD | | 21 |
| **TOTAL ACTIONS** | | 283 |

**For reference, here are the PREMIUM PROCESSING actions counts for last week.**

| Weekly FY11 PP CAP actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | 628 |
| DENIED | | 17 |
| RFE/ ITD | | 196 |
| TOTAL ACTIONS | | **841** |

| Weekly FY10 PP EOS actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | 1075 |
| DENIED | | 39 |
| RFE/ ITD | | 257 |
| TOTAL ACTIONS | | **1371** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 07, 2010 7:29 AM
**To:** Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B cap update

Shelly,
The emphasis has to be on combined cap since masters will count against regular beginning in five or six weeks. Also, petitioners must recognize that masters bennies are still eligible to be sponsored. Therefore, I suggest the following with a **big bold message** stating that masters petitions are still being accepted.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ---- | |
| H-1B Master's Exemption | 20,000 | ---- | |
| Combined | 85,000 | XXXXX | 12/03/2010 |

Jim

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 07, 2010 8:16 AM
**To:** Fitzsimmons, James
**Subject:** RE: FY 2011 H-1B cap update

Jim,

How would you recommend amending the chart once we hit the master's. Last year we didn't have a chart, but OCOMM was insistent this year. Should we add a "combined" line (see example below) with a caveat that any petitions filed under the master's exemption are counted against the regular cap once we hit the 20,000th approval, or something like that? I wanted to get started on these changes right away as I'll have to get them cleared by OCC, which could take a while.

Thanks!

Shelly

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**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | |
|---|---|---|---|

| | | | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ---- | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | ---- | 12/3/2010 |
| Combined | 85,000 | | XXXXX |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, February 25, 2011 11:19 AM
**To:** Harvey, Mark
**Cc:** Harton, Frank A; Johnson, Bobbie L; Canney, Keith J; Sweeney, Shelly A
**Subject:** H-1B CAP Report

Mark:

CAP/EOS dates distributed to officers:

Regular CAP: 1/1/11
Master Cap: 1/3/11
CAP Exempt: 1/2/11
EOS distributed to officers: 1/14/11

Thanks,

Joe

**CSC I-129 H1Bs Pending with NFTS location as of 02/22/2011**
**Data Source: C3**

| | | Status | Counts filed before 12/22/2010 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 2 |
| | | At CFDO | 24 | 26 |
| | | In File Room/Jit Shelf | 35 | 1,529 |
| | | On RFE Shelf/Rule 103 | 899 | 906 |
| | | Other Location | 82 | 155 |
| | | W/Clerical/Incl Resubmits | 102 | 393 |
| | | W/Officer/Incl Resubmits | 364 | 780 |
| | Others | At BCU | 18 | 20 |
| | | At CFDO | 15 | 18 |
| | | In File Room/Jit Shelf | 37 | 3,217 |
| | | On RFE Shelf/Rule 103 | 460 | 488 |
| | | Other Location | 84 | 332 |
| | | W/Clerical/Incl Resubmits | 105 | 265 |
| | | W/Officer/Incl Resubmits | 128 | 540 |
| **Total:** | | | **2,354** | **8,671** |

**CSC I-129 H1Bs (0**
**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |

Notes:

- Resubmits are cases that have already been RFEd.
- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.
- "Other Location" consists mostly of contractor locations.

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 28, 2010 7:20 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the CSC and the VSC:

**CSC**:

The CSC reported that they are at an 8/17 processing date for regular cap cases and an 9/1 processing date for master's cap. This is an improvement of a couple of days for the regular cap workload. The processing date for master's cap has improved significantly. They are now within two months on this category. Cap exempt is at 8/13 (last week this was at 7/17). The processing date for EOS has remained static from last week at 6/15. Joe stated that they will be training 21 additional officers on H-1Bs this week and next. These officers will be placed on the non-premium EOS cases. He hopes to have all H-1Bs current in three months. As of October 27, there were 6,586 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,648 have had an RFE/NOID issued and are pending response. There were 12,561 EOS petitions still pending that are outside of the two month processing goal. Of that number, 527 have had an RFE/NOID issued and are pending response.

From 10/18 to 10/22, the CSC approved 925 non premium cases, denied 128 non premium cases, and issued an RFE on 374 non premium cases. CSC also approved 1,323 premium cases, denied 97 premium cases, and issued an RFE on 311 premium cases during the same time period.

**VSC**:

The VSC reported that they are at a 8/20 processing date for cap cases (last week this was at 8/16). The processing date for EOS is at 6/3 (last week was 5/27). As of October 25, there were 2,955 untouched cap petitions still pending that are outside of the two-month processing goal. There were 11,783 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/17 to 10/23, the VSC approved 772 non premium cases, denied 133 non premium cases, and issued an RFE/NOID on 242 non premium cases. VSC also approved 1,947 premium cases, denied 69 premium cases, and issued an RFE/NOID on 383 premium cases during the same time period.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 11:39 AM
**To:** Johnson, Bobbie L
**Subject:** FW: Weekly H-1B processing

Bobbie,

I have heard back from VSC and CSC. The CSC pending numbers do include petitions where an RFE has been issued but the case hasn't been worked to completion. The VSC pending only includes untouched files with the exception of a limited number of cases where the C3 update doesn't appear. I'll ask Pete to include the RFE issued numbers in the pending counts for the weekly report.

Thanks!

Shelly

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**From:** Shuttle, Peter J
**Sent:** Friday, October 15, 2010 11:17 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Weekly H-1B processing

Shelly,

No I don't think the charts below show those figures (other than some of the initial pending with the contractor are cases that have actually been RFEd but CLAIMS doesn't show the update yet). Those figures would be available on our local CAP report but I'm not sure how easy they would be to get for the EOS cases.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 9:58 AM
**To:** Shuttle, Peter J
**Subject:** RE: Weekly H-1B processing

Pete,

One last quick question...do the pending numbers below also include cases where an RFE/ITD was issued and we are either waiting a response or a response has arrived but the case hasn't been worked to completion yet?

Thanks!

Shelly

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**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 1:51 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M

**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** RE: Weekly H-1B processing

Shelly,

Our Cap processing time is June 11th, 2010 (however what we are distributing to the floor is mid-August).

Our EOS processing time is still May 21, 2010 – we should see this jump very soon as we have begun handing out EOS cases to some of our newly trained resources.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell** [redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 11:37 AM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** RE: Weekly H-1B processing

Pete,

Many thanks for the below. One last quick question...can we add the current processing dates for cap and EOS to the reports?

Thanks!

Shelly

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**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 7:23 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** Weekly H-1B processing

Shelly,

Here is our snapshot of H-1B processing for last week. We have both the Cap (non-premium >60 days, and premium processing), and the EOS (non-premium processing, and premium).

This represents **NON Premium Processing H1B** cases. Below...
The left is FY11 CAP that includes cases filed on and after 1-APR-10.
The right is FY10 and FY11 H1B EOS cases filed on or after 1-OCT-09. .
The Initial pending sections represent only untouched cases that are older than 60 days.
The actions in this section are last week's NON PP actions (on cases filed in the same timeframes.)

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** |
| **With Officer** | 1115 | 1082 |

| FY10 EOS NON PP | | |
|---|---|---|
| **Report date** | | **12-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** |
| **With Officer** | | 1386 |

| | | |
|---|---|---|
| With Contractor | 393 | 287 |
| ADJ Staged | 292 | 419 |
| Other | 108 | 59 |

| | | |
|---|---|---|
| With Contractor | | 9084 |
| ADJ Staged | | 415 |
| Other | | 152 |

| Weekly FY11 Non PP CAP actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | **518** |
| DENIED | | **25** |
| RFE/ ITD | | 377 |
| TOTAL ACTIONS | | 925 |

| Weekly FY10 Non PP EOS actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | **223** |
| DENIED | | **39** |
| RFE/ ITD | | 21 |
| TOTAL ACTIONS | | 283 |

**For reference, here are the PREMIUM PROCESSING actions counts for last week.**

| Weekly FY11 PP CAP actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | 628 |
| DENIED | | 17 |
| RFE/ ITD | | 196 |
| TOTAL ACTIONS | | 841 |

| Weekly FY10 PP EOS actions | WEEK | 10/3-10/9 |
|---|---|---|
| APPROVED | | 1075 |
| DENIED | | 39 |
| RFE/ ITD | | 257 |
| TOTAL ACTIONS | | 1371 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 29, 2010 12:54 PM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Richardson, Gregory A
**Subject:** RE: F-1 Cap processing

Pete,

Many thanks for the below. Is there any way that VSC could provide an update on the amount of OT used to date and officer actions (e.g. approvals, denials, RFEs, intents)?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, September 29, 2010 1:13 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T; Chadwick, Donna; Janson, Nancy D; Lamothe, Judy L; Lockerby, Beth A; Montgomery, Laura; Rhodes-Gibney, Cathy S; Sweeney, Mark M
**Subject:** F-1 Cap processing
**Importance:** High

Shelly,

Here are today's figures.

Here is today's **initial receipts summary** that you asked for:

| | **Older than 60 days:** |
|---|---|
| **F1 COS to H1B** | 799 |
| With Officer | 578 |
| With Contractor* | 165 |
| ADJ Staged | 31 |
| Other | 25 |

| | |
|---|---|
| **All Cap > 60** | 3141 |
| With Officer | 2199 |
| With Contractor* | 646 |
| ADJ Staged | 184 |
| Other | 112 |

- The "with contractor" includes some cases that were approved or rfed yesterday after the oracle tables were updated.

- For the F-1s in the first section all of the 165 appear to be approvals or RFEs where CLAIMS has not caught up with the location.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Renaud, Daniel M
**Sent:** Friday, October 01, 2010 6:43 AM
**To:** Shuttle, Peter J; Sweeney, Shelly A; Velarde, Barbara Q
**Cc:** Perkins, Robert M; Madore, Matthew T
**Subject:** RE: F-1 Cap regular and O/T production - VSC

Pete,

These numbers look really good. They represent an 18% increase in CPH over the annual figure. Please pass along my appreciation to your SISO and ISOs for their ability to rally when we need them most.

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

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**From:** Shuttle, Peter J
**Sent:** Thursday, September 30, 2010 10:37 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Madore, Matthew T
**Subject:** F-1 Cap regular and O/T production - VSC
**Importance:** High

Shelly/Barb,

Attached is our production on O/T and regular hours since last Thursday (9/23).

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Ecle, Lynette C
**Sent:** Tuesday, November 23, 2010 10:00 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Johnson, Bobbie L; Canney, Keith J; Harton, Frank A
**Subject:** H-1B Report

Hi Shelly,

Here are the H1B processing times:

Regular Cap - 9/14/2010
Master Cap - 9/28/2010
Cap Exempt- 9/16/2010
EOS – 7/22/2010

| CSC I-129 H1Bs Pending as of 11/22/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 09/22/2010 | All filings received up to 11/22/2010 |
| H-1Bs | Initials | NEW CASE | 1,738 | 4,732 |
| | | PENDING | 387 | 390 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 3,003 | 3,019 |
| | | SUSPENSE | 16 | 18 |
| | | TRANSFERRED IN | 395 | 489 |
| | Others | NEW CASE | 11,308 | 16,981 |
| | | PENDING | 394 | 399 |
| | | REOPENED | 4 | 4 |
| | | RULE 103 | 520 | 523 |
| | | SUSPENSE | 20 | 22 |
| | | TRANSFERRED IN | 173 | 203 |
| **Total:** | | | **17,966** | **26,788** |

| CSC I-129 H1Bs (11-15-2010 to 11-19-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 376 | 93 | 591 | 1,060 |
| I-129 H1B EOS | 262 | 13 | 30 | 305 |
| I-129 PP H1B | 761 | 68 | 238 | 1,067 |
| I-129 PP H1B EOS | 687 | 26 | 112 | 825 |
| **Total:** | **2,086** | **200** | **971** | **3,257** |

# FW: Production Report --- August 2010 Preliminary

Wednesday, February 10, 2016
2:19 PM

| | |
|---|---|
| Subject | **FW: Production Report --- August 2010 Preliminary** |
| From | Velarde, Barbara Q |
| To | Sweeney, Shelly A |
| Cc | Johnson, Bobbie L; Richardson, Gregory A; Tamanaha, Emisa T |
| Sent | Tuesday, September 21, 2010 6:10 AM |
| Attachments | Division I - ... |

Fyi... I haven't read it yet but might come and chat with you depending on what it says.

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

**From:** Melville, Rosemary
**Sent:** Monday, September 20, 2010 10:31 PM
**To:** Neufeld, Donald; Kramar, John; Velarde, Barbara Q
**Cc:** Alexander, Bruce R; Arroyo, Susan K; Christian, Bryan P; Corbino, Wendy; Cox, Sophia; Dutile, George J; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Prince, Rose M; Richardson, Gregory A; Thomas, Ronnie D; Velarde, Barbara Q; Young, Claudia F; Louis, Jennifer E
**Subject:** RE: Production Report --- August 2010 Preliminary

Hi, Don – we share your concern about the I-129s. Our review of the situation is that it's the non-premium processing H1Bs that are backlogged. The other I-129s are current, to include all the premium processing cases.

I've attached a plan prepared by Joe Fierro in Div I to address how he'll reduce the number of pending cases. With the realignment of a couple divisions, we discovered there were insufficient officers dedicated to the non-premium processing H1Bs. Division II has been and will continue to assist until we can even out the workloads. You'll note that the plan addresses a number of staffing drains on the Division, to include key projects such as VIBE.

We're working closely with the ACDs and the PDA team to ensure that staffing and workloads are properly assessed and realigned as necessary. While I'm out this week, John will focus on this project to ensure that Joe's plan adequately addresses these backlogs. Where necessary, we'll find ways to tighten up his plan to ensure that this backlog is aggressively eliminated.

*Rosemary Langley Melville*
Director
California Service Center
Laguna Niguel, CA
US Citizenship and Immigration Services
Department of Homeland Security
rosemary.melville@dhs.gov
Office:
Blackberry: [redacted] (b)(6)

**From:** Neufeld, Donald
**Sent:** Monday, September 20, 2010 7:51 AM
**To:** Barrows, Angela K; Hazuda, Mark J; Kramar, John; Melville, Rosemary; Renaud, Daniel M; Roark, David L; Velarde, Barbara Q; Wiles, Marilyn P
**Cc:** Alexander, Bruce R; Arroyo, Susan K; Christian, Bryan P; Corbino, Wendy; Cox, Sophia; Dutile, George J; Johnson, Bobbie L; McConnell, James E; Neufeld, Donald; Peck, Denis R; Prince, Rose M; Richardson, Gregory A; Thomas, Ronnie D; Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: Production Report --- August 2010 Preliminary

FYI

(I am concerned about the I-129 numbers and would appreciate comments from VSC and CSC on how things look for September.)

**From:** Moore, Joseph
**Sent:** Friday, September 17, 2010 4:03 PM
**To:** Neufeld, Donald; Rogers, Debra A; Aytes, Michael; Jones, Rendell L; Velarde, Barbara Q; Monica, Donald J
**Subject:** Production Report --- August 2010 Preliminary

All-

Please see attached for the preliminary August 2010 national report.

Thanks.

Joseph Moore
Chief, Office of Performance and Quality (OPQ)
DHS/U.S. Citizenship and Immigration Services
[redacted]
(b)(6)

## National Production Report
## August 2010 Preliminary Data

### Management Highlights

**Notes:**

1. Frontlog data is currently not included in the August report. As of the end of August, there were approximately 6,200 cases in the frontlog, down 91% compared to last month's frontlog balance of 68,000 cases. The significant decrease in the frontlog is attributable to the elimination of TPS frontlog which fell from 47,500 to 0 cases, followed by the elimination of the standalone I-130 frontlog which fell from 12,200 to 0 cases. The only frontlog in August was comprised of approximately 6,200 Adjustment of Status-related applications.

- **SERVICEWIDE**
  - **Receipts (708,549)** – Total receipts, excluding frontlogged applications, increased by 100,000 or 16% from 609,000 to 709,000 with a slight majority of application types experiencing an increase over July's levels. Receipts in August represent the highest volume since the July/August 2007 surge, although the vast majority of this month's increase is attributable to TPS re-registrations for El Salvador. YTD receipts stand at 95% of annual projections. Through August 2010, YTD receipts should be at 92% of annual projections. Historically, (since FY 2000) receipt levels in August rank 2nd out of 12 (July ranks 6th) in terms of each month's proportion of the annual volume and this figure discounts the effect of surges related to TPS as well as all of FY 2007 data (due to the July/August 2007 surge). Based on this historical trend, August receipts would have been expected to come in above July's levels by about 8%. When discounting TPS cases, August receipts actually came in at

4% above July's levels.

- The largest increase was realized in Form I-765, which increased by 48,000 or 33% followed by Form I-821, up 41,000 or 68%. Both increases were primarily due to an influx of TPS renewals associated with El Salvador. Haiti TPS initial registrations totaled about 740 in August down from 2,300 in July, a 67% drop.
- The 3rd largest increase was realized in Form I-130 Immediate Relatives up 7,300 or 21% followed by Form I-130 Preference which increased by 5,900 or 37%. The material increase in both forms may be partly attributable to last month's frontlog balance of at least 12,000 cases which was eliminated during the month of August. YTD receipts for these two forms stand at 89% and 99%, respectively.
- Form I-129 experienced an increase of 5,100 or 17%. Through the end of August, H-1B receipts stood at 50,000 or 59% of the 85,000 cap. Through August, I-129 receipts are 5% lower than through the same period last fiscal year.
- Form I-140 experienced a 23% increase or 1,600 cases and reached a 31-month high. Through August, I-140 receipts are 32% higher than through the same period last fiscal year. YTD receipts equal 69,600 and stand at 93% of annual projections.
- Form N-400 Regular experienced the most significant decrease, down 5,800 or 9% and reached a 6-month low of 55,500 cases. YTD receipts stand at 94% of annual projections.
- Form I-90 experienced the 2nd largest decrease, down 4,500 or 7%. YTD receipts stand at 109% of annual projections.
- Form I-131 Reentry Permit/Refugee Travel Doc. experienced the 3rd largest decrease, down 2,300 or 22% although last month's data point represented a 29-month high. YTD receipts stand at 103% of annual projections.

- **Pending (2,085,794)** – total pending, excluding the frontlog, increased by 11,000 or 1% compared to the prior month. August represents the 6th consecutive monthly increase in pending, an event not experienced since the end of the surge in August 2007. The total increase in pending can be traced primarily to increases in the pending volume of Forms I-765 and I-821.
- The top 3 increases were:
- Form I-765: up 29,000 or 12% due to the TPS renewal
- Form I-821: up 26,000 or 28% due to the TPS renewal
- Form I-130 Immediate Relatives: up 15,000 or 8%
- Other notable increases include Form I-129, up 9,400 or 13%, Form I-539, up 2,400 or 9% and Form I-140, up 2,100 or 11%.
- The top 3 decreases were:
- Form I-130 Preference: down 48,000 or 16%. The pending as of the end of August 2010 stands at less than 1/3 of August 2009 levels (248,000 versus 808,000).
- Form I-485 Regular: down 13,000 or 4% attributable to a 14,000 decrease in Employment-based pending.
- Form I-90: down 10,000 or 6%

- **Active Suspense (493,251)** – this month, total cases in active suspense fell by 72,000 or 13%. This month's balance stands at 44% of the August 2009 balance (493,000 versus 1,121,000). Note: beginning in October 2009, the only cases that are considered deductible are RFE/Notices of Intent to Deny, visa unavailable and pending N-400 re-exam.
- This month, I-130 Preference cases experienced the largest decrease, down 55,000 or 20%.
- Form I-485 Regular experienced the second largest decrease, down 13,600 or 6% attributable to a reduction in the number of visa regressed deductibles.
- Form I-821 had the third largest decrease, down 2,700 or 57%.
- Forms N-400 had the largest increase, up 1,700 or 12% due largely to an increase in Pending Re-Exam deductibles.

- **Completions (724,572)** – total completions in August increased by 134,000 or 23% and reached a 17-month high while Equivalent Unit (EU) completions fell

by 11%**. A majority of form types experienced an increase in August and the disparity in the % increase between nominal and EU completions is attributable to very high production of low-EU forms such as I-765 and I-821. Through August 2010, total production for the fiscal year reached 89% of the annual goal.

- Officer Hours on production activities (adjudicating form types) increased by 9% while the number of on-board officers fell 1%. The increase in production hours is partly attributable to more business days (up 5% compared to July) as well as a 7% reduction in leave usage.
- Hours on production activities in August ranked 5th out of 12 during the last fiscal year; August 2010 hours on production ranks 5th out of 11 for FY10TD.

- Officer Hours on Clerical Activities increased by 1% in August. August 2010 Officer Hours on Clerical Activities are 36% higher than during the same period last year. YTD Officer Hours on Clerical Activities amount to 166,000 compared to 140,000 through the same period last year, an 18% increase. Officer Training Hours increased 9% and YTD Officer training hours amount to 357,000 compared to 706,000 through the same period last year, a 49% reduction.
- In addition, the ratio of 'Officer Hours to Other Programs' to 'Officer Hours on production activities' continues to increase and reach new historic highs.

- Form I-765 and I-821 production experienced the largest increase, up 54,000 (or 45%) and 48,000 (or 187%), respectively.
- Form I-130 Preference production experienced the 3rd largest increase, up 18,000 or 34% with Field Office production up 8,800 or 33% and Service Center production 9,500 or 35%. Field Office I-130 Preference production hit a 12-month high in August and the completion rate reached a 12-month low of 35 minutes per completion.
- Form I-485 Regular production was up 7,300 or 16%, led by a 5,500 increase in Employment-based production which reached a 10-month high.
- Form N-400 Regular production increased by 6,500 or 12% and reached a fiscal year to-date high of 61,600.
- The largest decrease in production was in Immigrant Visas which fell 7,100 or 14%. There is no backlog in this form type.
- Form I-130 Immediate Relatives experienced the 2nd largest drop in production, down 5,700 or 16%. A net backlog of 270 cases emerged in August.
- Other notable decreases include Form I-129F which fell 2,200 or 43% and Form I-918 which fell 1,200 or 87%. However, there is no backlog in Form I-129F and the drop in I-918 production is attributable to reaching the visa cap last month.

**Note: the effect of pre-adjudicating EB I-485s is factored into each month's EU production calculation.

- **Backlog**

- **Net Backlog (31,281)** – total net backlog increased by 10,000 or 48%.

- The largest increase was in Form I-129 which went from 1,690 to 9,200 or up 7,500. The increase is attributable to insufficient production keeping pace with receipts falling out of acceptable pending, as well as due to a +2,500 inventory/audit (column K) adjustment.
- Form I-485 Asylee increased from 0 to 1,423. The reemergence of a net backlog is attributable to a +2,100 inventory/audit (column K) adjustment.
- The net backlog in Form I-918 increased by 1,200 or 68%. Receipts for this application continue to come in at expected rates but the cap on visas was reached last month. Therefore, the net backlog is expected to grow until the start of FY 2011.
- A net backlog in Form I-526 emerged in August for the first time in 18 months (38 cases).
- The largest decrease in the net backlog was in Waivers, down 287 or 95% followed by Genealogy, down 191 or 40%.

- **Gross Backlog (391,046)** – the gross backlog fell by 39,000 or 9% led primarily by a drop in the I-130 Preference gross backlog. Less than 40% of the gross backlog is now comprised of I-130 Preference cases (38%).
- The largest decrease in the gross backlog occurred in Form I-130 Preference which fell by 48,000 or 24% followed by Form I-485 Employment-based, down

13,400 or 7%.

- The largest increase in the gross backlog took place in Form I-130 Immediate Relatives which reached 8,000 this month (compared to zero last month) followed by Form I-129, up 7,800 or 93%. Based on the historical pattern, the I-129 backlog should be eliminated by September.
- The I-485 Asylee gross backlog increased by 2,387 cases due primarily to a + 2,500 inventory/audit (column K) adjustment.
- There continues to be a zero gross backlog in Form N-400 Regular and Military

# Division I Adjudicative Process Plan

Reference:

- 2008-2012 Strategic Plan, Goal 2, Objective 2:1- Improve timely processing of immigration benefits (pg 25).

Challenge:

- Improve processing times of H-1B Non PP filings. Devise plan for processing of PP and non pp H-1Bs in Division 1.

Goal:

- Bring Non PP H-1B filings to within external goal of 2 months in 30 days or less.
- Bring Non PP H-1B filings to within internal goal of 30 days in 60 days or less.

* Note: Establish a new internal goal of 30 days processing time for non PP cases.

After 6 weeks, a reevaluation will be conducted to make appropriate modifications.

Using forecasting and planning tools, such a the G-22 and CATS reports and staffing model projections based on the SAM, Div 1 has determined that 57-58 officers are required to adequately staff Division 1. Division 1 is currently assigned52 officers.

With 5 officers on detail and 2 new officers coming on board, Division 1 will currently have a pool of 49 officers to adjudicate its workload. 2 officers will return from detail by September 27.

* In addition, Division 2 will assist with Non PP EOS cases.

Premium Processing and Regular EOS petitions:

All ISOs will be assigned to the Premium Processing and Regular EOS workload with the exception of the ISOs who will assist with the below non-PP categories.

* Note: Division 2 will also assist with the H1B EOS filings.

Non-PP categories: Cognizant, CAP, and CAP exempt workload –

- 2 ISOs assigned to non-PP Cognizant
- 3 ISOs assigned to non-PP Master CAP
- 3 ISOs assigned to non-PP Regular CAP
- 3 ISOs assigned to non-PP CAP exempt

*Once the non-PP Cognizant workload has been adjudicated, the ISOs will be rotated back into the PP and EOS workload.

*Once a CAP/CAP exempt category above is within 60 days of processing, the ISOs assigned to the respective category will be rotated out of the workload and return to assisting with the PP and EOS workload, or new officers will be rotated in if it is necessary to keep officers on the non PP tracks.

- Within 6 weeks our goal will be to reach a processing time of 60 days.

- Within 2 months, we will strive for an internal processing time of 30 days and maintain the processing time through appropriate workload modifications.

Areas to improve efficiency:

1. FID cases:

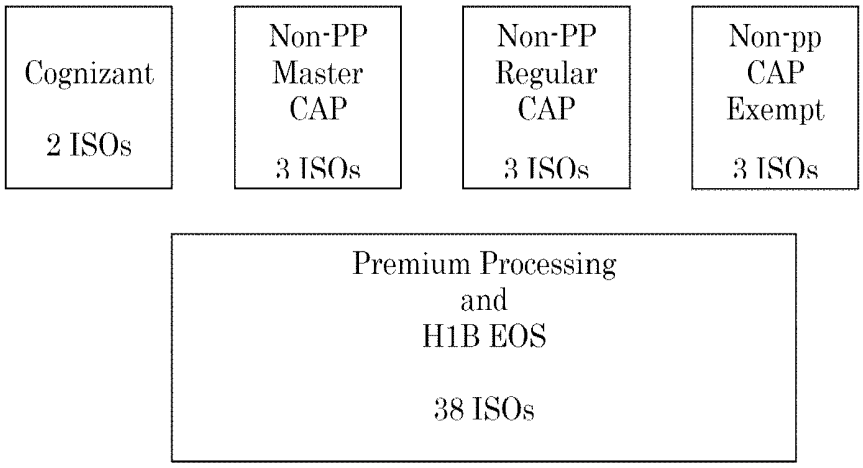
   Reference: 2008-2012 Strategic Plan, Goal 1, Objective 1.2: Deter, detect, and pursue immigration related fraud (pg 21).

   - FID cases are currently redistributed to two officers.
   - Re-engineer, establish new SOP and map out process.
   - Implement new process.

VIBE:

HQ continues to require three full-time officers to pilot the VIBE program.
- Estimated completion date, 3 months.

Initial process – currently implemented

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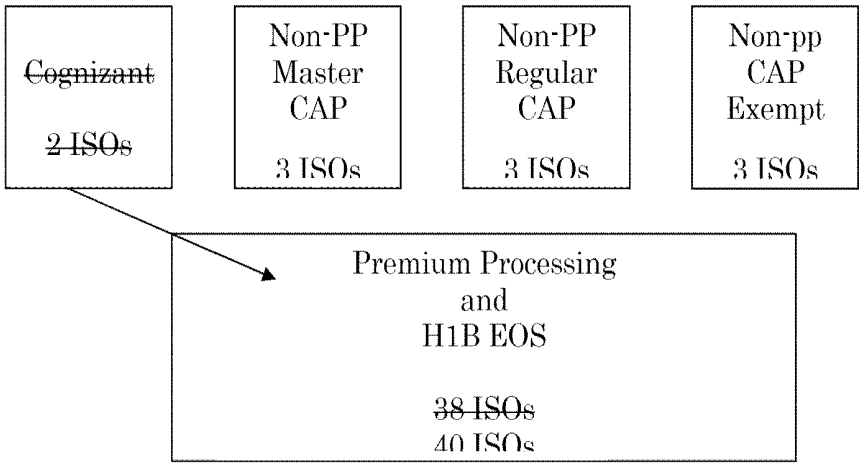
By mid October, we anticipate completing all the non-PP Cognizant cases and rotating the respective ISOs to the general PP/EOS population. By this time, the non-PP CAP/CAP exempt categories should be within 60 days of processing.

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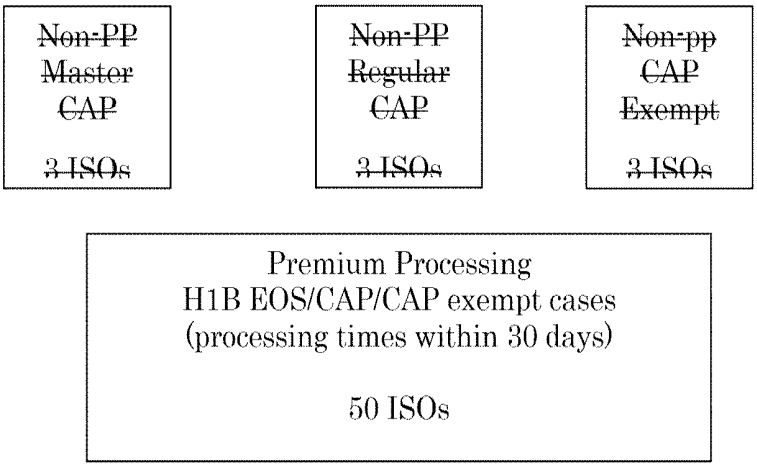
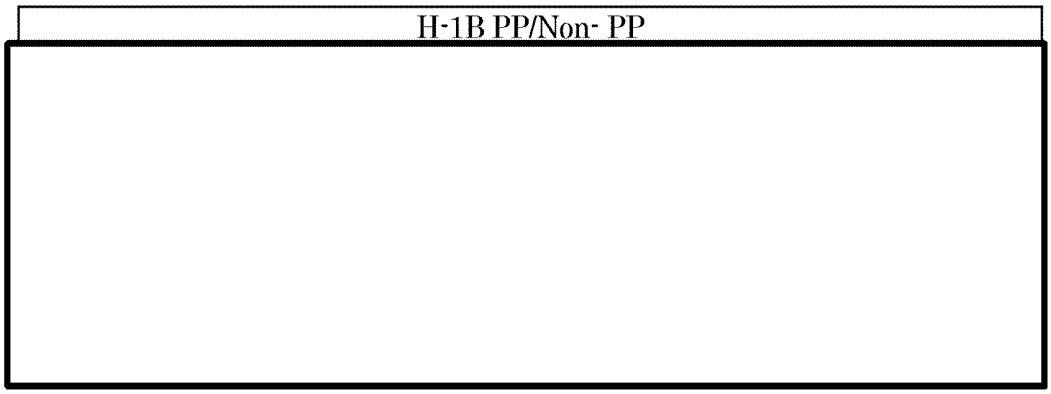
By mid November, we anticipate reaching our internal goal of being within 30 days of processing. We will then adjust the work assignments accordingly.

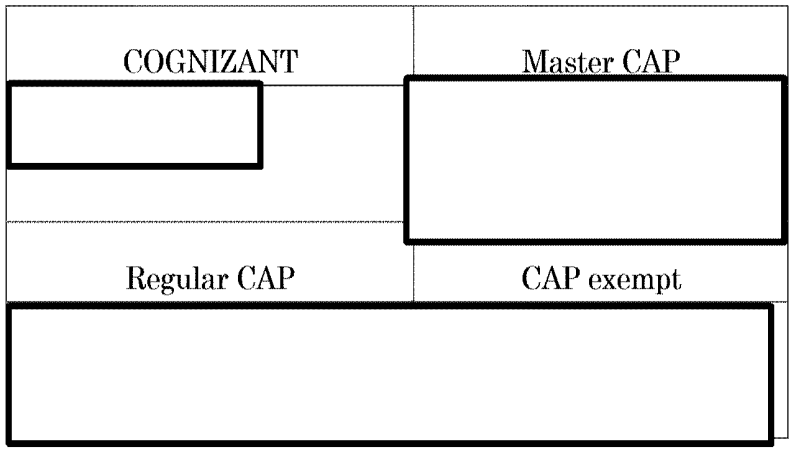


Premium Processing Distribution:

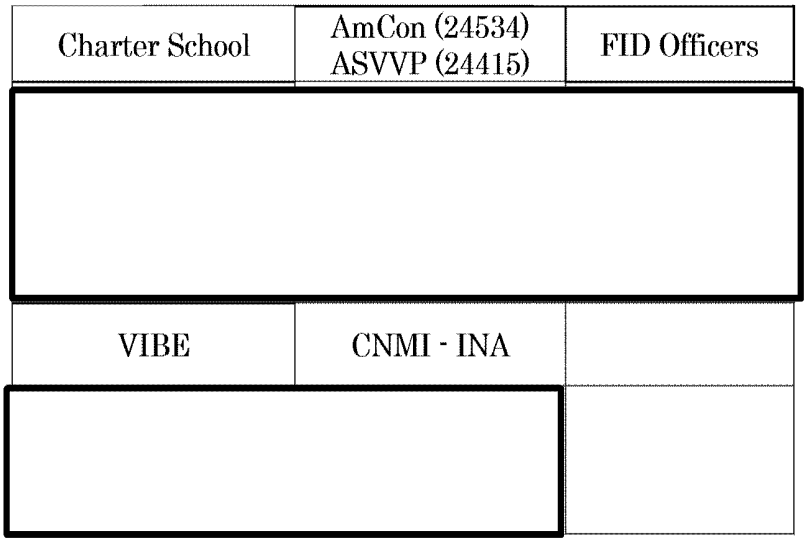


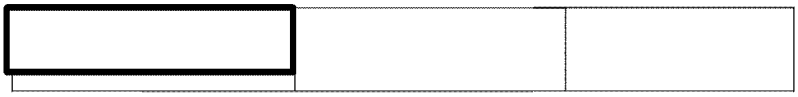

(b)(6)

Other assignments:




(b)(6)





(b)(6)

| Detail | Training | Leave |
|---|---|---|
| | | |

# Fw: USCIS Update: USCIS Continues to Accept FY 2011 H-1B Petitions

Wednesday, February 10, 2016
2:31 PM

| | |
|---|---|
| Subject | **Fw: USCIS Update: USCIS Continues to Accept FY 2011 H-1B Petitions** |
| From | Johnson, Bobbie L |
| To | Sweeney, Shelly A |
| Sent | Thursday, April 08, 2010 6:00 PM |
| Attachments | FINAL - US... |

----- Original Message -----
From: Irazabal, Luz
To: Wright, William G; Rhatigan, Chris; Wheeler, Shannon L; Clark, Matthew J; Parisi, Thomas; INTERNAL COMMUNICATIONS, USCIS; USCIS Web Publishing; McCament, James W; Melero, Mariela; Blauvelt, Sally; Herrmann, Mary K; Tintary, Ruth E; Brown, Katherine HS; Roles, Rebecca J; Groom, Molly M; Whitney, Ronald W; Bentley, Christopher S; Cabrera, Marilu; Counts, Timothy J; Gitomer, Mariana; Grenier, Paula M; Sebrechts, Marie T; Ostapowich, Stephanie A; Rhatigan, Chris; Scheidhauer, Sharon E; Rummery, Sharon; Tichacek, Katherine; Office Of Communications; Santiago, Ana E; Garcia-Upson, Maria; Brown, Meddie; Harrison, Julia L; Neufeld, Donald; Velarde, Barbara Q; Johnson, Bobbie L; Sweeney, Shelly A; Rogers, Debra A; Drake, Raymond; Bacon, Roxana; Salem, Claudia S; Rodriguez, Miguel E; Carpenter, Dea D; Roles, Rebecca J; Cummings, Kevin J
Cc: Kielsmeier, Lauren; Humphrey, Buck H; Alfonso-Royals, Angelica M; Wright, William G
Sent: Thu Apr 08 18:34:38 2010
Subject: USCIS Update: USCIS Continues to Accept FY 2011 H-1B Petitions

Summary: USCIS today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

Documents: USCIS Update

Date of Release: Today – Thursday, April 8, 2010 - FOR IMMEDIATE RELEASE

Guidance:

· Regional Media Managers, Office of Public Engagement, and Office of Legislative Affairs: For your use and distribution as appropriate.

· Internal Communications: For your use as appropriate.

· Customer Service: For your use as appropriate.

· New Media: Please post under the News <http://www.uscis.gov/pressroom> tab; link to the 2011 H-1B Season Cap page <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=4b7cdd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD> ; link to front page banner <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=5b29dd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=b56db6f2cae63110VgnVCM1000004718190aRCRD> (1st banner option); and link as a related update to the general H-1B page <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=73566811264a3210VgnVCM100000b92ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD> . Key words: employment-based immigration, H-1B

Also, please update the following page: http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=4b7cdd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD

Cap Amount

Cap Eligible Petitions

Petition Target

Date of Last Count

H-1B Regular Cap

65,000

13,500

4/8/2010

H-1B Master's Exemption

20,000

5,600

4/8/2010

USCIS Update

April 8, 2010

USCIS Continues to Accept FY 2011 H-1B Petitions

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.

USCIS will provide regular updates on the processing of FY 2011 H-1B petitions. These updates and helpful filing information can be found at USCIS' Web site <http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=4b7cdd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD>. Should USCIS receive the necessary number of petitions to meet the cap, it will issue an update to advise the public, that the FY 2011 H-1B cap has been met as of a certain date (the "final receipt date"). The final receipt date will be based on the date USCIS physically receives the petition, not the date that the petition has been postmarked. The date USCIS informs the public that the cap has been reached may differ from the actual final receipt date.

To ensure a fair system, USCIS may randomly select the number of petitions required to reach the numerical limit from the petitions received on the final receipt date. USCIS will reject cap subject petitions that are not selected, as well as those received after the final receipt date.

For cases filed for premium processing during the initial five-day filing window of April 1-7, the 15-day premium processing period began April 7. For cases filed for premium processing after the filing window, the premium processing period begins on the date that the petition is physically received at the correct USCIS Service Center.

Petitions filed by employers who are exempt from the cap or petitions filed on behalf of current H-1B workers who have been counted previously against the cap within the past six years will not count toward the congressionally mandated H-1B cap.

Therefore, USCIS will continue to process all petitions filed. For more information on USCIS and its programs, visit www.uscis.gov <http://www.uscis.gov/>.

H-1B in General: U.S. businesses use the H-1B program to employ foreign

workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 8, 2010

## USCIS Continues to Accept FY 2011 H-1B Petitions

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

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Therefore, USCIS will continue to process all petitions filed. For more information on USCIS and its programs, visit www.uscis.gov.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS –

# FW: VSC CAP Plan Draft Documents

Wednesday, February 10, 2016
2:37 PM

| | |
|---|---|
| Subject | **FW: VSC CAP Plan Draft Documents** |
| From | Peck, Denis R |
| To | Sweeney, Shelly A |
| Cc | Lundquist, Mark E; Schmidt, Bruce H |
| Sent | Friday, February 19, 2010 12:37 PM |
| Attachments | Vermont CAP Plan- ...<br>VT CAP Mail Scan - Sort...<br>Barcoding Process- D...<br>Cap Arena DUAL CUS...<br>CAP IPRS - DRAFT 2-1...<br>FY '11 H1B Pre-RNG C...<br>H1B Post RNG Draft ...<br>I-129 I-129PP |

Shelly this is probably more than you want, and I won't have time to look at all of this before going on leave, but when I get back March 1 we can schedule Stanley to come in with an HQ presentation.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

**From:** Loughlin, Stephen J
**Sent:** Friday, February 19, 2010 12:27 PM
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E
**Subject:** FW: VSC CAP Plan Draft Documents

Denis,

As requested.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

**From:** Vincent, Sarah J

# FY11 H1B Related

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Monday, August 01, 2011 10:40:00 AM

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That makes only about 6200 for the Month of July going back to your July 1 count. At that rate we won't hit the cap, something had better pick up at some point!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 10:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Tuesday, July 05, 2011 9:42:00 AM

I am really starting to wonder if we will hit the non-master's cap this year. I hope we make it even if it's March 28th.....

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Monday, May 16, 2011 10:23:00 AM

Interesting to see how the masters to bachelors ratio is higher this year than ever and that trend probably continues into the future. In 10 years we will have two categories, the masters cap and the PhD Exemption.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Dutile, George J; McConnell, James E |
| **Subject:** | RE: OCFO monthly fiscal status report - March |
| **Date:** | Thursday, April 28, 2011 11:42:00 AM |

Thanks – aside from H1B CAP we really are doing pretty well revenue wise. I-140 premiums keep growing month over month

Premium processing for March was $6.6M or $59.1% above projections. Through the end of the 2nd Quarter, collections are $39.9M or
58.1% above the FY 2011 projections.

The increase in premium processing revenue are tied to significant growth in the use of premium processing for I-140 applications.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

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**From:** Velarde, Barbara Q
**Sent:** Thursday, April 28, 2011 10:30 AM
**To:** Dutile, George J; Peck, Denis R; McConnell, James E
**Subject:** FW: OCFO monthly fiscal status report - March

fyi

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Contaldi, Kerry **On Behalf Of** USCIS Exec Sec
**Sent:** Thursday, April 28, 2011 9:33 AM
**To:** Melero, Mariela; Blauvelt, Sally; Humphrey, Buck H; McCament, James W; Carson, Rebecca S; Patching, Laura; Carpenter, Dea D; Vanison, Denise; Ratliff, Gerri; Moore, Joseph; Rhew, Perry J; Grissom, John F; Hawkins, Donald K; Bucher, Steve P; Monica, Donald J; Pietropaoli, Lori; Neufeld, Donald; Velarde, Barbara Q; Crocetti, Don; Coffin, Richard H; Jones, Rendell L; Correa, Soraya; Lacot, Rosalina; Bertucci, Theresa C; Meckley, Tammy M
**Cc:** Mayorkas, Alejandro N; Scialabba, Lori; Kielsmeier, Lauren; Mattice, Michael; Carter, Constance L; USCIS Exec Sec; Rosado, Timothy A
**Subject:** FW: OCFO monthly fiscal status report - March

All:

The March 2011 fiscal status report is provided for your information.

**Kerry T. Contaldi**
(b)(6) **USCIS Office of the Executive Secretariat**
[redacted] **(office)**
**(202) 272-0997 (fax)**
***Please send all official actions to uscisexecsec@dhs.gov and, if applicable, attach a completed G-1056. Thank you.***

---

**From:** Rosado, Timothy A
**Sent:** Thursday, April 28, 2011 9:22 AM
**To:** USCIS Exec Sec
**Cc:** Koene, Lisa M; Reilly, Richard M; Demich, Mitch D; Atteberry, Kimberly R; Hines, Alecia A
**Subject:** OCFO monthly fiscal status report - March

Please distribute the attached fiscal status report for the month of March to leadership offices, and please cc me. Thanks.

**From:** Peck, Denis R
**To:** Dick Braun
**Subject:** RE: SCOSS Weekly Transition Report - April 8, 2011
**Date:** Friday, April 08, 2011 5:01:00 PM

Thanks Dick. Everything looks good from here. The USCIS news bulletin is online now with the total H1B FY12 filings we've received – 10,400. The incumbent thinks they'll have all of them processed and be current when they shut down April 15. One less thing to worry about.

I'm taking a three day weekend to regenerate, talk to you next week.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Dick Braun [mailto:Dick.Braun@fedconsulting.com]
**Sent:** Friday, April 08, 2011 4:47 PM
**To:** Peck, Denis R (denis.peck@dhs.gov); Shiflett, Julie M (julie.shiflett@dhs.gov); 'gale.c.bonnett@uscis.dhs.gov'; Ross, Ned R (ned.ross@dhs.gov); Ralph.Koehring@dhs.gov
**Cc:** Thomas Leupp; Sharon Virts-Mozer; Tamara Owens; Clark Severson
**Subject:** SCOSS Weekly Transition Report - April 8, 2011

Please find attached the SCOSS Transition Weekly Status Report for the week ending April 8, 2011.

One of our major objectives was to get this issued before 9PM at night(!).

***Dick Braun***
***COO, FedConsulting, Inc.***
*602 S. King St., Suite 102*
*Leesburg, VA 20175*
*office:* [redacted] (b)(6)
*cell:* [redacted]
*dick.braun@fedconsulting.com*

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M |
| **Cc:** | Neufeld, Donald |
| **Subject:** | RE: CAP update through Day 5 = 10,456 |
| **Date:** | Friday, April 08, 2011 11:24:00 AM |

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

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**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
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| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Bolog, Marguerite M; Sweeney, Shelly A |
| **Cc:** | Young, Claudia F; Fitzsimmons, James |
| **Subject:** | RE: Final H-1B Counts through day 5 = 10,456 |
| **Date:** | Friday, April 08, 2011 11:18:00 AM |
| **Attachments:** | 4-7-11 CSC FY12 CAP report.xls<br>4-7-11 VSC FY12 CAP Report.xls |

You must have better sources than me; their PM just sent it to me 5 minutes ago.

Yes that's what I've got. Go with it.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Bolog, Marguerite M [mailto:Marguerite.M.Bolog@uscis.dhs.gov]
**Sent:** Friday, April 08, 2011 11:13 AM
**To:** Peck, Denis R; Sweeney, Shelly A
**Cc:** Young, Claudia F; Fitzsimmons, James
**Subject:** RE: Final H-1B Counts
**Importance:** High

Denis—

This is what I am showing for total cap numbers (VSC & CSC):

Regular Cap 5,915
Masters Cap 4,541

Total 10,456

Do you agree?

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 8:19 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
**Subject:** RE: Final H-1B Counts

I asked to get it early; yesterday they sent it at 845. stand by

Denis Peck

Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Sweeney, Shelly A
**Sent:** Friday, April 08, 2011 8:11 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
**Subject:** Final H-1B Counts

Denis,

Any word on when we can expect to have a final count of the filings through yesterday?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

California Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
|---|---|---|---|---|
| All Mail Received - Not Opened | | | | |
| Number of Envelopes / Packages | 0 | 0 | 0 | 0 |
| | | | | |
| Bar Coding Progress | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |
| | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |

Unidentified

Grand total received in FY 2012 cap season (Day 1 thru 5)

Grand total received in FY 2011 cap season (Day 1 thru 5)

% change: FY 2012 receipts over FY 2011 receipts

| 4/7/11 | Total |
|---|---|
| | |
| | |
| [redacted] | |

| 4/7/11 | Total |
|---|---|
| 89 | 1,519 |
| 46 | 972 |
| 78 | 1,392 |
| 27 | 699 |
| 240 | 4,582 |

[redacted]

box / 20 per bucket)

| 4/7/11 | Total |
|---|---|
| 89 | 1,519 |
| 46 | 972 |
| 78 | 1,392 |
| 27 | 699 |
| 240 | 4,582 |

| | |
|---|---|
| | 0 |
| | 4,582 |
| | 8,356 |
| Decrease | 45.17% |

California Service Center

| Dates | | 4/7/11 | 4/8/11 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 1,519 | 1519 | 1519 |
| (CRP) H1B CAP - Premium | 972 | 388 | 388 |
| (CMN) H1B Masters | 1,392 | 1392 | 1392 |
| (CMP) H1B Masters - Premium | 699 | 411 | 411 |
| Totals | 4,582 | 3,710 | 3,710 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 584 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 288 | |
| Totals | 872 | 0 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 0 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 0 | |
| Totals | 0 | 0 |

| 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 | 4/15/11 | 4/18/11 |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | | | |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1519 | 1519 | 1519 | 1519 | 1519 | 1519 |
| 388 | 388 | 388 | 388 | 388 | 388 |
| 1392 | 1392 | 1392 | 1392 | 1392 | 1392 |
| 411 | 411 | 411 | 411 | 411 | 411 |
| 3,710 | 3,710 | 3,710 | 3,710 | 3,710 | 3,710 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

etc

| | | | |
|---|---|---|---|
| 1519 | 1519 | 1519 | |
| 388 | 388 | 388 | |
| 1392 | 1392 | 1392 | |
| 411 | 411 | 411 | |
| 3,710 | 3,710 | 3,710 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

# California Service Center

| | Cap Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-premium (CRN) | Premium (CRP) | Non-premium (CRN) | Premium (CRP) | Non-premium (CMN) | Premium (CMP) | Non-premium (CMN) | Premium (CMP) |
| 4/7/2011 | | 584 | | | | 288 | | |
| 4/8/2011 | | | | | | | | |
| 4/11/2011 | | | | | | | | |
| 4/12/2011 | | | | | | | | |
| 4/13/2011 | | | | | | | | |
| 4/14/2011 | | | | | | | | |
| 4/15/2011 | | | | | | | | |
| 4/18/2011 | | | | | | | | |
| 4/19/2011 | | | | | | | | |
| 4/20/2011 | | | | | | | | |
| 4/21/2011 | | | | | | | | |
| 4/22/2011 | | | | | | | | |
| 4/25/2011 | | | | | | | | |
| 4/26/2011 | | | | | | | | |
| 4/27/2011 | | | | | | | | |
| 4/28/2011 | | | | | | | | |
| 4/29/2011 | | | | | | | | |
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Rev: 3/4/08

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| TOTALS | | 584 | | | | 288 | | |

Rev: 3/4/08

## Vermont Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
|---|---|---|---|---|---|---|
| All Mail Received / Not Opened | | | | | | |
| Number of Envelopes / Packages | 6529 / 0 | 5587 / 0 | 3862 / 0 | 1916 / 0 | 2934 / 0 | 0 |
| | | | | | | |
| Identified | | | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
| (VRN) H1B CAP | 1,051 | 603 | 118 | 235 | 201 | 2208 |
| (VRP) H1B CAP - Premium | 926 | 162 | 56 | 46 | 26 | 1216 |
| (VMN) H1B Masters | 840 | 392 | 102 | 76 | 59 | 1469 |
| (VMP) H1B Masters - Premium | 718 | 143 | 45 | 47 | 28 | 981 |
| Total | 3,535 | 1,300 | 321 | 404 | 314 | 5,874 |
| | | | | | | |
| Estimated Daily Receipts | | | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
| (VRN) H1B CAP | 1,252 | 402 | 118 | 235 | 201 | 2208 |
| (VRP) H1B CAP - Premium | 926 | 162 | 56 | 46 | 26 | 1216 |
| (VMN) H1B Masters | 999 | 233 | 102 | 76 | 59 | 1469 |
| (VMP) H1B Masters - Premium | 718 | 143 | 45 | 47 | 28 | 981 |
| Total | 3,895 | 940 | 321 | 404 | 314 | 5,874 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received in FY 2012 cap season | 5,874 |
| Grand total received in FY 2011 cap season | 10,891 |
| % change: FY 2012 receipts over FY 2011 receipts | -46.07% |

# Vermont Service Center

| | CAP Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-premium (VRN) | Premium (VRP) | Non-premium (VRN) | Premium (VRP) | Non-premium (VMN) | Premium (VMP) | Non-premium (VMN) | Premium (VMP) |
| 4/7/2011 | 9 | 4 | 32 | 6 | 12 | 4 | 25 | 6 |
| 4/8/2011 | | | | | | | | |
| 4/9/2011 | | | | | | | | |
| 4/12/2011 | | | | | | | | |
| 4/13/2011 | | | | | | | | |
| 4/14/2011 | | | | | | | | |
| 4/15/2011 | | | | | | | | |
| 4/16/2011 | | | | | | | | |
| 4/19/2011 | | | | | | | | |
| 4/20/2011 | | | | | | | | |
| 4/21/2011 | | | | | | | | |
| 4/22/2011 | | | | | | | | |
| 4/23/2011 | | | | | | | | |
| 4/26/2011 | | | | | | | | |
| 4/27/2011 | | | | | | | | |
| 4/28/2011 | | | | | | | | |
| 4/29/2011 | | | | | | | | |
| 4/30/2011 | | | | | | | | |
| 5/3/2011 | | | | | | | | |
| 5/4/2011 | | | | | | | | |
| 5/5/2011 | | | | | | | | |
| 5/6/2011 | | | | | | | | |
| 5/7/2011 | | | | | | | | |
| 5/10/2011 | | | | | | | | |

# Vermont Service Center

| | CAP Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-premium (VRN) | Premium (VRP) | Non-premium (VRN) | Premium (VRP) | Non-premium (VMN) | Premium (VMP) | Non-premium (VMN) | Premium (VMP) |
| 5/11/2011 | | | | | | | | |
| 5/12/2011 | | | | | | | | |
| 5/13/2011 | | | | | | | | |
| 5/14/2011 | | | | | | | | |
| 5/17/2011 | | | | | | | | |
| 5/18/2011 | | | | | | | | |
| 5/19/2011 | | | | | | | | |
| 5/20/2011 | | | | | | | | |
| 5/21/2011 | | | | | | | | |
| 5/24/2011 | | | | | | | | |
| 5/25/2011 | | | | | | | | |
| 5/26/2011 | | | | | | | | |
| 5/27/2011 | | | | | | | | |
| 5/28/2011 | | | | | | | | |
| 6/1/2011 | | | | | | | | |
| 6/2/2011 | | | | | | | | |
| 6/3/2011 | | | | | | | | |
| 6/4/2011 | | | | | | | | |
| 6/7/2011 | | | | | | | | |
| 6/8/2011 | | | | | | | | |
| 6/9/2011 | | | | | | | | |
| 6/10/2011 | | | | | | | | |
| 6/11/2011 | | | | | | | | |
| TOTALS | 9 | 4 | 32 | 6 | 12 | 4 | 25 | 6 |

Rev: 3/4/08

**Vermont Service Center**

| Dates | 4/7/11 | 4/8/11 | 4/9/11 | 4/10/11 | 4/12/11 | 4/13/11 |
|---|---|---|---|---|---|---|
| Pending Data Entry | | | | | | |
| (VRN) H1B CAP | 2024 | | | | | |
| (VRP) H1B CAP - Premium | 583 | | | | | |
| (VMN) H1B Masters | 1372 | | | | | |
| (VMP) H1B Masters - Premium | 608 | | | | | |
| Totals | 4,587 | 0 | 0 | 0 | 0 | 0 |
| Data Entry | | | | | | |
| (VRN) H1B CAP | 0 | | | | | |
| (VRP) H1B CAP - Premium | 687 | | | | | |
| (VMN) H1B Masters | 0 | | | | | |
| (VMP) H1B Masters - Premium | 372 | | | | | |
| Totals | 1059 | 0 | 0 | 0 | 0 | 0 |
| Rejects (Manual) | | | | | | |
| (VRN) H1B CAP | 0 | | | | | |
| (VRP) H1B CAP - Premium | 22 | | | | | |
| (VMN) H1B Masters | 0 | | | | | |
| (VMP) H1B Masters - Premium | 0 | | | | | |
| Totals | 22 | 0 | 0 | 0 | 0 | 0 |

| | 4/14/11 | 4/15/11 | 4/16/11 | 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/23/11 |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 4/26/11 | 4/27/11 | 4/28/11 | 4/29/11 | 4/30/11 | 5/3/11 | 5/4/11 | 5/5/11 |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | 5/6/11 | 5/7/11 | 5/8/11 | 5/9/11 | 5/12/11 | 5/13/11 | 5/14/11 | 5/17/11 |
|---|---|---|---|---|---|---|---|---|
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | | |
| | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 5/18/11 | 5/19/11 | 5/20/11 | 5/21/11 | 5/24/11 | 5/25/11 | 5/26/11 | 5/27/11 |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 5/28/11 | 6/1/11 | 6/2/11 | 6/3/11 | 6/4/11 | 6/7/11 | 6/8/11 | 6/9/11 |
|---|---|---|---|---|---|---|---|
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
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| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

0 0

0 0

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6/10/11 etc

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H |
| **Cc:** | Neufeld, Donald |
| **Subject:** | FW: CAP update through Day 4 = 9,902 |
| **Date:** | Thursday, April 07, 2011 10:29:00 AM |

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)
http://www.cgi.com/usfederal

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**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:21:00 AM

Jim I think the contractor has reclassified their initial Premiums count and its lower than what you're showing. Your total and theirs is about the same (I get a difference of 1) but the 4 categories are different – do you want to recalculate?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:11 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | 2,857 |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | 2,179 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | 10,238 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)
http://www.cgi.com/usfederal

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**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Harton, Frank A; Tamanaha, Emisa T; Sweeney, Shelly A; Bolog, Marguerite M; Shiflett, Julie M; Lundquist, Mark E
**Subject:** CAP through day 3 count hits 9,300
**Date:** Wednesday, April 06, 2011 1:10:00 PM

---

Almost.....

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, April 06, 2011 1:05 PM
**To:** Peck, Denis R
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 91 | 104 | 3,302 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 118 | 133 | 2,843 |
| H1B Masters | 1,715 | 233 | 95 | 75 | 64 | 2,182 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 33 | 37 | 1,620 |
| Total | 7,294 | 1,410 | 588 | 318 | 337 | 9,947 |

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 1:01 PM
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M

**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700
**Date:** Wednesday, April 06, 2011 1:00:00 PM
**Attachments:** FY12 CAP Report (VSC 4-5-11).xls
FY12 Cap report (CSC 4-5-11).xls

---

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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Washington, DC 20529
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202-272-1542 FAX
(b)(6)

California Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
|---|---|---|---|---|
| All Mail Received - Not Opened | | | | |
| Number of Envelopes / Packages | 0 | 0 | 0 | |

| Bar Coding Progress | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
|---|---|---|---|---|
| (CRN) H1B CAP | 1,015 | 194 | 126 | 0 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 0 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 0 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 0 |
| Total | 3,399 | 470 | 267 | 0 |

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per | | | |
|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 0 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 0 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 0 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 0 |
| Total | 3,399 | 470 | 267 | 0 |

Unidentified

Grand total received in FY 2012 cap season (Day 1,2 & 3)

Grand total received in FY 2011 cap season (Day 1,2 & 3)

% change: FY 2012 receipts over FY 2011 receipts

| 4/7/11 | 4/8/11 | Total |
|---|---|---|
| | | |
| | | |
| | | |

| 4/7/11 | 4/8/11 | Total |
|---|---|---|
| 0 | 0 | 1,335 |
| 0 | 0 | 899 |
| 0 | 0 | 1,258 |
| 0 | 0 | 644 |
| 0 | 0 | 4,136 |

box / 20 per bucket)

| 4/7/11 | 4/8/11 | Total |
|---|---|---|
| 0 | 0 | 1,335 |
| 0 | 0 | 899 |
| 0 | 0 | 1,258 |
| 0 | 0 | 644 |
| 0 | 0 | 4,136 |

| | | |
|---|---|---|
| | | 0 |
| | | 4,136 |
| | | 7,687 |
| | Decrease | 46.19% |

California Service Center

| Dates | | 4/7/11 | 4/8/11 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 1,335 | 1335 | 1335 |
| (CRP) H1B CAP - Premium | 899 | 899 | 899 |
| (CMN) H1B Masters | 1,258 | 1258 | 1258 |
| (CMP) H1B Masters - Premium | 644 | 644 | 644 |
| Totals | 4,136 | 4,136 | 4,136 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 0 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 0 | |
| Totals | 0 | 0 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 0 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 0 | |
| Totals | 0 | 0 |

| 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 | 4/15/11 | 4/18/11 |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | | | |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 1335 | 1335 | 1335 | 1335 | 1335 | 1335 |
| 899 | 899 | 899 | 899 | 899 | 899 |
| 1258 | 1258 | 1258 | 1258 | 1258 | 1258 |
| 644 | 644 | 644 | 644 | 644 | 644 |
| 4,136 | 4,136 | 4,136 | 4,136 | 4,136 | 4,136 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 |

etc

| | | | |
|---|---|---|---|
| 1335 | 1335 | 1335 | |
| 899 | 899 | 899 | |
| 1258 | 1258 | 1258 | |
| 644 | 644 | 644 | |
| 4,136 | 4,136 | 4,136 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

## Vermont Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
|---|---|---|---|---|---|---|
| All Mail Received / Not Opened | | | | | | |
| Number of Envelopes / Packages | 6529 / 0 | 5587 / 0 | 3862 / 0 | | | 0 |
| | | | | | | |
| Identified | | | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
| (VRN) H1B CAP | 1,051 | 603 | 118 | | | 1772 |
| (VRP) H1B CAP - Premium | 926 | 162 | 56 | | | 1144 |
| (VMN) H1B Masters | 840 | 392 | 102 | | | 1334 |
| (VMP) H1B Masters - Premium | 718 | 143 | 45 | | | 906 |
| Total | 3,535 | 1,300 | 321 | 0 | 0 | 5,156 |
| | | | | | | |
| Estimated Daily Receipts | | | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | Total |
| (VRN) H1B CAP | 1,252 | 402 | 118 | | | 1772 |
| (VRP) H1B CAP - Premium | 926 | 162 | 56 | | | 1144 |
| (VMN) H1B Masters | 999 | 233 | 102 | | | 1334 |
| (VMP) H1B Masters - Premium | 718 | 143 | 45 | | | 906 |
| Total | 3,895 | 940 | 321 | 0 | 0 | 5,156 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received in FY 2012 cap season | 5,156 |
| Grand total received in FY 2011 cap season | 10,212 |
| % change: FY 2012 receipts over FY 2011 receipts | -49.51% |

**Vermont Service Center**

| Dates | | 4/7/11 | 4/8/11 | 4/9/11 | 4/10/11 |
|---|---|---|---|---|---|
| Pending Data Entry | Daily Receipts | | | | |
| (VRN) H1B CAP | 1,772 | 1772 | 1772 | 1772 | 1772 |
| (VRP) H1B CAP - Premium | 1,144 | 1144 | 1144 | 1144 | 1144 |
| (VMN) H1B Masters | 1,334 | 1334 | 1334 | 1334 | 1334 |
| (VMP) H1B Masters - Premium | 906 | 906 | 906 | 906 | 906 |
| Totals | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |

| Data Entry | | | | |
|---|---|---|---|---|
| (VRN) H1B CAP | 0 | | | |
| (VRP) H1B CAP - Premium | 0 | | | |
| (VMN) H1B Masters | 0 | | | |
| (VMP) H1B Masters - Premium | 0 | | | |
| Totals | 0 | 0 | 0 | 0 |

| Rejects (System & Manual) | | | | |
|---|---|---|---|---|
| (VRN) H1B CAP | 0 | | | |
| (VRP) H1B CAP - Premium | 0 | | | |
| (VMN) H1B Masters | 0 | | | |
| (VMP) H1B Masters - Premium | 0 | | | |
| Totals | 0 | 0 | 0 | 0 |

| 4/12/11 | 4/13/11 | 4/14/11 | 4/15/11 | 4/16/11 | 4/19/11 | 4/20/11 | 4/21/11 |
|---|---|---|---|---|---|---|---|
| 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 |
| 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 |
| 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 |
| 906 | 906 | 906 | 906 | 906 | 906 | 906 | 906 |
| 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 4/22/11 | 4/23/11 | 4/26/11 | 4/27/11 | 4/28/11 | 4/29/11 | 4/30/11 | 5/3/11 |
|---|---|---|---|---|---|---|---|
| 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 |
| 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 |
| 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 |
| 906 | 906 | 906 | 906 | 906 | 906 | 906 | 906 |
| 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 5/4/11 | 5/5/11 | 5/6/11 | 5/7/11 | 5/8/11 | 5/9/11 | 5/12/11 | 5/13/11 |
|---|---|---|---|---|---|---|---|
| 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 |
| 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 |
| 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 |
| 906 | 906 | 906 | 906 | 906 | 906 | 906 | 906 |
| 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 5/14/11 | 5/17/11 | 5/18/11 | 5/19/11 | 5/20/11 | 5/21/11 | 5/24/11 | 5/25/11 |
|---|---|---|---|---|---|---|---|
| 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 |
| 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 |
| 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 |
| 906 | 906 | 906 | 906 | 906 | 906 | 906 | 906 |
| 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 5/26/11 | 5/27/11 | 5/28/11 | 6/1/11 | 6/2/11 | 6/3/11 | 6/4/11 | 6/7/11 |
|---|---|---|---|---|---|---|---|
| 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 | 1772 |
| 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 | 1144 |
| 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 | 1334 |
| 906 | 906 | 906 | 906 | 906 | 906 | 906 | 906 |
| 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 | 5,156 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 6/8/11 | 6/9/11 | 6/10/11 | etc |
|---|---|---|---|
| 1772 | 1772 | 1772 | |
| 1144 | 1144 | 1144 | |
| 1334 | 1334 | 1334 | |
| 906 | 906 | 906 | |
| 5,156 | 5,156 | 5,156 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

**From:** Peck, Denis R
**To:** "Walter.Peacock@stanleyassociates.com"
**Cc:** Shiflett, Julie M
**Subject:** Re: CSC Day #1 CAP estimates
**Date:** Sunday, April 03, 2011 12:40:23 PM

---

Walter

Can we get the most complete counts there are from each center?

Thanks,

Denis

----- Original Message -----
From: Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
To: Peck, Denis R <denis.peck@dhs.gov>
Cc: Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Fri Apr 01 16:24:06 2011
Subject: FW: CSC Day #1 CAP estimates

Latest from CSC…

From: Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
Sent: Friday, April 01, 2011 4:06 PM
To: Peacock, Walter W.
Cc: Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
Subject: CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

Estimated Daily Receipts

(Estimate based on 600 per cage / 22.5 per box / 20 per bucket)

4/1/11

4/4/11

4/5/11

4/6/11

4/7/11

4/8/11

Total

(CRN) H1B CAP

1,420

0

0

0

0

0

1,420

(CRP) H1B CAP - Premium

692

0

0

0

0

0

692

(CMN) H1B Masters

626

0

0

0

0

0

626

(CMP) H1B Masters - Premium

282

0

0

0

0

0

282

Total

3,020

0

0

0

0

0

3,020

Unidentified

0

Grand total received in FY 2012 cap season (Day 1)

3,020

Grand total received in FY 2011 cap season (Day 1)

6,623

% change: FY 2012 receipts over FY 2011 receipts

Decrease

54.40%

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Peck, Denis R
**To:** Thomas Leupp; julie.shiflett@dhs.gov
**Cc:** dick.braun@fedconsulting.com; Tamara Owens
**Subject:** RE: SCOSS Transition Weekly Status Report_040111_SVM.doc
**Date:** Saturday, April 02, 2011 10:08:00 AM
**Attachments:** VSC Fee Register Report (March 11).xls

---

Thanks Tom, and for my part here's the March fee register report for Vermont. Don't have the other yet.

Initial reports on H1B filing season are that it was very light, lower even than last year when we took in 19,000 petitions between April 1-7. This year it looks like fewer than 10,000 came in yesterday. This should mean the incumbent will have most of this year's filings data entry complete by cob April 15, perhaps all of them.

---

**From:** Thomas Leupp [mailto:Thomas.Leupp@fedconsulting.com]
**Sent:** Friday, April 01, 2011 9:51 PM
**To:** denis.peck@dhs.gov; julie.shiflett@dhs.gov; gale.bonnett@dhs.gov; ned.ross@dhs.gov; ralph.koehring@dhs.gov
**Cc:** Sharon Virts-Mozer; Dick Braun; Tamara Owens; Clark Severson
**Subject:** SCOSS Transition Weekly Status Report_040111_SVM.doc

Good Evening Denis,

Please find attached the SCOSS Transition Weekly Status Report for the week ending on April 1, 2012.

I hope everyone has a nice weekend....Tom

---

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Harton, Frank A; Young, Claudia F; Bolog, Marguerite M |
| **Subject:** | No CSC data yet. VSC says 4,000 CAP packages total |
| **Date:** | Friday, April 01, 2011 2:25:00 PM |

Subtracting out the normal daily volume would leave maybe 4,000 H1B packages at best. That could mean 6,000 total filings averaging 1.5 per package.

The bloom appears to be off the high tech visa rose.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 01, 2011 2:16 PM
**To:** 'denis.peck@dhs.gov'
**Cc:** 'Julie.Shiflett@dhs.gov'
**Subject:** Re: Updates for VSC

Afternoon,

That is an accurate assumption.

Walter

---
Sent from my BlackBerry Wireless 7250 Handheld

---

**From**: Peck, Denis R <denis.peck@dhs.gov>
**To**: Peacock, Walter W.
**Cc**: Shiflett, Julie M <julie.shiflett@dhs.gov>
**Sent**: Fri Apr 01 13:58:00 2011
**Subject**: RE: Updates for VSC

Walter just so I am sure, this is the gross mail count with CAP and nonCAP mail altogether, right? Assuming that assumption is correct the amount of CAP packages in this should be 4,000 at most.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 01, 2011 1:15 PM

**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Updates for VSC

Morning Again,

USPS: 1934
UPS: 392
FedEx: 4062
**Total: 6388**

Last year first day was 9161

Thanks, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile [redacted] (b)(6)
http://www.cgi.com/usfederal
CONFIDENTIALITY NOTICE: Proprietary/Confidential Information belonging to CGI Group Inc. and its affiliates may be contained in this message. If you are not a recipient indicated or intended in this message (or responsible for delivery of this message to such person), or you think for any reason that this message may have been addressed to you in error, you may not use or copy or deliver this message to anyone else. In such case, you should destroy this message and are asked to notify the sender by reply e-mail.

**From:** Peck, Denis R
**To:** Neufeld, Donald; McConnell, James E
**Cc:** Velarde, Barbara Q
**Subject:** RE: Bullets on H1B CAP
**Date:** Saturday, January 29, 2011 10:36:00 AM

---

I think I misused the term applications. I know we had more denials and revokes than that. Jim F's target in past years was over 90,000 applications total.

He'll be in on Monday, but what he told me was with the approvals we already had , 69,000, plus about 16,500 pendings, taking out the denials that will happen, we would end up with the 85,000 approvals. He also reserves about 1,000 of the 85,000 for chile Singapore and that factors into his calculations.

-----Original Message-----
From: Neufeld, Donald
Sent: Friday, January 28, 2011 6:56 PM
To: Peck, Denis R; McConnell, James E
Cc: Velarde, Barbara Q
Subject: Fw: Bullets on H1B CAP

Jim and Denis - can you get this info next week?

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Sent: Fri Jan 28 18:05:35 2011
Subject: RE: Bullets on H1B CAP

This is very helpful, Don. Thank you very much.

It appears that we grant the great majority of petitions, right? We accept 85,550 for 85,000 slots.

Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(202) 272-1000

Alejandro.Mayorkas@dhs.gov

---

From: Neufeld, Donald
Sent: Friday, January 28, 2011 5:49 PM
To: Mayorkas, Alejandro N
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Subject: Bullets on H1B CAP

Ali,

I asked folks to put together just a few bullets that you might find informative relative to our reaching the cap:

* USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010

* On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.

* Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.

* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

Don

| | |
|---|---|
| **From:** | Neufeld, Donald |
| **To:** | Peck, Denis R; McConnell, James E |
| **Cc:** | Velarde, Barbara Q |
| **Subject:** | Fw: Bullets on H1B CAP |
| **Date:** | Friday, January 28, 2011 6:55:53 PM |

Jim and Denis - can you get this info next week?

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Alejandro N. Mayorkas

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Alejandro.Mayorkas@dhs.gov

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Sent: Friday, January 28, 2011 5:49 PM
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* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

Don

**From:** Peck, Denis R
**To:** Neufeld, Donald
**Subject:** bullets on H1B CAP
**Date:** Friday, January 28, 2011 3:07:00 PM

Don, here are some bullets you can pick and choose from for Ali; if there are some things I'm not thinking about respond back and I'll dig up the data.

- USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010
- On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.
- Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.
- The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.
- Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be necessary in order to successfully service the large number of Premium Processing filings usually received during the initial regulatory required five business day filing period.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H1B CAP update
**Date:** Thursday, January 27, 2011 11:51:54 AM

---

Denis,
Any idea when VSC will supply barcodes?
I will run RNG shortly after receiving them.
FYI---about 70% will be accepted.
Jim

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU (b)(6)
[redacted]

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]

(b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

76,911

76,942

Mon, 3 Jan 2011

419

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted]

202-272-1542 FAX
(b)(6)

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

| | |
|---|---|
| Cap Amount | |
| Cap-Eligible Petitions | |
| Date of Last Count | |
| H-1B Regular Cap | |
| 65,000 | |
| 55,517 | |
| 12/24/2010 | |
| H-1B Master's Exemption* | |
| 20,000 | |
| 20,260 | |
| 12/24/2010 | |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Velarde, Barbara Q
**To:** Harton, Frank A; Peck, Denis R; Sweeney, Shelly A
**Subject:** FW: H1B CAP update
**Date:** Thursday, January 27, 2011 9:38:00 AM

---

fyi

-----Original Message-----
From: Humphrey, Buck H
Sent: Thursday, January 27, 2011 9:35 AM
To: Neufeld, Donald; Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; 'Denise.Vanison@dhs.gov'; Monica, Donald J; Melero, Mariela; Crocetti, Don; Moore, Joseph; 'rosalina.lacot@dhs.gov'; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Subject: Re: H1B CAP update

Thanks, Don. I'll alert the team.

Buck Humphrey
Chief, Office of Communications
DHS-USCIS
W
C [redacted] (b)(6)

----- Original Message -----
From: Neufeld, Donald
To: Mayorkas, Alejandro N; Kielsmeier, Lauren; Carpenter, Dea D; Vanison, Denise <Denise.Vanison@dhs.gov>; Monica, Donald J; Melero, Mariela; Humphrey, Buck H; Crocetti, Don; Moore, Joseph; Lacot, Rosalina <rosalina.lacot@dhs.gov>; Scialabba, Lori
Cc: Velarde, Barbara Q; Richardson, Gregory A
Sent: Thu Jan 27 09:33:45 2011
Subject: FW: H1B CAP update

We've reached the cap. We'll be doing a mini-lottery to determine the winners from the last day's filings and we'll coordinate with OCOMM/OPE on the communications piece.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 9:06 AM
To: Neufeld, Donald
Subject: FW: H1B CAP update

Fyi if you need to let the chain know.

-----Original Message-----
From: Harton, Frank A
Sent: Thursday, January 27, 2011 9:03 AM
To: Peck, Denis R; Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F
Subject: RE: H1B CAP update

Yes, we will work on the communication piece today.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

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-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
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VSC/SISA/CPAU
[redacted] (b)(6)

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Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

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Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
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Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

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| | Saturday |
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| | 22-Jan |
| | 19-Jan |
| | 15-Jan |
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| | 76,942 |
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Projections in red

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Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

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What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

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Washington, DC 20529

(b)(6)

202-272-1542 FAX

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From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

# FY12 H1B Related

## Chapter 3: Numerical Limitations and Limits on Periods of Stay

### A. H-1B and Other Caps

1. The H-1B Cap. The number of new H-1B visas issued each year is limited by statute.[47] This limit, called the cap, has traditionally been set at 65,000 visas, although it has been increased by Congress in some years. The H-1B cap applies to each Fiscal Year, which begins on October 1st. Petitions for the upcoming Fiscal Year are accepted no earlier than the preceding April 1st (or the first working day after that date) because an H-1B petition may not be filed or approved more than six months before the date of actual need.[48]

The H-1B cap only applies to the principal H-1B and not to the spouse and children of the beneficiary, who obtain their visas under the H-4 classification.[49]

In addition to the regular H-1B cap, a separate cap exists for one of the exemptions to the regular H-1B cap. H-1B beneficiaries who possess a Master's degree or higher from a US institution are exempt from the cap. This exemption is discussed below and in Chapter 4 of this Part. This exemption from the cap is itself capped at 20,000 per year.

Beginning with fiscal year (FY) 1992, the H-1B cap has historically been set and met as follows.

| FY | Number of H-1B Visas | Date Cap Met |
|---|---|---|
| 1992 to 1996 | 65,000 | Cap not met |
| 1997 | 65,000 | September 1, 1997 |
| 1998 | 65,000 | May 11, 1998 |
| 1999 | 115,000 | Cap exceeded; overage applied to FY2000 cap. |
| 2000 | 115,000 | July 21, 2000 |
| 2001 | 195,000 | Cap not met |
| 2002 | 195,000 | Cap not met |
| 2003 | 195,000 | Cap not met |
| 2004 | 65,000 | February 17, 2004 |
| 2005 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • October 1, 2004<br>• Advanced Degree cap not met[50] |
| 2006 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • August 10, 2005<br>• January 17, 2006 |

[47] INA 214(g)(1)(A).
[48] 8 CFR 214.2(h)(9)(i)(B).
[49] INA 101(a)(15)(H)(iii).
[50] The 20,000 master's degree and higher education exemption was created by the H-1B Visa Reform Act of 2004, which became effective on May 5, 2005, eight months into FY05.

| | | |
|---|---|---|
| 2007 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • May 26, 2006<br>• July 26, 2006 |
| 2008 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 2, 2007<br>• April 30, 2007 |
| 2009 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 5, 2008<br>• April 5, 2008 |
| 2010 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • December 21, 2009<br>• July 9, 2009 |
| 2011 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • January 26, 2011<br>• December 22, 2010 |

2. The H-1B1 Cap. 1,400 professionals from Chile and 5,400 professional from Singapore are allowed to enter the US as H-1B1s in a fiscal year. Only the principal H-1B1 visa holder counts against the cap; spouses and children do not count. Only the first admission or conferral of status counts against the cap; subsequent extensions do not count until the sixth extension (which would be for the seventh year as an H-1B1). All subsequent extensions after the sixth extension counts against the H-1B cap.

The Chile and Singapore Free Trade Agreements affect the regular H-1B cap numbers as follows:

| Classification | Limitation |
|---|---|
| HSC – from Chile | 1,400 |
| HSC – from Singapore | 5,400 |
| H-1B – from all other countries | 58,200 |
| Total | 65,000 |

The H-1B1 cap is a set-aside from the regular H-1B cap. USCIS subtracts the H-1B1 cap from the regular H-1B cap at the beginning of the fiscal year and allocates those positions to H-1B1 petitions throughout the course of the year. At the end of the fiscal year, any H-1B1 slots that went unused are allocated to pending H-1B petitions so that the full allotment of H-1B cap slots are used.

3. The E-3 cap. E-3 visas are limited to 10,500 per year. These visas do not count against the H-1B cap. Spouses and children of E-3s do not count against the cap.

4. Petitions not subject to the cap. Not all H-1B petitions count against the cap. Petitions requesting an extension of H-1B status do not count against the cap unless the H-1B would be eligible for a new six-year period of admission.[51]

When multiple petitions are approved on behalf of an alien, only one approval is counted against the cap. For example, if an H-1B changes employers pursuant to the filing of a petition by a new employer, the second petition will not count against the cap unless the H-1B would be eligible for a new six-year period. This is also the case when an H-1B requests concurrent employment with another H-1B petitioner.

As noted above, dependent family members do not count against the cap.

When an alien previously in H-1B status who left the US is seeking to return to complete the remainder of the previously approved petition, the second petition does not count against the cap unless the alien would be eligible for a new six-year period of admission. This is known as "remainder time" and will be discussed in Chapter 5.

In addition to petitions that are not subject to the cap, there are several exemptions from the cap. These will be discussed in more detail in Chapter 4 of this Part. The cap exemptions include petitions filed by:

- Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. § 1001(a);
- Nonprofit entities related to or affiliated with an institution of higher education; and
- Nonprofit research organizations or governmental research organizations.[52]

They also include situations in which:

- The beneficiary possesses a Master's degree or higher from a US university (limited to 20,000 per year);
- The beneficiary will be working exclusively within Guam and/or the Commonwealth of the Northern Marianas Islands;[53]
- The beneficiary was admitted to the United States as a J-1 nonimmigrant in order to receive graduate medical training and has received a waiver of the two-year foreign residence requirement to practice primary care or specialty

[51] INA 214(g)(7).
[52] INA 214(g)(5).
[53] Public Law 94-241 as amended by Public Law 110-229.

care medicine in a medically underserved area or for an interested federal or state agency.[54] This is often referred to as a "Conrad 20" or "Conrad 30" waiver.

5. Cap for DOD H-1B2 Petitions. DOD researchers who provide services of an exceptional nature relating to DOD research and development projects or coproduction projects are classified as H-1B2. The H-1B2 classification has its own, separate numerical limitation. A maximum of 100 H-1B2 workers can be employed at any time.[55]

6. Petitioner Choice. There may be situations in which a petitioner files an H-1B petition as subject to the cap, but upon review of the petition the officer determines that the beneficiary qualifies for an exemption, or the petitioner itself is cap exempt. In all such cases, the petitioner's choice regarding cap applicability should be used.

7. Cap Determination is Made Prior to Acceptance of Petition. The determination of an available cap slot or an exemption must be made before the H-1B petition is accepted and adjudicated. If the numerical limitation for the current fiscal year has not been reached, USCIS will accept the petition for cap-subject employment and adjudication may commence. If the cap-subject petition is approved, employment may not commence until October 1st of the cap fiscal year, or the requested start date, whichever is later.

If the numerical limitation for the current fiscal year has been reached, USCIS may not accept the petition for cap-subject employment.

**B. Limitations on Periods of Stay**

1. H-1B Time Limit. Generally, an H-1B may be admitted for a maximum period of six years.[56] This is typically divided into two three-year validity periods separated by a request for an extension. [57] Exceptions that will allow extensions of H-1B status beyond six years are discussed later in this chapter.

Barring the applicability of one of these exceptions, generally the alien must be outside the United States for one year before he or she can return as an H-1B.

Time spent in L nonimmigrant status applies to the H-1B time limit. In other words, an L nonimmigrant who changes status to H-1B would only be eligible for a three-year period of admission as an H-1B. Similarly, time spent as an H-1B counts against the applicable time limits for the L nonimmigrant category.[58]

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[54] INA 214(l)(2)(A).
[55] 8 CFR 214.2(h)(8)(i)(B).
[56] INA 214(g)(4); 8 CFR 214.2(h)(13)(iii).
[57] 8 CFR 214.2(h)(9)(iii)(A)(1).
[58] The L-1A and L-1B time limits are seven and six years, respectively. Thus an H-1B who has completed the six year period could change status to L-1A for one year if eligible, but not to L-1B.

2. Spouse and Dependents.H-1B time limits apply only to the principal H-1B nonimmigrant and do not apply independently to the principal's spouse and children.

Time spent as an H-4 dependent does not count against the maximum allowable period of stay available to principals in H-1B status. Thus, an alien who was previously an H-4 and subsequently becomes an H-1B principal is eligible for the maximum period of stay. Conversely, an H-1B principal who subsequently changes to H-4 status may remain in the derivative status for as long as the principal alien spouse maintains that principal status.

3. Intermittent Employment. The H-1B time limits do not apply to someone who does not reside continually in the United States and whose employment in the United States is seasonal or intermittent or for an aggregate of six months or less per year.

Further, the limitations do not apply to aliens who reside abroad and regularly commute to the United States to engage in part-time employment. To qualify for this exception, the petitioner and the alien must provide clear and convincing proof that the alien qualifies for such an exception. Such proof shall consist of evidence such as arrival and departure records, copies of tax returns, and records of employment abroad.

4. H-1B1 Time Limits. H-1B1s for national of Chile and Singapore are approved in one-year increments. Extensions may be granted indefinitely in one-year increments.

5. E-3 Time Limits. An E-3 is subject to the same initial time limits as an H-1B. The E-3 may be approved for a three year period and may obtain extensions in three year increments. Unlike the H-1B, however, the E-3 may obtain extensions indefinitely so long as nonimmigrant intent is maintained.

**C. Exemptions from H-1B Time Limits**

1. Pending Application for Labor Certification or Immigrant Classification. AC21 created an exception to the six-year limit in H-1B status for aliens who were the subject of "lengthy adjudications."[59] These changes apply to H-1Bs who are in the process of seeking permanent residence based on their employment. The changes reflect Congress' recognition of the fact that seeking and obtaining permanent residence is a long process, often through no fault of the alien. They also evidence a desire to avoid imposing the costs of government processing timelines on these aliens and on their employers, as often it is the H-1B employer who is also the immigrant petitioner, and whose operations would be disrupted by the H-1B worker having to leave the US during processing of the immigrant petition.

The six-year H-1B time limit does not apply to the petition when, as of the date of filing an extension request:

[59] Sections 104(c) and 106(a) of P.L. 106-313.

- 365 or more days have passed since the filing of any application for labor certification with DOL to obtain status as an immigrant; and the labor certification, if approved, has not been revoked, is unexpired or has been timely filed with an EB petition within the labor certification's validity period; or

- 365 or more days have passed since the filing of an EB immigrant petition that is still pending; or;

- The alien is the beneficiary of an approved EB immigration petition and is not able to file to adjust status to lawful permanent residence based on the unavailability of an immigrant visa number.

A request for H-1B time beyond six years should not be granted if it is based on a labor certification having been filed and at the time of the request, the labor certification has expired by virtue of not having been timely filed in support of an EB immigrant petition during its validity period, as specified by DOL.

So long as one or more of the above requirements are met, there is no limit on how long the exemption applies, and thus how long the qualifying H-1B may remain in H-1B status.

Officers should be aware of the fact that in the second bullet above, the employment-based petition need not be one that requires a labor certification. For example, a qualifying religious organization may employ an H-1B as a nonimmigrant and then seek to obtain permanent residence on the worker's behalf through the filing of an I-360, which does not require labor certification. As this section of the statute merely requires an employment-based immigrant petition, if 365 days have passed since the filing of the petition, the H-1B may qualify for additional time beyond the initial six years.

2. Effect of Decision on a Labor Certification or Immigrant Petition. USCIS will grant an extension of stay to such H-1B nonimmigrants in one-year increments until a final decision is made to:

(i) Deny the application for labor certification; or if the labor certification is approved, to deny the EB immigrant petition that was filed pursuant to the approved labor certification;

(ii) Deny the EB immigrant petition; or

(iii) Grant or deny the beneficiary's application for an immigrant visa or for adjustment of status.

If the application is denied or revoked, the employer is advised that there is a period of time within which the decision may be appealed to the Board of Alien Labor Certification Appeals (BALCA):

- For denied Form ETA 750 labor certification applications filed prior to March 28, 2005, the employer must file an appeal within 90 days.

- For denied or revoked Form ETA 9089 labor certification applications, the employer must file an appeal within 30 days.

If the employer does not file an appeal within the required timeframe, the denial becomes the final decision of the Secretary of Labor. USCIS will not consider a DOL decision to be final until either the time for appeal has run and no appeal has been filed or, if an appeal is taken, the date a decision is issued by BALCA.

The labor certification will still be considered "pending" while the denial or revocation of the labor certification application may be appealed, or while the appeal is actually pending, for the purposes of determining if an H-1B nonimmigrant is eligible for extension of stay.

I-140 petition denials should also not be considered final for purposes of AC21 § 106(b) during the 33 day appeal period permitted or, if an appeal is filed, during the time the appeal is pending.

3. Request for 7th Year of H-1B and Beyond. A request for additional H-1B time will usually be in the form of a petition with a request for extension of stay by the current H-1B employer. However this is not a requirement. The extension request may come from the current H-1B employer or it may come with a request for a change of employment to a new H-1B employer. Also, the employer for whom the H-1B will be working beyond the sixth year need not be the same employer who is the intending employer on the immigrant petition or labor certification.

A qualified alien need not be in H-1B status in order to obtain additional H-1B time. The alien may obtain such additional periods of H-1B admission through a petition to change status from another nonimmigrant classification, or through H-1B visa issuance at a U.S. consulate and admission from abroad. This is because the statute does not speak in terms of an extension or in terms of H-1B status, but simply states that if one of the qualifying conditions are met, then the time limits contained in the INA[60] simply do not apply.

4. Combined 6th and 7th Year Requests. A petitioner may simultaneously request the remaining H-1B time left in the initial six-year period of admission with the additional time allowed by AC21. Seventh year extension requests under section 106(a) of AC21 may be made in a petition that also contains a request for an extension that reaches the maximum six-year limit. USCIS officers should first determine the amount of H-1B extension time that may be granted to reach the six-year limitation of stay, then determine if the permanent labor certification or Form I-140 petition was filed at least 365 before the conclusion of the six year limitation of stay. If so, then the additional one year extension may be granted. If the beneficiary would no longer be in H-1B

[60] INA 214(g)(4).

status at the time that 365 days from the filing of the permanent labor certification or immigrant petition has run, then the additional time beyond the six years cannot be granted.

In no case may the total time given by an H-1B approval exceed three years.

5. Documentation in Support of a Request for H-1B Time beyond Six Years.

(a) Based on Labor Certification. USCIS will accept the following documents as evidence that a labor certification filed on behalf of the H-1B beneficiary is still pending, or has been certified and is still valid:

- If the labor certification is a Form ETA 750 that is still pending with DOL, a screen-print from the DOL Public Disclosure System (PDS) that shows the status of the labor certification is 'In Process' or is actively 'On Appeal' that includes the name of the petitioning employer, the date that the Form ETA 750 was filed, the name of the beneficiary, and the case number assigned to the pending Form ETA 750; or

- If the labor certification application was certified before July 16, 2007, a complete copy of the Form ETA- 750 or Form ETA- 9089 which shows the date of certification and a copy of the Form I-140 petition receipt notice for the petition filed on behalf of the H-1B beneficiary; or

- If the labor certification was certified on or after July 16, 2007, a complete copy of the Form ETA-750 or Form ETA-9089 which shows the date of certification and the date the labor certification will expire, along with a copy of the Form I-140 petition receipt notice for the petition filed on behalf of the H-1B beneficiary.

- If an applicant for extension of stay cannot present a screen print from the PDS, he or she may present a letter from DOL issued within the previous 60 days prior to the filing of the extension petition instead. The DOL letter must explain why the PDS screen print is unavailable and verify that an application for a labor certification is pending.

(b) Based on Visa Unavailability. USCIS interprets section 104(c) of AC21 as only applicable when a beneficiary, who has an approved Form I-140 petition, is eligible to be granted lawful permanent resident (LPR) status but for application of the per country limitations. Any petitioner seeking an H-1B petition extension on behalf of an H-1B beneficiary pursuant to section 104(c) of AC21 must establish that at the time of filing for such extension, the beneficiary is not eligible to be granted LPR status on account of the per country immigrant visa limitations.

USCIS will accept a copy of the H-1B beneficiary's Form I-140 petition approval notice which shows that an immigrant visa is not immediately available to him or her based on the approved petition's priority date as evidence of the H-1B beneficiary's eligibility for an extension of H-1B status under the provisions of section 104(c) of AC21.

Officers are instructed to review the DOS Immigrant Visa Bulletin that was in effect at the time of the filing of the Form I-129 in which a request for a section 104(c) of AC21 H-1B extension request is made. If the H-1B beneficiary is shown to be ineligible to be granted LPR status because of the per country visa limitations, then the H-1B extension request under the provisions of section 104(c) of AC21 may be granted for a maximum of three-year increments, until such time as the beneficiary's application for adjustment of status has been processed and a decision made thereon.

6. Recapture of Time. Time spent outside the United States does not count toward the limit on time spent as an H-1B. An H-1B petitioner who can document time spent abroad by the beneficiary may seek to add back or "recapture" that time to an H-1B approval so that the beneficiary obtains the full six years of time spent in the US as an H-1B.

(a) Basis for Recapture

The statute[61] limits H-1B time based on the "period of authorized admission." Because "admission" is defined as "the lawful entry of the alien into the United States after inspection and authorization by an immigration officer", only time spent in the United States as an H-1B counts towards the maximum. Thus, an H-1B petitioner may request that full days spent outside the U.S. during the period of petition validity by the beneficiary be recaptured and added back to the total maximum period of stay. As always, it is the applicant/petitioner's burden to demonstrate eligibility, and appropriate evidence, such as copies of passport stamps I-94's, and/or plane tickets must be submitted. The time spent outside the U.S. need not have been meaningfully interruptive of the H-1B stay. The reason for the absence is not relevant to the question of whether the time may be recaptured. Any trip of at least one 24-hour day outside the U.S. for any purpose, personal or business, can be recaptured.

(b) Evidence

The burden of proof remains with the H-1B petitioner to submit evidence documenting any and all exact periods of physical presence outside the United States when seeking an extension of petition validity and extension of stay for the H-1B nonimmigrant. While petitioners often submit a summary and/or charts of travel and the number or days spent out of the United States, which eases review of the accompanying documentation, petitioners are also required to submit independent documentary evidence establishing that the alien was outside of the United States during all the days, weeks, months etc. that he or she seeks to recapture (e.g. photocopies of passport stamps and/or Form I-94 arrival-departure records).

The fact that the burden may not be met for some claimed periods, or has been met for some claimed periods, has no bearing on the remaining claimed periods. Any periods of time for which the burden has been met may be added to the eligible period of admission upon

[61] INA 214(g)(4).

approval of the application for extension of status. An alien may not be granted an extension of stay for periods of time that are not supported by independent documentary evidence. A Request for Evidence should not be sent to the petitioner for any claimed periods unsupported by evidence.

In some instances, the petition may not be approved for the entire period of time requested because the evidence submitted does not establish eligibility for the entire period of stay requested. In those situations, the approval notice should be issued for the period of time for which eligibility has been demonstrated.

The status of an H-4 dependent of an H-1B nonimmigrant is subject to the same period of admission and limitations as the principal alien. For example, if an H-1B alien is able to recapture a two-week business trip abroad for each year for five years in a row (for a total of 10 weeks), then his or her H-4 dependents, if seeking extension of stay, should be given an extension of stay up to the new expiration of the H-1B alien's stay.

The statute and regulations allow H-4 status only "if [the dependents] are accompanying or following to join the beneficiary in the United States." If it appears that the dependent is not using or is not intending to use H-4 status primarily to accompany or follow to join the principal H-1B alien, such as a situation in which the principal only is physically present or intends to be physically present in the United States for a small proportion of his or her period of H-1B admission and the dependents are using H-4 status to evade the limitations of or eligibility rules of the nonimmigrant options that otherwise would be available, then the H-4 extension of stay may be denied, limited or revoked on notice giving the H-4 the opportunity to provide evidence that his or her intention is primarily to accompany the principal.

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 1:16:29 PM

I've already informed Christine, Heidi and Larry, but will let the others know.

Shelly is not in the office; however, I requested reject letters from VSC and CSC hoping to give Shelly an opportunity to review them. Mind you, perhaps she already has them, but I'm not certain. I will let Christine, Heidi and Larry know not to mail reject letters until Monday.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
T [redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Friday, November 25, 2011 1:07 PM
**To:** Roman-Riefkohl, Guillermo
**Subject:** Re: Cap Counts

Yes that would be a good idea

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**From**: Roman-Riefkohl, Guillermo
**Sent**: Friday, November 25, 2011 10:28 AM
**To**: Peck, Denis R
**Subject**: RE: Cap Counts

Hello Denis,

I hope you enjoyed your Thanksgiving Day.

I saw your message to Ann Lee this morning and I'm guessing you will pick up this message today at some point. Would you like me to relay Jim's message about the lottery?

I believe this is the list of recipients: Juliet Fries, Christine Mink, Stephen Loughlin, Becky Stoddard, Janice Cullen, Anne Putnam, Linda Bennett, and Jessy Benavente; CC, Claudia Young, Bruce Schmidt, Julie Shiflett and Corinna Luna.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126

Washington, DC 20529
T: [redacted] (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Friday, November 25, 2011 10:18 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts

Thanks Guillermo.

There will not be a lottery. The cap was reached on Tuesday. Cap petitions received on Wednesday and thereafter will be returned to petitioner.

Jim

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**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:11 AM
**To:** Fitzsimmons, James
**Cc:** Peck, Denis R
**Subject:** FW: Cap Counts

Good morning Jim,

Below you will see Ann Lees' message about the cap counts from VSC and CSC as of 11/23/11.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
T: [redacted] (b)(6)

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**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs
MR DE
I129- 434 I129- 32
539- 3 539- 2

Regulars CAPs sent to CRU- 15
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Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

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Unopened mail: 611 (two hampers are in fee room 146, one hamper is in OGM fee room)

CAP numbers for 11/23

Regular:
I-129 - 691
I-539 - 16

Premium:
I-129 - 421
I-102 - 1
I-539 - 19

**Data from CSC**

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases.
The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

We got the california report showing 1228 on hold from wednesday but I did not get vermont. Could you send both numbers to guillermo in a message as he is acting for me today.

Thanks

Denis

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**From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent**: Wednesday, November 23, 2011 04:31 PM
**To**: Peck, Denis R
**Subject**: Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.
Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening.
Have a good Thanksgiving.

Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
>
> **From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent**: Wednesday, November 23, 2011 02:22 PM
> **To**: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
> **Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011
>
> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
> Regards,
> Ann
>
> *Ann R. Lees, PMP*
> *SCOSS PMO Manager*
> **LongView – FedConsulting JV**
> *602 S. King Street, Suite 102*

*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
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*E-Mail:* *ann.lees@fcifederal.com*
*www.fcifederal.com*

| | |
|---|---|
| **From:** | Roman-Riefkohl, Guillermo |
| **To:** | Mink, Christine |
| **Cc:** | Hallam, Larry J; Melville, Rosemary; Louis, Jennifer E; Fries, Juliet M; Fierro, Joseph; Peck, Denis R; Schoening, Donald |
| **Subject:** | RE: H1B FW: update |
| **Date:** | Friday, November 25, 2011 11:16:05 AM |

Thank you Christine.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
T: [redacted] (b)(6)

---

**From:** Mink, Christine
**Sent:** Friday, November 25, 2011 11:13 AM
**To:** Schoening, Donald; Melville, Rosemary; Louis, Jennifer E; Fries, Juliet M; Fierro, Joseph; Peck, Denis R; Roman-Riefkohl, Guillermo
**Cc:** Hallam, Larry J
**Subject:** H1B FW: update
**Importance:** High

Good morning – hope everyone had a very nice Thanksgiving. Here is the update and total count from Wednesday night. Christine

---

**From:** Peters, Ronald
**Sent:** Wednesday, November 23, 2011 10:37 PM
**To:** Mink, Christine; Bobeng Jr, John (CTR); Severson, Clark
**Cc:** Fries, Juliet M; Benavente, Jessy J; Bennett, Linda J; Peck, Denis R
**Subject:** RE: update
**Importance:** High

Christine

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases. The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

***Ron Peters***
***Assistant Site Manager FileRoom***
***Team LongView-FCi Federal***
California Service Center
24000 Avila Road
Laguna Niguel, CA 92677 (b)(6)
Office: [redacted]
Ronald.Peters@DHS.GOV
Ron.Peters@FCiFederal.com

**From:** Peck, Denis R
**To:** Roman-Rieffkohl, Guillermo
**Subject:** FW: 1,795 CAP cases receipted on Monday
**Date:** Tuesday, November 22, 2011 3:39:00 PM
**Attachments:** VSC DAAG 11-21-2011.xls
CSC DAAG 11-21-2011.xls

---

Update that I send to Jim, Shelly and Corinna just now.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

| Data Collection Operations | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | 1,221 | 479 | 225 | | **1,475** | 11/15/2011 | $406,900 |
| I-129 (H1B CAP) | | 654 | **654** | | | | |
| I-129 (H1B Master CAP) | | 39 | **39** | | | | |
| I-907/I-129 (Premium) | 601 | 158 | 188 | | **571** | 11/21/2011 | $885,050 |
| I-907/I-129 (Premium H1B CAP) | | 407 | **407** | | | | |
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| I-129CW | | | | | | | |
| I-129F | | | | | | | |
| I-129S | 323 | | | | 323 | 11/10/2011 | |
| **I-129 SubTotal** | **2,145** | **1,794** | **1,570** | | **2,369** | | **$1,291,950** |

638 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far – 300 filings.

CSC

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | | 1,014 | 180 | | **834** | 11/21/2011 | $271,050 |
| I-129 (H1B CAP) | | 158 | **158** | | | | |
| I-129 (H1B Master CAP) | | 11 | **11** | | | | |
| I-907/I-129 (Premium) | | 244 | 244 | | | | |
| I-907/I-129 (Premium H1B CAP) | | 436 | **436** | | | | |
| I-907/I-129 (Premium Master H1B CAP) | | 33 | **33** | | | | |
| I-129CW | | 300 | 152 | | 148 | 11/21/2011 | |
| I-129F | | | | | | | |
| I-129S | | 24 | 24 | | | | |
| **I-129 SubTotal** | | **2,220** | **1,238** | | **982** | | **$271,050** |

Denis Peck
Branch Chief, Service Center Records Management
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---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** FW: H-1B cap update
**Date:** Tuesday, November 22, 2011 3:36:00 PM

I'm going to send you some emails to bring you up to date on this because it appears you may be involved in sending out instructions on Friday. Our visa CAP for this program is 85,000 annually. Jim Fitzsimmons calculates we need 86,200 or thereabouts applications. We are close to his target.

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Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)
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---

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 10:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,

I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

**From:** Peck, Denis R
**To:** Luna, Corinna A.; Fitzsimmons, James
**Cc:** Sweeney, Shelly A
**Subject:** RE: 1,795 CAP cases receipted on Monday
**Date:** Tuesday, November 22, 2011 3:31:00 PM

I think it's possible. We should get this report again same time tomorrow, and before the end of tomorrow's second shift the contractors should send me the 'racked & stacked" count that comes in Wednesday.

Friday we should have pretty good numbers to review before sending out guidance.

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Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
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202-272-1542 FAX (b)(6)

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 3:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

So we may have hit the cap today?

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

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| I-129CW | | | | | | | |
| I-129F | | | | | | | |
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638 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far – 300 filings.

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Denis Peck
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Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'

**From:** Fitzsimmons, James
**To:** Luna, Corinna A.; Peck, Denis R
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday
**Date:** Tuesday, November 22, 2011 3:26:40 PM

I seriously doubt it, because we need about 4,400 including 1,800 yesterday.

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 3:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

So we may have hit the cap today?

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**Cc:** Sweeney, Shelly A; Luna, Corinna A.
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Heaviest day for I-129CW so far – 300 filings.

CSC

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Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.
Regards,
Ann

*Ann R. Lees, PMP*

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update
**Date:** Monday, November 21, 2011 10:04:20 AM

---

All,

I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

**From:** McConnell, James E
**To:** Peck, Denis R
**Subject:** FW: FY12 H1B Cap
**Date:** Friday, November 18, 2011 1:30:07 PM
**Importance:** High

---

Denis,

FYI, looks like we will be hitting the cap by the end of November.

Jim


==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
(b)(6) Voice
202-272-1543 - FAX
==========


---

**From:** Fitzsimmons, James
**Sent:** Friday, November 18, 2011 11:01 AM
**To:** Perkins, Robert M
**Cc:** McConnell, James E; Canney, Keith J; Young, Claudia F
**Subject:** RE: FY12 H1B Cap
**Importance:** High

Rob,

I am glad you asked. My latest projection is **November 28th**.
Jim

---

**From:** Perkins, Robert M
**Sent:** Friday, November 18, 2011 10:59 AM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Canney, Keith J; Young, Claudia F
**Subject:** RE: FY12 H1B Cap

Jim,

We are still experiencing a pretty healthy volume of H1B cap cases. Just wondering if you are still projecting we will hit the cap at the end of December of whether this date has moved forward again?

Thanks,

Rob

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, October 12, 2011 3:09 PM
**To:** Perkins, Robert M
**Cc:** McConnell, James E
**Subject:** FW: FY12 H1B Cap

Rob,
See below. The FY 12 cap-closing date has been moving forward because of an increasing inflow of regular cap-eligible petitions.
Jim

| Date | FY 2012 20k | FY 2012 65k | FY 2012 85k | 30-days Receipts 85K | Caps Left Under 21K | Days Left | 20K Cap Reached | Caps Left Under 71K | 65k Count on day 20K cap reached | 65K Left | Days Left | 65K Cap Reached |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 10/11/11 | **19,199** | **41,533** | **60,029** | **11,740** | 1,801 | 22 | 11/2/11 | 29,467 | 48,376 | 22,624 | 58 | 12/29/11 |

---

**From:** Perkins, Robert M
**Sent:** Wednesday, October 12, 2011 1:54 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Young, Claudia F; Canney, Keith J; Johnson, Bobbie L
**Subject:** FY12 H1B Cap

James,

Can you provide me with a consolidated CSC/VSC H1B cap update and any projections you may have for when you expect that we will hit the cap?

Thanks,


**Robert M. Perkins** | **Assistant Center Director** | Vermont Service Center | USCIS | ☎: (b)(6)

**From:** Peck, Denis R
**To:** Schmidt, Bruce H
**Subject:** FW: E13 PP early next year. Volume estimates to share with VETS
**Date:** Friday, November 18, 2011 12:10:00 PM

---

Bruce

Would you send these volume estimates to VETS so they are duly notified of this incremental amount of work they will be receiving. Since the entire 485/765/131bundle can come in with these they could see a new increase of several hundred forms to receipt each month.

I think they have been ready to get this for some time but if either they or TSC-NSC records have any questions or concerns about it please bring it to my attention.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
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---

**From:** Peck, Denis R
**Sent:** Friday, November 18, 2011 12:04 PM
**To:** Luna, Corinna A.; McConnell, James E
**Cc:** Campbell, Faith R; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: E13 PP early next year

No, this is plenty. Thanks.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Luna, Corinna A.
**Sent:** Friday, November 18, 2011 11:40 AM
**To:** McConnell, James E; Peck, Denis R
**Cc:** Campbell, Faith R; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** FW: E13 PP early next year

Denis

Jim had provided us a report in the past. It seems that USCIS received about 10,000 E13 filings in FY11. We figure that 850 filings would be filed monthly per month. Based on PP percentages for other 1st preferences categories, SCOPS provided the centers with the following estimates of E13 PP filings per month.

- Low estimate: 95 (11%)
- Mid estimate: 165 (19%)

- High estimate: 275 (32%)

Based on current filing instructions and jurisdictional issues, NSC anticipates that it will receive **102** E13 PP filings per month. TSC anticipates that it will receive **200** E13 PP filings per month.

Also, if there are pending E13s they can upgrade to PP. NSC indicated they had 1267 pending E13 case and, TSC had 2593.

Do you still need Jim to run a report?

---

**From:** Peck, Denis R
**Sent:** Friday, November 18, 2011 10:46 AM
**To:** Luna, Corinna A.
**Cc:** Luna, Corinna A. (Corinna.Luna@dhs.gov); Campbell, Faith R
**Subject:** RE: E13 PP early next year

Hi

Mostly volume estimates, for the contractors to be prepared for. If we know how many a month in total come in we could estimate that maybe – 10 or 15% would be premium filings?

Also I am guessing that upgrades will be allowable for this category already sitting on the shelf at these centers. Upgrades can be a little more problematic. Can Jim have a query run to determine how many are currently pending?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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---

**From:** Luna, Corinna A.
**Sent:** Friday, November 18, 2011 10:31 AM
**To:** Peck, Denis R
**Cc:** Luna, Corinna A. (Corinna.Luna@dhs.gov); Campbell, Faith R
**Subject:** E13 PP early next year

Denis,

We anticipate that early next year that petitioners will be able to file PP E13s with the TSC and NSC. In anticipation of this what do you need from us to prepare for this? Faith Campbell is the SME and working on this portfolio and we want to make sure we have any instructions, guidance, system requirements, etc that the contractors, et al need.

Thank you

*Corinna A. Luna*
*Branch Chief*

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Tuesday, November 15, 2011 9:49:57 AM

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## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/14/2011 |

Masters are rolling over into regular cap

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Thursday, November 03, 2011 12:47:05 PM

---

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 31, 2011 10:02:21 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/28/2011 |

Masters are rolling over into regular cap.

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 24, 2011 11:23:47 AM

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/21/2011 |

Masters are rolling over into regular cap.

| | |
|---|---|
| **From:** | Luna, Corinna A. |
| **To:** | Fitzsimmons, James; McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M |
| **Subject:** | RE: H-1B cap update |
| **Date:** | Monday, October 17, 2011 10:45:09 AM |

Shelly should return tomorrow and will work with OCOMM.

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 10:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

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|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 17, 2011 10:39:27 AM

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Tuesday, October 11, 2011 10:14:18 AM

---

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, October 03, 2011 10:47:27 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

| | |
|---|---|
| **From:** | Fitzsimmons, James |
| **To:** | McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M |
| **Subject:** | H-1B cap update |
| **Date:** | Monday, September 26, 2011 9:52:26 AM |

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, September 19, 2011 10:27:54 AM

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## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, September 12, 2011 8:39:57 AM

---

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Tuesday, September 06, 2011 2:17:12 PM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, August 05, 2011 9:41:12 AM

---

All,
The counts are being sent today because I am on annual leave next week.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, July 25, 2011 10:21:45 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

| | |
|---|---|
| **From:** | Benavente, Jessy J |
| **To:** | Johnson, Bobbie L |
| **Cc:** | Nicholson, Richard E; Peck, Denis R; Louis, Jennifer E |
| **Subject:** | RE: URGENT: PL 111-230 Fees |
| **Date:** | Tuesday, July 12, 2011 6:31:30 PM |

Bobbie,
Yes. Will check on bouncing against claims.
The June numbers were 1096 petitions and $2,203,250 deposited.

Jessy Benavente
AACD

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, July 12, 2011 3:20 PM
**To:** Benavente, Jessy J
**Subject:** Re: URGENT: PL 111-230 Fees

Thanks! You are still tracking it, right?

Are you able to bounce the receipt #s off CLAIMS to get the Petitioner names?

---

**From**: Benavente, Jessy J
**Sent**: Tuesday, July 12, 2011 05:39 PM
**To**: Johnson, Bobbie L; Loughlin, Stephen J
**Cc**: Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E; Fries, Juliet M; Bennett, Linda J
**Subject**: RE: URGENT: PL 111-230 Fees

Bobbie,
We tracked it by receipt number on a log since the fee had to be manually deposited.

Jessy Benavente
AACD

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, July 12, 2011 1:53 PM
**To:** Benavente, Jessy J; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E
**Subject:** URGENT: PL 111-230 Fees
**Importance:** High

All,

We just received a high level inquiry into our collection of the Public Law 111-230 fees for H1Bs and Ls ($2000 for H1Bs; $2250 for Ls). This is an urgent request, so please respond ASAP.

The CFO is going to provide the dollar amount that has been collected so far. Are VSC and CSC able to give us the number of petitioners that have paid the fee? I'm not sure if the centers tracked the fee by petitioner name, by receipt number, or neither. If by receipt number, is it possible to bounce the

receipt numbers against CLAIMS to get a list of the petitioners who paid it (and thereby the number of petitioners who paid it)? Is there another way to get this info?

Thanks!

Bobbie

*Bobbie L. Johnson*
*VSC/CSC Liaison*
*Service Center Operations*
[redacted]

(b)(6)

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, July 08, 2011 11:27:12 AM

---

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, June 27, 2011 12:59:46 PM

---

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update
**Date:** Monday, June 20, 2011 8:35:07 AM

---

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Tuesday, June 14, 2011 7:41:12 AM

---

All,

I am back! I brought this weather with me.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Thursday, June 02, 2011 8:53:55 AM

---

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, May 27, 2011 10:16:33 AM

---

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H-1B cap update
**Date:** Monday, May 16, 2011 10:22:41 AM

Masters cap could be reached by mid-October this year.

---

**From:** Peck, Denis R
**Sent:** Monday, May 16, 2011 10:22 AM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update

Interesting to see how the masters to bachelors ratio is higher this year than ever and that trend probably continues into the future. In 10 years we will have two categories, the masters cap and the PhD Exemption.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, May 16, 2011 9:44:08 AM

---

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update
**Date:** Monday, May 09, 2011 10:56:49 AM

---

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update
**Date:** Monday, May 02, 2011 1:10:53 PM

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## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

| | |
|---|---|
| **From:** | Fitzsimmons, James |
| **To:** | Peck, Denis R; McConnell, James E |
| **Subject:** | FW: CAP update through Day 4 = 9,902 |
| **Date:** | Thursday, April 07, 2011 12:05:20 PM |

FYI

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**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 11:58 AM
**To:** Harton, Frank A
**Subject:** RE: CAP update through Day 4 = 9,902

Actually rounding errors account for the difference. These numbers are calculated based on a formula.

| |
|---|
| 103.852 |
| 132.697 |
| 63.765 |
| 36.784 |
| 337.098 |

---

**From:** Harton, Frank A
**Sent:** Thursday, April 07, 2011 11:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update through Day 4 = 9,902

Just wanted to point out a small error in your numbers on the chart below. I think the total for 4/7 should be 338, which would make the grand total 10,240. The rest seem to add up.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted]

(b)(6)

202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
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(b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:47:03 AM

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 9:21 AM
**To:** Fitzsimmons, James
**Subject:** RE: CAP update

Jim I think the contractor has reclassified their initial Premiums count and its lower than what you're showing. Your total and theirs is about the same (I get a difference of 1) but the 4 categories are different – do you want to recalculate?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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202-272-1542 FAX (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:11 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | 2,857 |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | 2,179 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | 10,238 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:10:58 AM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | 2,857 |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | 2,179 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | 10,238 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

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**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane (b)(6)
Alexandria, VA 22310
Mobile: [redacted]
http://www.cgi.com/usfederal

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP through day 2 count hits 8,700
**Date:** Wednesday, April 06, 2011 1:04:59 PM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 91 | 104 | 3,302 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 118 | 133 | 2,843 |
| H1B Masters | 1,715 | 233 | 95 | 75 | 64 | 2,182 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 33 | 37 | 1,620 |
| Total | 7,294 | 1,410 | 588 | 318 | 337 | 9,947 |

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 1:01 PM
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M;

Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Fitzsimmons, James
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700
**Date:** Tuesday, April 05, 2011 9:59:26 AM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

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SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP Report for 4/4/2011
**Date:** Monday, April 04, 2011 6:17:34 PM

Evening,

Just a quick update.

Walter

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 04, 2011 5:15 PM
**To:** CR Nelson, Marvin; Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; CR Bobeng, John; Dinh, William H; Fries, Juliet M; Lundquist, Lieda F; Ly, Pam P; Martin, James L; Nicholson, Richard E; Peacock, Walter W.; Petherbridge, Dan R; Printup, Maurice; Tailor, Anisa M; Treacy, Erin; Valencia, Valerie L; 'Gregory.Siesel@associates.dhs.gov'; Siesel, Gregory P.
**Subject:** RE: CAP Report for 4/4/2011

All,

Below is a CSC CAP estimate for Day 1 & 2 (hand count as of 1400 local):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
| (CRN) H1B CAP | 1,015 | 188 | 0 | 0 | 0 | 0 | 1,203 |
| (CRP) H1B CAP - Premium | 789 | 69 | 0 | 0 | 0 | 0 | 858 |
| (CMN) H1B Masters | 1,051 | 135 | 0 | 0 | 0 | 0 | 1,186 |
| (CMP) H1B Masters - Premium | 544 | 66 | 0 | 0 | 0 | 0 | 610 |
| Total | 3,399 | 458 | 0 | 0 | 0 | 0 | 3,857 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1 & 2) | | 3,857 |
| Grand total received in FY 2011 cap season (Day 1 & 2) | | 7,360 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 47.60% |

Marv will send out the final CSC CAP report for 4-4-11 after the boxes are scanned & counted tonight.

Regards,

Greg

**From:** Fitzsimmons, James
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: 1st day CAP petitions = 7,342
**Date:** Monday, April 04, 2011 11:19:56 AM

All,
The total cap count after the first five days of FY 2012 cap season will be 9,400 if last year's pattern of receipts holds true.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,315 | 298 | 137 | 93 | 106 | 2,948 |
| H1B CAP - Premium | 2,050 | 381 | 116 | 118 | 133 | 2,798 |
| H1B Masters | 1,715 | 193 | 92 | 75 | 64 | 2,139 |
| H1B Masters - Premium | 1,262 | 110 | 63 | 33 | 37 | 1,506 |
| Total | 7,342 | 982 | 408 | 320 | 339 | 9,390 |

Projections based on FY 2011 pattern of daily cap receipts

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** RE: CSC Day #1 CAP estimates
**Date:** Sunday, April 03, 2011 10:35:36 PM
**Attachments:** FY12 Cap report (CSC 4-1-11).xls

---

Evening Denis,

Here is the final counts for CSC on Friday.

I'll have an update for you from VSC first thing Monday morning.

Thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Sunday, April 03, 2011 12:40 PM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M
**Subject:** Re: CSC Day #1 CAP estimates

Walter

Can we get the most complete counts there are from each center?

Thanks,

Denis

----- Original Message -----
From: Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
To: Peck, Denis R <denis.peck@dhs.gov>
Cc: Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Fri Apr 01 16:24:06 2011
Subject: FW: CSC Day #1 CAP estimates

Latest from CSC...

From: Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
Sent: Friday, April 01, 2011 4:06 PM
To: Peacock, Walter W.
Cc: Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
Subject: CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

Estimated Daily Receipts

(Estimate based on 600 per cage / 22.5 per box / 20 per bucket)

4/1/11

4/4/11

4/5/11

4/6/11

4/7/11

4/8/11

Total

(CRN) H1B CAP

1,420

0

0

0

0

0

1,420

(CRP) H1B CAP - Premium

692

0

0

0

0

0

692

(CMN) H1B Masters

626

0

0

0

0

0

626

(CMP) H1B Masters - Premium

282

0

0

0

0

0

282

Total

3,020

0

0

0

0

0

3,020

Unidentified

0

Grand total received in FY 2012 cap season (Day 1)

3,020

Grand total received in FY 2011 cap season (Day 1)

6,623

% change: FY 2012 receipts over FY 2011 receipts

Decrease

54.40%

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Thomas Leupp
**To:** Peck, Denis R
**Subject:** RE: SCOSS Transition Weekly Status Report_040111_SVM.doc
**Date:** Saturday, April 02, 2011 11:03:35 AM

---

Denis,

Thanks..Tom

---

**From:** Peck, Denis R [denis.peck@dhs.gov]
**Sent:** Saturday, April 02, 2011 10:08 AM
**To:** Thomas Leupp; Shiflett, Julie M
**Cc:** Dick Braun; Tamara Owens
**Subject:** RE: SCOSS Transition Weekly Status Report_040111_SVM.doc

Thanks Tom, and for my part here's the March fee register report for Vermont. Don't have the other yet.

Initial reports on H1B filing season are that it was very light, lower even than last year when we took in 19,000 petitions between April 1-7. This year it looks like fewer than 10,000 came in yesterday. This should mean the incumbent will have most of this year's filings data entry complete by cob April 15, perhaps all of them.

---

**From:** Thomas Leupp [mailto:Thomas.Leupp@fedconsulting.com]
**Sent:** Friday, April 01, 2011 9:51 PM
**To:** denis.peck@dhs.gov; julie.shiflett@dhs.gov; gale.bonnett@dhs.gov; ned.ross@dhs.gov; ralph.koehring@dhs.gov
**Cc:** Sharon Virts-Mozer; Dick Braun; Tamara Owens; Clark Severson
**Subject:** SCOSS Transition Weekly Status Report_040111_SVM.doc

Good Evening Denis,

Please find attached the SCOSS Transition Weekly Status Report for the week ending on April 1, 2012.

I hope everyone has a nice weekend....Tom

---

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CSC Day #1 CAP estimates
**Date:** Friday, April 01, 2011 4:25:04 PM

Latest from CSC...

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Friday, April 01, 2011 4:06 PM
**To:** Peacock, Walter W.
**Cc:** Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
**Subject:** CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
| (CRN) H1B CAP | 1,420 | 0 | 0 | 0 | 0 | 0 | 1,420 |
| (CRP) H1B CAP - Premium | 692 | 0 | 0 | 0 | 0 | 0 | 692 |
| (CMN) H1B Masters | 626 | 0 | 0 | 0 | 0 | 0 | 626 |
| (CMP) H1B Masters - Premium | 282 | 0 | 0 | 0 | 0 | 0 | 282 |
| Total | 3,020 | 0 | 0 | 0 | 0 | 0 | 3,020 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1) | | 3,020 |
| Grand total received in FY 2011 cap season (Day 1) | | 6,623 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 54.40% |

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Tailor, Anisa M
**To:** Peck, Denis R
**Cc:** Melville, Rosemary; Johnson, Bobbie L; Louis, Jennifer E; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Piscitelli, Claire B
**Subject:** FW: CSC Day #1 CAP estimates
**Date:** Friday, April 01, 2011 4:23:14 PM

---

Denis,

The below is an estimate of how many CAP cases were received by CSC.

Juliet will send you a better estimate at the end of the day.

Anisa

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 01, 2011 1:06 PM
**To:** Peacock, Walter W.
**Cc:** Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Printup, Maurice; Siesel, Gregory P
**Subject:** CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
| (CRN) H1B CAP | 1,420 | 0 | 0 | 0 | 0 | 0 | 1,420 |
| (CRP) H1B CAP - Premium | 692 | 0 | 0 | 0 | 0 | 0 | 692 |
| (CMN) H1B Masters | 626 | 0 | 0 | 0 | 0 | 0 | 626 |
| (CMP) H1B Masters - Premium | 282 | 0 | 0 | 0 | 0 | 0 | 282 |
| Total | 3,020 | 0 | 0 | 0 | 0 | 0 | 3,020 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1) | | 3,020 |
| Grand total received in FY 2011 cap season (Day 1) | | 6,623 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 54.40% |

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, May 11, 2009 10:50 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Fitzsimmons, James; 'Richardson, Gregory A'
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

We're now current with data entering all incoming filings so we've switched our report this week from giving out raw data entry numbers and those in the queue, to the current status in CLAIMS. This gives a more accurate picture as we have reduced the total by those already adjudicated and denied. Our counts this week then would be 21,900 for Masters and 44,900 for nonMasters.

I would recommend no change to the update language from last week.

During the week of May 4 we received 1,135 filings in total; 684 at VSC and 451 at CSC.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 11, 2009 9:26 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010
**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 8tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 9,300 | 35,600 | 44,900 | 28,200 | 16,800 | 44% | 0.8% |
| Masters | 13,600 | 8,300 | 21,900 | 3,000 | 18,900 | 28% | 0.3% |

Data available as of close of business, May 8th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 9:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM

**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R

**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

---

**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

# CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Thursday, February 18, 2016
9:12 AM

| | |
|---|---|
| Subject | **CAP summary: 21,650 Masters & 42,062 nonMasters through April 8** |
| From | Peck, Denis R |
| To | Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K |
| Cc | Jones, Rendell L; Bentley, Christopher S; Wright, William G |
| Sent | Thursday, April 09, 2009 8:38 AM |
| Attachments | HQ CAP re... |

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day. There is a 4 count discrepancy between received and barcoded which we'll reconcile.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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202-272-1542 FAX

## California/Vermont Bar

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Bar Coded on 8th |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | 220 |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | 14 |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | 93 |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | 3 |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **330** |

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Received on 8th |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 |
| **Total** | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 |

| Total |
|---|
| **30,897** |
| **11,161** |
| **15,192** |
| **6,369** |
| **63,712** |

| Total |
|---|
| 30,897 |
| 11,165 |
| 15,281 |
| 6,369 |
| 63,712 |

# DAY 1-4 CAP SUMMARY: 60,400 total

Thursday, February 18, 2016
9:16 AM

| | |
|---|---|
| Subject | **DAY 1-4 CAP SUMMARY: 60,400 total** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; Hale, Paola Rodriguez; Young, Claudia F; Fitzsimmons, James; McConnell, James E |
| Sent | Tuesday, April 07, 2009 10:55 AM |
| Attachments | Cap Report 2 |

Barbara,

We have barcoded 39,700 Regular and 20,700 Masters. All received days 1-4 have been barcoded or are sitting in CRU for an acceptability determination (About 600 at Vermont)

The Premiums are 17,300 of the total – 28.65%

No count from on today's mail yet. 6,515 is Vermont's total mail, CAP and non CAP related. Yesterday's 9,000 pieces produced 1,444 applications so by that benchmark today's would bring about 1100.

Breakdown in applications by centers is about 58% Vermont, 42% California, identical to last year.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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**From:** Manahan, Lisa F
**Sent:** Tuesday, April 07, 2009 11:44 AM
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the updated report. I plugged in CSC's numbers as well so all tabs should be updated. The only numbers I don't have yet are the mail numbers for today. So far I know we received approximately 6,515 pieces of mail.

Question for you....Do we need to continue to bar code the cases if we aren't going to need to run the RNG? If we could stop this step it would save time.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

**From:** Manahan, Lisa F
**Sent:** Tuesday, April 07, 2009 10:32 AM
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

Is this what you are looking for?

Lisa

# California & Vermont Service Center

## I-129 Cap Report

02/18/16

| California/Vermont Bar Coding Progress | | | | | | |
|---|---|---|---|---|---|---|
| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | 6,942 | | **28,493** |
| Regular Premium | 3,559 | 5,679 | 795 | 967 | | **11,000** |
| Regular Masters | 855 | 5,683 | 5,166 | 2655 | | **14,359** |
| Premium Masters | 1,123 | 4,221 | 443 | 487 | | **6,274** |
| **Total** | **7,572** | **22,320** | **19,183** | **11,051** | | **60,126** |

| California/Vermont Mail Receipts By Day | | | | | | |
|---|---|---|---|---|---|---|
| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
| Regular CAP | 23,189 | 3,011 | 1,384 | 1,109 | | 28,693 |
| Regular Premium | 10,041 | 658 | 159 | 162 | | 11,020 |
| Regular Masters | 11,897 | 1505 | 616 | 381 | | 14,399 |
| Premium Masters | 5,828 | 319 | 75 | 54 | | 6,276 |
| Total | 50,955 | 5,493 | 2,234 | 1,706 | | 60,388 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# FW: VSC 2009 H1B CAP Report

Thursday, February 18, 2016
11:51 AM

| | |
|---|---|
| Subject | **FW: VSC 2009 H1B CAP Report** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Fitzsimmons, James; Young, Claudia F; Cummings, Kevin J; McConnell, James E |
| Sent | Thursday, April 02, 2009 11:19 AM |
| Attachments | VSC H1B Cap Report 2009 |

Package count was revised upward about 1,000, so that is not statistically significant enough to change our forecast. Still in the 65,000-67,000 range for day one, petition total.

Sorry if I caused concerns, but I was trying to get out the most up to date numbers.

I note though that California estimated their Masters filings were about 35% of the total, so we may hit the masters CAP by April 7.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 12:12 PM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Here are the correct numbers. Apparently the report clerk added some of the manifests that had already been counted and that is why the number jumped to 34,103. Please note that you should be seeing the number of opened and bar coded count jump up quite a bit from yesterday.

In summary we received 24,801 pieces of mail and of that 4,107 have been opened and bar coded.

Sorry for the confusion!

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

(b)(6)

**From:** Vincent, Sarah J
**Sent:** Thursday, April 02, 2009 11:53 AM
**To:** Upton, Mandy L; 'Collins, Thomas C.'; VSC STANLEY Admin
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Updated to reflect updated MR counts.

Thank you,
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.| VSC - SCOSS | ☎: 802.527.4700 ext 4650: Sarah.Vincent@dhs.gov

Vermont Service Center

I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 01, 2009

| Date | 4/1-4/7 |
|---|---|
| *All Mail Received - Not Opened* | |
| Number of Envelopes / Packages | 24,801 |

| *Opened and Barcoded* | |
|---|---|
| H1B CAP - Stanley Count VRN | 240 |
| H1B CAP - CIS Count | |
| H1B Masters - Stanley Count VMN | |
| H1B Masters - CIS Count | |
| H1B CAP - Premium - Stanley Count VRP | 2744 |
| H1B CAP - Premium - CIS Count | |
| H1B Masters - Premium - Stanley Count VMP | 1123 |
| H1B Masters - Premium - CIS Count | |
| In Records for Review / Resolution | |
| Totals | 4107 |

Rev: 3/4/08

# FW: 4-12-10 CAP Report; 473 filings received Monday

Thursday, February 18, 2016
11:54 AM

| | |
|---|---|
| Subject | **FW: 4-12-10 CAP Report; 473 filings received Monday** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E |
| Sent | Tuesday, April 13, 2010 1:19 PM |
| Attachments | FY11 VSC ... FY11 Cap r... |

We have more than 11,600 data entered, over half. We will have everything current at the end of Friday. Jim, any checking you want to do on duplicates, if needed, can be done anytime after that.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 13, 2010 2:12 PM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** RE: 4-12-10 CAP Report

Sorry Denis,

Totally my fault on this one. I asked them to send it to me this morning and they did....

Sorry again, Walter

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, April 13, 2010 2:07 PM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** RE: 4-12-10 CAP Report

Walter nothing seems to be coming to HQ from Vermont; can you or Erin send their report from 4-12?
Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 13, 2010 8:36 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Treacy, Erin
**Subject:** FW: 4-12-10 CAP Report

Morning,

Monday update from CSC.

Thank you, Walter

**From:** CR Nelson, Marvin
**Sent:** Tuesday, April 13, 2010 2:39 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; CR Bobeng, John; Dinh, William H; Downing, Karen T; Fries, Juliet M; Herrera, Zonia; Lundquist, Lieda F; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Nguyen, Van T; Nhea, Chy ; Nicholson, Richard E; Payne, Christopher; Peacock, Walter W.; Printup, Maurice ; Robbins, Bonnie M; Siesel, Gregory P; Valencia, Valerie L
**Subject:** 4-12-10 CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avila Road
Laguna Niguel, CA. 92677
[redacted] (949) 389-3487

(b)(6)

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | | | | | 43,884 |
| [redacted] | | | | | | |
| | | | | | | Total |
| | | | | | | 6,134 |
| | | | | | | 1,600 |
| | | | | | | 2,218 |
| | | | | | | 939 |
| | | | | | | 10,891 |
| [redacted] | | | | | | |
| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
| 140 | 97 | | | | | 6,552 |
| 57 | 58 | | | | | 1,746 |
| 77 | 15 | | | | | 2,376 |
| 37 | 17 | | | | | 993 |
| 311 | 187 | 0 | 0 | 0 | 0 | 11,667 |

0

11,667

58,265

-79.98%

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,155 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 0 | 1,035 | 50 | 45 | 29 |
| (CMN) H1B Masters | 0 | 1,597 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 0 | 573 | 29 | 23 | 11 |
| Total | 0 | 7,360 | 327 | 313 | 356 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,758 | 397 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 949 | 86 | 50 | 45 | 29 |
| (CMN) H1B Masters | 1,421 | 176 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 534 | 39 | 29 | 23 | 11 |
| Total | 6,662 | 698 | 327 | 313 | 356 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/8/10 | 4/9/10 | 4/12/10 | Total |
|---|---|---|---|
| | | | |

[redacted]

| 4/8/10 | 4/9/10 | 4/12/10 | Total |
|---|---|---|---|
| 113 | 94 | 156 | 5,082 |
| 23 | 26 | 55 | 1,263 |
| 43 | 38 | 62 | 1,985 |
| 12 | 9 | 13 | 670 |
| 191 | 167 | 286 | 8,547 |

[redacted]

| 4/8/10 | 4/9/10 | 4/12/10 | Total | (Info Only) CIS Review |
|---|---|---|---|---|
| 113 | 94 | 156 | 5,082 | 6 |
| 23 | 26 | 55 | 1,263 | 2 |
| 43 | 38 | 62 | 1,985 | 2 |
| 12 | 9 | 13 | 670 | 0 |
| 191 | 167 | 286 | 9,000 | 10 |

10

9,010

43,796

-79.43%

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 2:46 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** FW: CAP count CSC = approx 4300

Been forgetting to include you today. I don't think you need to plan on running the RNG this year.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

---

**From:** Tailor, Anisa M
**Sent:** Friday, April 01, 2011 01:56 PM
**To:** Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L

**Cc**: Nicholson, Richard E
**Subject**: CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 01, 2009 12:12 PM
**To:** McConnell, James E
**Cc:** Young, Claudia F; Gooselaw, Kurt G
**Subject:** FW: Cap Count Web Update

Jim,

We're updating the H-1B, H-2B, H-3 cap and realized that the H-3 special education program numbers are from March and reflect FY09 statistics. I know that Jim F. is out on leave, but I was wondering if your group might be able provide updated FY10 start date statistics.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer (Business Operations)
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# FW: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Thursday, February 18, 2016
11:58 AM

| | |
|---|---|
| Subject | **FW: CAP numbers - 633 petitions to be processed from Wednesday's volume.** |
| From | Peck, Denis R |
| To | Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E |
| Cc | McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L |
| Sent | Thursday, January 27, 2011 12:37 PM |
| Attachments | VSC WINN... CSC WINN... |

Great; okay it's back to the centers. Pull and process these and let us know how many are rejects. The unselected barcodes should be held. Today's incoming should be held but no need to barcode.

Notice advising the public of the CAP being reached should be posted before cob today.

Thanks and we will wait to hear when processing is done.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 1:32 PM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,
Attached are the 633 winning barcodes: CSC 307; VSC 326.
Jim

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 11:54 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James; Nicholson, Richard E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

Denis Peck

Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 8:41 AM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Just a total count. One long barcoded spreadsheet of however many you received yesterday. Jim comment if you want anything different.

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 8:37 AM
**To:** Peck, Denis R
**Subject:** FW: CAP numbers
**Importance:** High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 5:36 AM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers
**Importance:** High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per....ruff estimate.

Anyway I will get back to you with the official count.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 4:21 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
**Cc:** Velarde, Barbara Q
**Subject:** CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

# FW: CAP Report 4/7/09

Thursday, February 18, 2016
11:59 AM

| | |
|---|---|
| Subject | **FW: CAP Report 4/7/09** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Hale, Paola Rodriguez; Young, Claudia F; Williams, Carol L; Cummings, Kevin J; Kruszka, Robert F; Fitzsimmons, James; McConnell, James E |
| Cc | Nicholson, Richard E; Manahan, Lisa F |
| Sent | Wednesday, April 08, 2009 7:44 AM |
| Attachments | 2009 H-1B... |

1700 Premiums DE in California last night was excellent. Vermont managed 400 because they had some computer problems. Hopefully that will not impact them today. Even the 400 should be enough to last the first half of today and by then, they will have more processed and ready to work.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Nicholson, Richard E
**Sent:** Wednesday, April 08, 2009 8:39 AM
**To:** Peck, Denis R
**Cc:** Manahan, Lisa F
**Subject:** FW: CAP Report 4/7/09

Numbers through yesterday, all CAP cases have been opened and counted.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS (b)(6)
[redacted]

**From:** Nelson, Marvin E
**Sent:** Tuesday, April 07, 2009 11:57 PM
**To:** Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report 4/7/09

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
☎ [redacted] (b)(6)

# California Service Center

## I-129 Cap Report

### As of 11:30 P.M.

### 02/18/16

## California Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr |
|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th |
| Regular CAP(CRN) | 1,795 | 5,380 | 4,176 | 426 |
| Regular Premium(CRP) | 811 | 2,855 | 759 | 48 |
| Regular Masters(CMN) | 855 | 3,645 | 1,506 | 253 |
| Premium Masters(CMP) | 0 | 2,499 | 415 | 26 |
| **Total** | **3,461** | **14,379** | **6,856** | **753** |

## California Receipts By Day (Estimate based on 600 per cage / 22.5 per box /

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th |
|---|---|---|---|---|
| Regular CAP(CRN) | 10,577 | 774 | 426 | 416 |
| Regular Premium(CRP) | 4,310 | 119 | 48 | 38 |
| Regular Masters(CMN) | 5,609 | 393 | 253 | 119 |
| Premium Masters(CMP) | 2,853 | 61 | 26 | 15 |
| Total | 23,349 | 1,347 | 753 | 588 |
| Mail yet to be identified | 0 | 0 | 0 | 0 |
| Estimate Grand total received | 23,349 | 1,347 | 753 | 588 |
| Received last year | 42,380 | 10,478 | 1,850 | 1,827 |
| Difference from last year | <45% | <87% | <59% | <68% |

| 7-Apr | |
|---|---|
| Bar Coded on 7th | **Total** |
| 948 | **12,725** |
| 73 | **4,546** |
| 333 | **6,592** |
| 30 | **2,970** |
| **1,384** | **26,833** |

| 20 per bucket) | |
|---|---|
| Received on 7th | Total |
| 532 | |
| 35 | |
| 214 | |
| 15 | |
| 796 | 26,833 |

| | |
|---|---|
| 0 | 26,037 |
| 2,287 | 58,822 |

# FW: CAP REPORT through April 12 approx 12,000

Thursday, February 18, 2016
12:00 PM

| | |
|---|---|
| Subject | **FW: CAP REPORT through April 12 approx 12,000** |
| From | Peck, Denis R |
| To | Young, Claudia F; Bolog, Marguerite M; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M |
| Cc | Velarde, Barbara Q; Arroyo, Susan K |
| Sent | Wednesday, April 13, 2011 9:18 AM |
| Attachments | FY12 Cap report (CS... <br> FY12 VSC H1B CAP R... |

Assuming volume and data entry rates remain the same CSC should by fully current day-to-day by tomorrow and VSC by Friday. Premiums have been current day-to-day since Monday.

Jim, you should be able to do a query next Monday and have a complete count. I'll send a daily update until then. We're just under 12,000 through Tuesday's volume.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Nicholson, Richard E [mailto:Richard.E.Nicholson@uscis.dhs.gov]
**Sent:** Wednesday, April 13, 2011 9:45 AM
**To:** Melville, Rosemary; Johnson, Bobbie L; Peck, Denis R; Young, Claudia F
**Cc:** McConnell, James E
**Subject:** FW: CAP REPORT

Current numbers for CAP....

**From:** Bridgeforth, Rothwell
**Sent:** Tuesday, April 12, 2011 11:58 PM
**To:** Nelson, Marvin E; Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; Bobeng Jr, John W; Dinh, William H; Fries, Juliet M; Lundquist, Lieda F; Ly, Pam P; Martin, James L; Nicholson, Richard E; 'Peacock, Walter W.'; Petherbridge, Dan R; Printup, Maurice; Siesel, Gregory P; Tailor, Anisa M; Treacy, Erin; Valencia, Valerie L
**Cc:** Bridgeforth, Rothwell
**Subject:** CAP REPORT

All

Please see attached CAP Report

Thanks

Rothwell Bridgeforth
Data Entry Supervisor
CGI/SCOSS
CALIFORNIA SERVICE CENTER

EX 3027

California Service Center

| Dates | | 4/7/11 | 4/8/11 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 1,923 | 1923 | 1923 |
| (CRP) H1B CAP - Premium | 1,080 | 484 | 58 |
| (CMN) H1B Masters | 1,541 | 1541 | 1360 |
| (CMP) H1B Masters - Premium | 786 | 247 | 73 |
| Totals | 5,330 | 4,195 | 3,414 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 578 | 412 |
| (CMN) H1B Masters | 0 | 177 |
| (CMP) H1B Masters - Premium | 530 | 166 |
| Totals | 1108 | 755 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 18 | 14 |
| (CMN) H1B Masters | 0 | 4 |
| (CMP) H1B Masters - Premium | 9 | 8 |
| Totals | 27 | 26 |

| 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 | 4/15/11 | 4/18/11 |
|---|---|---|---|---|---|
| 1758 | 714 | 714 | 714 | 714 | 714 |
| 18 | -4 | -4 | -4 | -4 | -4 |
| 522 | 318 | 318 | 318 | 318 | 318 |
| 19 | 0 | 0 | 0 | 0 | 0 |
| 2,317 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 154 | 995 | | | | |
| 35 | 19 | | | | |
| 825 | 191 | | | | |
| 51 | 17 | | | | |
| 1065 | 1222 | 0 | 0 | 0 | 0 |
| | | | | | |
| 11 | 49 | | | | |
| 5 | 3 | | | | |
| 13 | 13 | | | | |
| 3 | 2 | | | | |
| 32 | 67 | 0 | 0 | 0 | 0 |

| 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | | | |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| 714 | 714 | 714 | 714 | 714 | 714 |
| -4 | -4 | -4 | -4 | -4 | -4 |
| 318 | 318 | 318 | 318 | 318 | 318 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 1,028 | 1,028 | 1,028 | 1,028 | 1,028 | 1,028 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

etc

| | | | |
|---|---|---|---|
| 714 | 714 | 714 | |
| -4 | -4 | -4 | |
| 318 | 318 | 318 | |
| 0 | 0 | 0 | |
| 1,028 | 1,028 | 1,028 | 0 |

| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

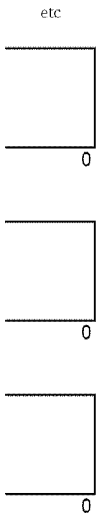
| | | | |
|---|---|---|---|
| | | | |
| 0 | 0 | 0 | 0 |

**Vermont Service Center**

| Dates | 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 |
|---|---|---|---|---|---|---|
| Pending Data Entry | | | | | | |
| (VRN) H1B CAP | 2024 | 2225 | 2249 | 1170 | | |
| (VRP) H1B CAP - Premium | 583 | 23 | 11 | 1 | | |
| (VMN) H1B Masters | 1372 | 1502 | 595 | 664 | | |
| (VMP) H1B Masters - Premium | 608 | 10 | 16 | 5 | | |
| Totals | 4,587 | 3,760 | 2,871 | 1,840 | 0 | 0 |
| Data Entry | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 30 | 1105 | | |
| (VRP) H1B CAP - Premium | 687 | 547 | 23 | 41 | | |
| (VMN) H1B Masters | 0 | 0 | 958 | 53 | | |
| (VMP) H1B Masters - Premium | 372 | 577 | 20 | 40 | | |
| Totals | 1059 | 1124 | 1031 | 1239 | 0 | 0 |
| Rejects (Manual) | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 40 | 0 | | |
| (VRP) H1B CAP - Premium | 22 | 0 | 2 | 45 | | |
| (VMN) H1B Masters | 0 | 0 | 0 | 0 | | |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 | 18 | | |
| Totals | 22 | 0 | 42 | 63 | 0 | 0 |

| 4/15/11 | 4/18/11 | 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | 5/2/11 | 5/3/11 | 5/4/11 | 5/5/11 | 5/6/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |


etc
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# FW: Cap update through April 13

Thursday, February 18, 2016
12:28 PM

| | |
|---|---|
| Subject | **FW: Cap update through April 13** |
| From | Peck, Denis R |
| To | Young, Claudia F; Bolog, Marguerite M; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Lundquist, Mark E; Stephens, Karen |
| Cc | Velarde, Barbara Q; Arroyo, Susan K; Richardson, Gregory A |
| Sent | Thursday, April 14, 2011 9:27 AM |
| Attachments | 4-13-11 FY12 VSC C... 4-13-11 FY12 CSC C... |

CSC is now completely current as of cob last night. Vermont's oldest of their 900 frontlog are those from this past Monday. All the initial week's 10,454 have been data entered or are being prepared for rejecting.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 14, 2011 10:01 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Cap updates

Morning,

Please find attached the 4-13-11 CAP updates for VSC and CSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)
http://www.cgi.com/usfederal

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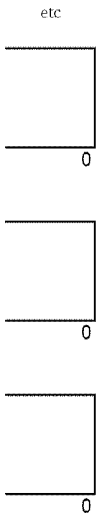
**Vermont Service Center**

| Dates | 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 |
|---|---|---|---|---|---|---|
| Pending Data Entry | | | | | | |
| (VRN) H1B CAP | 2024 | 2225 | 2249 | 1170 | 567 | |
| (VRP) H1B CAP - Premium | 583 | 23 | 11 | 1 | 3 | |
| (VMN) H1B Masters | 1372 | 1502 | 595 | 664 | 337 | |
| (VMP) H1B Masters - Premium | 608 | 10 | 16 | 5 | 1 | |
| Totals | 4,587 | 3,760 | 2,871 | 1,840 | 908 | 0 |
| Data Entry | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 30 | 1105 | 699 | |
| (VRP) H1B CAP - Premium | 687 | 547 | 23 | 41 | 19 | |
| (VMN) H1B Masters | 0 | 0 | 958 | 53 | 369 | |
| (VMP) H1B Masters - Premium | 372 | 577 | 20 | 40 | 23 | |
| Totals | 1059 | 1124 | 1031 | 1239 | 1110 | 0 |
| Rejects (Manual) | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 40 | 0 | 17 | |
| (VRP) H1B CAP - Premium | 22 | 0 | 2 | 45 | 16 | |
| (VMN) H1B Masters | 0 | 0 | 0 | 0 | 6 | |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 | 18 | 15 | |
| Totals | 22 | 0 | 42 | 63 | 54 | 0 |

| 4/15/11 | 4/18/11 | 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | 5/2/11 | 5/3/11 | 5/4/11 | 5/5/11 | 5/6/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |


etc
0
0
0

California Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
|---|---|---|---|---|
| All Mail Received - Not Opened | | | | |
| Number of Envelopes / Packages | 0 | 0 | 0 | 0 |
| | | | | |
| Bar Coding Progress | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |
| | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |

Unidentified

Grand total received in FY 2012 cap season (Day 1 thru 9)

Grand total received in FY 2011 cap season (Day 1 thru 9)

% change: FY 2012 receipts over FY 2011 receipts

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | Total |
|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | |

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | Total |
|---|---|---|---|---|---|
| 89 | 142 | 136 | 126 | | 1,923 |
| 46 | 20 | 70 | 18 | | 1,080 |
| 78 | 59 | 51 | 39 | | 1,541 |
| 27 | 22 | 46 | 19 | | 786 |
| 240 | 243 | 303 | 202 | 0 | 5,330 |

box / 20 per bucket)

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | Total |
|---|---|---|---|---|---|
| 89 | 142 | 136 | 126 | 84 | 2,007 |
| 46 | 20 | 70 | 18 | 26 | 1,106 |
| 78 | 59 | 51 | 39 | 15 | 1,556 |
| 27 | 22 | 46 | 19 | 22 | 808 |
| 240 | 243 | 303 | 202 | 147 | 5,477 |

| | |
|---|---|
| | 0 |
| | 5,477 |
| | 9,197 |
| Decrease | 40.45% |

# FW: Cap update through April 14 = 12,038 data entered, 512 rejects

Thursday, February 18, 2016
12:30 PM

| | |
|---|---|
| Subject | **FW: Cap update through April 14 = 12,038 data entered, 512 rejects** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Arroyo, Susan K; Richardson, Gregory A; Young, Claudia F; Bolog, Marguerite M |
| Cc | Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R |
| Sent | Friday, April 15, 2011 10:49 AM |
| Attachments | 4-14-11 FY12 VSC C... <br> 4-14-11 FY12 CSC C... |

Both centers were completely current as of last night, including processing all of yesterday's incoming. We have 6,495 VSC and 5,543 petitions data entered. We have 200 CSC and 312 VSC rejects returned or being returned today. There are only a handful in CRU review not included in these two counts.

This will be my last update, starting Monday Jim Fitzsimmons will do queries in CLAIMS for Master's and Regular breakdowns. Those are included in the spreadsheets above for those who want more detail as is the premium vs. nonpremium breakdown.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 15, 2011 11:28 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Cap update

Good Morning,

Please find attached the updates for CAP as of April 14th.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
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Alexandria, VA 22310
Mobile: [redacted] (b)(6)
http://www.cgi.com/usfederal

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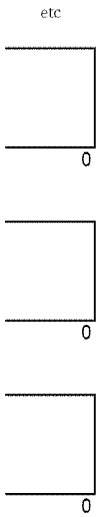
**Vermont Service Center**

| Dates | 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 |
|---|---|---|---|---|---|---|
| Pending Data Entry | | | | | | |
| (VRN) H1B CAP | 2024 | 2225 | 2249 | 1170 | 567 | 88 |
| (VRP) H1B CAP - Premium | 583 | 23 | 11 | 1 | 3 | 4 |
| (VMN) H1B Masters | 1372 | 1502 | 595 | 664 | 337 | 61 |
| (VMP) H1B Masters - Premium | 608 | 10 | 16 | 5 | 1 | 5 |
| Totals | 4,587 | 3,760 | 2,871 | 1,840 | 908 | 158 |
| | | | | | | |
| Data Entry | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 30 | 1105 | 699 | 579 |
| (VRP) H1B CAP - Premium | 687 | 547 | 23 | 41 | 19 | 18 |
| (VMN) H1B Masters | 0 | 0 | 958 | 53 | 369 | 311 |
| (VMP) H1B Masters - Premium | 372 | 577 | 20 | 40 | 23 | 24 |
| Totals | 1059 | 1124 | 1031 | 1239 | 1110 | 932 |
| | | | | | | |
| Rejects (Manual) | | | | | | |
| (VRN) H1B CAP | 0 | 0 | 40 | 0 | 17 | 60 |
| (VRP) H1B CAP - Premium | 22 | 0 | 2 | 45 | 16 | 7 |
| (VMN) H1B Masters | 0 | 0 | 0 | 0 | 6 | 60 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 | 18 | 15 | 4 |
| Totals | 22 | 0 | 42 | 63 | 54 | 131 |

| 4/15/11 | 4/18/11 | 4/19/11 | 4/20/11 | 4/21/11 | 4/22/11 | 4/25/11 | 4/26/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/11 | 4/28/11 | 4/29/11 | 5/2/11 | 5/3/11 | 5/4/11 | 5/5/11 | 5/6/11 |
|---|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |


etc
0
0
0

California Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
|---|---|---|---|---|
| All Mail Received - Not Opened | | | | |
| Number of Envelopes / Packages | 0 | 0 | 0 | 0 |
| | | | | |
| Bar Coding Progress | | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |
| | | | | |
| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per | | | |
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 |
| (CRN) H1B CAP | 1,015 | 194 | 126 | 95 |
| (CRP) H1B CAP - Premium | 789 | 71 | 39 | 27 |
| (CMN) H1B Masters | 1,051 | 139 | 68 | 56 |
| (CMP) H1B Masters - Premium | 544 | 66 | 34 | 28 |
| Total | 3,399 | 470 | 267 | 206 |

Unidentified

Grand total received in FY 2012 cap season (Day 1 thru 10)

Grand total received in FY 2011 cap season (Day 1 thru 10)

% change: FY 2012 receipts over FY 2011 receipts

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | | Total |
|---|---|---|---|---|---|---|
| 0 | 0 | 0 | 0 | 0 | | |

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 | Total |
|---|---|---|---|---|---|---|
| 89 | 142 | 136 | 126 | 84 | 165 | 2,172 |
| 46 | 20 | 70 | 18 | 26 | 32 | 1,138 |
| 78 | 59 | 51 | 39 | 15 | 50 | 1,606 |
| 27 | 22 | 46 | 19 | 22 | 19 | 827 |
| 240 | 243 | 303 | 202 | 147 | 266 | 5,743 |

box / 20 per bucket)

| 4/7/11 | 4/8/11 | 4/11/11 | 4/12/11 | 4/13/11 | 4/14/11 | Total |
|---|---|---|---|---|---|---|
| 89 | 142 | 136 | 126 | 84 | 165 | 2,172 |
| 46 | 20 | 70 | 18 | 26 | 32 | 1,138 |
| 78 | 59 | 51 | 39 | 15 | 50 | 1,606 |
| 27 | 22 | 46 | 19 | 22 | 19 | 827 |
| 240 | 243 | 303 | 202 | 147 | 266 | 5,743 |

| | |
|---|---|
| | 0 |
| | 5,743 |
| | 9,322 |
| Decrease | 38.39% |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 9:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 11:05 AM
**To:** Peck, Denis R; McConnell, James E
**Subject:** FW: CAP update through Day 4 = 9,902

FYI

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 11:58 AM
**To:** Harton, Frank A
**Subject:** RE: CAP update through Day 4 = 9,902

Actually rounding errors account for the difference. These numbers are calculated based on a formula.

| |
|---|
| 103.852 |
| 132.697 |
| 63.765 |
| 36.784 |
| 337.098 |

---

**From:** Harton, Frank A
**Sent:** Thursday, April 07, 2011 11:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update through Day 4 = 9,902

Just wanted to point out a small error in your numbers on the chart below. I think the total for 4/7 should be 338, which would make the grand total 10,240. The rest seem to add up.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

http://www.cgi.com/usfederal

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## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 8:45 AM
**To:** McConnell, James E; Fitzsimmons, James; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
**Subject:** FW: H1B CAP filings received on Monday december 21 - 911 counted

The reports indicated 352 are racked at California and 559 at Vermont. I am trying to determine if they have any received before Monday not yet data entered. Let me get that information before we make any final decisions.

Also the 5 receipted in Vermont yesterday, whether that was in error. Have not heard back on that either.

Denis,

CSC' total count is 352 racked and stacked.

Jessy Benavente

SMPA

---

From: Robbins, Bonnie M
Sent: Tuesday, December 22, 2009 6:12 AM
To: Benavente, Jessy J
Subject: CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11

CMN – 29

CRP – 87

CRN - 225

Have a nice day!

Bonnie Robbins.

Division VII: CSC - USCIS

[redacted] (b)(6)

Bonnie.Robbins@dhs.gov

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 9:27 AM
To: Peck, Denis R
Subject: RE: H1B CAP filings received on Monday december 21

Denis -

Our numbers from yesterday.

Mary-Lou

CAPs in R-N-S receive date on 12/21/09

VRP- 154

VMP- 23

VRN- 352

VMN- 30

539s- 28

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 8:41 AM
To: Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Petherbridge, Dan R
Subject: Fw: H1B CAP filings received on Monday december 21

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
Cc: McConnell, James E; Fitzsimmons, James; Young, Claudia F; Richardson, Gregory A
Sent: Tue Dec 22 08:36:37 2009
Subject: H1B CAP filings received on Monday december 21

VSC, CSC

We need the racked-and-stacked counts from Monday as soon as possible, plus whatever remaining filings you received before Monday that have not been data entered yet, if any. Please confirm with the CRU branches if they have any remaining.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted] (b)(6)

202-272-1542 FAX

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 8:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |

| | | | |
|---|---|---|---|
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, January 26, 2011 12:40 PM
**To:** Peck, Denis R; McConnell, James E; Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H-1B cap numbers

All,
We are about 1,300 short through Monday.
Jim

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

# FW: H-1B Cap Reached

Thursday, February 18, 2016
12:36 PM

| | |
|---|---|
| Subject | **FW: H-1B Cap Reached** |
| From | Sweeney, Shelly A |
| To | McConnell, James E; Fitzsimmons, James |
| Sent | Tuesday, December 22, 2009 10:33 AM |
| Attachments | CLEARED ... |

Ditto from before.

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 11:32 AM
**To:** Wright, William G
**Cc:** Office Of Communications; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P; Irazabal, Luz; Rhatigan, Chris; Bentley, Christopher S
**Subject:** H-1B Cap Reached
**Importance:** High

Bill,

We received sufficient petitions to reach the H-1B regular cap on December 21. There will be a lottery on the petitions that were received yesterday. I have filled in the final receipt date and the issuance date on the update and removed all comments. I also removed the "draft" watermark. We would like this update to be posted today.

I am separately sending a cap count webpage change to New Media with a request that the webpage be posted **simultaneously** with the USCIS Update. I will copy you and the OCOMM box on that request.

Please let me know if you need anything else from SCOPS.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that December 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after December 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on December 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

# FW: H-1B cap website update

Thursday, February 18, 2016
12:38 PM

| | |
|---|---|
| Subject | **FW: H-1B cap website update** |
| From | Sweeney, Shelly A |
| To | Fitzsimmons, James |
| Cc | McConnell, James E; Johnson, Bobbie L; Young, Claudia F |
| Sent | Friday, November 20, 2009 12:55 PM |
| Attachments | H-1B Stati... |

Jim,

I was wondering if you might be able to assist with the exact date determination. OCOMM is looking for date on the master's cap to put into the attached chart for their media managers. I told Chris over the phone that we might not be able to get back to her until next week.

Bobbie and Claudia,

On a separate note, Chris mentioned that Luz will be our contact in the future for SCOPS business issues.

Thanks!

Shelly

**From:** Rhatigan, Chris
**Sent:** Friday, November 20, 2009 12:36 PM
**To:** Sweeney, Shelly A
**Cc:** Gooselaw, Kurt G; Doherty, Shannon P; Irazabal, Luz; Bentley, Christopher S; Wright, William G
**Subject:** re: H-1B cap website update
**Importance:** High

Hey Shelly, I just saw that the H-1B cap for the masters degree 20,000 category has been reached. Can you give me the exact date that USCIS met that cap?
OComm has a chart (attached) that we use to explain the history of the cap... and I would like to add the date for the FY10 masters category to the chart and share with our media managers in case they are asked.

Chris Rhatigan

www.uscis.gov/h-1b_count

*Office of Communications*

U.S. Citizenship and Immigration Services

# H-1B Statistics

Nov. 2009

## H-1B STATISTICS

| Fiscal Year | H-1B Cap | Date Met | | Days to meet Cap |
|---|---|---|---|---|
| 2010 | 65,000 | (open April 1, 2009) | | |
| | 20,000 masters | (open April 1, 2009) | | |
| 2009 | 65,000 | April 1-5, 2008 (open five days) | | 1 day |
| | 20,000 masters | April 1-5, 2008 (open five days) | | 1 day |
| 2008 | 65,000 | April 2, 2007 – (open April 1, 2007) | | 2 days |
| | 20,000 masters | April 30, 2007 – (open April 1, 2007) | | 30 days |
| 2007 | 65,000 | May 26, 2006 – (open April 1, 2006) | | 56 days |
| | 20,000 masters | July 26, 2006 (open April 1, 2006) | | 117 days |
| 2006 | 65,000 | Aug. 10, 2005 – (open April 1, 2005) | | 132 days |
| | 20,000 masters | Jan. 17, 2006– (open April 1, 2005) | | 292 days |
| 2005 | 65,000 | Oct. 1, 2004 – (open April 1, 2004) | | 184 days |
| | 20,000 masters | | See note #1 | -- |
| 2004 | 65,000 | Feb. 17, 2004 – (open April 1, 2003) | See note #2 | 323 days |
| 2003 | 195,000 | Cap not reached | | |
| 2002 | 195,000 | Cap not reached | | |
| 2001 | 195,000 | Cap not reached | | |
| 2000 | 115,000 | July 21, 2000 – (open April 1, 1999) | | 478 days |
| 1999 | 115,000 | Cap exceeded | See note #3 | |
| 1998 | 65,000 | May 11, 1998 – (open April 1, 1997) | | 406 days |
| 1997 | 65,000 | Sept. 1, 1997 – (open April 1, 1996) | | 519 days |
| 1996 | 65,000 | cap not reached | | |
| 1995 | 65,000 | cap not reached | | |
| 1994 | 65,000 | cap not reached | | |
| 1993 | 65,000 | cap not reached | | |
| 1992 | 65,000 | cap not reached | | |

1. The *H-1B Visa Reform Act of 2004 * created the* ,20,000 masters degree & higher education exemption cap, which became effective on May 5, 2005, eight months into FY 2005.

2. Note: FY04 was the first fiscal year USCIS solely managed the H-1B program. During FY03, USCIS and INS shared that responsibility. Before FY 2003, INS managed the program.

3. Congress granted INS authority to apply the 1999 overage to the FY2000 cap.

# FW: VSC 2009 H1B CAP Report - 31,300 package count

Thursday, February 18, 2016
12:42 PM

| | |
|---|---|
| Subject | **FW: VSC 2009 H1B CAP Report - 31,300 package count** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Cummings, Kevin J; McConnell, James E; Kruszka, Robert F |
| Sent | Friday, April 03, 2009 9:12 AM |
| Attachments | VSC H1B Cap Report 2009 |

The VSC package count through the first two days, multiplied 1.5, would equate to 47,000 petitions. California had counted 26,000 – we're at roughly 73,000 through first two days.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Manahan, Lisa F
**Sent:** Friday, April 03, 2009 9:51 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Cc:** Collins, Mary Lou E; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report

fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

**From:** Upton, Mandy L
**Sent:** Friday, April 03, 2009 9:11 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 2, 2009.

**Please note that of the 6,593 4/2 mail received we estimate that the following could be subject to CAP based on address:

| | |
|---|---|
| Premium | 937 |
| Other | 2580 |
| Total | 3517 pieces |

**Please also note that we are putting the barcoding of Masters cases as a priority per USCIS request.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS | [redacted] | 802.527.4869 | Mandy.Upton@dhs.gov
(b)(6)

Vermont Service Center

I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 02, 2009

| Date | 4/1-4/7 |
|---|---|
| *All Mail Received - Not Opened* | |
| Number of Envelopes / Packages | 31,394 |

| *Opened and Barcoded* | |
|---|---|
| H1B CAP - Stanley Count VRN | 1,589 |
| H1B CAP - CIS Count | |
| H1B Masters - Stanley Count VMN | 2,032 |
| H1B Masters - CIS Count | |
| H1B CAP - Premium - Stanley Count VRP | 5553 |
| H1B CAP - Premium - CIS Count | |
| H1B Masters - Premium - Stanley Count VMP | 2843 |
| H1B Masters - Premium - CIS Count | |
| In Records for Review / Resolution | |
| Totals | 12017 |

Rev: 3/4/08

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 20, 2009 6:55 AM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R; Cummings, Kevin J; Kruszka, Robert F; McConnell, James E; Young, Claudia F
**Subject:** FY 2010 H-1B cap numbers

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of April 17th :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 5,000 | 6,300 | 11,300 | 1,000 | 10,300 | 51% | 0.2% |
| Masters | 5,000 | 15,700 | 20,700 | 14,600 | 6,100 | 18% | 0.2% |

Data available as of close of business, April 17th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Proportion of petitions touched that are RFE's
[5] Proportion of petitions approved or denied that are denied

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 10:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P
**Subject:** FY 2011 H-1B Cap Count

All,

Below are the incomplete counts through April 9. CSC data for Friday was not captured in these counts.

Who should be on this email each week?

Jim

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 2,654 | 4/9/2010 |
| H-1B Master's Exemption | 20,000 | 2,459 | 4/9/2010 |

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, August 30, 2010 10:37 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,943 | 8/27/2010 |
| H-1B Master's Exemption | 20,000 | 13,029 | 8/27/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

*Gwen Liang*
Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2246, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 23, 2010 9:13 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,
There was a surge in regular cap petitions last week: the count went from 29,700 to 33,900.

Also, the analysis in the blog below is sound in my judgment.

Jim

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 33,931 | 8/20/2010 |
| H-1B Master's Exemption | 20,000 | 12,645 | 8/20/2010 |

## Bloggings On Immigration Law And Policy
*by Greg Siskind*

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 8:12 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,736 | 8/13/2010 |
| H-1B Master's Exemption | 20,000 | 12,258 | 8/13/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 09, 2010 8:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 28,516 | 8/06/2010 |
| H-1B Master's Exemption | 20,000 | 11,942 | 8/06/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 02, 2010 8:57 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 27,288 | 7/30/2010 |
| H-1B Master's Exemption | 20,000 | 11,631 | 7/30/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 26, 2010 8:36 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,047 | 7/23/2010 |
| H-1B Master's Exemption | 20,000 | 11,306 | 7/23/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 19, 2010 10:14 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,320 | 7/16/2010 |
| H-1B Master's Exemption | 20,000 | 10,983 | 7/16/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, July 12, 2010 7:24 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 24,779 | 7/9/2010 |
| H-1B Master's Exemption | 20,000 | 10,633 | 7/9/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 06, 2010 7:58 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 24,241 | 7/2/2010 |
| H-1B Master's Exemption | 20,000 | 10,353 | 7/2/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, June 28, 2010 8:55 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,540 | 6/25/2010 |
| H-1B Master's Exemption | 20,000 | 9,972 | 6/25/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, August 02, 2010 8:57 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 27,288 | 7/30/2010 |
| H-1B Master's Exemption | 20,000 | 11,631 | 7/30/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, June 14, 2010 8:46 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,161 | 6/11/2010 |
| H-1B Master's Exemption | 20,000 | 9,359 | 6/11/2010 |

**Shirk, Georgette L**

**From:** Liang, Gwen
**Sent:** Monday, June 07, 2010 11:39 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,423 | 6/4/2010 |
| H-1B Master's Exemption | 20,000 | 9,062 | 6/4/2010 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

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**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 01, 2010 8:50 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,840 | 5/28/2010 |
| H-1B Master's Exemption | 20,000 | 8,754 | 5/28/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 24, 2010 10:16 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,584 | 5/21/2010 |
| H-1B Master's Exemption | 20,000 | 8,229 | 5/21/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 17, 2010 3:41 PM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,986 | 5/14/2010 |
| H-1B Master's Exemption | 20,000 | 8,072 | 5/14/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 10, 2010 9:55 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,984 | 5/6/2010 |
| H-1B Master's Exemption | 20,000 | 7,645 | 5/6/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, May 03, 2010 10:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,463 | 4/27/2010 |
| H-1B Master's Exemption | 20,000 | 6,947 | 4/27/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, April 26, 2010 12:36 PM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,025 | 4/22/2010 |
| H-1B Master's Exemption | 20,000 | 6,739 | 4/22/2010 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Monday, April 19, 2010 8:40 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY 2011 H-1B cap update

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,588 | 4/15/2010 |
| H-1B Master's Exemption | 20,000 | 5,803 | 4/15/2010 |

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, December 20, 2010 10:52 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Cc:** Fitzsimmons, James
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 53,869 | 12/17/2010 |
| H-1B Master's Exemption | 20,000 | 19,661 | 12/17/2010 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 13, 2010 9:36 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 52,383 | 12/10/2010 |
| H-1B Master's Exemption | 20,000 | 19,080 | 12/10/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 8:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 29, 2010 8:32 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,442 | 11/26/2010 |
| H-1B Master's Exemption | 20,000 | 18,374 | 11/26/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 22, 2010 7:24 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 48,977 | 11/19/2010 |
| H-1B Master's Exemption | 20,000 | 17,836 | 11/19/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 15, 2010 8:30 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 47,757 | 11/12/2010 |
| H-1B Master's Exemption | 20,000 | 17,444 | 11/12/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 08, 2010 8:16 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,840 | 11/5/2010 |
| H-1B Master's Exemption | 20,000 | 17,154 | 11/5/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 01, 2010 8:20 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 45,574 | 10/29/2010 |
| H-1B Master's Exemption | 20,000 | 16,677 | 10/29/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 25, 2010 9:08 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 44,276 | 10/22/2010 |
| H-1B Master's Exemption | 20,000 | 16,232 | 10/22/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 12, 2010 8:32 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers. The combined count is 57,300. Last year at this time, the combined count was 71,000.
That is a 20% decline.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,884 | 10/8/2010 |
| H-1B Master's Exemption | 20,000 | 15,378 | 10/8/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 04, 2010 8:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 40,584 | 10/1/2010 |
| H-1B Master's Exemption | 20,000 | 14,905 | 10/1/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 27, 2010 11:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 39,601 | 9/24/2010 |
| H-1B Master's Exemption | 20,000 | 14,425 | 9/24/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 20, 2010 8:09 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,282 | 9/17/2010 |
| H-1B Master's Exemption | 20,000 | 14,005 | 9/17/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 11:19 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 37,374 | 9/10/2010 |
| H-1B Master's Exemption | 20,000 | 13,654 | 9/10/2010 |

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, September 07, 2010 8:46 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,606 | 9/3/2010 |
| H-1B Master's Exemption | 20,000 | 13,387 | 9/3/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

H-1B QUOTA EXHAUSTION TARGET - MARCH 2011

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

*Gwen Liang*
Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2246, Washington, DC 20529-2060
☎ [redacted]

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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 27, 2010 11:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 8:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 8:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

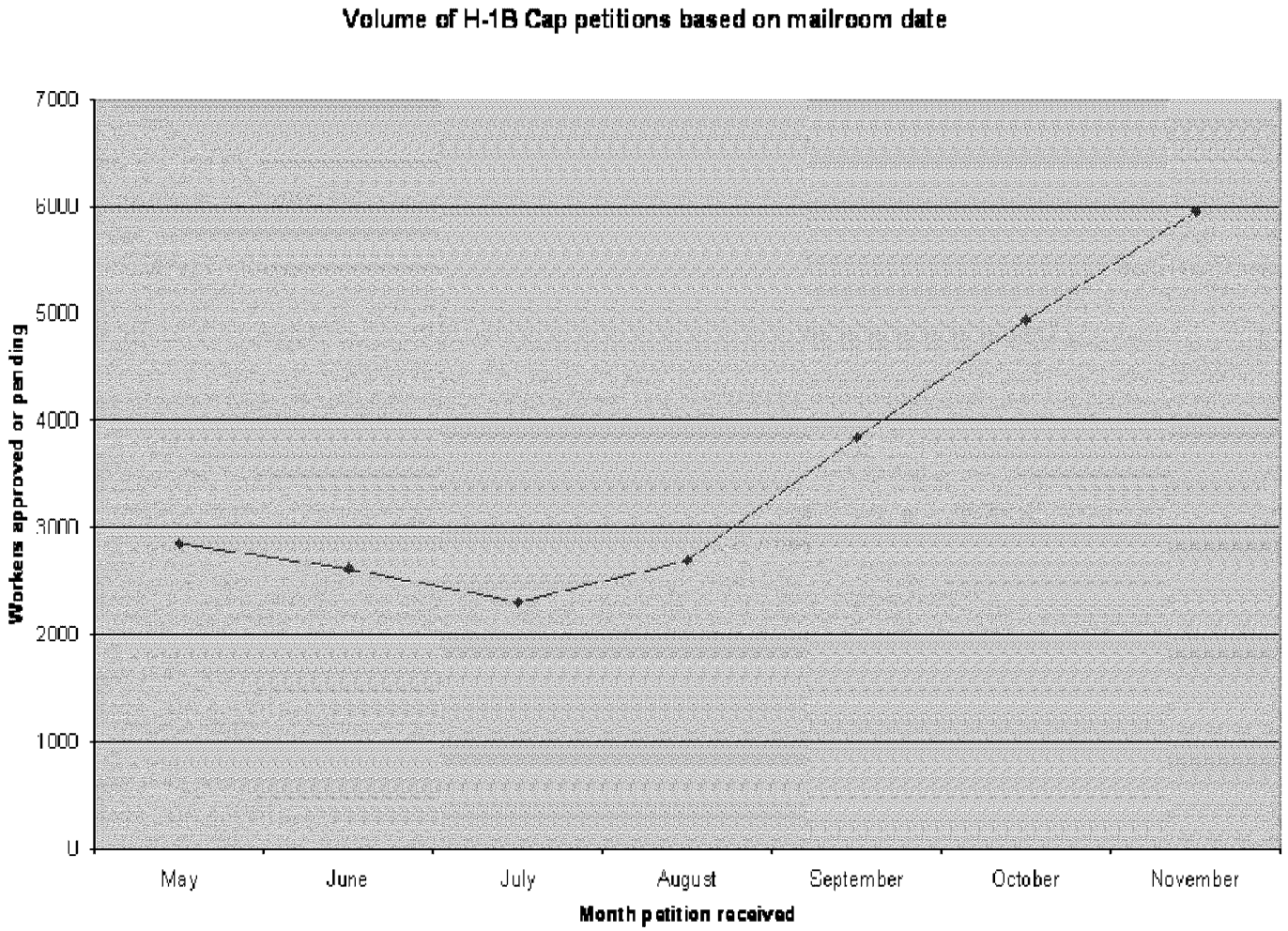
Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 1:40 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap chart

All,
This chart shows the monthly volume of H-1B cap petitions based on the mailroom date. The volume declined in May June, and July. Since August, the volume has continued to rise. At 6,000 petitions, November was double May volume. In each of the last two weeks, about 2,200 petitions have been received. It appears the cap will be reached next week.
Jim



## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 9:13 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** H-1B cap counts

Shelly,
FYI---I am going to provide H-1B cap counts each Monday and Wednesday this week and next. Then on 24th , I plan to begin providing daily counts.

By the way, have you ever heard of SSM ( Special Masters) historical action code?

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, December 18, 2009 8:41 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A
**Subject:** H1B CAP December 18 volume

VSC & CSC,

Based on our overnight CISCOR count, we are still 1,000 applications under our target for the CAP. Unless you experience an abnormal mail volume today we think it is safe to go ahead and being receipting all CAP filings without waiting for a mailroom count first. This will help Jim do a precise query Monday morning and determine if we will run a lottery on Monday's volume or accept all of it.

Important: Please have the number remaining under CRU review at the end of tonight sent by email to me and everyone on this message, so we can also add that potential volume to our counts.

On Monday, do not proceed with receipting. Do a rack and stack of all the incoming volume until we get back. All the filings clearing the CRU review from today or previously should be receipted as they are approved.

Thanks for your prompt attention, we hope to have the message announcing the reaching of the FY2010 CAP on Monday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 04, 2010 12:57 PM
**To:** McConnell, James E
**Cc:** Johnson, Bobbie L; Fitzsimmons, James
**Subject:** H-1B Cap Denial, RFE and Approval Rates

**Importance:** High

Jim,

I was wondering if your branch might be able to get the combined RFE, denial and approval rates for H-1B cap cases for FY11 so far and the same data for the comparable time period for FY10 cap cases. Can the data also be broken down by service center? We would like the data as soon as possible as we have an urgent inquiry.

Finally, I know I'm reaching for the stars, but could we do the same with cap-exempt cases?

Please let me know if you have any questions.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 7:37 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
**Cc:** McConnell, James E; Fitzsimmons, James; Young, Claudia F; Richardson, Gregory A
**Subject:** H1B CAP filings received on Monday december 21

VSC, CSC

We need the racked-and-stacked counts from Monday as soon as possible, plus whatever remaining filings you received before Monday that have not been data entered yet, if any. Please confirm with the CRU branches if they have any remaining.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 10:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

It's about that time of year again;

We are approaching our CAP limit for FY2012. Beginning tomorrow please instruct the contractors to sort and categorize the CAP filings and send us your counts when the final mail for the day is received, but do not data enter any until we can confirm those processed through today do not bring us to our limit.

In addition to this, please send me the number of CAP petitions you have at cob today unprocessed, whether under CRU review or otherwise. These can be processed on Wednesday (or later).

Also you should have your bar-coding preparations ready in advance should we require that to be done on Friday, Monday or thereafter. Should we implement a random lottery for the final day of petitions, each center should barcode that day's mail and send the results to us in an Excel Spreadsheet. The RNG will be done here at HQ and the "winners" will be sent back to each center for processing.

Please let me know who will be available on Wednesday, Friday and Monday for follow up emails.

Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 3:27 PM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A; Doherty, Shannon P
**Subject:** H1B CAP lottery update

Update at 430 pm; CSC has sent their barcoded manifest here, VSC is still completing theirs. It appears now that only ONE CAP filing was mistakenly received Monday and receipted Monday, vs. the earlier fear we had 3-4.

We should have the VSC spreadsheet ready to go in the morning, at worst. Hopefully we can run the RNG tomorrow and send them the selections for receipting on Wednesday night. With only 200 or so, they can complete it all on the second shift.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, December 22, 2009 4:18 PM
To: Collins, Mary Lou E; Loughlin, Stephen J; Stoddard, Becky M
Subject: RE: Monday receipts

All right, well this is not as bad as first indicated. The top one, received yesterday, has to be barcoded like all the others received yesterday. The bottom four are okay to go, with the corrections done in claims.

We have the CSC barcoding spreadsheet in, if the contractor finishes tonight, we need your spreadsheet early tomorrow morning to run the RNG. We want to send you the selected numbers tomorrow in time for all to be pulled and those not selected sent to reject processing.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

-----Original Message-----
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 4:10 PM
To: Loughlin, Stephen J; Stoddard, Becky M; Peck, Denis R

Subject: RE: Monday receipts

Denis -

Here is what I found on the five cases data entered with a 12/21 received date.

[redacted] Rec'd date is 12/21 - entered in error

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

Thanks
Mary-Lou (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 9:09 AM
To: Collins, Mary Lou E; Stoddard, Becky M
Subject: Fw: Monday receipts
Importance: High

Asap please
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J
Cc: Fitzsimmons, James; McConnell, James E; Young, Claudia F; Sweeney, Shelly A; Richardson, Gregory A
Sent: Tue Dec 22 09:07:49 2009
Subject: FW: Monday receipts

Steve,

We need you to research what happened with these 5 cases; did the contractor mistakenly enter Monday as the received date for work actually received last week, or did they in fact errorneously process a few that came in on Monday? Here are the receipt numbers.

If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing until we determine the best course of action.

Thanks,

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Tuesday, December 22, 2009 9:04 AM
To: Peck, Denis R
Cc: Young, Claudia F; Sweeney, Shelly A
Subject: Monday receipts

Denis,

Below are 5 receipt numbers from Monday.

On closer inspection, 170 H-1B cap numbers are left.

Jim

| RECEIPT | Recvdate | Rcptdate |
| --- | --- | --- |
| [redacted] | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |
| | Mon, 21 Dec 2009 | Mon, 21 Dec 2009 |

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 7:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 7:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 9:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 26, 2009 10:07 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 25th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,000 | 5,200 | 49,200 | 2,600 | 56,300 | 95% | 50% | 18% |
| Masters | 22,100 | 1,500 | 23,600 | 1,100 | 24,700 | 96% | 32% | 9% |
| **COMBINED** | **66,100** | **6,700** | **72,800** | **3,700** | **81,000** | **96%** | **44%** | **15%** |

Data available as of close of business, October 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 8:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 13, 2009 3:28 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

After returning from a lovely honeymoon on Victoria Island, I provide the latest H-1B cap numbers for FY 2010 as of October 12th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 42,300 | 5,600 | 47,900 | 2,800 | 54,400 | 95% | 50% | 18% |
| Masters | 21,700 | 1,500 | 23,200 | 1,100 | 24,300 | 96% | 32% | 9% |
| **COMBINED** | **64,000** | **7,100** | **71,100** | **3,900** | **78,700** | **95%** | **45%** | **15%** |

Data available as of close of business, October 12th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 11:01 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, September 28, 2009 4:24 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 25th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 40,600 | 6,100 | 46,700 |
| Masters | 21,400 | 1,600 | 23,000 |
| **COMBINED** | **62,000** | **7,700** | **69,700** |

Data available as of close of business, September 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 21, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 18th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 39,600 | 6,400 | 46,000 | 2,300 | 52,300 | 96% | 51% | 18% |
| Masters | 21,200 | 1,500 | 22,700 | 1,000 | 23,700 | 96% | 33% | 8% |
| **COMBINED** | **60,800** | **7,900** | **68,700** | **3,300** | **76,000** | **96%** | **45%** | **15%** |

Data available as of close of business, September 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 14, 2009 8:59 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 11th. Note that RFE rate has been redefined as explained in superscript 6 below.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,900 | 6,600 | 45,500 | 2,000 | 51,900 | 96% | 51% | 18% |
| Masters | 21,000 | 1,500 | 22,500 | 900 | 23,500 | 96% | 33% | 8% |
| **COMBINED** | **59,900** | **8,100** | **68,000** | **2,900** | **75,400** | **96%** | **45%** | **15%** |

Data available as of close of business, September 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 08, 2009 9:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,200 | 7,100 | 45,300 | 1,900 | 51,500 | 96% | 10% | 17% |
| Masters | 20,800 | 1,600 | 22,400 | 900 | 23,400 | 96% | 3% | 8% |
| **COMBINED** | **59,000** | **8,700** | **67,700** | **2,800** | **74,900** | **96%** | **8%** | **14%** |

Data available as of close of business, September 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 31, 2009 3:17 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 28th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 37,200 | 7,900 | 45,100 | 1,900 | 50,900 | 96% | 12% | 17% |
| Masters | 20,700 | 1,600 | 22,300 | 900 | 23,300 | 96% | 3% | 8% |
| **COMBINED** | **57,900** | **9,500** | **67,400** | **2,800** | **74,200** | **96%** | **9%** | **14%** |

Data available as of close of business, August 28th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 24, 2009 8:23 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 21st

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 36,000 | 9,100 | 45,100 | 2,500 | 49,900 | 95% | 13% | 17% |
| Masters | 20,400 | 1,800 | 22,200 | 1,000 | 23,000 | 96% | 4% | 8% |
| **COMBINED** | **56,400** | **10,900** | **67,300** | **3,500** | **72,900** | **95%** | **10%** | **14%** |

Data available as of close of business, August 21st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 17, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 14th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 34,300 | 10,700 | 45,000 | 3,400 | 48,400 | 93% | 15% | 17% |
| Masters | 20,300 | 1,900 | 22,200 | 1,000 | 22,900 | 96% | 4% | 8% |
| **COMBINED** | **54,600** | **12,600** | **67,200** | **4,400** | **71,300** | **94%** | **12%** | **14%** |

Data available as of close of business, August 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 10, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 32,600 | 12,300 | 44,900 | 4,300 | 46,900 | 92% | 17% | 16% |
| Masters | 20,100 | 2,000 | 22,100 | 900 | 22,900 | 96% | 5% | 7% |
| **COMBINED** | **52,700** | **14,300** | **67,000** | **5,200** | **69,800** | **93%** | **13%** | **13%** |

Data available as of close of business, August 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Allowing for a projected 1,000 Chile and Singapore cap petitions under Free Trade Agreements, the maximum number for FY 2010 is **84,000** approved petitions counting towards combined H-1B regular and masters FY 2010 caps as of September 30, 2010. Revocations of previously approved FY 2010 cap petitions will increasingly occur during FY 2010, reducing the number of approved cap petitions.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, July 30, 2009 12:10 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

EARLY UPDATE (before July 31)
NEXT UPDATE: August 10

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,800 | 14,100 | 44,900 | 4,400 | 46,100 | 91% | 21% | 15% |
| Masters | 19,700 | 2,300 | 22,000 | 1,100 | 22,500 | 96% | 6% | 7% |

Data available as of close of business, July 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 27, 2009 7:09 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 24th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,100 | 14,800 | 44,900 | 4,700 | 45,600 | 91% | 22% | 15% |
| Masters | 19,600 | 2,500 | 22,100 | 1,100 | 22,400 | 96% | 6% | 7% |

Data available as of close of business, July 24th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 20, 2009 8:26 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 17th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 28,300 | 16,600 | 44,900 | 4,900 | 44,900 | 90% | 26% | 15% |
| Masters | 19,200 | 2,900 | 22,100 | 1,100 | 22,200 | 95% | 8% | 6% |

Data available as of close of business, July 17th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 13, 2009 8:58 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 10th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 26,800 | 18,100 | 44,900 | 5,400 | 44,000 | 89% | 29% | 14% |
| Masters | 18,800 | 3,400 | 22,200 | 1,200 | 22,000 | 95% | 10% | 5% |

Data available as of close of business, July 10th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 06, 2009 9:12 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 3rd

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 24,800 | 20,200 | 45,000 | 6,400 | 42,700 | 87% | 32% | 14% |
| Masters | 18,300 | 4,000 | 22,300 | 1,300 | 21,900 | 94% | 12% | 5% |

Data available as of close of business, July 3rd

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 29, 2009 8:27 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 26th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 23,600 | 21,200 | 44,800 | 7,100 | 41,500 | 85% | 34% | 14% |
| Masters | 17,900 | 4,400 | 22,300 | 1,300 | 21,700 | 94% | 15% | 4% |

Data available as of close of business, June 26th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 23, 2009 8:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Nespor, Patrick D
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 19th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 22,000 | 22,500 | 44,500 | 8,400 | 39,800 | 83% | 35% | 14% |
| Masters | 17,300 | 5,100 | 22,400 | 1,300 | 21,600 | 94% | 18% | 3% |

Data available as of close of business, June 19th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 9:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 08, 2009 8:05 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 5th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 18,300 | 26,100 | 44,400 | 13,900 | 33,300 | 71% | 37% | 13.4% |
| Masters | 16,100 | 6,300 | 22,400 | 1,400 | 21,100 | 94% | 23% | 1.2% |

Data available as of close of business, June 5th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

NOTE----The potential cap count for regulars declined last week. A significant number of regular cases (from one employer in particular) were denied that had been RFEd. The number of denials exceeded by far the number of new filings that trickled in resulting in the potential cap count going down.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 01, 2009 8:10 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 15,900 | 29,900 | 45,800 | 17,400 | 29,200 | 63% | 43% | 4.6% |
| Masters | 15,400 | 6,900 | 22,300 | 1,600 | 20,800 | 93% | 25% | 0.8% |

Data available as of close of business, May 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:10 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 1,400 cap numbers remain (84,300 minus 82,900). My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 16th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,700 | 8,200 | 59,000 | 57,600 | 5,200 | 64,200 | 92% | 48% | 17% |
| Masters | 23,700 | 1,900 | 25,500 | 25,300 | 1,400 | 26,400 | 95% | 32% | 9% |
| **COMBINED** | **74,400** | **10,100** | **84,500** | **82,900** | **6,600** | **90,600** | **93%** | **43%** | **15%** |

Data available as of close of business, December 16th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 16, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,700 cap numbers remain (84,300 minus 82,600). The most H-1B cap-eligible petitions were received on Monday (833) since the first week in April. During the last five working days (Tuesday through Monday), the current volume was 2,400 petitions. My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 15th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,500 | 8,200 | 58,700 | 57,300 | 5,300 | 63,900 | 92% | 48% | 17% |
| Masters | 23,600 | 1,900 | 25,500 | 25,300 | 1,400 | 26,300 | 95% | 32% | 9% |
| **COMBINED** | **74,100** | **10,100** | **84,200** | **82,600** | **6,700** | **90,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 15th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 15, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 2,300 cap numbers remain (84,300 minus 82,000). During the last five working days, the current volume was 2,100 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 14th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,300 | 7,900 | 58,200 | 56,800 | 5,000 | 63,600 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,200 | 1,400 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,800** | **9,700** | **83,500** | **82,000** | **6,400** | **89,800** | **93%** | **43%** | **15%** |

Data available as of close of business, December 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 14, 2009 8:55 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 2,900 cap numbers remain (84,300 minus 81,400). During the last five working days, the current volume was 2,200 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 11th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,100 | 7,500 | 57,600 | 56,000 | 4,700 | 63,400 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,000 | 1,300 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,600** | **9,300** | **82,900** | **81,400** | **6,000** | **89,600** | **94%** | **43%** | **15%** |

Data available as of close of business, December 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 11, 2009 8:09 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 3,000 cap numbers remain (84,000 minus 81,000). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Thursday, December 17th.

The latest H-1B cap numbers for FY 2010 as of December 10th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,700 | 7,600 | 57,300 | 56,000 | 4,800 | 62,900 | 93% | 48% | 17% |
| Masters | 23,500 | 1,700 | 25,200 | 25,000 | 1,300 | 26,100 | 95% | 32% | 9% |
| **COMBINED** | **73,200** | **9,300** | **82,500** | **81,000** | **6,100** | **89,000** | **93%** | **43%** | **15%** |

Data available as of close of business, December 10th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 10, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 3,300 cap numbers remain (84,000 minus 80,700). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Wednesday, December 16th.

The latest H-1B cap numbers for FY 2010 as of December 9th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,400 | 7,600 | 57,000 | 55,700 | 4,900 | 62,500 | 93% | 48% | 17% |
| Masters | 23,400 | 1,800 | 25,200 | 25,000 | 1,300 | 26,000 | 95% | 32% | 9% |
| **COMBINED** | **72,800** | **9,400** | **82,200** | **80,700** | **6,200** | **88,500** | **93%** | **43%** | **15%** |

Data available as of close of business, December 9th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 7:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 4,200 cap numbers remain.

The latest H-1B cap numbers for FY 2010 as of December 7th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,000 | 7,300 | 56,300 | 55,000 | 4,700 | 62,000 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,300** | **9,000** | **81,300** | **79,800** | **5,900** | **87,900** | **94%** | **43%** | **15%** |

Data available as of close of business, December 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 07, 2009 7:45 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,200. The FY 2010 cap will very likely be reached next week, probably by December 15.

The latest H-1B cap numbers for FY 2010 as of December 4th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,900 | 7,200 | 56,100 | 54,800 | 4,600 | 61,800 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,200** | **8,900** | **81,100** | **79,600** | **5,800** | **87,700** | **94%** | **43%** | **15%** |

Data available as of close of business, December 4th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 03, 2009 8:36 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** has risen 1,000 this week or 333 per day. Extrapolated for the week, the volume is 1,665, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of petitions pending), 5,600 cap numbers are left (84,000-78,400). If a daily volume of 333 continues, then the cap will be reached in 17 workdays or December 28th.

The latest H-1B cap numbers for FY 2010 as of December 2nd are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,100 | 6,900 | 55,000 | 53,800 | 4,200 | 61,000 | 94% | 49% | 18% |
| Masters | 23,200 | 1,600 | 24,800 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,300** | **8,500** | **79,800** | **78,400** | **5,400** | **86,800** | **94%** | **44%** | **15%** |

Data available as of close of business, December 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 7:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| COMBINED | 71,000 | 8,400 | 79,400 | 78,000 | 5,300 | 86,500 | 94% | 44% | 15% |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 01, 2009 8:17 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** rose 100 yesterday.

The latest H-1B cap numbers for FY 2010 as of November 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,600 | 6,700 | 54,300 | 53,100 | 4,000 | 60,500 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,700** | **8,300** | **79,000** | **77,600** | **5,100** | **86,200** | **94%** | **44%** | **15%** |

Data available as of close of business, November 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 30, 2009 8:48 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,000. Between November 13 and November 20, the corresponding increase was 1,300. If last week's volume continues in December, the FY 2010 cap will be reached by yearend.

The latest H-1B cap numbers for FY 2010 as of November 27th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,500 | 6,700 | 54,200 | 53,000 | 4,000 | 60,400 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,600** | **8,300** | **78,900** | **77,500** | **5,100** | **86,100** | **94%** | **44%** | **15%** |

Data available as of close of business, November 27th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 23, 2009 11:25 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 1,300. Between October 23 and November 13, the average weekly increase was 900.

The latest H-1B cap numbers for FY 2010 as of November 20th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 47,000 | 5,500 | 52,500 | 2,800 | 59,800 | 96% | 49% | 18% |
| Masters | 22,900 | 1,500 | 24,400 | 1,100 | 25,500 | 96% | 32% | 9% |
| **COMBINED** | **69,900** | **7,000** | **76,900** | **3,900** | **85,300** | **96%** | **44%** | **15%** |

Data available as of close of business, November 20th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 16, 2009 1:26 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 13th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 46,200 | 5,200 | 51,400 | 2,600 | 58,900 | 96% | 49% | 18% |
| Masters | 22,700 | 1,500 | 24,200 | 1,100 | 25,200 | 96% | 32% | 9% |
| **COMBINED** | **68,900** | **6,700** | **75,600** | **3,700** | **84,100** | **96%** | **44%** | **15%** |

Data available as of close of business, November 13th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 09, 2009 8:17 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 6th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 45,700 | 5,100 | 50,800 | 2,500 | 58,300 | 96% | 49% | 18% |
| Masters | 22,500 | 1,400 | 23,900 | 1,100 | 25,100 | 96% | 32% | 9% |
| **COMBINED** | **68,200** | **6,500** | **74,700** | **3,600** | **83,400** | **96%** | **44%** | **15%** |

Data available as of close of business, November 6th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 02, 2009 10:39 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,900 | 5,100 | 50,000 | 2,500 | 57,300 | 96% | 49% | 18% |
| Masters | 22,300 | 1,500 | 23,800 | 1,100 | 24,900 | 96% | 32% | 9% |
| **COMBINED** | **67,200** | **6,600** | **73,800** | **3,600** | **82,200** | **96%** | **44%** | **15%** |

Data available as of close of business, October 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 7:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |
| **COMBINED** | **74,900** | **10,000** | **84,900** | **83,300** | **6,500** | **91,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

# H1B CAP numbers through April 17: 66,354

Thursday, February 18, 2016
1:59 PM

| | |
|---|---|
| Subject | **H1B CAP numbers through April 17: 66,354** |
| From | Peck, Denis R |
| To | Velarde, Barbara Q; Neufeld, Donald; Paar, Tom; Kruszka, Robert F |
| Cc | Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E |
| Sent | Monday, April 20, 2009 7:41 AM |
| Attachments | HQ CAP re... |

Through last Friday, all received filings have been opened and sorted. Approximately 32,500 have been data entered.

Since the initial 5 days, we have received an average of 372 filings per day.

Denis Peck
Branch Chief, Service Center Records Management SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX
-----Original Message-----
From: Kielsmeier, Lauren
Sent: Monday, April 20, 2009 8:15 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Barbara/Denis, I am interested in seeing the latest update on the H1B CAP numbers when you have them. Thanks.

Lauren

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 7:41 AM
To: Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Peck, Denis R
Subject: RE: For tomorrow morning.

I have asked Denis to provide the most up to date numbers we have. We will be posting weekly updates every Monday beginning next Monday.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Paar, Tom
Sent: Thursday, April 16, 2009 6:41 AM
To: Richardson, Gregory A
Cc: Kruszka, Robert F; Velarde, Barbara Q
Subject: FW: For tomorrow morning.

Greg,

Knowing who the "early birds" are around here, could you please address Lauren's email below...thanks.

Respectfully,

-----Original Message-----
From: Kielsmeier, Lauren
Sent: Thursday, April 16, 2009 6:04 AM
To: Neufeld, Donald
Cc: Jones, Rendell L; Paar, Tom
Subject: Fw: For tomorrow morning.

Hi Don, can you pls send me the most current H-1B numbers for WH report. Possible to get more current figures, or is 4/9 the last count? Would be great to have this info by 10am - let me know.

Thanks,
Lauren

----- Original Message -----
From: Grossman, Jordan <Jordan.Grossman@dhs.gov>
To: Kielsmeier, Lauren <Lauren.Kielsmeier@dhs.gov>
Sent: Wed Apr 15 22:39:40 2009
Subject: For tomorrow morning.

Hi Lauren,

Could you let me know how many visas short you guys are for the WH report? The report is due at noon tomorrow.

Thanks!

---

From: Shlossman, Amy
Sent: Wednesday, April 15, 2009 10:24 PM
To: Grossman, Jordan
Subject: CIS

Did they send any updates on the HB-1 visas? Lauren mentioned this am that they still haven't reached their limit for the non-master degree category. Would be good to include in the WH report.

# California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2nd | Received on 3rd | Received on 6th | Received on 7th | Received on 8th |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 |
| **Total** | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 |

| Received on 9th | Received on 10th | Received on 13th | Received on 14th | Received on 15th | Received on 16th |
|---|---|---|---|---|---|
| 308 | 313 | 426 | 340 | 312 | 183 |
| 14 | 35 | 9 | 52 | 23 | 55 |
| 69 | 50 | 56 | 49 | 28 | 27 |
| 8 | 7 | 8 | 18 | 16 | 12 |
| 399 | 405 | 499 | 459 | 379 | 277 |

| Received on 17th | Total |
|---|---|
| 148 | 32,927 |
| 48 | 11,401 |
| 15 | 15,575 |
| 13 | 6,451 |
| 224 | 66,354 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, December 18, 2009 4:11 PM
**To:** Garner, Deanna L
**Cc:** Benavente, Jessy J; Loughlin, Stephen J; Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Bushey, Sandra T; Fries, Juliet M; Kruszka, Robert F; Richardson, Gregory A
**Subject:** H1B CAP plans for Monday

While I am out on Monday, with Dee acting branch chief, I will be monitoring my email. We are very close to being at the CAP limits for H1B. Jim Fitzsimmons runs a query in CISCORS in the morning to determine the current count. Vermont and California will have the contractor do a rack and stack of Monday's mail until we give them further notice on what to do. That decision will be based on Jim's numbers.

Rich Nicholson the CSC ACD is on leave, I believe Jessy is acting ACD on Monday. I have a few extra people copied just as insurance that this message is widely distributed as a precaution. We are under a severe storm watch through Sunday and there is a chance the government will not be open on Monday. If that happens we may not have an H1B count to send out. Just rack and stack Monday's CAP filings and we will be in touch no later than Tuesday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Fitzsimmons, James; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Greg,

The Service Centers received more than sufficient petitions to reach the regular cap yesterday. The SCs will begin bar coding those cap-subject petitions that were received yesterday (December 21) and run a lottery on those petitions. We will send OCOMM the cleared USCIS Update with the final receipt date of December 21 for posting today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 8:09 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Kruszka, Robert F; McConnell, James E
**Subject:** H-1B CAP rejects

Shelley,

You got the CSC count last week, here is Vermont's – 868 since we closed on December 21. This is for Bill Wright & Chris Bentley in OCOMM.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Stoddard, Becky M
**Sent:** Monday, February 01, 2010 8:40 AM
**To:** Peck, Denis R
**Subject:** FW: H-1B question

Denis,

Please see below counts, if you need any further information please let me know.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted]

(b)(6)

I-129 (H1B CAP) = 675
I-129 H1B (Master CAP) = 21
I-907/I-129 (Premium H1B CAP) = 159
I-907/I-129 (Premium Master H1B CAP) = 13

For a total of 868.

---

**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 3:41 PM
**To:** McConnell, James E; Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

I can ask for the data on how many rejects we've done since December 21, but Wright did use the word denials in his message. The rejects dry up pretty fast though, once the Website posts that the CAP season is closed.

Rich – Steve – Can you get an updated count to us of how many CAP rejects we have done since December 21, including the ones from December 21 that lost out in the lottery?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** McConnell, James E
**Sent:** Thursday, January 28, 2010 3:35 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

Denis,

Can you get this info for Bill from the centers. The manual rejects are not in Claims, so Jim can not query these.

Thanks,
Jim

==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] Voice
202-272-1543 - FAX (b)(6)
==========

---

**From:** Wright, William G
**Sent:** Thursday, January 28, 2010 3:15 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** H-1B question

Jim – Got a call from CBS News in Los Angeles. Producer wants to know if we can give them a total number of petitions that were filed for the FY10 program that were not accepted/denied, etc. (she's mainly interested in those after the cap was reached).

Also (doubt you'll have this), can we determine from which countries those denials refer?

ThanX!
Bill

## Shirk, Georgette L

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Monday, April 27, 2009 10:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, May 04, 2009 10:54 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for May 4: 67,180

CAP filings remained at about a 250 per day level last week. The statistics through cob on Friday, May 1 are:

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,841 | 0 | 9,841 | 18,000 | 0 | 18,000 | 27,841 | 0 |
| | | | | | | | | |
| VSC | 12,404 | 14 | 12,418 | 25,763 | 1,158 | 26,921 | 38,167 | 1,172 |
| | | | | | | | | |
| TOTALS | 22,245 | 14 | 22,259 | 43,763 | 1,158 | 44,921 | 66,008 | 1,172 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and the nonMasters as is.

Other data;

For the week of April 27 we received 1,236 filings – 442 at CSC, 794 at VSC.

We have rejected 845 filings at CSC (2.95%) and 886 at VSC (2.20%).

We became current with receipting filings on April 30 at CSC and anticipate being current at close of business today at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 27, 2009 11:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,
I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 19, 2011 9:28 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 12, 2011 7:40 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 06, 2011 1:17 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 29, 2011 7:56 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 1:29 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 15, 2011 9:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,300 | 8/12/2011 |
| H-1B Master's Exemption | 20,000 | 14,700 | 8/12/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, August 05, 2011 8:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
The counts are being sent today because I am on annual leave next week.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 9:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 25, 2011 9:22 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 18, 2011 7:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 15, 2011 8:50 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/14/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, July 08, 2011 10:27 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 8:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 27, 2011 12:00 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 7:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 14, 2011 6:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

I am back! I brought this weather with me.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, June 02, 2011 7:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, May 27, 2011 9:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 23, 2011 7:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 12,300 | 5/20/2011 |
| H-1B Master's Exemption | 20,000 | 8,500 | 5/20/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 11:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 09, 2011 9:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 02, 2011 12:11 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 9:46 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 8,000 | 4/22/2011 |
| H-1B Master's Exemption | 20,000 | 5,900 | 4/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 31, 2011 9:02 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/28/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 24, 2011 10:24 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/21/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 9:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 11, 2011 9:14 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 03, 2011 9:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 26, 2011 8:52 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 12:55 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
**Subject:** H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 12:02 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,
The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.
Therefore, racking and stacking should begin on Wednesday in order to be safe.
Jim

**H-1B cap Receipts approved or pending**

| | Saturday 22-Jan | Wednesday 19-Jan | Saturday 15-Jan |
|---|---|---|---|
| Prior to Jan 3 | 76,751 | 76,911 | 76,942 |
| Mon, 3 Jan 2011 | 419 | 419 | 418 |
| Tue, 4 Jan 2011 | 247 | 247 | 246 |
| Wed, 5 Jan 2011 | 430 | 431 | 430 |
| Thu, 6 Jan 2011 | 507 | 508 | 506 |

| | | | |
|---|---|---|---|
| Fri, 7 Jan 2011 | 556 | 556 | 545 |
| Mon, 10 Jan 2011 | 576 | 574 | 564 |
| Tue, 11 Jan 2011 | 466 | 452 | 446 |
| Wed, 12 Jan 2011 | 182 | 181 | 180 |
| Thu, 13 Jan 2011 | 591 | 564 | 457 |
| Fri, 14 Jan 2011 | 488 | 336 | 545 |
| Through Jan 14 | 81,213 | 81,179 | 81,279 |
| Tue, 18 Jan 2011 | 878 | 452 | |
| Wed, 19 Jan 2011 | 404 | 181 | |
| Thu, 20 Jan 2011 | 305 | 564 | |
| Through Jan 20 | 82,800 | 82,376 | |
| Fri, 21 Jan 2011 | 556 | 556 | |
| Mon, 24 Jan 2011 | 576 | 574 | |
| Tue, 25 Jan 2011 | 466 | 452 | |
| Wed, 26 Jan 2011 | 182 | 181 | |
| Thu, 27 Jan 2011 | 591 | 564 | |
| Fri, 28 Jan 2011 | 488 | 336 | |
| Through Jan 28 | 85,659 | 85,039 | |

Projections in red

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**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 9:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 28, 2011 10:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry (CTR); Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,
In case you have not heard, the H-1B cap season closed on November 22. A surge occurred early last week. Almost 3,000 petitions were received on Monday and another 2,000 on Tuesday.

Below is a table showing the latest cap counts. In the table below, the approval rates shown are based on April filings since nearly all of them have been adjudicated. As the far right column shows, if the approval rate on 34,400 petitions pending adjudication matches the approval rate on petitions filed in April, then the number of approvals for FY 2012 will be 65,100 for regular cap.
Jim

| | Approvals | Pending | Approval rate[1] | Future Approvals[2] | Cap Count[3] | Adjusted Cap Count[4] |
|---|---|---|---|---|---|---|
| Regular | 35,800 | 29,600 | 92% | 27,100 | 62,900 | **65,100** |
| Masters | 17,600 | 4,800 | 97% | 4,600 | 22,200 | **20,000** |
| Combined | 53,400 | 34,400 | 92% | 31,700 | 85,100 | **85,100** |

**Data available as of close of business, November 25**

Counts may not add due to rounding

[1] Percentage of petitions filed in April that have been approved

[2] Pending multiplied by approval rate

[3] Approvals plus estimated future approvals

[4] Adjusted for 22,200 masters rolling over into regular cap

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, September 25, 2009 7:42 AM
**To:** McConnell, James E
**Cc:** Young, Claudia F; Tamanaha, Emisa T
**Subject:** H-1B/H-2B cap count webpage

Jim,

I was wondering who we could approach for updated H-1B and H-2B numbers for our weekly cap count webpage update while Jim F. is on leave.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer (Business Operations)
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 04, 2009 8:09 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 1st :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 6,700 | 36,200 | 42,900 | 30,700 | 12,200 | 45% | 0.7% |
| Masters | 12,300 | 9,500 | 21,800 | 5,000 | 16,800 | 27% | 0.2% |

Data available as of close of business, May 1st

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 27, 2009 7:35 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of April 24th :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 5,700 | 23,400 | 29,100 | 18,500 | 10,600 | 46% | 0.4% |
| Masters | 8,500 | 12,800 | 21,300 | 10,300 | 11,000 | 23% | 0.2% |

Data available as of close of business, April 24th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Proportion of petitions touched that are RFE's
[5] Proportion of petitions approved or denied that are denied

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 11, 2009 8:26 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 8tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 9,300 | 35,600 | 44,900 | 28,200 | 16,800 | 44% | 0.8% |
| Masters | 13,600 | 8,300 | 21,900 | 3,000 | 18,900 | 28% | 0.3% |

Data available as of close of business, May 8th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 7:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:00 AM
**To:** Young, Claudia F; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: 2010 H1B CAP Reports

Wait until tomorrow and see if anyone notices…..

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Young, Claudia F
**Sent:** Monday, June 22, 2009 11:58 AM
**To:** Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R
**Subject:** RE: 2010 H1B CAP Reports

OK, folks, here's the issue:

We can give these numbers to OCOMM and update the webpage today with Jim's numbers below. However, due to the IT problems Jim is experiencing, we don't have the approved/pending numbers.

If we give these numbers and then find that there were more denials/withdrawals/revocations then next week's numbers will be lower and we will have to answer the "Why?" questions again.

I am thinking we hold off until at least tomorrow morning to see if IT can fix the issue so we can get a more accurate number. If the IT issue can't be fixed by tomorrow, we run with these numbers. What are your thoughts?

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, June 22, 2009 11:52 AM
**To:** Young, Claudia F
**Subject:** RE: 2010 H1B CAP Reports

Claudia,

June 15-19 receipts
Regular cap cases 470
Masters cap cases 149

As of June 19th, count of potential regular cap receipts is approximately 44,700.
That is based on adding to 470 to 44,200 (last week's number).
I am not going to be able to provide approval counts today because of server storage issue resting with OIT.

Jim

---

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:30 AM
**To:** Fitzsimmons, James; Young, Claudia F
**Subject:** FW: 2009 H1B CAP Reports

Jim, here it is through Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Monday, June 22, 2009 10:47 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Hi Denis, Julie, please see attached for the CAP reports as of COB Friday. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Saturday, January 29, 2011 9:37 AM
**To:** Neufeld, Donald; McConnell, James E
**Cc:** Velarde, Barbara Q
**Subject:** RE: Bullets on H1B CAP

I think I misused the term applications. I know we had more denials and revokes than that. Jim F's target in past years was over 90,000 applications total.

He'll be in on Monday, but what he told me was with the approvals we already had , 69,000, plus about 16,500 pendings, taking out the denials that will happen, we would end up with the 85,000 approvals. He also reserves about 1,000 of the 85,000 for chile Singapore and that factors into his calculations.

-----Original Message-----
From: Neufeld, Donald
Sent: Friday, January 28, 2011 6:56 PM
To: Peck, Denis R; McConnell, James E
Cc: Velarde, Barbara Q
Subject: Fw: Bullets on H1B CAP

Jim and Denis - can you get this info next week?

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Sent: Fri Jan 28 18:05:35 2011
Subject: RE: Bullets on H1B CAP

This is very helpful, Don. Thank you very much.

It appears that we grant the great majority of petitions, right? We accept 85,550 for 85,000 slots.

Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(202) 272-1000

Alejandro.Mayorkas@dhs.gov

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From: Neufeld, Donald
Sent: Friday, January 28, 2011 5:49 PM
To: Mayorkas, Alejandro N
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Subject: Bullets on H1B CAP

Ali,

I asked folks to put together just a few bullets that you might find informative relative to our reaching the cap:

* USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010

* On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.

* Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.

* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 04, 2011 7:01 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP count CSC = approx 4300

I agree.

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:46 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** FW: CAP count CSC = approx 4300

Been forgetting to include you today. I don't think you need to plan on running the RNG this year.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

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---

**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

---

**From**: Tailor, Anisa M
**Sent**: Friday, April 01, 2011 01:56 PM
**To**: Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L
**Cc**: Nicholson, Richard E
**Subject**: CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 9:53 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I'm available at 11. I believe that Claudia might be in a meeting right now.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

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---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM
**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

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---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

---

**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted]
Bonnie.Robbins@dhs.gov (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 10:49 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: CAP lottery reject replacements (24)

Congratulations to everyone involved. We are done with the intake portion of FY2011 CAP except for any cases still under CRU review from prior to last Wednesday or the rare appealed case that may still get accepted for good cause. The OCOMM posting is online since late Thursday and the applications still coming in should be dropping off very quickly.

We should reject back in date order; let's wait one more day and if there are no hitches the contractors can start rejecting these on Wednesday, with last Wednesday's unselected cases being the first to go back.

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---

**From:** Ashline, Heidi L
**Sent:** Monday, January 31, 2011 10:00 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has keyed both of the requested files below.

We are all set.

Thank you,

Heidi Ashline
VSC/SISA/CPAU
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 9:27 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Vermont, would you take the next two files off the spreadsheet – rows 25 and 26 – and receipt them in. CSC had two rejects from their replacement batch.

Note, row 27 is also one of your files so if 25 or 26 is a reject that one goes next.

This should finish us off. Let us know, thanks.

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---

**From:** Ashline, Heidi L
**Sent:** Friday, January 28, 2011 1:21 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E; Loughlin, Stephen J
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has processed all 12 of their cases.

Also, when should we start rejecting all other CAP cases received on the 26th and after?

Thank you,
Heidi

---

**From:** Peck, Denis R
**Sent:** Friday, January 28, 2011 11:22 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E
**Subject:** FW: CAP lottery reject replacements (24)

Both centers have completed processing the batch of 683 selectees from Wednesday's mail. There were 24 rejects. Accordingly, Jim prepared in advance this random sequence of the 283 remaining from Wednesday's mail to replace them. There are 12 VSC and 12 CSC barcodes randomly picked in order. Steve and Rich, have your center's 12 pulled and processed and let us know when complete.

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Branch Chief, Service Center Records Management
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202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 3:04 PM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers

Denis,
Attached is a randomly-generated list of "losers". Any additional winners should be selected from the top of the list, as we discussed.
Jim

---

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 12:44 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

283

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, January 27, 2011 1:40 PM
**To:** Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

How many if any are we holding for the cusion?

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 1:38 PM
**To:** Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** FW: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Great; okay it's back to the centers. Pull and process these and let us know how many are rejects. The unselected barcodes should be held. Today's incoming should be held but no need to barcode.

Notice advising the public of the CAP being reached should be posted before cob today.

Thanks and we will wait to hear when processing is done.

Denis Peck
Branch Chief, Service Center Records Management
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[redacted]
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---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 1:32 PM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,
Attached are the 633 winning barcodes: CSC 307; VSC 326.
Jim

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 11:54 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James; Nicholson, Richard E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

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202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 8:41 AM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Just a total count. One long barcoded spreadsheet of however many you received yesterday. Jim comment if you want anything different.

---

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 8:37 AM
**To:** Peck, Denis R
**Subject:** FW: CAP numbers
**Importance:** High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 5:36 AM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers
**Importance:** High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per….ruff estimate.

Anyway I will get back to you with the official count.

Rich Nicholson
Assistant Director Records/COTR

California Service Center
USCIS
[redacted]
(b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 4:21 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
**Cc:** Velarde, Barbara Q
**Subject:** CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 1:30 PM
**To:** Velarde, Barbara Q; Harton, Frank A
**Cc:** Peck, Denis R; Richardson, Gregory A; McConnell, James E
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

I have just personally assured Frank that all is well cushioned in cap world.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 2:09 PM
To: Harton, Frank A; Fitzsimmons, James
Cc: Peck, Denis R; Richardson, Gregory A; McConnell, James E
Subject: Re: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Jim F is an absolute guru on this so I will take his cushion to the bank. His skill in calculating this is almost spooky.

----- Original Message -----
From: Harton, Frank A
To: Fitzsimmons, James
Cc: Peck, Denis R; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E
Sent: Thu Jan 27 14:07:07 2011
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

I don't have the experience Jim and Denis do at this, but I would think we need to hold for one more day (at this week's average daily rate) to get a sufficient cushion. Does that sound about right?

---

From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 1:44 PM
To: Velarde, Barbara Q; Peck, Denis R; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
Cc: McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

283

---

From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 1:40 PM
To: Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E

Cc: McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

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To: Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
Cc: McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
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Great; okay it's back to the centers. Pull and process these and let us know how many are rejects. The unselected barcodes should be held. Today's incoming should be held but no need to barcode.

Notice advising the public of the CAP being reached should be posted before cob today.

Thanks and we will wait to hear when processing is done.

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202-272-1542 FAX

---

From: Fitzsimmons, James

Sent: Thursday, January 27, 2011 1:32 PM
To: Peck, Denis R
Cc: McConnell, James E
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,

Attached are the 633 winning barcodes: CSC 307; VSC 326.

Jim

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From: Peck, Denis R
Sent: Thursday, January 27, 2011 11:54 AM
To: Loughlin, Stephen J; Ashline, Heidi L
Cc: Fitzsimmons, James; Nicholson, Richard E
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

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Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:41 AM
To: Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L

Cc: Fitzsimmons, James
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

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---

From: Nicholson, Richard E
Sent: Thursday, January 27, 2011 8:37 AM
To: Peck, Denis R
Subject: FW: CAP numbers
Importance: High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(b)(6)

---

From: Nicholson, Richard E
Sent: Thursday, January 27, 2011 5:36 AM
To: Peck, Denis R
Subject: RE: CAP numbers
Importance: High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per....ruff estimate.

Anyway I will get back to you with the official count.

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

[redacted]

(b)(6)

From: Peck, Denis R
Sent: Thursday, January 27, 2011 4:21 AM
To: Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
Cc: Velarde, Barbara Q
Subject: CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

# RE: CAP summary: 21,730 Masters & 42,380 nonMasters through April 9

Thursday, February 18, 2016
3:13 PM

| | |
|---|---|
| Subject | **RE: CAP summary: 21,730 Masters & 42,380 nonMasters through April 9** |
| From | Peck, Denis R |
| To | Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K |
| Cc | Jones, Rendell L; Bentley, Christopher S; Wright, William G |
| Sent | Friday, April 10, 2009 11:36 AM |
| Attachments | HQ CAP re... |

Combined total, 64,110.

The new filings on April 9 were 398. 76 Masters and 322 nonMasters.

21 of these were Premiums.

Since it appears it will be some time before this is over I won't send a daily summary after today unless I hear back that you require it. Data entry is going well and we will catch up and be current sooner than we anticipated. We data entered 3,778 yesterday – all premiums – and the total increases each day as the operators learning curve improves.

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted]
202-272-1542 FAX

**From:** Peck, Denis R (b)(6)
**Sent:** Thursday, April 09, 2009 9:39 AM
**To:** Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
**Cc:** Jones, Rendell L; Bentley, Christopher S; Wright, William G
**Subject:** CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day. There is a 4 count discrepancy between received and barcoded which we'll reconcile.

Denis Peck
Branch Chief, Service Center Records Management
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## California/Vermont Bar

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Bar Coded on 8th |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | 220 |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | 14 |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | 93 |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | 3 |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **330** |

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Received on 8th |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 |
| **Total** | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 |

| 9-Apr | |
|---|---|
| Bar Coded on 9th | **Total** |
| 308 | **31,205** |
| 14 | **11,175** |
| 69 | **15,354** |
| 7 | **6,376** |
| **398** | **64,110** |

| Received on 9th | Total |
|---|---|
| 308 | 31,205 |
| 14 | 11,179 |
| 69 | 15,350 |
| 7 | 6,376 |
| 398 | 64,110 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 10:24 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP update through Day 5 = 10,456

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
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[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

http://www.cgi.com/usfederal

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 24, 2009 6:16 AM
**To:** Velarde, Barbara Q; McConnell, James E; Kruszka, Robert F; Fitzsimmons, James; Johnson, Bobbie L; Young, Claudia F; Richardson, Gregory A
**Subject:** RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

All,

I've pulled together some draft responses to the Ombudsman's questions, but would like Jim to weigh in before I send to counsel as statistics and numbers are not my strong point. I didn't know how in-depth we should go on the approval and denial rates (ie. should we state exactly what rates we are using?), so at this point I left the response general. Jim, please let me know if I've got anything wrong.

1) 6,800 cap numbers are held in reserve each year for Chile/Singapore H-1B1s. The unused Chile/Singapore numbers are then rolled over into the next fiscal year's regular cap. For example, the unused Chile/Singapore numbers for FY08 were rolled into the FY09 regular cap and the unused Chile/Singapore numbers for FY09 were rolled into the FY10 regular cap and were made available on April 1, 2009.

2) There were approximately 6,100 unused Chile/Singapore H-1B1s in FY09. That number was added to the 58,200 regular cap numbers available for FY10 to get 64,300 regular cap visas available for FY10 (this excludes the 20,000 master's exemption). This year is different from previous years as we are able to use actual data on approvals to determine when to end the filing period for the regular cap. We apply historical data on approval, denial, withdrawal, etc. rates from the cases that have already been adjudicated to our pending cap-subject petitions to estimate how many of the pending petitions may be eligible for a cap number. We then add that number to the number of petitions that have already been approved for an FY10 cap number. When the estimated cap eligible number reaches 64,300, we close the filing period. We needed to run a lottery on the filings received on Monday, December 21st since we only needed a portion of those filings to reach the cap.

Thanks!

Shelly
-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, December 23, 2009 6:56 PM
To: McConnell, James E; Kruszka, Robert F; Fitzsimmons, James; Sweeney, Shelly A; Johnson, Bobbie L; Young, Claudia F
Subject: Fw: CISOMB Inquiry: Questions Regarding the H-1B Cap

Let's work on a response and then loop in counsel

----- Original Message -----
From: Neufeld, Donald
To: Velarde, Barbara Q
Sent: Wed Dec 23 18:53:21 2009
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

I think we should be as honest as we can, but you should really loop in Counsel on this.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, December 23, 2009 6:48 PM
To: Neufeld, Donald
Subject: Fw: CISOMB Inquiry: Questions Regarding the H-1B Cap

Do we really have to get so far into the weeds on this. I know we need to be transparent and we can answer the chile singapore question but I am concerned with the data on withdrawals denials etc as that can change as we are now seeing some initial spikes albeit small on rejects due to the lca etc. It gives me concern having gone though the 05 drill

----- Original Message -----
From: Harrison, Julia L
To: Kruszka, Robert F; Geary, Andrew C; Richardson, Gregory A
Cc: Velarde, Barbara Q; Farnam, Julie E; Davis, Marla J
Sent: Wed Dec 23 18:33:00 2009
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Hi Robert. We really need to get these answers to the CISOMB- can you ask the Branch Chief to respond by noon Monday please. Thanks!!

Julia Harrison

Domestic Operations

[redacted] (b)(6)

---

From: Kruszka, Robert F
Sent: Friday, December 18, 2009 12:05 PM
To: Geary, Andrew C; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Drew:

I thought I had sent this to the correct branch, but can't seem to find that email. I just sent it again.

Robert F. Kruszka

Robert F. Kruszka

Deputy Chief, Service Center Operations

U.S. Citizenship and Immigration Services

Department of Homeland Security

---

From: Geary, Andrew C
Sent: Friday, December 18, 2009 11:41 AM
To: Kruszka, Robert F; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: RE: CISOMB Inquiry: Questions Regarding the H-1B Cap

Good morning – just following up on this inquiry.

Thanks,

Drew

---

From: Geary, Andrew C
Sent: Wednesday, December 09, 2009 2:56 PM
To: Kruszka, Robert F; Richardson, Gregory A
Cc: Harrison, Julia L
Subject: CISOMB Inquiry: Questions Regarding the H-1B Cap

Good afternoon,

We received the below inquiry from the CISOMB:

We have received very positive feedback from stakeholders regarding the weekly updates on the H-1B cap. As you likely are aware, recently USCIS stated that 61,100 cases have been filed. However, this information could be much more valuable if USCIS would also explain the total size of the pool against which cases are being counted. While the statutory H-1B cap is 65,000, there are two issues that make this number less clear:

(1) How are the H-1B1 numbers for Singapore and Chile counted? We know that the 6,800 numbers for this category are subtracted from the regular cap, reducing it to 58,200. Are the H-1B1 numbers being returned to the regular H-1B cap? If so, when and how many?

(2) We believe that USCIS accepts more H-1B petitions than there are cap numbers because of an assumption that a certain percentage of petitions will be denied or withdrawn. What is total number of filings that USCIS will accept this year to achieve the statutory number of H-1B approvals?

Without the answers to these questions, the USCIS cap reports do not allow employers to predict when the cap will be reached. Overly optimistic assumptions will make employers start on the process of extending job offers and filing LCAs. Overly pessimistic assumptions will make employers either prematurely decide not to proceed with an application or create an artificial panic leading to a surge of applications.

Can you assist with these questions?

Thanks,
Drew

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

VSC is currently creating the extract file only on Saturday. With petitions trickling in, I don't think it is worth making a change. The file is going to be incomplete for CSC no matter what day it is created.

---

**From:** Johnson, Bobbie L
**Sent:** Monday, April 12, 2010 11:59 AM
**To:** Fitzsimmons, James; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

Adding Shelly. With the start of a new filing season, I'm wondering if we should move the weekly reporting day to Tuesday of each week. Would that make a difference (positive or negative or none) on the data you report weekly, Jim? For example, would you have complete data from CSC by tomorrow?

---

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P
**Subject:** FY 2011 H-1B Cap Count

All,

Below are the incomplete counts through April 9. CSC data for Friday was not captured in these counts.

Who should be on this email each week?

Jim

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 2,654 | 4/9/2010 |
| H-1B Master's Exemption | 20,000 | 2,459 | 4/9/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 11:27 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Denis,
I will provide them as soon as I can, either today or tomorrow.
Jim

---

**From:** Peck, Denis R
**Sent:** Monday, September 13, 2010 12:24 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Thanks Jim and glad to see you're back. As you can guess we are looking forward to getting your August receipt counts next.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 12:19 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 37,374 | 9/10/2010 |
| H-1B Master's Exemption | 20,000 | 13,654 | 9/10/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:25 AM
**To:** Velarde, Barbara Q; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Barbara,
An announcement is not necessary soon since Masters petitions roll over into regular cap after Masters cap has been reached. I will talk to Shelly about modifying the cap webpage to reflect this situation. In 2010, the H-1B cap webpage showed the combined cap count after the Masters cap was reached.
Jim

---

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 10:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 7:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|

| | | |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 10:51 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 3:47 PM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

Denis,

I just wanted to double check to see how we will be proceeding tomorrow. I assume that the Centers will be following your Wednesday email, right?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:20 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A; Johnson, Bobbie L; McConnell, James E
**Subject:** RE: H1B Cap applications on December 17
**Importance:** High

Denis,
The cap was not reached yesterday, so it is okay to key today's receipts. Once I get the counts for today's receipts, I can determine whether the cap was reached today.
Jim

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A
**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, December 17, 2009 3:53 PM
**To:** Sweeney, Shelly A; Fitzsimmons, James
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

They'd better. Seriously, I think they know our plan.

We were 1400 under cap this morning, and we added 170 from CSC late data entry yesterday. That would make about 1230 under the cap. It sounded from the preliminary counts that we had 600-700 today maximum. Unless tomorrow is lighter than expected it should be the last date. Stay tuned.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 17, 2009 4:47 PM
**To:** Fitzsimmons, James; Peck, Denis R
**Cc:** Johnson, Bobbie L; McConnell, James E; Young, Claudia F; Doherty, Shannon P
**Subject:** RE: H1B Cap applications on December 17

Denis,

I just wanted to double check to see how we will be proceeding tomorrow. I assume that the Centers will be following your Wednesday email, right?

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:20 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A; Johnson, Bobbie L; McConnell, James E
**Subject:** RE: H1B Cap applications on December 17
**Importance:** High

Denis,
The cap was not reached yesterday, so it is okay to key today's receipts. Once I get the counts for today's receipts, I can determine whether the cap was reached today.
Jim

---

**From:** Peck, Denis R
**Sent:** Wednesday, December 16, 2009 4:15 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Fitzsimmons, James; Sweeney, Shelly A

**Cc:** Hazuda, Mark J; Gregg, Bret S; Kruszka, Robert F
**Subject:** H1B Cap applications on December 17

CSC/VSC,

Tomorrow, please have the contractors count and prepare the incoming applications but hold off on beginning receipting until we give a go ahead. Jim Fitzsimmons will have a receipted count through today by late morning and we would like a check of what we receive before we give the go ahead. The contractors can receipt any applications received today or earlier that were held up in the CRU or otherwise. If we give the go ahead to receipt on Thursday afternoon, we will repeat the same process Friday.

I understand this will delay the contractor's normal routine; they should be told to plan on doing most H1B work on second shift from now until we reach the CAP limit. Also we will not penalize them if they fail to complete the day's incoming volume due to the late starting time.

So again, pls. send me the incoming application count when it is ready, plus whatever the number in the CRU as of the end of today is.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, January 10, 2011 9:45 AM
**To:** Fitzsimmons, James
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** RE: H-1B cap counts

Ok. I can update the cap webpages a little more starting next week. I've already reached out to OCOMM to make sure that they've dusted off the USCIS Update.

I've never heard of the SSM history action code. Do we know how that is applied? Is it something that would be done at data entry? Or is it something that would be done by the adjudicator?

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 10:13 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; McConnell, James E; Peck, Denis R
**Subject:** H-1B cap counts

Shelly,
FYI---I am going to provide H-1B cap counts each Monday and Wednesday this week and next. Then on 24th , I plan to begin providing daily counts.

By the way, have you ever heard of SSM ( Special Masters) historical action code?

Jim

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 02, 2009 10:35 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; McConnell, James E; Young, Claudia F; Cummings, Kevin J; Fitzsimmons, James
**Subject:** RE: VSC 2009 H1B CAP Report REVISED

Hold the news until I can get a better verification, but Vermont sent me a spreadsheet showing the package count for day one is now 34,000 vs 23,000. This would make the petition count more like 50,000 and our first day total with California 80,000. They said it was due to an updated manifest provided by FEDEX.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
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---

**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 11:24 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

See the updated counts. Stanley will have all PP mail opened and bar coded by this evening and then they will start on regular mail.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 11:00 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** RE: VSC 2009 H1B CAP Report

All,
I have just received an updated FedEx count for yesterday now that we have received the last manifests. Please see this update reflected in the above attached.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: 802.527.4733 | 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 10:03 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 03, 2011 8:25 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,614 | 12/31/2010 |
| H-1B Master's Exemption* | 20,000 | 20,671 | 12/31/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 8:13 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,718 | 1/7/2011 |
| H-1B Master's Exemption* | 20,000 | 20,971 | 1/7/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

# USCIS Update (H-1B cap reached for FY2010)

Thursday, February 18, 2016
3:35 PM

| | |
|---|---|
| Subject | **USCIS Update (H-1B cap reached for FY2010)** |
| From | Sweeney, Shelly A |
| To | Poulos, Christina; Renaud, Daniel M; Gregg, Bret S; Hazuda, Mark J |
| Cc | Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; McConnell, James E |
| Sent | Tuesday, December 22, 2009 12:21 PM |
| Attachments | USCISUpd... |

Chris, Dan, Bret and Mark,

The attached Update is being issued today since we received more than enough petitions yesterday to reach the cap. In addition to referencing the final receipt date, the Update also notifies the public that a lottery will be held for the petitions received on the final receipt date.

Thanks!

Shelly

**From:** Wright, William G
**Sent:** Tuesday, December 22, 2009 12:11 PM
**To:** Alfonso-Royals, Angelica M; Ash, Matthew L; Bentley, Christopher S; Blauvelt, Sally; Brown, Katherine HS; Brown, Meddie; Cabrera, Marilu; Carpenter, Dea D; Carson, Rebecca S; Carter, Constance L; Chandler, Matthew; Chang, Carrol; Chung, Jane; Clark, Matthew J; Frymyer, John M; Garcia-Upson, Maria; Garner, Angela L; Gitomer, Mariana; Humphrey, Buck H; Irazabal, Luz; Jones, Rendell L; Key, Donnell E; Kielsmeier, Lauren; Kuban, Sara; Kudwa, Amy; Lacot, Rosalina; Mattingly, Kathryn A; McCament, James W; Melero, Mariela; Metellus, Harry SJ; Murnane, Kristin M; Murray, Jeff J; Nicholson, Claire K; Onyango, Paul O; Prince, Lillian L; Rhatigan, Chris; Rodriguez, Miguel E; Roles, Rebecca J; Rummery, Sharon; Santiago, Ana E; Scheidhauer, Sharon E; Sebrechts, Marie T; Tichacek, Katherine; Tintary, Ruth E; USCIS Web Publishing; Vick, Frank R; Wheeler, Shannon L; Wilcox, Julia D; Wright, William G
**Cc:** Sweeney, Shelly A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Peck, Denis R; Doherty, Shannon P
**Subject:** USCIS Update (H-1B cap reached for FY2010)
**Importance:** High

Gents / Ladies -- USCIS has reached the FY2010 H-1B cap. Attached USCIS Update refers. Final receipt date is Dec. 21, 2009.

**Document:** USCIS Update

**Date for Release:** Tuesday, Dec. 22, 2009

**Guidance:**

- Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- Internal – For your information and your use as appropriate.

- Customer Service – For your information.
- New Media – Please post USCIS Update on the *News* page and on the H-1B cap page. Request **EXPEDITED** posting.

r/
Bill

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

Dec. 22, 2009

## USCIS Reaches FY 2010 H-1B Cap

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap for fiscal year (FY) 2010. USCIS is hereby notifying the public that Dec. 21, 2009 is the "final receipt date" for new H-1B specialty occupation petitions requesting an employment start date in FY 2010.

The "final receipt date" is the date on which USCIS determines that it has received enough cap-subject petitions to reach the limit of 65,000. USCIS has also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the "advanced degree" exemption. Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2010 that arrive after Dec. 21, 2009.

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Dec. 21, 2009. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject, and return the fee, for all cap-subject petitions not randomly selected.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted towards the congressionally mandated FY 2010 H-1B cap. Therefore, USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States.
- Change the terms of employment for current H-1B workers.
- Allow current H-1B workers to change employers.
- Allow current H-1B workers to work concurrently in a second H-1B position.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 7:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 7:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 9:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 26, 2009 10:07 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 25th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,000 | 5,200 | 49,200 | 2,600 | 56,300 | 95% | 50% | 18% |
| Masters | 22,100 | 1,500 | 23,600 | 1,100 | 24,700 | 96% | 32% | 9% |
| **COMBINED** | **66,100** | **6,700** | **72,800** | **3,700** | **81,000** | **96%** | **44%** | **15%** |

Data available as of close of business, October 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 19, 2009 8:36 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 18th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 43,000 | 5,500 | 48,500 | 2,800 | 55,200 | 95% | 50% | 18% |
| Masters | 21,900 | 1,500 | 23,400 | 1,100 | 24,400 | 96% | 32% | 9% |
| **COMBINED** | **64,900** | **7,000** | **71,900** | **3,900** | **79,600** | **95%** | **45%** | **15%** |

Data available as of close of business, October 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 13, 2009 3:28 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

After returning from a lovely honeymoon on Victoria Island, I provide the latest H-1B cap numbers for FY 2010 as of October 12th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 42,300 | 5,600 | 47,900 | 2,800 | 54,400 | 95% | 50% | 18% |
| Masters | 21,700 | 1,500 | 23,200 | 1,100 | 24,300 | 96% | 32% | 9% |
| **COMBINED** | **64,000** | **7,100** | **71,100** | **3,900** | **78,700** | **95%** | **45%** | **15%** |

Data available as of close of business, October 12th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, October 05, 2009 11:01 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of October 2nd.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 41,000 | 6,000 | 47,000 |
| Masters | 21,500 | 1,600 | 23,100 |
| **COMBINED** | **62,500** | **7,600** | **70,100** |

Data available as of close of business, October 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, September 28, 2009 4:24 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M; Fitzsimmons, James
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 25th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] |
|---|---|---|---|
| Regular | 40,600 | 6,100 | 46,700 |
| Masters | 21,400 | 1,600 | 23,000 |
| **COMBINED** | **62,000** | **7,700** | **69,700** |

Data available as of close of business, September 25th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Counts for Untouched, Touched, Touched rate, RFE rate, Denial rate will not be available until October 13, 2009.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 21, 2009 8:47 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 18th.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 39,600 | 6,400 | 46,000 | 2,300 | 52,300 | 96% | 51% | 18% |
| Masters | 21,200 | 1,500 | 22,700 | 1,000 | 23,700 | 96% | 33% | 8% |
| **COMBINED** | **60,800** | **7,900** | **68,700** | **3,300** | **76,000** | **96%** | **45%** | **15%** |

Data available as of close of business, September 18th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 14, 2009 8:59 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 11th. Note that RFE rate has been redefined as explained in superscript 6 below.

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,900 | 6,600 | 45,500 | 2,000 | 51,900 | 96% | 51% | 18% |
| Masters | 21,000 | 1,500 | 22,500 | 900 | 23,500 | 96% | 33% | 8% |
| **COMBINED** | **59,900** | **8,100** | **68,000** | **2,900** | **75,400** | **96%** | **45%** | **15%** |

Data available as of close of business, September 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 08, 2009 9:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry; Shiflett, Julie M
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of September 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 38,200 | 7,100 | 45,300 | 1,900 | 51,500 | 96% | 10% | 17% |
| Masters | 20,800 | 1,600 | 22,400 | 900 | 23,400 | 96% | 3% | 8% |
| **COMBINED** | **59,000** | **8,700** | **67,700** | **2,800** | **74,900** | **96%** | **8%** | **14%** |

Data available as of close of business, September 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 31, 2009 3:17 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G; Contaldi, Kerry
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 28th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 37,200 | 7,900 | 45,100 | 1,900 | 50,900 | 96% | 12% | 17% |
| Masters | 20,700 | 1,600 | 22,300 | 900 | 23,300 | 96% | 3% | 8% |
| **COMBINED** | **57,900** | **9,500** | **67,400** | **2,800** | **74,200** | **96%** | **9%** | **14%** |

Data available as of close of business, August 28th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 24, 2009 8:23 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 21st

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 36,000 | 9,100 | 45,100 | 2,500 | 49,900 | 95% | 13% | 17% |
| Masters | 20,400 | 1,800 | 22,200 | 1,000 | 23,000 | 96% | 4% | 8% |
| **COMBINED** | **56,400** | **10,900** | **67,300** | **3,500** | **72,900** | **95%** | **10%** | **14%** |

Data available as of close of business, August 21st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 17, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 14th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 34,300 | 10,700 | 45,000 | 3,400 | 48,400 | 93% | 15% | 17% |
| Masters | 20,300 | 1,900 | 22,200 | 1,000 | 22,900 | 96% | 4% | 8% |
| **COMBINED** | **54,600** | **12,600** | **67,200** | **4,400** | **71,300** | **94%** | **12%** | **14%** |

Data available as of close of business, August 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 10, 2009 10:40 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of August 7th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 32,600 | 12,300 | 44,900 | 4,300 | 46,900 | 92% | 17% | 16% |
| Masters | 20,100 | 2,000 | 22,100 | 900 | 22,900 | 96% | 5% | 7% |
| **COMBINED** | **52,700** | **14,300** | **67,000** | **5,200** | **69,800** | **93%** | **13%** | **13%** |

Data available as of close of business, August 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Allowing for a projected 1,000 Chile and Singapore cap petitions under Free Trade Agreements, the maximum number for FY 2010 is **84,000** approved petitions counting towards combined H-1B regular and masters FY 2010 caps as of September 30, 2010. Revocations of previously approved FY 2010 cap petitions will increasingly occur during FY 2010, reducing the number of approved cap petitions.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, July 30, 2009 12:10 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Gooselaw, Kurt G
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

EARLY UPDATE (before July 31)
NEXT UPDATE: August 10

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,800 | 14,100 | 44,900 | 4,400 | 46,100 | 91% | 21% | 15% |
| Masters | 19,700 | 2,300 | 22,000 | 1,100 | 22,500 | 96% | 6% | 7% |

Data available as of close of business, July 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 27, 2009 7:09 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 24th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 30,100 | 14,800 | 44,900 | 4,700 | 45,600 | 91% | 22% | 15% |
| Masters | 19,600 | 2,500 | 22,100 | 1,100 | 22,400 | 96% | 6% | 7% |

Data available as of close of business, July 24th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 20, 2009 8:26 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 17th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 28,300 | 16,600 | 44,900 | 4,900 | 44,900 | 90% | 26% | 15% |
| Masters | 19,200 | 2,900 | 22,100 | 1,100 | 22,200 | 95% | 8% | 6% |

Data available as of close of business, July 17th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 13, 2009 8:58 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 10th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 26,800 | 18,100 | 44,900 | 5,400 | 44,000 | 89% | 29% | 14% |
| Masters | 18,800 | 3,400 | 22,200 | 1,200 | 22,000 | 95% | 10% | 5% |

Data available as of close of business, July 10th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 06, 2009 9:12 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of July 3rd

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 24,800 | 20,200 | 45,000 | 6,400 | 42,700 | 87% | 32% | 14% |
| Masters | 18,300 | 4,000 | 22,300 | 1,300 | 21,900 | 94% | 12% | 5% |

Data available as of close of business, July 3rd

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 29, 2009 8:27 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Williams, Carol L; Sweeney, Shelly A
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 26th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 23,600 | 21,200 | 44,800 | 7,100 | 41,500 | 85% | 34% | 14% |
| Masters | 17,900 | 4,400 | 22,300 | 1,300 | 21,700 | 94% | 15% | 4% |

Data available as of close of business, June 26th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 23, 2009 8:15 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Nespor, Patrick D
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 19th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 22,000 | 22,500 | 44,500 | 8,400 | 39,800 | 83% | 35% | 14% |
| Masters | 17,300 | 5,100 | 22,400 | 1,300 | 21,600 | 94% | 18% | 3% |

Data available as of close of business, June 19th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 15, 2009 9:38 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 12th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 20,100 | 24,100 | 44,200 | 10,800 | 36,900 | 77% | 36% | 15.1% |
| Masters | 16,600 | 5,800 | 22,400 | 1,400 | 21,400 | 94% | 21% | 1.8% |

Data available as of close of business, June 12th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 08, 2009 8:05 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of June 5th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 18,300 | 26,100 | 44,400 | 13,900 | 33,300 | 71% | 37% | 13.4% |
| Masters | 16,100 | 6,300 | 22,400 | 1,400 | 21,100 | 94% | 23% | 1.2% |

Data available as of close of business, June 5th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

NOTE----The potential cap count for regulars declined last week. A significant number of regular cases (from one employer in particular) were denied that had been RFEd. The number of denials exceeded by far the number of new filings that trickled in resulting in the potential cap count going down.

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 01, 2009 8:10 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Cummings, Kevin J; McConnell, James E; Richardson, Gregory A; Peck, Denis R
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 29th

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 15,900 | 29,900 | 45,800 | 17,400 | 29,200 | 63% | 43% | 4.6% |
| Masters | 15,400 | 6,900 | 22,300 | 1,600 | 20,800 | 93% | 25% | 0.8% |

Data available as of close of business, May 29th

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 17, 2009 8:10 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 1,400 cap numbers remain (84,300 minus 82,900). My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 16th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,700 | 8,200 | 59,000 | 57,600 | 5,200 | 64,200 | 92% | 48% | 17% |
| Masters | 23,700 | 1,900 | 25,500 | 25,300 | 1,400 | 26,400 | 95% | 32% | 9% |
| **COMBINED** | **74,400** | **10,100** | **84,500** | **82,900** | **6,600** | **90,600** | **93%** | **43%** | **15%** |

Data available as of close of business, December 16th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 16, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,700 cap numbers remain (84,300 minus 82,600). The most H-1B cap-eligible petitions were received on Monday (833) since the first week in April. During the last five working days (Tuesday through Monday), the current volume was 2,400 petitions. My best estimate of final receipt date remains Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 15th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,500 | 8,200 | 58,700 | 57,300 | 5,300 | 63,900 | 92% | 48% | 17% |
| Masters | 23,600 | 1,900 | 25,500 | 25,300 | 1,400 | 26,300 | 95% | 32% | 9% |
| **COMBINED** | **74,100** | **10,100** | **84,200** | **82,600** | **6,700** | **90,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 15th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 15, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 2,300 cap numbers remain (84,300 minus 82,000). During the last five working days, the current volume was 2,100 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 14th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,300 | 7,900 | 58,200 | 56,800 | 5,000 | 63,600 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,200 | 1,400 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,800** | **9,700** | **83,500** | **82,000** | **6,400** | **89,800** | **93%** | **43%** | **15%** |

Data available as of close of business, December 14th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 14, 2009 8:55 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 2,900 cap numbers remain (84,300 minus 81,400). During the last five working days, the current volume was 2,200 petitions. My best estimate of final receipt date is Friday, December 18th.

The latest H-1B cap numbers for FY 2010 as of December 11th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 50,100 | 7,500 | 57,600 | 56,000 | 4,700 | 63,400 | 93% | 48% | 17% |
| Masters | 23,500 | 1,800 | 25,300 | 25,000 | 1,300 | 26,200 | 95% | 32% | 9% |
| **COMBINED** | **73,600** | **9,300** | **82,900** | **81,400** | **6,000** | **89,600** | **94%** | **43%** | **15%** |

Data available as of close of business, December 11th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 11, 2009 8:09 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 3,000 cap numbers remain (84,000 minus 81,000). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Thursday, December 17th.

The latest H-1B cap numbers for FY 2010 as of December 10th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,700 | 7,600 | 57,300 | 56,000 | 4,800 | 62,900 | 93% | 48% | 17% |
| Masters | 23,500 | 1,700 | 25,200 | 25,000 | 1,300 | 26,100 | 95% | 32% | 9% |
| **COMBINED** | **73,200** | **9,300** | **82,500** | **81,000** | **6,100** | **89,000** | **93%** | **43%** | **15%** |

Data available as of close of business, December 10th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 10, 2009 8:22 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 3,300 cap numbers remain (84,000 minus 80,700). During the last five working days, the current volume was 2,300 petitions. My best estimate of final receipt date is Wednesday, December 16th.

The latest H-1B cap numbers for FY 2010 as of December 9th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,400 | 7,600 | 57,000 | 55,700 | 4,900 | 62,500 | 93% | 48% | 17% |
| Masters | 23,400 | 1,800 | 25,200 | 25,000 | 1,300 | 26,000 | 95% | 32% | 9% |
| **COMBINED** | **72,800** | **9,400** | **82,200** | **80,700** | **6,200** | **88,500** | **93%** | **43%** | **15%** |

Data available as of close of business, December 9th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 09, 2009 7:59 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 4,000 cap numbers remain. The volume appears to have leveled off at 2,000 petitions per week.

The latest H-1B cap numbers for FY 2010 as of December 8th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,100 | 7,400 | 56,500 | 55,100 | 4,700 | 62,100 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,900 | 1,300 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,400** | **9,100** | **81,500** | **80,000** | **6,000** | **88,000** | **94%** | **43%** | **15%** |

Data available as of close of business, December 8th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 08, 2009 9:19 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

About 4,200 cap numbers remain.

The latest H-1B cap numbers for FY 2010 as of December 7th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 49,000 | 7,300 | 56,300 | 55,000 | 4,700 | 62,000 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,300** | **9,000** | **81,300** | **79,800** | **5,900** | **87,900** | **94%** | **43%** | **15%** |

Data available as of close of business, December 7th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 07, 2009 7:45 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,200. The FY 2010 cap will very likely be reached next week, probably by December 15.

The latest H-1B cap numbers for FY 2010 as of December 4th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,900 | 7,200 | 56,100 | 54,800 | 4,600 | 61,800 | 93% | 48% | 18% |
| Masters | 23,300 | 1,700 | 25,000 | 24,800 | 1,200 | 25,900 | 95% | 32% | 9% |
| **COMBINED** | **72,200** | **8,900** | **81,100** | **79,600** | **5,800** | **87,700** | **94%** | **43%** | **15%** |

Data available as of close of business, December 4th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, December 03, 2009 8:36 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** has risen 1,000 this week or 333 per day. Extrapolated for the week, the volume is 1,665, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of petitions pending), 5,600 cap numbers are left (84,000-78,400). If a daily volume of 333 continues, then the cap will be reached in 17 workdays or December 28th.

The latest H-1B cap numbers for FY 2010 as of December 2nd are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 48,100 | 6,900 | 55,000 | 53,800 | 4,200 | 61,000 | 94% | 49% | 18% |
| Masters | 23,200 | 1,600 | 24,800 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| **COMBINED** | **71,300** | **8,500** | **79,800** | **78,400** | **5,400** | **86,800** | **94%** | **44%** | **15%** |

Data available as of close of business, December 2nd
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, December 02, 2009 7:28 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The cap count for **combined** has risen 600 this week or 300 per day. Extrapolated for the week, the volume is 1,500, down from last week's volume of 2,000.

Using the estimated count (which adjusts for denials of pending), 6,000 cap numbers are left (84,000-78,000). If a daily volume of 300 continues, then the cap will be reached in 20 workdays or December 30th.

The latest H-1B cap numbers for FY 2010 as of December 1st are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,900 | 6,800 | 54,700 | 53,400 | 4,100 | 60,700 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,600 | 1,200 | 25,800 | 96% | 32% | 9% |
| COMBINED | 71,000 | 8,400 | 79,400 | 78,000 | 5,300 | 86,500 | 94% | 44% | 15% |

Data available as of close of business, December 1st
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, December 01, 2009 8:17 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

The cap count for **combined** rose 100 yesterday.

The latest H-1B cap numbers for FY 2010 as of November 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,600 | 6,700 | 54,300 | 53,100 | 4,000 | 60,500 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,700** | **8,300** | **79,000** | **77,600** | **5,100** | **86,200** | **94%** | **44%** | **15%** |

Data available as of close of business, November 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 30, 2009 8:48 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 2,000. Between November 13 and November 20, the corresponding increase was 1,300. If last week's volume continues in December, the FY 2010 cap will be reached by yearend.

The latest H-1B cap numbers for FY 2010 as of November 27th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 47,500 | 6,700 | 54,200 | 53,000 | 4,000 | 60,400 | 94% | 49% | 18% |
| Masters | 23,100 | 1,600 | 24,700 | 24,500 | 1,100 | 25,700 | 96% | 32% | 9% |
| **COMBINED** | **70,600** | **8,300** | **78,900** | **77,500** | **5,100** | **86,100** | **94%** | **44%** | **15%** |

Data available as of close of business, November 27th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 82% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 23, 2009 11:25 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

Last week, the cap count for **combined** rose 1,300. Between October 23 and November 13, the average weekly increase was 900.

The latest H-1B cap numbers for FY 2010 as of November 20th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 47,000 | 5,500 | 52,500 | 2,800 | 59,800 | 96% | 49% | 18% |
| Masters | 22,900 | 1,500 | 24,400 | 1,100 | 25,500 | 96% | 32% | 9% |
| **COMBINED** | **69,900** | **7,000** | **76,900** | **3,900** | **85,300** | **96%** | **44%** | **15%** |

Data available as of close of business, November 20th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 16, 2009 1:26 PM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 13th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 46,200 | 5,200 | 51,400 | 2,600 | 58,900 | 96% | 49% | 18% |
| Masters | 22,700 | 1,500 | 24,200 | 1,100 | 25,200 | 96% | 32% | 9% |
| **COMBINED** | **68,900** | **6,700** | **75,600** | **3,700** | **84,100** | **96%** | **44%** | **15%** |

Data available as of close of business, November 13th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 09, 2009 8:17 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of November 6th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 45,700 | 5,100 | 50,800 | 2,500 | 58,300 | 96% | 49% | 18% |
| Masters | 22,500 | 1,400 | 23,900 | 1,100 | 25,100 | 96% | 32% | 9% |
| **COMBINED** | **68,200** | **6,500** | **74,700** | **3,600** | **83,400** | **96%** | **44%** | **15%** |

Data available as of close of business, November 6th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 02, 2009 10:39 AM
**To:** Neufeld, Donald; Jones, Rendell L; Rogers, Debra A; Arroyo, Susan K; Kielsmeier, Lauren
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Mattice, Michael; Contaldi, Kerry; Young, Claudia F
**Subject:** H-1B cap numbers for FY 2010 UPDATE

**Importance:** High

All,

The latest H-1B cap numbers for FY 2010 as of October 30th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Untouched[3] | Touched[4] | Touched rate[5] | RFE rate[6] | Denial rate[7] |
|---|---|---|---|---|---|---|---|---|
| Regular | 44,900 | 5,100 | 50,000 | 2,500 | 57,300 | 96% | 49% | 18% |
| Masters | 22,300 | 1,500 | 23,800 | 1,100 | 24,900 | 96% | 32% | 9% |
| **COMBINED** | **67,200** | **6,600** | **73,800** | **3,600** | **82,200** | **96%** | **44%** | **15%** |

Data available as of close of business, October 30th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending
[3] Pending minus RFE's
[4] Approvals plus denials plus RFE's
[5] Percentage of petitions touched or untouched that have been touched
[6] Percentage of petitions touched that have **ever** been RFEd
[7] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, December 18, 2009 7:41 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; McConnell, James E; Richardson, Gregory A; Peck, Denis R; Sweeney, Shelly A; Tamanaha, Emisa T; Doherty, Shannon P; Young, Claudia F; Johnson, Bobbie L
**Subject:** H-1B cap numbers for FY 2010 UPDATE

All,

About 1,000 cap numbers remain (84,300 minus 83,300). My best estimate of final receipt date is Monday, December 21st. My recommendation is to accept all receipts today and rack and stack on Monday.

The latest H-1B cap numbers for FY 2010 as of December 17th are below:

**Table 1**

| H-1B cap | Approved | Pending[1] | Potential Cap[2] | Estimated Count[3] | Untouched[4] | Touched[5] | Touched rate[6] | RFE rate[7] | Denial rate[8] |
|---|---|---|---|---|---|---|---|---|---|
| Regular | 51,100 | 8,200 | 59,300 | 57,900 | 5,200 | 64,700 | 93% | 48% | 17% |
| Masters | 23,800 | 1,800 | 25,600 | 25,400 | 1,300 | 26,500 | 95% | 32% | 9% |
| **COMBINED** | **74,900** | **10,000** | **84,900** | **83,300** | **6,500** | **91,200** | **93%** | **43%** | **15%** |

Data available as of close of business, December 17th
Counts rounded to preserve consistency of totals

[1] Untouched plus RFE's
[2] Approved plus Pending (assumes all pending are approved)
[3] Based on approvals plus 83% of pending for regular (approval rate) and approvals plus 91% of pending for masters (approval rate)
[4] Pending minus RFE's
[5] Approvals plus denials plus RFE's
[6] Percentage of petitions touched or untouched that have been touched
[7] Percentage of petitions touched that have **ever** been RFEd
[8] Percentage of petitions approved or denied that have been denied

Jim

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 10:29 AM
**To:** Richardson, Gregory A
**Cc:** Velarde, Barbara Q; Kruszka, Robert F; Young, Claudia F; Johnson, Bobbie L; McConnell, James E; Peck, Denis R; Fitzsimmons, James; Doherty, Shannon P
**Subject:** H-1B Cap Reached

Greg,

The Service Centers received more than sufficient petitions to reach the regular cap yesterday. The SCs will begin bar coding those cap-subject petitions that were received yesterday (December 21) and run a lottery on those petitions. We will send OCOMM the cleared USCIS Update with the final receipt date of December 21 for posting today.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 8:09 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Kruszka, Robert F; McConnell, James E
**Subject:** H-1B CAP rejects

Shelley,

You got the CSC count last week, here is Vermont's – 868 since we closed on December 21. This is for Bill Wright & Chris Bentley in OCOMM.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Stoddard, Becky M
**Sent:** Monday, February 01, 2010 8:40 AM
**To:** Peck, Denis R
**Subject:** FW: H-1B question

Denis,

Please see below counts, if you need any further information please let me know.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted] (b)(6)

I-129 (H1B CAP) = 675
I-129 H1B (Master CAP) = 21
I-907/I-129 (Premium H1B CAP) = 159
I-907/I-129 (Premium Master H1B CAP) = 13

For a total of 868.

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**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 3:41 PM
**To:** McConnell, James E; Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

I can ask for the data on how many rejects we've done since December 21, but Wright did use the word denials in his message. The rejects dry up pretty fast though, once the Website posts that the CAP season is closed.

Rich – Steve – Can you get an updated count to us of how many CAP rejects we have done since December 21, including the ones from December 21 that lost out in the lottery?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** McConnell, James E
**Sent:** Thursday, January 28, 2010 3:35 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

Denis,

Can you get this info for Bill from the centers. The manual rejects are not in Claims, so Jim can not query these.

Thanks,
Jim

==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] Voice (b)(6)
202-272-1543 - FAX
==========

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**From:** Wright, William G
**Sent:** Thursday, January 28, 2010 3:15 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** H-1B question

Jim – Got a call from CBS News in Los Angeles. Producer wants to know if we can give them a total number of petitions that were filed for the FY10 program that were not accepted/denied, etc. (she's mainly interested in those after the cap was reached).

Also (doubt you'll have this), can we determine from which countries those denials refer?

ThanX!
Bill

## Shirk, Georgette L

**From:** Peck, Denis R <denis.peck@dhs.gov>
**Sent:** Monday, April 27, 2009 10:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, May 04, 2009 10:54 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; McConnell, James E
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for May 4: 67,180

CAP filings remained at about a 250 per day level last week. The statistics through cob on Friday, May 1 are:

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,841 | 0 | 9,841 | 18,000 | 0 | 18,000 | 27,841 | 0 |
| | | | | | | | | |
| VSC | 12,404 | 14 | 12,418 | 25,763 | 1,158 | 26,921 | 38,167 | 1,172 |
| | | | | | | | | |
| TOTALS | 22,245 | 14 | 22,259 | 43,763 | 1,158 | 44,921 | 66,008 | 1,172 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and the nonMasters as is.

Other data;

For the week of April 27 we received 1,236 filings – 442 at CSC, 794 at VSC.

We have rejected 845 filings at CSC (2.95%) and 886 at VSC (2.20%).

We became current with receipting filings on April 30 at CSC and anticipate being current at close of business today at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

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**From:** Peck, Denis R
**Sent:** Monday, April 27, 2009 11:50 AM
**To:** Velarde, Barbara Q; Neufeld, Donald; Rogers, Debra A; Kruszka, Robert F; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
**Cc:** Jones, Rendell L; Kielsmeier, Lauren
**Subject:** H-1B CAP Report for April 27: 66,776 received

Because we have more accurate numbers now, I changed the reporting from only how many have been received to how many have been DE into Claims and how many remain in the data entry queue. This reduced our numbers by about 1,200 rejects we have processed thus far. All numbers are through COB Friday April 24.

| Center | DE-Masters | In DE Queue-Masters | Combined Masters | DE nonMasters | In DE Queue nonMasters | Combined nonMasters | Both DE Combined | In DE Queue combined |
|---|---|---|---|---|---|---|---|---|
| CSC | 9,884 | 74 | 9,958 | 12,578 | 5,551 | 18,129 | 22,462 | 5,625 |
| | | | | | | | | |
| VSC | 12,166 | 14 | 12,180 | 16,726 | 9,783 | 26,509 | 28,892 | 9,797 |
| | | | | | | | | |
| TOTALS | 22,050 | 88 | 22,138 | 29,304 | 15,334 | 44,638 | 51,354 | 15,422 |

Thus for updating our weekly information to the public I recommend we retain our statement regarding the Masters as is and update the nonMasters total to **45,000** received.

Other data;

For the week of April 20 we received 1,161 filings – 418 at CSC, 743 at VSC.

We have DE 18,056 Premiums thus far. We have also begun receiving Premium upgrades separate from the original filings. Virtually all Premiums were handled within the 15 day window required.

We anticipate being current with Data Entry by cob April 30 at CSC and mid next week at VSC.

If you have any questions with the data above don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,
I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 19, 2011 9:28 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 12, 2011 7:40 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 06, 2011 1:17 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 29, 2011 7:56 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 1:29 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 15, 2011 9:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,300 | 8/12/2011 |
| H-1B Master's Exemption | 20,000 | 14,700 | 8/12/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, August 05, 2011 8:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
The counts are being sent today because I am on annual leave next week.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 9:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 25, 2011 9:22 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 18, 2011 7:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 15, 2011 8:50 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/14/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, July 08, 2011 10:27 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 8:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 27, 2011 12:00 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 7:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 14, 2011 6:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

I am back! I brought this weather with me.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, June 02, 2011 7:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, May 27, 2011 9:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 23, 2011 7:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 12,300 | 5/20/2011 |
| H-1B Master's Exemption | 20,000 | 8,500 | 5/20/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 11:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 09, 2011 9:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 02, 2011 12:11 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 9:46 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 8,000 | 4/22/2011 |
| H-1B Master's Exemption | 20,000 | 5,900 | 4/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 31, 2011 9:02 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/28/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 24, 2011 10:24 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/21/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 9:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 11, 2011 9:14 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 03, 2011 9:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 26, 2011 8:52 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 12:55 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
**Subject:** H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 12:02 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,
The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.
Therefore, racking and stacking should begin on Wednesday in order to be safe.
Jim

**H-1B cap Receipts approved or pending**

| | Saturday 22-Jan | Wednesday 19-Jan | Saturday 15-Jan |
|---|---|---|---|
| Prior to Jan 3 | 76,751 | 76,911 | 76,942 |
| Mon, 3 Jan 2011 | 419 | 419 | 418 |
| Tue, 4 Jan 2011 | 247 | 247 | 246 |
| Wed, 5 Jan 2011 | 430 | 431 | 430 |
| Thu, 6 Jan 2011 | 507 | 508 | 506 |

| | | | |
|---|---|---|---|
| Fri, 7 Jan 2011 | 556 | 556 | 545 |
| Mon, 10 Jan 2011 | 576 | 574 | 564 |
| Tue, 11 Jan 2011 | 466 | 452 | 446 |
| Wed, 12 Jan 2011 | 182 | 181 | 180 |
| Thu, 13 Jan 2011 | 591 | 564 | 457 |
| Fri, 14 Jan 2011 | 488 | 336 | 545 |
| Through Jan 14 | 81,213 | 81,179 | 81,279 |
| Tue, 18 Jan 2011 | 878 | 452 | |
| Wed, 19 Jan 2011 | 404 | 181 | |
| Thu, 20 Jan 2011 | 305 | 564 | |
| Through Jan 20 | 82,800 | 82,376 | |
| Fri, 21 Jan 2011 | 556 | 556 | |
| Mon, 24 Jan 2011 | 576 | 574 | |
| Tue, 25 Jan 2011 | 466 | 452 | |
| Wed, 26 Jan 2011 | 182 | 181 | |
| Thu, 27 Jan 2011 | 591 | 564 | |
| Fri, 28 Jan 2011 | 488 | 336 | |
| Through Jan 28 | **85,659** | **85,039** | |

Projections in red

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**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 9:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

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---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 28, 2011 10:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry (CTR); Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,
In case you have not heard, the H-1B cap season closed on November 22. A surge occurred early last week. Almost 3,000 petitions were received on Monday and another 2,000 on Tuesday.

Below is a table showing the latest cap counts. In the table below, the approval rates shown are based on April filings since nearly all of them have been adjudicated. As the far right column shows, if the approval rate on 34,400 petitions pending adjudication matches the approval rate on petitions filed in April, then the number of approvals for FY 2012 will be 65,100 for regular cap.
Jim

| | Approvals | Pending | Approval rate[1] | Future Approvals[2] | Cap Count[3] | Adjusted Cap Count[4] |
|---|---|---|---|---|---|---|
| Regular | 35,800 | 29,600 | 92% | 27,100 | 62,900 | **65,100** |
| Masters | 17,600 | 4,800 | 97% | 4,600 | 22,200 | **20,000** |
| Combined | 53,400 | 34,400 | 92% | 31,700 | 85,100 | **85,100** |

**Data available as of close of business, November 25**

Counts may not add due to rounding

[1] Percentage of petitions filed in April that have been approved

[2] Pending multiplied by approval rate

[3] Approvals plus estimated future approvals

[4] Adjusted for 22,200 masters rolling over into regular cap

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, September 25, 2009 7:42 AM
**To:** McConnell, James E
**Cc:** Young, Claudia F; Tamanaha, Emisa T
**Subject:** H-1B/H-2B cap count webpage

Jim,

I was wondering who we could approach for updated H-1B and H-2B numbers for our weekly cap count webpage update while Jim F. is on leave.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer (Business Operations)
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 04, 2009 8:09 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 1st :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 6,700 | 36,200 | 42,900 | 30,700 | 12,200 | 45% | 0.7% |
| Masters | 12,300 | 9,500 | 21,800 | 5,000 | 16,800 | 27% | 0.2% |

Data available as of close of business, May 1st

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 27, 2009 7:35 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of April 24th :

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 5,700 | 23,400 | 29,100 | 18,500 | 10,600 | 46% | 0.4% |
| Masters | 8,500 | 12,800 | 21,300 | 10,300 | 11,000 | 23% | 0.2% |

Data available as of close of business, April 24th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Proportion of petitions touched that are RFE's
[5] Proportion of petitions approved or denied that are denied

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 11, 2009 8:26 AM
**To:** Velarde, Barbara Q
**Cc:** Young, Claudia F; McConnell, James E; Peck, Denis R; Cummings, Kevin J
**Subject:** latest H-1B cap numbers for FY 2010

**Importance:** High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 8tth:

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 9,300 | 35,600 | 44,900 | 28,200 | 16,800 | 44% | 0.8% |
| Masters | 13,600 | 8,300 | 21,900 | 3,000 | 18,900 | 28% | 0.3% |

Data available as of close of business, May 8th

[1] Untouched plus RFE's
[2] Pending minus RFE's
[3] Approvals plus denials plus RFE's
[4] Percentage of petitions touched that are RFE's
[5] Percentage of petitions approved or denied that are denied

Jim

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 7:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:00 AM
**To:** Young, Claudia F; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: 2010 H1B CAP Reports

Wait until tomorrow and see if anyone notices…..

Denis Peck
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SCOPS/DO/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Young, Claudia F
**Sent:** Monday, June 22, 2009 11:58 AM
**To:** Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R
**Subject:** RE: 2010 H1B CAP Reports

OK, folks, here's the issue:

We can give these numbers to OCOMM and update the webpage today with Jim's numbers below. However, due to the IT problems Jim is experiencing, we don't have the approved/pending numbers.

If we give these numbers and then find that there were more denials/withdrawals/revocations then next week's numbers will be lower and we will have to answer the "Why?" questions again.

I am thinking we hold off until at least tomorrow morning to see if IT can fix the issue so we can get a more accurate number. If the IT issue can't be fixed by tomorrow, we run with these numbers. What are your thoughts?

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, June 22, 2009 11:52 AM
**To:** Young, Claudia F
**Subject:** RE: 2010 H1B CAP Reports

Claudia,

June 15-19 receipts
Regular cap cases 470
Masters cap cases 149

As of June 19th, count of potential regular cap receipts is approximately 44,700.
That is based on adding to 470 to 44,200 (last week's number).
I am not going to be able to provide approval counts today because of server storage issue resting with OIT.

Jim

---

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:30 AM
**To:** Fitzsimmons, James; Young, Claudia F
**Subject:** FW: 2009 H1B CAP Reports

Jim, here it is through Friday.

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**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Monday, June 22, 2009 10:47 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Hi Denis, Julie, please see attached for the CAP reports as of COB Friday. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 04, 2011 7:01 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP count CSC = approx 4300

I agree.

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:46 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** FW: CAP count CSC = approx 4300

Been forgetting to include you today. I don't think you need to plan on running the RNG this year.

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**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

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**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

---

**From**: Tailor, Anisa M
**Sent**: Friday, April 01, 2011 01:56 PM
**To**: Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L
**Cc**: Nicholson, Richard E
**Subject**: CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, December 22, 2009 9:53 AM
**To:** Peck, Denis R; McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F
**Subject:** RE: CAP decision time

I'm available at 11. I believe that Claudia might be in a meeting right now.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:43 AM
**To:** McConnell, James E; Fitzsimmons, James; Richardson, Gregory A; Young, Claudia F; Sweeney, Shelly A
**Subject:** CAP decision time

Okay, I think we have all the relevant info in we need;

1) There is only 1 filing pre 12-21 to data enter, so that will not change the count
2) We did receipt at least 3 yesterday that came in yesterday, at VSC. We need to decide on how to handle these.
3) Otherwise, we have 911 that can be barcoded today and have the lottery run against the numbers. And get the message out to the public this afternoon (I hope). Shall we meet at 11:00 and decide our course of action?

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:37 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

Have located four of the five –

- Three were data entered incorrectly - have a 12/21 date – should not have been keyed.
- One was received on 12/18 but entered as a 12/21 date in CLAIMS – will change to CLAIMS to reflect 12/18 date.

Mary-Lou

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:21 AM
**To:** Peck, Denis R
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

I am working on getting these located. I will let you know as soon as I can.

Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 10:13 AM
**To:** Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Got it. Thanks, CSC reported 0 in the CRU. So all we have to determine now is what was the deal with the 5 receipted at VSC yesterday with the 12/21 date as the received date.

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, December 22, 2009 10:11 AM
**To:** Benavente, Jessy J; Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T; Loughlin, Stephen J
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Denis –

We have one file left from 12/18 that needs to be receipted, all of our other CAP work is from yesterday.

Thanks
Mary-Lou

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 10:02 AM
**To:** Peck, Denis R; Collins, Mary Lou E
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J; Nguyen, Van T
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

The 352 is all that we have that have not been receipted.

---

**From:** Peck, Denis R
**Sent:** Tuesday, December 22, 2009 6:48 AM
**To:** Benavente, Jessy J; Collins, Mary Lou E
**Subject:** RE: CAP Count Need to know any not data entered from before Monday

Jessy, Mary Lou, we need to determine how many you have it any received last week, not yet receipted. We are trying to make a decision later today, and this data is vital. Please respond asap.

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**From:** Benavente, Jessy J
**Sent:** Tuesday, December 22, 2009 9:40 AM
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; Nguyen, Van T; Bennett, Linda J; Nicholson, Richard E; 'Villahermosa, April L'
**Subject:** FW: CAP Count

Denis,
CSC' total count is 352 racked and stacked.

Jessy Benavente
SMPA

---

**From:** Robbins, Bonnie M
**Sent:** Tuesday, December 22, 2009 6:12 AM
**To:** Benavente, Jessy J
**Subject:** CAP Count

Hi Jessy,

Here is what was in the vault:

CMP – 11
CMN – 29
CRP – 87
CRN - 225

Have a nice day!

Bonnie Robbins.
Division VII: CSC - USCIS
[redacted] (b)(6)
Bonnie.Robbins@dhs.gov

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 10:49 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James; McConnell, James E
**Subject:** RE: CAP lottery reject replacements (24)

Congratulations to everyone involved. We are done with the intake portion of FY2011 CAP except for any cases still under CRU review from prior to last Wednesday or the rare appealed case that may still get accepted for good cause. The OCOMM posting is online since late Thursday and the applications still coming in should be dropping off very quickly.

We should reject back in date order; let's wait one more day and if there are no hitches the contractors can start rejecting these on Wednesday, with last Wednesday's unselected cases being the first to go back.

Denis Peck
Branch Chief, Service Center Records Management
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**From:** Ashline, Heidi L
**Sent:** Monday, January 31, 2011 10:00 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has keyed both of the requested files below.

We are all set.

Thank you,

Heidi Ashline
VSC/SISA/CPAU
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Monday, January 31, 2011 9:27 AM
**To:** Ashline, Heidi L; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP lottery reject replacements (24)

Vermont, would you take the next two files off the spreadsheet – rows 25 and 26 – and receipt them in. CSC had two rejects from their replacement batch.

Note, row 27 is also one of your files so if 25 or 26 is a reject that one goes next.

This should finish us off. Let us know, thanks.

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Branch Chief, Service Center Records Management
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**From:** Ashline, Heidi L
**Sent:** Friday, January 28, 2011 1:21 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E; Loughlin, Stephen J
**Subject:** RE: CAP lottery reject replacements (24)

Denis,

VSC has processed all 12 of their cases.

Also, when should we start rejecting all other CAP cases received on the 26th and after?

Thank you,
Heidi

---

**From:** Peck, Denis R
**Sent:** Friday, January 28, 2011 11:22 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** Harton, Frank A; Young, Claudia F; Velarde, Barbara Q; Richardson, Gregory A; McConnell, James E
**Subject:** FW: CAP lottery reject replacements (24)

Both centers have completed processing the batch of 683 selectees from Wednesday's mail. There were 24 rejects. Accordingly, Jim prepared in advance this random sequence of the 283 remaining from Wednesday's mail to replace them. There are 12 VSC and 12 CSC barcodes randomly picked in order. Steve and Rich, have your center's 12 pulled and processed and let us know when complete.

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Branch Chief, Service Center Records Management
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**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 3:04 PM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers

Denis,
Attached is a randomly-generated list of "losers". Any additional winners should be selected from the top of the list, as we discussed.
Jim

---

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 12:44 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

283

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**From:** Velarde, Barbara Q
**Sent:** Thursday, January 27, 2011 1:40 PM
**To:** Peck, Denis R; Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

How many if any are we holding for the cusion?

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 1:38 PM
**To:** Fitzsimmons, James; Loughlin, Stephen J; Ashline, Heidi L; Nicholson, Richard E
**Cc:** McConnell, James E; Harton, Frank A; Velarde, Barbara Q; Richardson, Gregory A; Johnson, Bobbie L; FitzGerald, Karen L
**Subject:** FW: CAP numbers - 633 petitions to be processed from Wednesday's volume.

Great; okay it's back to the centers. Pull and process these and let us know how many are rejects. The unselected barcodes should be held. Today's incoming should be held but no need to barcode.

Notice advising the public of the CAP being reached should be posted before cob today.

Thanks and we will wait to hear when processing is done.

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**From:** Fitzsimmons, James
**Sent:** Thursday, January 27, 2011 1:32 PM
**To:** Peck, Denis R
**Cc:** McConnell, James E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Denis,
Attached are the 633 winning barcodes: CSC 307; VSC 326.
Jim

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 11:54 AM
**To:** Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James; Nicholson, Richard E
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

We have CSC's barcodes. We want to run the RNG this afternoon, are yours close to done?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 8:41 AM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L
**Cc:** Fitzsimmons, James
**Subject:** RE: CAP numbers - barcode all of yesterdays in one batch.

Just a total count. One long barcoded spreadsheet of however many you received yesterday. Jim comment if you want anything different.

---

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 8:37 AM
**To:** Peck, Denis R
**Subject:** FW: CAP numbers
**Importance:** High

Also do you want these sorted by Masters and Regular or just total count?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Nicholson, Richard E
**Sent:** Thursday, January 27, 2011 5:36 AM
**To:** Peck, Denis R
**Subject:** RE: CAP numbers
**Importance:** High

Denis: There is know one in the contract area as of now, I will have the counts for you with in the hour. I took a quick look in the vault and we have about 20 buckets with 15 to 20 per….ruff estimate.

Anyway I will get back to you with the official count.

Rich Nicholson
Assistant Director Records/COTR

California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, January 27, 2011 4:21 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Fitzsimmons, James; Harton, Frank A; Young, Claudia F
**Cc:** Velarde, Barbara Q
**Subject:** CAP numbers

VSC and CSC we need the numbers the contractor is holding from Wednesday as soon as possible

We may very well have enough on hand to hit Jim's target. Jim I am coming in later, will you be in? Should we huddle and see if the announcement from OCOMM should be posted today that we have our limit?

The sooner we can post it the sooner the incoming mail gets turned off. Jim was 1300 short as of Monday and Tuesday we did almost 850.

# RE: CAP summary: 21,730 Masters & 42,380 nonMasters through April 9

Tuesday, February 23, 2016
3:30 PM

| | |
|---|---|
| Subject | **RE: CAP summary: 21,730 Masters & 42,380 nonMasters through April 9** |
| From | Peck, Denis R |
| To | Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K |
| Cc | Jones, Rendell L; Bentley, Christopher S; Wright, William G |
| Sent | Friday, April 10, 2009 11:36 AM |
| Attachments | HQ CAP re... |

Combined total, 64,110.

The new filings on April 9 were 398. 76 Masters and 322 nonMasters.

21 of these were Premiums.

Since it appears it will be some time before this is over I won't send a daily summary after today unless I hear back that you require it. Data entry is going well and we will catch up and be current sooner than we anticipated. We data entered 3,778 yesterday – all premiums – and the total increases each day as the operators learning curve improves.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peck, Denis R
**Sent:** Thursday, April 09, 2009 9:39 AM
**To:** Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
**Cc:** Jones, Rendell L; Bentley, Christopher S; Wright, William G
**Subject:** CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day. There is a 4 count discrepancy between received and barcoded which we'll reconcile.

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[redacted] (b)(6)

## California/Vermont Bar

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Bar Coded on 8th |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | 220 |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | 14 |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | 93 |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | 3 |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **330** |

## California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Received on 8th |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 220 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 14 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 93 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 3 |
| **Total** | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 330 |

| 9-Apr | |
|---|---|
| Bar Coded on 9th | **Total** |
| 308 | **31,205** |
| 14 | **11,175** |
| 69 | **15,354** |
| 7 | **6,376** |
| **398** | **64,110** |

| Received on 9th | Total |
|---|---|
| 308 | 31,205 |
| 14 | 11,179 |
| 69 | 15,350 |
| 7 | 6,376 |
| 398 | 64,110 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 10:24 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP update through Day 5 = 10,456

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

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Branch Chief, Service Center Records Management
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---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane (b)(6)
Alexandria, VA 22310
Mobile: [redacted]

http://www.cgi.com/usfederal

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## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:04 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

VSC is currently creating the extract file only on Saturday. With petitions trickling in, I don't think it is worth making a change. The file is going to be incomplete for CSC no matter what day it is created.

---

**From:** Johnson, Bobbie L
**Sent:** Monday, April 12, 2010 11:59 AM
**To:** Fitzsimmons, James; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY 2011 H-1B Cap Count

Adding Shelly. With the start of a new filing season, I'm wondering if we should move the weekly reporting day to Tuesday of each week. Would that make a difference (positive or negative or none) on the data you report weekly, Jim? For example, would you have complete data from CSC by tomorrow?

---

**From:** Fitzsimmons, James
**Sent:** Monday, April 12, 2010 11:51 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P
**Subject:** FY 2011 H-1B Cap Count

All,

Below are the incomplete counts through April 9. CSC data for Friday was not captured in these counts.

Who should be on this email each week?

Jim

# FY 2011 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 2,654 | 4/9/2010 |
| H-1B Master's Exemption | 20,000 | 2,459 | 4/9/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 11:27 AM
**To:** Peck, Denis R
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Denis,
I will provide them as soon as I can, either today or tomorrow.
Jim

---

**From:** Peck, Denis R
**Sent:** Monday, September 13, 2010 12:24 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** RE: FY 2011 H-1B cap update

Thanks Jim and glad to see you're back. As you can guess we are looking forward to getting your August receipt counts next.

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted] (b)(6)
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---

**From:** Fitzsimmons, James
**Sent:** Monday, September 13, 2010 12:19 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 37,374 | 9/10/2010 |
| H-1B Master's Exemption | 20,000 | 13,654 | 9/10/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:25 AM
**To:** Velarde, Barbara Q; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Barbara,
An announcement is not necessary soon since Masters petitions roll over into regular cap after Masters cap has been reached. I will talk to Shelly about modifying the cap webpage to reflect this situation. In 2010, the H-1B cap webpage showed the combined cap count after the Masters cap was reached.
Jim

---

**From:** Velarde, Barbara Q
**Sent:** Monday, December 06, 2010 10:00 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** RE: FY 2011 H-1B cap update

Jim, thanks. Any sense of when we might high the Master's Cap? Not sure if we need to get our announcements ready soon. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Fitzsimmons, James
**Sent:** Monday, December 06, 2010 9:56 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** FY 2011 H-1B cap update

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 51,248 | 12/3/2010 |
| H-1B Master's Exemption | 20,000 | 18,658 | 12/3/2010 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 7:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|

| | | |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**
[2] **Through August 14, 2009**

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 10:51 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 02, 2009 10:35 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; McConnell, James E; Young, Claudia F; Cummings, Kevin J; Fitzsimmons, James
**Subject:** RE: VSC 2009 H1B CAP Report REVISED

Hold the news until I can get a better verification, but Vermont sent me a spreadsheet showing the package count for day one is now 34,000 vs 23,000. This would make the petition count more like 50,000 and our first day total with California 80,000. They said it was due to an updated manifest provided by FEDEX.

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Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
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[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 11:24 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

See the updated counts. Stanley will have all PP mail opened and bar coded by this evening and then they will start on regular mail.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 11:00 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** RE: VSC 2009 H1B CAP Report

All,
I have just received an updated FedEx count for yesterday now that we have received the last manifests. Please see this update reflected in the above attached.

Thank you,
(b)(6)

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] 802.527.4869| Mandy.Upton@dhs.gov

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 02, 2009 10:03 AM
**To:** Manahan, Lisa F; Yandow, Jackie D; Putnam, Anne F; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 1, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] : 802.527.4869| ✉: Mandy.Upton@dhs.gov

(b)(6)

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 03, 2011 8:25 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,614 | 12/31/2010 |
| H-1B Master's Exemption* | 20,000 | 20,671 | 12/31/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 8:13 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,718 | 1/7/2011 |
| H-1B Master's Exemption* | 20,000 | 20,971 | 1/7/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

# FY11 H1B Related

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap numbers
**Date:** Wednesday, January 26, 2011 6:48:00 PM

---

Jim

DAAGS for Tuesday just came in. 846 CAPS data entered. No word yet on how many rack and stacked today.

denis

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, January 26, 2011 1:40 PM
**To:** Peck, Denis R; McConnell, James E; Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H-1B cap numbers

All,
We are about 1,300 short through Monday.
Jim

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Loughlin, Stephen J; Nicholson, Richard E |
| **Cc:** | Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T |
| **Subject:** | H1B CAP update |
| **Date:** | Monday, January 24, 2011 1:55:00 PM |

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 12:02 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,
The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.
Therefore, racking and stacking should begin on Wednesday in order to be safe.
Jim

**H-1B cap Receipts approved or pending**

| | Saturday 22-Jan | Wednesday 19-Jan | Saturday 15-Jan |
|---|---|---|---|
| Prior to Jan 3 | 76,751 | 76,911 | 76,942 |
| Mon, 3 Jan 2011 | 419 | 419 | 418 |
| Tue, 4 Jan 2011 | 247 | 247 | 246 |
| Wed, 5 Jan 2011 | 430 | 431 | 430 |
| Thu, 6 Jan 2011 | 507 | 508 | 506 |
| Fri, 7 Jan 2011 | 556 | 556 | 545 |
| Mon, 10 Jan 2011 | 576 | 574 | 564 |

| | | | |
|---|---|---|---|
| Tue, 11 Jan 2011 | 466 | 452 | 446 |
| Wed, 12 Jan 2011 | 182 | 181 | 180 |
| Thu, 13 Jan 2011 | 591 | 564 | 457 |
| Fri, 14 Jan 2011 | 488 | 336 | 545 |
| Through Jan 14 | 81,213 | 81,179 | 81,279 |
| Tue, 18 Jan 2011 | 878 | 452 | |
| Wed, 19 Jan 2011 | 404 | 181 | |
| Thu, 20 Jan 2011 | 305 | 564 | |
| Through Jan 20 | 82,800 | 82,376 | |
| Fri, 21 Jan 2011 | 556 | 556 | |
| Mon, 24 Jan 2011 | 576 | 574 | |
| Tue, 25 Jan 2011 | 466 | 452 | |
| Wed, 26 Jan 2011 | 182 | 181 | |
| Thu, 27 Jan 2011 | 591 | 564 | |
| Fri, 28 Jan 2011 | 488 | 336 | |
| Through Jan 28 | 85,659 | 85,039 | |

Projections in red

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**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 9:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

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Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
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---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
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Branch Chief, Service Center Records Management
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| | | | |
|---|---|---|---|
| Exemption* | | | |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

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Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Peck, Denis R
Sent: Thursday, January 13, 2011 9:05 AM
To: Loughlin, Stephen J; Nicholson, Richard E
Subject: FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Thursday, January 13, 2011 8:48 AM

To: Sweeney, Shelly A; Peck, Denis R
Cc: McConnell, James E; Harton, Frank A
Subject: Latest H-1B cap numbers

Shelly/Denis,

Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.

The next set of numbers will be tabulated on Tuesday.

The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.

Jim

85k

Approvals

Pending

Potential

Deficit

TARGET

Weekly

Weeks

Cap

Receipts1

Left

11-Jan

63,704

16,022

79,726

5,824

85,550

1,807

3.2

1 moving average over last 4 weeks

Rich and Stephen, would it be possible to send these withdrawals straight to John and Keith's division after they are processed so they can be immediately adjudicated?

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted]
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 10:25 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)
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Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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202-272-1542 FAX
(b)(6)

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
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The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

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[redacted] (b)(6)
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**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

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[1] moving average over last 4 weeks

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers
**Date:** Tuesday, January 18, 2011 4:26:00 PM

As of cob last Friday Vermont had 516 unprocessed withdrawal letters and California had 77. These are a separately reported item for the contractor. However there is no breakdown for how many apply to the current FY H1B CAP. For me to require them to get current with same day processing will only help though if the adjudicative end is also same day killing off the cases.

For a short period of two weeks, to make the CAP season as accurate and fair as possible, I have no problem putting this as a top priority for the contractor to see to if you can send the same guidance on your end.

Regular RFE responses seem to be getting processed timely. I have no idea what the outstanding RFE inventory is for the CAP cases.

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Branch Chief, Service Center Records Management
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Washington, DC 20529
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**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 18, 2011 2:52 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

Good question. Before I can respond, I'd like to ask you a few additional questions. How far behind are they on letters? Does the contractor separate out the withdrawal requests from the regular RFE responses? If so, are they behind in RFE responses as well? Theoretically, any response to an RFE/ITD could ultimately result in a denial. It really comes down to what is contained in the response.

And this leads for a question for Jim...have you already factored potential withdrawals into your calculations for the target?

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
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* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers
**Date:** Tuesday, January 18, 2011 2:44:00 PM

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Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted] (b)(6)
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[redacted] (b)(6)
202-272-1542 FAX

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**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
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The next set of numbers will be tabulated on Tuesday.
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Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers
**Date:** Thursday, January 13, 2011 9:40:59 AM

Denis: Given that this years CAP will be the same or less than last year and a lottery not necessary, should we consider keying from day one?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 6:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

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**From:** Liang, Gwen
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update
**Date:** Tuesday, September 07, 2010 9:46:25 AM

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,606 | 9/3/2010 |
| H-1B Master's Exemption | 20,000 | 13,387 | 9/3/2010 |

## Bloggings On Immigration Law And Policy
*by Greg Siskind*

**August 19, 2010**

**H-1B QUOTA EXHAUSTION TARGET - MARCH 2011**

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

**From:** Liang, Gwen
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update
**Date:** Monday, August 30, 2010 11:37:08 AM

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,943 | 8/27/2010 |
| H-1B Master's Exemption | 20,000 | 13,029 | 8/27/2010 |

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***by Greg Siskind***

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| **Cc:** | McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec |
| **Subject:** | FY 2011 H-1B cap update |
| **Date:** | Monday, August 23, 2010 10:13:00 AM |

All,
There was a surge in regular cap petitions last week: the count went from 29,700 to 33,900.

Also, the analysis in the blog below is sound in my judgment.

Jim

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 33,931 | 8/20/2010 |
| H-1B Master's Exemption | 20,000 | 12,645 | 8/20/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

**H-1B QUOTA EXHAUSTION TARGET - MARCH 2011**

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29**

**weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

**From:** Johnson, Bobbie L
**To:** McConnell, James E; Velarde, Barbara Q; Fitzsimmons, James; Richardson, Gregory A
**Cc:** Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Thomas, Carolyn; Neufeld, Donald
**Subject:** RE: FY10 vs FY11 H-1B cap counts
**Date:** Thursday, August 19, 2010 10:57:23 AM
**Importance:** High

---

Jim,

Is this the cycle time at CSC for all I-129s? Is it possible to know what the processing time is at CSC and VSC for H1Bs specifically, and also for L1As and L1Bs? I'm hearing that both centers have a 4-month PT for H1Bs, and that Ls are behind as well.

Thanks!

Bobbie

---

**From:** McConnell, James E
**Sent:** Tuesday, August 17, 2010 3:46 PM
**To:** Velarde, Barbara Q; Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Thomas, Carolyn
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Barbara,

I am showing a cycle time for the I-129's at CSC of 2.1 months for July, this a slight improvement from June of 2.2 months. The I-129 are coming in a little later this year than last, this would result in a larger pending at the end of July:

I-129 Receipts

| | July | June | May | April |
|---|---|---|---|---|
| FY | | | | |
| 2010 | 15,112 | 17,692 | 15,624 | 23,675 |
| 2009 | 12,277 | 15,680 | 17,851 | 37,188 |
| Change from 2009 to 2010 | 2,835 | 2,012 | (2,227) | (13,513) |

Let me know if you need additional information or have any further questions.


==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
(b)(6) Voice
202-272-1543 - FAX
==========


---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, August 17, 2010 11:05 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim M: maybe I am making a mountain out of a molehill, but the numbers are lower this year as far as receipts so I am having trouble understanding why our pending is higher. I would think that this year we actually have more capacity (at least in California. I understand VSC has overlapping TPS). What troubles me is that CSC had been reporting a 60 day processing time on I-129s and then when we did the ACD switch it jumped to 4 months. So not sure how the cases were being reported in the past. Could you let me know if I need to bring this to the centers' attention or if we are okay as far as backlog etc. Thanks

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, August 17, 2010 5:27 AM
**To:** Velarde, Barbara Q; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

FY 2011 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 5,600 | 9,200 | 14,800 |
| Pending | 7,000 | 8,000 | 15,000 |
| | 12,600 | 17,200 | 29,700 |
| Masters | | | |
| Approved | 3,300 | 3,300 | 6,600 |
| Pending | 2,000 | 3,700 | 5,700 |
| | 5,300 | 6,900 | 12,300 |
| Combined | | | |
| Approved | 8,900 | 12,500 | 21,400 |
| Pending | 9,000 | 11,600 | 20,600 |
| | 17,900 | 24,100 | 42,000 |

Note---Counts as of August 13, 2010
Rows or columns may not add due to rounding.

FY 2010 Cap Counts by Category and Center

| | CSC | VSC | TOTAL |
|---|---|---|---|
| Regular | | | |
| Approved | 12,600 | 21,700 | 34,200 |
| Pending | 5,000 | 5,700 | 10,700 |
| | 17,600 | 27,400 | 45,000 |
| Masters | | | |
| Approved | 8,400 | 11,800 | 20,300 |
| Pending | 1,300 | 600 | 1,900 |
| | 9,700 | 12,400 | 22,200 |
| Combined | | | |
| Approved | 21,000 | 33,500 | 54,500 |
| Pending | 6,300 | 6,300 | 12,600 |
| | 27,300 | 39,800 | 67,100 |

Note---Counts as of August 14, 2009
Rows or columns may not add due to rounding.

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 16, 2010 10:57 AM
**To:** Fitzsimmons, James; Johnson, Bobbie L; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: FY10 vs FY11 H-1B cap counts

Jim can you divide out those pending numbers CSC vs VSC? I am curious why we are holding that many more this year when overall receipts are down.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 16, 2010 6:42 AM
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** FY10 vs FY11 H-1B cap counts

All,
Below are cap numbers comparing FY 2010 and FY 2011 at the same time in cap season.
Jim

| | FY 2011[1] | FY 2010[2] |
|---|---|---|
| | | |

| | | |
|---|---|---|
| **Approved** | | |
| Regular | 14,800 | 34,300 |
| Masters | 6,600 | 20,300 |
| **TOTAL** | 21,400 | 54,600 |
| | | |
| **Pending** | | |
| Regular | 14,900 | 10,700 |
| Masters | 5,700 | 1,900 |
| **TOTAL** | 20,600 | 12,600 |
| | | |
| **Potential Cap** | | |
| Regular | 29,700 | 45,000 |
| Masters | 12,300 | 22,200 |
| **TOTAL** | 42,000 | 67,200 |

[1] **Through August 13, 2010**

[2] **Through August 14, 2009**

**From:** Loughlin, Stephen J
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E
**Subject:** FW: FY11 VSC H1B CAP Report
**Date:** Friday, April 16, 2010 10:23:52 AM
**Attachments:** FY11 VSC H1B CAP Report.xls

---

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

---

**From:** Surprenant, Mandy
**Sent:** Friday, April 16, 2010 10:00 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M; 'Peacock, Walter W.'; 'Treacy, Erin'; Sweeney, Mark M; Shuttle, Peter J
**Subject:** RE: FY11 VSC H1B CAP Report

**Sorry, report is now attached.** (b)(6)

**Thank you,**
**Mandy L. Surprenant** |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] 802.527.4869|
**Mandy.Surprenant@dhs.gov**

---

**From:** Surprenant, Mandy
**Sent:** Friday, April 16, 2010 9:33 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M; 'Peacock, Walter W.'; 'Treacy, Erin'; Sweeney, Mark M; Shuttle, Peter J
**Subject:** FY11 VSC H1B CAP Report

**All,**

**Please see the attached FY11 VSC CAP Report as of COB April 15, 2010.**

**Thank you,**
**Mandy L. Surprenant** |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] 802.527.4869|
**Mandy.Surprenant@dhs.gov**

(b)(6)

| Dates | 4/7/10 | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Wednesday | Thursday | Friday |
| (VRN) H1B CAP | 6,134 | 6,311 | 5,452 |
| (VRP) H1B CAP - Premium | 441 | 57 | 0 |
| (VMN) H1B Masters | 2,218 | 1,569 | 717 |
| (VMP) H1B Masters - Premium | 711 | 0 | 7 |
| Totals | 9,504 | 7,937 | 6,176 |

| Data Entry Complete | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 4 | 892 |
| (VRP) H1B CAP - Premium | 1,159 | 415 | 67 |
| (VMN) H1B Masters | 0 | 715 | 856 |
| (VMP) H1B Masters - Premium | 228 | 639 | 27 |
| Totals | 1,387 | 1,773 | 1,842 |

| Completed Rejects (Manual) | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 0 | 0 |
| (VRP) H1B CAP - Premium | 0 | 0 | 0 |
| (VMN) H1B Masters | 0 | 0 | 0 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 |

nter

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Totals |
|---|---|---|---|---|
| Monday | Tuesday | Wednesday | Thursday | |
| 4,133 | 2,189 | 680 | 50 | |
| 2 | 0 | 0 | 0 | |
| 225 | 293 | 165 | 60 | |
| 0 | 0 | 0 | 0 | |
| 4,360 | 2,482 | 845 | 110 | |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1,417 | 2,070 | 1,562 | 771 | 6,716 |
| 56 | 38 | 29 | 22 | 1,786 |
| 507 | 3 | 172 | 169 | 2,422 |
| 24 | 11 | 15 | 9 | 953 |
| 2,004 | 2,122 | 1,778 | 971 | 11,877 |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1 | 3 | 3 | 44 | 51 |
| 11 | 24 | 24 | 0 | 59 |
| 1 | 0 | 15 | 21 | 37 |
| 21 | 15 | 1 | 0 | 37 |
| 34 | 42 | 43 | 65 | 184 |

# Vermont Service Center

| | Regular Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VMN) | Premium (VMP) | Non-Premium (VMN) | Premium (VMP) |
| 4/7/2010 | 70 | 0 | 243 | 0 | 0 | 0 | 0 | 0 |
| 4/8/2010 | 19 | 0 | 66 | 4 | 16 | 0 | 37 | 2 |
| 4/9/2010 | 17 | 2 | 24 | 2 | 10 | 0 | 16 | 0 |
| 4/12/2010 | 16 | 2 | 30 | 0 | 8 | 1 | 3 | 0 |
| 4/13/2010 | 13 | 1 | 22 | 3 | 8 | 0 | 0 | 0 |
| 4/14/2010 | 11 | 2 | 21 | 3 | 3 | 3 | 3 | 3 |
| 4/15/2010 | 1 | 1 | 3 | 10 | 2 | 1 | 5 | 1 |
| TOTALS | 147 | 8 | 409 | 22 | 47 | 5 | 64 | 6 |

Rev: 3/4/08

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | 3,374 | 55,655 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
|---|---|---|---|---|---|
| 140 | 98 | 193 | 56 | 141 | 6,943 |
| 57 | 58 | 68 | 53 | 22 | 1,889 |
| 77 | 15 | 79 | 59 | 64 | 2,578 |
| 37 | 17 | 30 | 16 | 9 | 1,048 |
| 311 | 188 | 370 | 184 | 236 | 12,458 |

0

12,458

58,265

-78.62%

**From:** Loughlin, Stephen J
**To:** Peck, Denis R
**Subject:** FW: FY11 VSC H1B CAP Report
**Date:** Tuesday, April 06, 2010 8:21:10 AM
**Attachments:** FY11 VSC H1B CAP Report.xls

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Not sure if this went to you yesterday.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

---

**From:** Surprenant, Mandy
**Sent:** Monday, April 05, 2010 5:17 PM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M
**Subject:** RE: FY11 VSC H1B CAP Report

One more...

**Updated to show that we no longer have unidentified mail for 4/2.**

**Thank you,**
**Mandy L. Surprenant** |Reports Analyst|Stanley Associates, Inc. | VSC - SCOSS| ☎: 802.527.4733 | 🖷: 802.527.4869| ✉: **Mandy.Surprenant@dhs.gov**

---

**From:** Surprenant, Mandy
**Sent:** Monday, April 05, 2010 5:12 PM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M
**Subject:** RE: FY11 VSC H1B CAP Report

All,

**Please see the CAP report updated now that 4/2 mail has been completely opened and identified. Please note that the barcoding progress for 4/5 will increase on tomorrow's report as we add in what we barcode for 4/5 mail.**

**Thank you,**
**Mandy L. Surprenant** |Reports Analyst|Stanley Associates, Inc. | VSC - SCOSS| ☎: 802.527.4733 | 🖷: 802.527.4869| ✉: **Mandy.Surprenant@dhs.gov**

---

**From:** Surprenant, Mandy
**Sent:** Monday, April 05, 2010 11:45 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M
**Subject:** FY11 VSC H1B CAP Report

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap numbers
**Date:** Wednesday, January 26, 2011 6:48:00 PM

---

Jim

DAAGS for Tuesday just came in. 846 CAPS data entered. No word yet on how many rack and stacked today.

denis

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, January 26, 2011 1:40 PM
**To:** Peck, Denis R; McConnell, James E; Sweeney, Shelly A; Harton, Frank A
**Subject:** FW: H-1B cap numbers

All,
We are about 1,300 short through Monday.
Jim

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers
**Date:** Tuesday, January 18, 2011 4:26:00 PM

As of cob last Friday Vermont had 516 unprocessed withdrawal letters and California had 77. These are a separately reported item for the contractor. However there is no breakdown for how many apply to the current FY H1B CAP. For me to require them to get current with same day processing will only help though if the adjudicative end is also same day killing off the cases.

For a short period of two weeks, to make the CAP season as accurate and fair as possible, I have no problem putting this as a top priority for the contractor to see to if you can send the same guidance on your end.

Regular RFE responses seem to be getting processed timely. I have no idea what the outstanding RFE inventory is for the CAP cases.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 18, 2011 2:52 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

Good question. Before I can respond, I'd like to ask you a few additional questions. How far behind are they on letters? Does the contractor separate out the withdrawal requests from the regular RFE responses? If so, are they behind in RFE responses as well? Theoretically, any response to an RFE/ITD could ultimately result in a denial. It really comes down to what is contained in the response.

And this leads for a question for Jim...have you already factored potential withdrawals into your calculations for the target?

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers
**Date:** Tuesday, January 18, 2011 2:44:00 PM

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.
**Date:** Monday, January 24, 2011 9:12:00 AM

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's | 20,000 | 20,260 | 12/24/2010 |

| | | | |
|---|---|---|---|
| Exemption* | | | |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Monday, August 01, 2011 10:40:00 AM

That makes only about 6200 for the Month of July going back to your July 1 count. At that rate we won't hit the cap, something had better pick up at some point!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 10:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Tuesday, July 05, 2011 9:42:00 AM

I am really starting to wonder if we will hit the non-master's cap this year. I hope we make it even if it's March 28th.....

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update
**Date:** Monday, May 16, 2011 10:23:00 AM

Interesting to see how the masters to bachelors ratio is higher this year than ever and that trend probably continues into the future. In 10 years we will have two categories, the masters cap and the PhD Exemption.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

**From:** Stoddard, Becky M
**To:** Peck, Denis R
**Subject:** FW: H-1B question
**Date:** Monday, February 01, 2010 8:40:21 AM

---

Denis,

Please see below counts, if you need any further information please let me know.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted] (b)(6)

I-129 (H1B CAP) = 675
I-129 H1B (Master CAP) = 21
I-907/I-129 (Premium H1B CAP) = 159
I-907/I-129 (Premium Master H1B CAP) = 13

For a total of 868.

---

**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 3:41 PM
**To:** McConnell, James E; Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

I can ask for the data on how many rejects we've done since December 21, but Wright did use the word denials in his message. The rejects dry up pretty fast though, once the Website posts that the CAP season is closed.

Rich – Steve – Can you get an updated count to us of how many CAP rejects we have done since December 21, including the ones from December 21 that lost out in the lottery?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** McConnell, James E
**Sent:** Thursday, January 28, 2010 3:35 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

Denis,

Can you get this info for Bill from the centers. The manual rejects are not in Claims, so Jim can not query these.

Thanks,
Jim

==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] (b)(6) - Voice
202-272-1543 - FAX
==========

---

**From:** Wright, William G
**Sent:** Thursday, January 28, 2010 3:15 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** H-1B question

Jim – Got a call from CBS News in Los Angeles. Producer wants to know if we can give them a total number of petitions that were filed for the FY10 program that were not accepted/denied, etc. (she's mainly interested in those after the cap was reached).

Also (doubt you'll have this), can we determine from which countries those denials refer?

ThanX!
Bill

Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

| | |
|---|---|
| | Saturday |
| | Wednesday |
| | Saturday |
| | |
| | 22-Jan |
| | 19-Jan |
| | 15-Jan |
| Prior to Jan 3 | |
| | 76,751 |
| | 76,911 |
| | 76,942 |
| Mon, 3 Jan 2011 | |
| | 419 |

419

418

Tue, 4 Jan 2011

247

247

246

Wed, 5 Jan 2011

430

431

430

Thu, 6 Jan 2011

507

508

506

Fri, 7 Jan 2011

556

556

545

Mon, 10 Jan 2011

576

574

564

Tue, 11 Jan 2011

466

452

446

Wed, 12 Jan 2011

182

181

180

Thu, 13 Jan 2011

591

564

457

Fri, 14 Jan 2011

488

336

545

Through Jan 14

81,213

81,179

81,279

Tue, 18 Jan 2011

878

452

Wed, 19 Jan 2011

404

181

Thu, 20 Jan 2011

305

564

Through Jan 20

82,800

82,376

Fri, 21 Jan 2011

556

556

Mon, 24 Jan 2011

576

574

Tue, 25 Jan 2011

466

452

Wed, 26 Jan 2011

182

181

Thu, 27 Jan 2011

591

564

Fri, 28 Jan 2011

488

336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

[redacted]

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

H-1B Master's Exemption*

20,000

21,631

1/21/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

59,424

1/14/2011

H-1B Master's Exemption*

20,000

21,310

1/14/2011

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

55,517

12/24/2010

H-1B Master's Exemption*

20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Ashline, Heidi L
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** FW: H1B CAP update
**Date:** Thursday, January 27, 2011 8:27:35 AM

---

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU
[redacted] (b)(6)

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

Second, you should have barcoded labels prepared in advance for the contractor to apply should Jim determine we have to accept a portion, but not all , of a day's petitions. In this instance he'll run a random number generated program based on the barcoded numbers you send back. The lottery winners will be selected by the RNG. Instruct the contractor to follow existing procedures for the "Last-day" barcoding was done in December 2009 as it will be the same this year should it be necessary.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

Saturday

Wednesday

Saturday

22-Jan

19-Jan

15-Jan

Prior to Jan 3

76,751

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76,942

Mon, 3 Jan 2011

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181

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Fri, 28 Jan 2011

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336

Through Jan 28

85,659

85,039

Projections in red

---

From: Peck, Denis R
Sent: Monday, January 24, 2011 9:12 AM
To: Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
Subject: FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6)

202-272-1542 FAX

---

From: Fitzsimmons, James

Sent: Monday, January 24, 2011 8:58 AM
To: McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
Subject: H-1B cap numbers

FY 2011 H-1B Cap Count

Cap Type

Cap Amount

Cap-Eligible Petitions

Date of Last Count

H-1B Regular Cap

65,000

61,169

1/21/2011

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20,000

20,260

12/24/2010

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Peck, Denis R
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
**Subject:** H1B CAP update
**Date:** Monday, January 24, 2011 1:55:00 PM

---

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

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Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 12:02 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,
The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.
Therefore, racking and stacking should begin on Wednesday in order to be safe.
Jim

**H-1B cap Receipts approved or pending**

| | Saturday 22-Jan | Wednesday 19-Jan | Saturday 15-Jan |
|---|---|---|---|
| Prior to Jan 3 | 76,751 | 76,911 | 76,942 |
| Mon, 3 Jan 2011 | 419 | 419 | 418 |
| Tue, 4 Jan 2011 | 247 | 247 | 246 |
| Wed, 5 Jan 2011 | 430 | 431 | 430 |
| Thu, 6 Jan 2011 | 507 | 508 | 506 |
| Fri, 7 Jan 2011 | 556 | 556 | 545 |
| Mon, 10 Jan 2011 | 576 | 574 | 564 |

| | | | |
|---|---|---|---|
| Tue, 11 Jan 2011 | 466 | 452 | 446 |
| Wed, 12 Jan 2011 | 182 | 181 | 180 |
| Thu, 13 Jan 2011 | 591 | 564 | 457 |
| Fri, 14 Jan 2011 | 488 | 336 | 545 |
| Through Jan 14 | 81,213 | 81,179 | 81,279 |
| Tue, 18 Jan 2011 | 878 | 452 | |
| Wed, 19 Jan 2011 | 404 | 181 | |
| Thu, 20 Jan 2011 | 305 | 564 | |
| Through Jan 20 | 82,800 | 82,376 | |
| Fri, 21 Jan 2011 | 556 | 556 | |
| Mon, 24 Jan 2011 | 576 | 574 | |
| Tue, 25 Jan 2011 | 466 | 452 | |
| Wed, 26 Jan 2011 | 182 | 181 | |
| Thu, 27 Jan 2011 | 591 | 564 | |
| Fri, 28 Jan 2011 | 488 | 336 | |
| Through Jan 28 | 85,659 | 85,039 | |

Projections in red

---

**From:** Peck, Denis R
**Sent:** Monday, January 24, 2011 9:12 AM
**To:** Fitzsimmons, James; McConnell, James E; Sweeney, Shelly A; Young, Claudia F; Harton, Frank A
**Subject:** FW: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Jim – is your target still 85,550 combined petitions? If we ended last Friday at 82,800 that leaves us 2,750 under your target. Last week's count went up by 2,066 over the previous week.

The four weeks since December 24 we gained 7,023 in total. Unless there is an uptick this week we should be able to get through Friday. Then Mondays being our typically heavy volume day, we may get close to an additional 1,000 next Monday.

What do you think? Anyone?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, January 24, 2011 8:58 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,169 | 1/21/2011 |
| H-1B Master's Exemption* | 20,000 | 21,631 | 1/21/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's Exemption* | 20,000 | 21,310 | 1/14/2011 |
| **Cap Type** | **Cap Amount** | **Cap-Eligible Petitions** | **Date of Last Count** |
| H-1B Regular Cap | 65,000 | 55,517 | 12/24/2010 |
| H-1B Master's Exemption* | 20,000 | 20,260 | 12/24/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H1B CAP update
**Date:** Thursday, January 27, 2011 11:51:54 AM

---

Denis,
Any idea when VSC will supply barcodes?
I will run RNG shortly after receiving them.
FYI---about 70% will be accepted.
Jim

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:43 AM
To: Velarde, Barbara Q; Fitzsimmons, James; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Yes, rich just reported they got 420 so we have over 900 racked and stacked combined. They have gotten the go ahead to start the barcoding. We should have that done by early afternoon.

There was definitely a little surge this week probably caused by the last posting of the numbers last week showing we were almost at the limit.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, January 27, 2011 8:33 AM
To: Fitzsimmons, James; Peck, Denis R; Young, Claudia F; Harton, Frank A
Subject: RE: H1B CAP update

Okay folks. So Frank and Claudia you will get the communication pieces rolling, right?

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 8:31 AM
To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: RE: H1B CAP update

We have enough. Wednesday is the final receipt date. Let's barcode them.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, January 27, 2011 8:30 AM
To: Fitzsimmons, James; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
Subject: FW: H1B CAP update

This just came in. Vermont's numbers alone, still waiting on CSC.

-----Original Message-----
From: Ashline, Heidi L
Sent: Thursday, January 27, 2011 8:28 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J; Stoddard, Becky M; Collins, Mary Lou E
Subject: FW: H1B CAP update

Denis,

Please see the numbers below for H1Bs that were received yesterday and were instructed to rack and stack until we hear back from HQs.

H1B - 222
PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline
VSC/SISA/CPAU
(802) 527-4700

-----Original Message-----
From: Loughlin, Stephen J
Sent: Monday, January 24, 2011 2:54 PM
To: Petherbridge, Dan R; Ashline, Heidi L; Stoddard, Becky M; 'mary-lou.collins@dhs.gov'; Cullen, Janice L
Cc: Canney, Keith J; Kane, Donna K
Subject: Fw: H1B CAP update

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Cc: Bushey, Sandra T; Johnson, Bobbie L; McConnell, James E; Harton, Frank A; Young, Claudia F; Richardson, Gregory A; Tamanaha, Emisa T
Sent: Mon Jan 24 13:55:23 2011
Subject: H1B CAP update

H1B CAP update:

Jim Fitzsimmons advises that to be safe, beginning Wednesday January 26 we not data enter the incoming FY11 CAP petitions until the contractor has received and counted all of them, that number is sent here to HQ and he determines if we can accept all of them or not. Accordingly please do instruct the contractor to rack and stack these petitions on Wednesday and send me the numerical count once the final incoming mail for the day is received, including Fedex and UPS.

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Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

202-272-1081

202-272-1542 FAX

---

From: Fitzsimmons, James
Sent: Monday, January 24, 2011 12:02 PM
To: Peck, Denis R
Subject: RE: H-1B cap numbers - we may reach target this friday, or next monday. my guess is it will be one or the other.

Denis,

The projections in the table assume no surge this week. If that turns out to be true, then the final receipt date will be Friday.

Therefore, racking and stacking should begin on Wednesday in order to be safe.

Jim

H-1B cap Receipts approved or pending

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Through Jan 20

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Fri, 28 Jan 2011

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336

Through Jan 28

85,659

85,039

Projections in red

| | |
|---|---|
| **From:** | Benavente, Jessy J |
| **To:** | Lundquist, Mark E; Romant, Ron A |
| **Cc:** | Peck, Denis R; Nicholson, Richard E; Bennett, Linda J; Villahermosa, April L; Knapp, Julia A |
| **Subject:** | FW: I-129 H1B/L new fee |
| **Date:** | Tuesday, August 24, 2010 1:12:26 PM |
| **Attachments:** | Fee Table 02-10-10 (2).xls |
| **Importance:** | High |

Mark/Ron,
Problem with depositing new fraud fee.

Jessy Benavente
SMPA

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, August 24, 2010 9:49 AM
**To:** Farrell, Lisa A; Petit-Homme, Don
**Cc:** Knapp, Julia A; Bennett, Linda J
**Subject:** FW: I-129 H1B/L new fee
**Importance:** High

Lisa/Don,
Can you assist us with this?

Jessy Benavente
SMPA

---

**From:** Ly, Pam P [mailto:Pam.Ly@associates.dhs.gov]
**Sent:** Tuesday, August 24, 2010 9:16 AM
**To:** Bennett, Linda J; Knapp, Julia A; Fries, Juliet M
**Cc:** Robbins, Bonnie M; Benavente, Jessy J; Nicholson, Richard E; Mehta, Dilipkumar N; Scoss
**Subject:** RE: I-129 H1B/L new fee
**Importance:** High

All, this morning the deposit team found that the Item Type of "LS and HS" (shown on the attached) for the new fraud fees are not available in TGANET. I have communicated this to Julia Knapp and waiting for further directions on how to handle these manual deposits.

Thanks.

Pam Ly
CGI/SCOSS
Assistant Site Manager
Data Entry Operations
949-389-3404
Pam.Ly@stanleyassociates.com

---

**From:** Bennett, Linda J [mailto:Linda.Bennett@dhs.gov]
**Sent:** Monday, August 23, 2010 3:55 PM
**To:** Scoss
**Subject:** FW: I-129 H1B/L new fee

[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers
**Date:** Thursday, January 13, 2011 9:40:59 AM

Denis: Given that this years CAP will be the same or less than last year and a lottery not necessary, should we consider keying from day one?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS (b)(6)
[redacted]

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 6:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

To: Sweeney, Shelly A; Peck, Denis R
Cc: McConnell, James E; Harton, Frank A
Subject: Latest H-1B cap numbers

Shelly/Denis,

Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.

The next set of numbers will be tabulated on Tuesday.

The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.

Jim

85k

Approvals

Pending

Potential

Deficit

TARGET

Weekly

Weeks

Cap

Receipts1

Left

11-Jan

63,704

16,022

79,726

5,824

85,550

1,807

3.2

1 moving average over last 4 weeks

Mariela

----- Original Message -----
From: Herrmann, Mary K <Mary.Herrmann@dhs.gov>
To: Melero, Mariela <mariela.melero@dhs.gov>
Sent: Fri Dec 10 10:19:53 2010
Subject: RE: October 12 Follow Up

Mariela,

We followed up on these issues below raised by AILA and can provide the following responses:

1. Transfer of files from one service center to another. When this occurs, the CRIS system is updated to indicate that the "file has been transferred". However, it doesn't indicate to which office it has been transferred – making follow up difficult. More disconcertingly, it doesn't provide any further updates on the application status. So, for example, if an RFE is issued, it is not updated in CRIS. If the attorney or petitioner do not receive the RFE, they may get a denial due to abandonment, particularly if Service records indicate that the notice was mailed. I understand that CRIS is a customer service function, so perhaps you could bring this to their attention.

The Customer Service Directorate has advised that there is a scheduled release for this weekend that should correct this issue. This has been an existing issue where the some of the action codes entered in the Claims systems did not transfer over to the CRIS system during the daily feeds. Once the release is implemented, we can further review and determine if any issues still exist.

2. AFM 10.1 – as was discussed during our meeting, this chapter indicates that petitions may not be rejected because they are sent to the wrong office. Rather, it clearly states that such petitions should be receipted, and then routed to the appropriate office. Ms. Stanley clarified that the Lockbox is following this procedure. However, Mr. Neufeld indicated that he did not think this applied to petitions filed directly at the Service Centers – such as I-129 petitions, I-539 etc. It would be very helpful if we could get clarification on this issue.

There are known exceptions for premium processing cases and H1B cases filed during a lottery window where these applications are rejected. However, Service Center Operations is confirming that, apart from the exceptions noted, applications and petitions received at the wrong center are forwarded to the appropriate office for receipting and follow up.

Thanks,

Mary

Mary Herrmann

Office of Public Engagement, Community Relations

U.S. Citizenship and Immigration Services

Washington DC 20529

phone: 202.272.1213

fax: 202.272.1317

---

From: Suzanne B. Seltzer [mailto:SSeltzer@klaskolaw.com]
Sent: Tuesday, December 07, 2010 6:45 PM
To: Melero, Mariela
Cc: RDeasy@aila.org; Herrmann, Mary K; Neufeld, Donald; Velarde, Barbara Q; Betsy Lawrence; Dagmar Butte
Subject: RE: October 12 Follow Up

Mariela,

I just wanted to follow up with you on your November 5th email, to see if there are any updates on these two issues:

1. Transfer of files from one service center to another. When this occurs, the CRIS system is updated to indicate that the "file has been transferred". However, it doesn't indicate to which office it has been transferred – making follow up difficult. More disconcertingly, it doesn't provide any further updates on the application status. So, for example, if an RFE is issued, it is not updated in CRIS. If the attorney or petitioner do not receive the RFE, they may get a denial due to abandonment, particularly if Service records indicate that the notice was mailed. I understand that CRIS is a customer service function, so perhaps you could bring this to their attention.

2. AFM 10.1 – as was discussed during our meeting, this chapter indicates that petitions may not be rejected because they are sent to the wrong office. Rather, it clearly states that such petitions should be receipted, and then routed to the appropriate office. Ms. Stanley clarified that the Lockbox is following this procedure. However, Mr. Neufeld indicated that he did not think this applied to petitions filed directly at the Service Centers – such as I-129 petitions, I-539 etc. It would be very helpful if we could get clarification on this issue.

We would really appreciate any information you may have on resolving these issues.

Thank you,

Suzanne

| CALIFORNIA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|---|---|---|---|---|
| I-129 and PP (CSC count includes all I-129 types) | | | | 746 | 8663 |
| I-129 H-1B (Cap Season) | | | | 76081 | 23795 |

| NEBRASKA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|---|---|---|---|---|
| I-129 | | | | | 103 |
| I-907/I-129 (Premium) | | | | | 61 |
| I-129 (H1B) | | | | | |
| I-129 (Premium) | | | | | 1 |
| I-907/I-129 Premium (E-Filing) | | | | | 122 |

| TEXAS - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|---|---|---|---|---|
| I-129 | | | | 4 | 122 |
| I-907/I-129 (Premium) | | | | 11 | 69 |
| I-129 H1B | 1867 | 3517 | 678 | 133 | 59 |

| VERMONT - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|---|---|---|---|---|
| I-129 H1B | | | | 38971 | 43652 |

| Combined SC - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 |
|---|---|---|---|---|---|
| I-129 | | | | 750 | 8888 |
| I-907/I-129 (Premium) | | | | 11 | 130 |
| I-129 (H1B) | 1867 | 3517 | 678 | 115185 | 67506 |
| I-129 (Premium) | | | | | 1 |
| I-907/I-129 Premium (E-Filing) | | | | | 122 |

| 2009 | 2010 | TOTAL |
|---|---|---|
| 7280 | | **16689** |
| 2445 | | **102321** |

| 2009 | 2010 | TOTAL |
|---|---|---|
| 68 | 1 | **172** |
| 9 | | **70** |
| | | **0** |
| | | **1** |
| | | **122** |

| 2009 | 2010 | TOTAL |
|---|---|---|
| 25 | | **151** |
| 28 | | **108** |
| 22 | | **6276** |

| 2009 | 2010 | TOTAL |
|---|---|---|
| 1628 | 166 | **84417** |

| 2009 | 2010 | TOTAL |
|---|---|---|
| 7373 | 1 | **17012** |
| 37 | | **70** |
| 4095 | 166 | **193014** |
| | | **1** |
| | | **122** |

| | |
|---|---|
| **From:** | Lundquist, Mark E |
| **To:** | Sweeney, Shelly A |
| **Cc:** | Peck, Denis R |
| **Subject:** | FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request |
| **Date:** | Friday, June 11, 2010 12:35:06 PM |
| **Attachments:** | SC_I129_H1B_Rejects_2004-2010.xls<br>Rejects 2000-2008 GAO data request .htm<br>Rejects 2000-2008 GAO data request 2.htm |
| **Importance:** | High |

FYI

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Washington, DC. 20529
Mail Stop: 2060 Room: 2210
Phone: [redacted] Mobile: [redacted] Fax: (202) 272-1542

(b)(6)

**From:** Nicholson, Richard E
**Sent:** Friday, June 11, 2010 11:39 AM
**To:** Lundquist, Mark E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request
**Importance:** High

Here you go Mark…..

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted]

(b)(6)

**From:** Villahermosa, April L
**Sent:** Friday, June 11, 2010 8:34 AM
**To:** Nicholson, Richard E
**Cc:** Benavente, Jessy J; Fries, Juliet M
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Hi Rich,

The count attached should be as follows. This was after we sent the revision for the 2007 count on 03/10/2010. I am attaching the copies of the email as reference.

| CALIFORNIA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | TOTAL |
|---|---|---|---|---|---|---|---|---|
| I-129 and PP | | | | 746 | 8663 | 7280 | | **16689** |
| I-129 HIB (CAP season) | | | | 76081 | 23795 | 2445 | | **102321** |

CSC count includes all I-129 types

Thank You,

April

**From:** Nicholson, Richard E
**Sent:** Friday, June 11, 2010 7:33 AM
**To:** Villahermosa, April L
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Rich Nicholson
Assistant Director Records/COTR

| CALIFORNIA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 746 | 8663 | 7280 |

CSC count includes all I-129 types

| NEBRASKA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | | 103 | 68 |
| I-907/I-129 (Premium) | | | | | 61 | 9 |
| I-129 (H1B) | | | | | | |
| I-129 (Premium) | | | | | 1 | |
| I-907/I-129 Premium (E-Filing) | | | | | 122 | |

| TEXAS - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 4 | 122 | 25 |
| I-907/I-129 (Premium) | | | | 11 | 69 | 28 |
| I-129 H1B | 1867 | 3517 | 678 | 133 | 59 | 22 |

| VERMONT - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 H1B | | | | 38971 | 43652 | 1628 |

| Combined SC - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 750 | 8888 | 7373 |
| I-907/I-129 (Premium) | | | | 11 | 130 | 37 |
| I-129 (H1B) | 1867 | 3517 | 678 | 39104 | 43711 | 1650 |
| I-129 (Premium) | | | | | 1 | |
| I-907/I-129 Premium (E-Filing) | | | | | 122 | |

| 2010 | TOTAL |
|---|---|
| | 16689 |

| 2010 | TOTAL |
|---|---|
| 1 | 172 |
| | 70 |
| | 0 |
| | 1 |
| | 122 |

| 2010 | TOTAL |
|---|---|
| | 151 |
| | 108 |
| | 6276 |

| 2010 | TOTAL |
|---|---|
| 166 | 84417 |

| 2010 | TOTAL |
|---|---|
| 1 | 17012 |
| | 70 |
| 166 | 0 |
| | 1 |
| | 122 |

| | |
|---|---|
| **From:** | Lundquist, Mark E |
| **To:** | Nicholson, Richard E |
| **Cc:** | Prince, Rose M; Peck, Denis R |
| **Subject:** | FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request |
| **Date:** | Friday, June 11, 2010 8:17:25 AM |
| **Attachments:** | SC I129 H1B Rejects 2004-2010.xls |

Rich,

Do you have any newer information than the 3/5/10 email below?
My records seem to show that's where this email chain ended as well.

**Thanks,**
**Mark Lundquist**
**Management & Program Analyst / COTR**
**Service Center Operations / Records Management**
**20 Massachusetts Ave. NW Washington, DC. 20529**
**Mail Stop: 2060 Room: 2210**
**Phone: (202) 272-1529 / Mobile: (202) 271-9925 / Fax: (202) 272-1542**

---

**From:** Sweeney, Shelly A
**Sent:** Friday, June 11, 2010 7:14 AM
**To:** Lundquist, Mark E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

I think that Rich and Marvin may have closed this out with me in March, but I can't seem to find anything after this point in my email archives. Do you happen to have record of the final response? GAO asked about this last week, and I just wanted to make sure that I gave them the latest information.

Thanks!

Shelly

---

**From:** Nicholson, Richard E
**Sent:** Friday, March 05, 2010 11:35 AM
**To:** Cervenka, Marvin E
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Lundquist, Mark E
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

I am having the Analyst take another look at the information and try to improve the numbers, at least for 2007.....I provided some additional information I discover in my archieve.

Rich Nicholson
Assistant Director Records/COTR
California Service Center

USCIS
(949) 389-3168

---

**From:** Cervenka, Marvin E
**Sent:** Friday, March 05, 2010 7:41 AM
**To:** Nicholson, Richard E
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Lundquist, Mark E
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mr. Nicholson

Would you please provide clarification for the Ms. Sweeney's inquiry?

Thank You
Marvin

---

**From:** Sweeney, Shelly A
**Sent:** Friday, March 05, 2010 10:23 AM
**To:** Lundquist, Mark E; Cervenka, Marvin E
**Cc:** Johnson, Bobbie L
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Thanks for the clarification. One last question, since CSC doesn't distinguish between the different I-129 categories, can we assume that the H-1B cap cases that CSC rejected in 2007 and 2008 for not winning the lottery are included in their data? I only ask because the CSC overall data is so much smaller than the VSC's H-1B specific data.

---

**From:** Lundquist, Mark E
**Sent:** Friday, March 05, 2010 9:21 AM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Cervenka, Marvin E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Shelly,

Please see updated version attached.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Mobile: (202) 271-9925 / Fax: (202) 272-1542

---

**From:** Cervenka, Marvin E
**Sent:** Friday, March 05, 2010 8:58 AM
**To:** Lundquist, Mark E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark

Here is the corrected spreadsheet for H1B. As April Villahermosa stated, the CSC I-129 count under the manual reject log includes all I-129 filing categories. CSC has no way of identifying just the H1B cases. They do have count for H1B Cap in CRIS. Would you want that count?

Marvin

---

**From:** Cervenka, Marvin E
**Sent:** Monday, March 01, 2010 12:35 PM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Lundquist, Mark E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Please see the attached Excel documents for rejection counts for I-129 H1B from the Service Centers.

Thank You
Marvin Cervenka
MPA
SCOPS/HQ/USCIS/DHS
202-272-1688

---

**From:** Lundquist, Mark E
**Sent:** Monday, March 01, 2010 11:28 AM
**To:** Cervenka, Marvin E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Marvin,

The spreadsheet looks good to me.
Please forward to Sweeney, Shelly A and Johnson, Bobbie L if you are done.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Cervenka, Marvin E
**Sent:** Monday, March 01, 2010 11:24 AM
**To:** Lundquist, Mark E
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark

Please review the attached Excel spreadsheet for requested information. Edit accordingly.

Thank You
Marvin

---

**From:** Lundquist, Mark E

**Sent:** Monday, March 01, 2010 7:41 AM
**To:** Cervenka, Marvin E
**Cc:** Peck, Denis R
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Marvin,

Can you please work on this issue this morning? I will forward you the responses I received from the centers.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 17, 2010 7:11 AM
**To:** Lundquist, Mark E
**Cc:** Johnson, Bobbie L
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

OSI has been inquiring about the status of this data pull. Any updates?

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Friday, February 05, 2010 8:28 AM
**To:** Lundquist, Mark E; Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Collins, Mary Lou E; Stoddard, Becky M; Hazuda, Mark J; Johnson, Bobbie L
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

OSI is USCIS' liaison with the GAO. All meetings or information provided to the GAO are handled through OSI. I was not at the meeting where GAO requested the reject counts, so I do not have a frame of reference for that particular data request. However, this GAO project (130916) is a Congressionally mandated review of the impact of the H-1B visa cap on U.S. competitiveness. Before the entrance meeting last summer, GAO indicated that their key objectives are analyzing:

- the impact of the H-1B cap (or its expansion) on domestic employment, labor costs for U.S. companies, domestic investments in research and development, and the outsourcing of U.S. jobs overseas
- the correlation between the H-1B program and the willingness of foreign companies to hire American workers; and
- the current requirements for ensuring that American workers are not disadvantaged by the H-1B

program.
Thanks!

Shelly

---

**From:** Lundquist, Mark E
**Sent:** Friday, February 05, 2010 8:13 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Collins, Mary Lou E; Stoddard, Becky M; Hazuda, Mark J; Sweeney, Shelly A; Johnson, Bobbie L
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Steve / Rich,

I'm not sure why they are asking, I was not at the meeting where they discussed this. I do know that this is the third time we have gone to the centers asking for manual reject data for I-129 H1B. Denis originally asked for a period of three months during CAP season to determine which cases that were rejected might have had an opportunity to re-file before the deadline if we were not backlogged at the time. The second time was a request that Office of Policy and Strategy wanted us to send out was for a month's worth of manual reject data during the CAP season (I need to follow up on this one still) and now this request from GAO and OSI for everything from 2000 to 2008. All we are able to provide them is counts since manual rejects at the centers do not have unique identifiers associated with them.

Shelly, are you able to shed any light on what GAO or OSI is going to use these counts for?

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Loughlin, Stephen J
**Sent:** Thursday, February 04, 2010 10:07 AM
**To:** Lundquist, Mark E
**Cc:** Nicholson, Richard E; Collins, Mary Lou E; Stoddard, Becky M; Hazuda, Mark J
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

Can you share with us what OIG / OSI's interest is? Generally when those two entities are involved there is an allegation of mis-conduct, wrong doing, etc.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

---

**From:** Lundquist, Mark E
**Sent:** Thursday, February 04, 2010 8:58 AM
**To:** Nicholson, Richard E; Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins,

Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; 'Cervenka, Marvin E'
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Ok, please send whatever I-129 or I-129 H1B manual reject counts you can get your hands on.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Nicholson, Richard E
**Sent:** Thursday, February 04, 2010 8:43 AM
**To:** Lundquist, Mark E; Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; 'Cervenka, Marvin E'
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

We don't have records that go back that far. Its possible to go back a couple of years.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(949) 389-3168

---

**From:** Lundquist, Mark E
**Sent:** Thursday, February 04, 2010 4:39 AM
**To:** Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Cervenka, Marvin E
**Subject:** Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request
**Importance:** High

Records ACDs,

GAO and OSI would like counts for the number of manual rejects performed at each center for I-129 / I-129 H1B cases from year 2000 to 20008.
Please send me what counts you can put together for each year during this time frame by 2/18/10 if your center processed I-129 during this time frame.
If additional time is needed due to un-archiving records, please let me know.

Thanks,
Mark Lundquist

Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

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**From:** Peck, Denis R
**Sent:** Wednesday, January 27, 2010 2:04 PM
**To:** Lundquist, Mark E
**Cc:** Sweeney, Shelly A
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

We need to help BEST if we can to respond to the GAO data request below. Contact all four centers and ask them to have a thorough search done and respond with information they have for manual rejects done between fiscal years 2000- 2008 on the H1B petition, form I-129. If they can provide numbers for the I-129 form as a whole only, have them provide that. If they have neither, they should provide that.

CSC and VSC should have I-129 H1B CAP reject data at least since FY2007. The request below is for all H1B during the entire year, not just the CAP filings.

Thanks – Shelly is your POC for any further information.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

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**From:** Jackson, Holly Jo
**Sent:** Tuesday, January 26, 2010 12:00 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Johnson, Bobbie L; Nemeth, Carmen M
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good morning Shelly-

I spoke with GAO and I hope this clarifies what they are looking for:

When we met last week, the officials we spoke to mentioned that there are manual logs of those petitions that are rejected during the sorting process in the mail room. Further, they said that they could compile data for us on how many petitions were manually rejected. We would be interested in getting this information for H-1B petitions for each year from fiscal year 2000 through fiscal year 2008.

Please let me know if this makes sense or if you need further clarification.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services

Office of Security & Integrity
Internal Review Division
Office: 202-272-8898
holly.j.jackson@dhs.gov

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**From:** Sweeney, Shelly A
**Sent:** Thursday, January 21, 2010 3:10 PM
**To:** Jackson, Holly Jo
**Cc:** Peck, Denis R; Johnson, Bobbie L
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests

Holly,

We have a quick question regarding the data being requested in the third bullet for the January 19th meeting. Is GAO requesting data on manual rejects for each fiscal year's cap season or H-1B manual rejects during that fiscal year?

Thanks!

Shelly

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**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 12:55 PM
**To:** Zwiener, Sandra J; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good afternoon-

Thank you Sandra and OIT for you quick response and for all the information you have provided.

The 2 sub-bullets regarding the December 16th meeting have been addressed. The GAO is looking for further information regarding the following from December 16th:

- GAO is looking for standard operating procedures or regulations or guidance that describes the lottery process. During the meeting in December, it was mentioned that DHS has specific procedures for running a lottery in years such as April 2008 when a great deal more petitions were received beyond the number that were eligible for the cap. Further, it was stated that we would see what other guidance there might be for other years, such as those in which the cap has not been reached. The GAO is looking for documentation that would describe these types of processes in greater detail.

The below information is still needed regarding the January 19th meeting:

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

Thanks everyone for your assistance and please let me know if you have any questions or concerns.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
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Office: 202-272-8898
holly.j.jackson@dhs.gov

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**From:** Zwiener, Sandra J
**Sent:** Thursday, January 21, 2010 10:29 AM
**To:** Jackson, Holly Jo; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

December 16, 2010 Meeting (OIT)

In regards to question 1, are you looking for OIT to provide this information? The I-129 form captures the same fields no matter which "type". However, I do not think I have the information on how the business team DE's these cases.

January 19, 2010 Meeting (OIT)

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.

The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.

This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.

This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.

Thanks,

Sandra Zwiener, PMP, IPRC
C3/ICPS Program Manager
402.323.2524 | 402.304.2561 | sandra.zwiener@dhs.gov

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**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 8:17 AM
**To:** Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Zwiener, Sandra J; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** GAO 130916: H-1B Visa Cap - information requests

Good morning everyone-

Acting on behalf of Carmen Nemeth while she is out of the office this week, I am following up in regards to requests for information from GAO following both the December 16th meeting, and the teleconference which took place Tuesday, January 19, 2010.

Outstanding items from the meeting held December 16, 2010 and subsequent emails:

- Documentation regarding the lottery process for the cap (e.g. standard operating procedures)

1) What fields from the I-129 L-Classification Supplement are captured in the CLAIMS3 data that was provided to GAO.

2) Based on the updated spreadsheet you provided, it looks like CLAIMS3 does not capture all fields from part C of the I-129 H-1B Data Collection and Filing Fee Exemption Supplement. How does DHS determine whether a firm (not a beneficiary) is exempt from the numerical limitation for the cap?

During the January 19, 2010 meeting, we agreed to provide the following information to GAO:

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.
    - *The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.*

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.
    - *This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.*
    - *This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.*

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

This information is needed ASAP for the December 16th information which has been previously requested. And the additional requests for information from the January 19th meeting are needed by **January 29, 2010**. Please let me know if you have any questions or concerns regarding the above requests.

Thank you!

*Holly Jo Jackson*
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division

| CALIFORNIA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 746 | 8663 | 7280 |

CSC count includes all I-129 types

| NEBRASKA - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | | 103 | 68 |
| I-907/I-129 (Premium) | | | | | 61 | 9 |
| I-129 (H1B) | | | | | | |
| I-129 (Premium) | | | | | 1 | |
| I-907/I-129 Premium (E-Filing) | | | | | 122 | |

| TEXAS - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 4 | 122 | 25 |
| I-907/I-129 (Premium) | | | | 11 | 69 | 28 |
| I-129 H1B | 1867 | 3517 | 678 | 133 | 59 | 22 |

| VERMONT - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 H1B | | | | 38971 | 43652 | 1628 |

| Combined SC - Rejections | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 |
|---|---|---|---|---|---|---|
| I-129 | | | | 750 | 8888 | 7373 |
| I-907/I-129 (Premium) | | | | 11 | 130 | 37 |
| I-129 (H1B) | 1867 | 3517 | 678 | 39104 | 43711 | 1650 |
| I-129 (Premium) | | | | | 1 | |
| I-907/I-129 Premium (E-Filing) | | | | | 122 | |

| 2010 | TOTAL |
|---|---|
| | 16689 |

| 2010 | TOTAL |
|---|---|
| 1 | 172 |
| | 70 |
| | 0 |
| | 1 |
| | 122 |

| 2010 | TOTAL |
|---|---|
| | 151 |
| | 108 |
| | 6276 |

| 2010 | TOTAL |
|---|---|
| 166 | 84417 |

| 2010 | TOTAL |
|---|---|
| 1 | 17012 |
| | 70 |
| 166 | 0 |
| | 1 |
| | 122 |

| | | Manual rejects |
|---|---|---|
| Jan-04 | I-129 (H1B) | 95 |
| Feb-04 | I-129 (H1B) | 105 |
| Mar-04 | I-129 (H1B) | 47 |
| Apr-04 | I-129 (H1B) | 187 |
| May-04 | I-129 (H1B) | 196 |
| Jun-04 | I-129 (H1B) | 152 |
| Jul-04 | I-129 (H1B) | 160 |
| Aug-04 | I-129 (H1B) | 242 |
| Sep-04 | I-129 (H1B) | 300 |
| Oct-04 | I-129 (H1B) | 124 |
| Nov-04 | I-129 (H1B) | 62 |
| Dec-04 | I-129 (H1B) | 197 |
| Total 2004 | | 1,867 |
| | | |
| Jan-05 | I-129 (H1B) | 173 |
| Feb-05 | I-129 (H1B) | 100 |
| Mar-05 | I-129 (H1B) | 197 |
| Apr-05 | I-129 (H1B) | 87 |
| May-05 | I-129 (H1B) | 63 |
| Jun-05 | I-129 (H1B) | 111 |
| Jul-05 | I-129 (H1B) | 163 |
| Aug-05 | I-129 (H1B) | 1612 |
| Sep-05 | I-129 (H1B) | 268 |
| Oct-05 | I-129 (H1B) | 252 |
| Nov-05 | I-129 (H1B) | 274 |
| Dec-05 | I-129 (H1B) | 217 |
| Total 2005 | | 3,517 |
| | | |
| Jan-06 | I-129 (H1B) | 208 |
| Feb-06 | I-129 (H1B) | 210 |
| Mar-06 | I-129 (H1B) | 260 |
| Apr-06 | I-129 (H1B) | 0 |
| May-06 | I-129 (H1B) | 0 |
| Jun-06 | I-129 (H1B) | 0 |
| Jul-06 | I-129 (H1B) | 0 |
| Aug-06 | I-129 (H1B) | 0 |
| Sep-06 | I-129 (H1B) | 0 |
| Oct-06 | I-129 (H1B) | 0 |
| Nov-06 | I-129 (H1B) | 0 |
| Dec-06 | I-129 (H1B) | 0 |
| Total 2006 | | 678 |
| | | |
| Jan-07 | I-129 (H1B) | 0 |
| Feb-07 | I-129 (H1B) | 0 |
| Mar-07 | I-129 (H1B) | 0 |
| Apr-07 | I-129 (H1B) | 14 |
| May-07 | I-129 (H1B) | 13 |
| Jun-07 | I-129 (H1B) | 16 |

| | | |
|---|---|---|
| Jul-07 | I-129 (H1B) | 20 |
| Aug-07 | I-129 (H1B) | 15 |
| Sep-07 | I-129 (H1B) | 24 |
| Oct-07 | I-129 (H1B) | 8 |
| Nov-07 | I-129 (H1B) | 17 |
| Dec-07 | I-129 (H1B) | 6 |
| Total 2007 | | 133 |

| | | |
|---|---|---|
| Jan-08 | I-129 (H1B) | 6 |
| Feb-08 | I-129 (H1B) | 1 |
| Mar-08 | I-129 (H1B) | 7 |
| Apr-08 | I-129 (H1B) | 3 |
| May-08 | I-129 (H1B) | 6 |
| Jun-08 | I-129 (H1B) | 3 |
| Jul-08 | I-129 (H1B) | 6 |
| Aug-08 | I-129 (H1B) | 10 |
| Sep-08 | I-129 (H1B) | 4 |
| Oct-08 | I-129 (H1B) | 2 |
| Nov-08 | I-129 (H1B) | 2 |
| Dec-08 | I-129 (H1B) | 9 |
| Total 2008 | | 59 |

| NEBRASKA | DEC 07 | JAN 08 | FEB 08 | MAR 08 | APR 08 | MAY 08 |
|---|---|---|---|---|---|---|
| I-129 | | | | 8 | 22 | 5 |
| I-129 (H1B CAP) | | | | | | |
| I-129 (H1B Master CAP) | | | | | | |
| I-907/I-129 (Premium) | | | 1 | 5 | 24 | 7 |
| I-907/I-129 (Premium H1B CAP) | | | | | | |
| I-907/I-129 (Premium H1B Master CAP) | | | | | | |
| I-129 (H1B) | | | | | | |
| I-129 (E-Filing) | | | | | | |
| I-129 (Premium) | | 1 | | | | |
| I-907/I-129 Premium (E-Filing) | | | | | 57 | 65 |
| I-129F | 74 | 32 | 110 | 59 | | |
| I-129S | | | | | | |
| I-129S (E-Filing) | | | | | | |

| TEXAS | DEC 07 | JAN 08 | FEB 08 | MAR 08 | APR 08 | MAY 08 |
|---|---|---|---|---|---|---|
| I-129 | 4 | 14 | 38 | 7 | 4 | 5 |
| I-129 (H1B CAP) | | | | | | |
| I-129 (H1B Master CAP) | | | | | | |
| I-907/I-129 (Premium) | 11 | 13 | 12 | 11 | 7 | 11 |
| I-907/I-129 (Premium H1B CAP) | | | | | | |
| I-907/I-129 (Premium H1B Master CAP) | | | | | | |
| I-129 (H1B) | 6 | 6 | 1 | 7 | 3 | 6 |
| I-129 (E-Filing) | | | | | | |
| I-129 (Premium) | | | | | | |
| I-907/I-129 Premium (E-Filing) | | | | | | |
| I-129F | 4 | 87 | 93 | 158 | 129 | 88 |
| I-129S | | | | | | |
| I-129S (E-Filing) | | | | | | |

| JUN 08 | JUL 08 | AUG 08 | SEP 08 | OCT 08 | NOV 08 | DEC 08 | JAN 09 | FEB 09 | MAR 09 |
|---|---|---|---|---|---|---|---|---|---|
| 11 | 5 | 11 | 9 | 11 | 8 | 13 | 9 | 9 | 6 |
| | | | | | | | | | |
| | | | | | | | | | |
| 6 | 11 | 2 | 2 | 2 | 1 | | | 1 | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 40 | 30 | 28 | 22 | 12 | 13 | 8 | 7 | 10 | 8 |
| | | | | | | | | | |
| | | | | | | | | | |

| JUN 08 | JUL 08 | AUG 08 | SEP 08 | OCT 08 | NOV 08 | DEC 08 | JAN 09 | FEB 09 | MAR 09 |
|---|---|---|---|---|---|---|---|---|---|
| 11 | 3 | 10 | 9 | 9 | 6 | 6 | 1 | 5 | 3 |
| | | | | | | | | | |
| | | | | | | | | | |
| 13 | 5 | 11 | 4 | 2 | 4 | 5 | 3 | 3 | 1 |
| | | | | | | | | | |
| | | | | | | | | | |
| 3 | 6 | 10 | 4 | 2 | 2 | 9 | 6 | 2 | 4 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 60 | 41 | 21 | 32 | 27 | 23 | 11 | 5 | 15 | 25 |
| | | | | | | | | | |
| | | | | | | | | | |

| APR 09 | MAY 09 | JUN 09 | JUL 09 | AUG 09 | SEP 09 | OCT 09 | NOV 09 | DEC 09 | JAN 10 |
|---|---|---|---|---|---|---|---|---|---|
| 9 | 16 | 6 | 1 | 1 | 4 | 2 | 4 | 1 | 1 |
| | | | | | | | | | |
| | | | | | | | | | |
| 2 | 3 | 1 | | 1 | 1 | | | | |
| | | | | | | | | | |
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| | | | | | | | | | |
| | | | | | | | | | |
| 10 | | 6 | 8 | 6 | 4 | 1 | 1 | 1 | 5 |
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| APR 09 | MAY 09 | JUN 09 | JUL 09 | AUG 09 | SEP 09 | OCT 09 | NOV 09 | DEC 09 | JAN 10 |
|---|---|---|---|---|---|---|---|---|---|
| 3 | 2 | 1 | 3 | 1 | 1 | 3 | 1 | 1 | |
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| | | | | | | | | | |
| 3 | 1 | 4 | 2 | 5 | 3 | | | 3 | |
| | | | | | | | | | |
| | | | | | | | | | |
| 2 | | 3 | 2 | 1 | | | 2 | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 33 | 17 | 11 | 10 | 10 | 16 | 11 | 6 | 2 | 6 |
| | | | | | | | | | |
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| TOTAL |
|---|
| 172 |
| |
| |
| 70 |
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| |
| 1 |
| 122 |
| 495 |
| |
| |
| 860 |

| TOTAL |
|---|
| 151 |
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| 137 |
| |
| |
| 87 |
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| |
| 941 |
| |
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| 1316 |

| NEBRASKA | DEC 07 | JAN 08 | FEB 08 | MAR 08 | APR 08 | MAY 08 |
|---|---|---|---|---|---|---|
| I-129 | | | | 8 | 22 | 5 |
| I-129 (H1B CAP) | | | | | | |
| I-129 (H1B Master CAP) | | | | | | |
| I-907/I-129 (Premium) | | | 1 | 5 | 24 | 7 |
| I-907/I-129 (Premium H1B CAP) | | | | | | |
| I-907/I-129 (Premium H1B Master CAP) | | | | | | |
| I-129 (H1B) | | | | | | |
| I-129 (E-Filing) | | | | | | |
| I-129 (Premium) | | 1 | | | | |
| I-907/I-129 Premium (E-Filing) | | | | | 57 | 65 |
| I-129F | 74 | 32 | 110 | 59 | | |
| I-129S | | | | | | |
| I-129S (E-Filing) | | | | | | |

| TEXAS | DEC 07 | JAN 08 | FEB 08 | MAR 08 | APR 08 | MAY 08 |
|---|---|---|---|---|---|---|
| I-129 | 4 | 14 | 38 | 7 | 4 | 5 |
| I-129 (H1B CAP) | | | | | | |
| I-129 (H1B Master CAP) | | | | | | |
| I-907/I-129 (Premium) | 11 | 13 | 12 | 11 | 7 | 11 |
| I-907/I-129 (Premium H1B CAP) | | | | | | |
| I-907/I-129 (Premium H1B Master CAP) | | | | | | |
| I-129 (H1B) | 6 | 6 | 1 | 7 | 3 | 6 |
| I-129 (E-Filing) | | | | | | |
| I-129 (Premium) | | | | | | |
| I-907/I-129 Premium (E-Filing) | | | | | | |
| I-129F | 4 | 87 | 93 | 158 | 129 | 88 |
| I-129S | | | | | | |
| I-129S (E-Filing) | | | | | | |

| JUN 08 | JUL 08 | AUG 08 | SEP 08 | OCT 08 | NOV 08 | DEC 08 | JAN 09 | FEB 09 | MAR 09 |
|---|---|---|---|---|---|---|---|---|---|
| 11 | 5 | 11 | 9 | 11 | 8 | 13 | 9 | 9 | 6 |
| | | | | | | | | | |
| | | | | | | | | | |
| 6 | 11 | 2 | 2 | 2 | 1 | | | 1 | |
| | | | | | | | | | |
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| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 40 | 30 | 28 | 22 | 12 | 13 | 8 | 7 | 10 | 8 |
| | | | | | | | | | |
| | | | | | | | | | |

| JUN 08 | JUL 08 | AUG 08 | SEP 08 | OCT 08 | NOV 08 | DEC 08 | JAN 09 | FEB 09 | MAR 09 |
|---|---|---|---|---|---|---|---|---|---|
| 11 | 3 | 10 | 9 | 9 | 6 | 6 | 1 | 5 | 3 |
| | | | | | | | | | |
| | | | | | | | | | |
| 13 | 5 | 11 | 4 | 2 | 4 | 5 | 3 | 3 | 1 |
| | | | | | | | | | |
| | | | | | | | | | |
| 3 | 6 | 10 | 4 | 2 | 2 | 9 | 6 | 2 | 4 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 60 | 41 | 21 | 32 | 27 | 23 | 11 | 5 | 15 | 25 |
| | | | | | | | | | |
| | | | | | | | | | |

| APR 09 | MAY 09 | JUN 09 | JUL 09 | AUG 09 | SEP 09 | OCT 09 | NOV 09 | DEC 09 | JAN 10 |
|---|---|---|---|---|---|---|---|---|---|
| 9 | 16 | 6 | 1 | 1 | 4 | 2 | 4 | 1 | 1 |
| | | | | | | | | | |
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| 2 | 3 | 1 | | 1 | 1 | | | | |
| | | | | | | | | | |
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| | | | | | | | | | |
| 10 | | 6 | 8 | 6 | 4 | 1 | 1 | 1 | 5 |
| | | | | | | | | | |
| | | | | | | | | | |

| APR 09 | MAY 09 | JUN 09 | JUL 09 | AUG 09 | SEP 09 | OCT 09 | NOV 09 | DEC 09 | JAN 10 |
|---|---|---|---|---|---|---|---|---|---|
| 3 | 2 | 1 | 3 | 1 | 1 | 3 | 1 | 1 | |
| | | | | | | | | | |
| | | | | | | | | | |
| 3 | 1 | 4 | 2 | 5 | 3 | | | 3 | |
| | | | | | | | | | |
| | | | | | | | | | |
| 2 | | 3 | 2 | 1 | | | 2 | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| 33 | 17 | 11 | 10 | 10 | 16 | 11 | 6 | 2 | 6 |
| | | | | | | | | | |
| | | | | | | | | | |

| TOTAL |
|---|
| 172 |
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| |
| 70 |
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| |
| |
| 1 |
| 122 |
| 495 |
| |
| |
| 860 |

| TOTAL |
|---|
| 151 |
| |
| |
| 137 |
| |
| |
| 87 |
| |
| |
| |
| 941 |
| |
| |
| 1316 |

**From:** Nguyen, Loc B
**To:** Peck, Denis R
**Subject:** RE: DAAGs 2/02/2010
**Date:** Thursday, February 04, 2010 2:35:01 PM
**Attachments:** VSC DAAG 02-02-10.xls

---

Denis,

See the 1st tab in the file for Summary. This is the file to rely on. The one I sent to you earlier was incorrect and recalled successfully.


# *Chris Nguyen*

**Sayres & Associates Contractor/SFA**
USCIS- Service Center Operations
20 Massachusetts Ave, NW, Room 1304
Office- (202) 272-0948
Fax- (202) 272-1542
Email: Loc.Nguyen@dhs.gov


---

**From:** Peck, Denis R
**Sent:** Thursday, February 04, 2010 1:51 PM
**To:** Nguyen, Loc B
**Subject:** FW: DAAGs 2/02/2010

Chris,

Can you do some adding on this and tell me exactly how many forms were pending due to "CRU returns" and how many were "VAWA"? I want to get to the bottom of why Vermont has so many of these at the end of each day.

Thanks,


Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX


---

**From:** Reznikov, Karla M. [mailto:Karla.Reznikov@stanleyassociates.com]
**Sent:** Thursday, February 04, 2010 12:15 PM
**To:** Shiflett, Julie M
**Cc:** 'bruce.schmidt@dhs.gov'; 'claire.piscitelli@dhs.gov'; 'De Santiago, Araceli '; 'james.McConnell@dhs.gov'; 'Jones, Nancy L'; 'Peck, Denis R'; 'richard.nicholson@dhs.gov'; 'Summers, Janice D'; 'Shafer . Cliti'; 'marilyn.wiles@dhs.gov'; 'mark.hazuda@dhs.gov'; 'roger.coleman@dhs.gov'; 'toni.anderson@dhs.gov'; 'Bennett, Linda J'; 'Benavente, Jessy J'; 'Farrington, Ann P'; 'Yandow, Jackie D'; 'Putnam, Anne F'; 'Ashline, Heidi L'; CR Bobeng, John; 'Gregory.Siesel@associates.dhs.gov'; 'Jack.Martin@associates.dhs.gov'; Ly, Pam; 'marcy.stefaniak@dhs.gov'; CR Nelson, Marvin; CR Ly, Pam; Vincent, Sarah; 'Printup, Maurice '; 'Briggs, Shawn M'; 'timothy.akeo@associates.dhs.gov'; Peacock, Walter W.; 'Nguyen, Loc B'; 'mark.lundquist@dhs.gov'; 'loc.nguyen@dhs.gov'; 'audrey.mallari@dhs.gov'; Shilling, Jennifer; Rosenberger, Heather M.; Collins, Thomas C.; 'gale.bonnett@dhs.gov'; 'brenda.sheets@dhs.gov'; 'jolene.ball@dhs.gov'; Palumbo, Joseph C.; Le, Tho; 'mlsurpre@fins3.dhs.gov'; john.s.coleman@ngc.com; Treacy, Erin; stephen.loughlin@dhs.gov; Surprenant, Mandy; Ayala, Pablo G.
**Subject:** DAAGs 2/02/2010

Hi Julie,

Attached are the DAAGs for both VSC and CSC for 2/02/10.

Please also note the following for VT:

- Pending for form EOIR-29 are CRU returns.
- Pending for form I-102 are CRU returns.
- Pending for form I-129 are free trades.
- Pending for form I-907/I-129 (Premium) are CRU returns.
- Pending for form I-129 (H1B) are CRU returns.
- Pending for form I-129F are CRU returns.
- Pending for form I-130 is a CRU return.
- Pending for form I-131 (E.B.) is from the Field Offices with Fees Receipted Elsewhere.
- Pending for form I-192 are VAWA returns.
- Pending for form I-193 is VAWA; fee not required.
- Pending for form I-290B consists of 7 CRU returns and 19 VAWA returns.
- Pending for form I-360 is VAWA; fee not required.
- Pending for form I-485 (Family) are VAWA returns.
- Pending for form I-539 are CRU returns.
- Pending for form I-751 (MFAS) consists of 14 CRU returns and 12 VAWA returns.
- Pending for form I-765 consists of 98 VAWA returns and 1 CRU return.
- Pending for forms I-918 and I-918A are VAWA returns.
- Pending for form I-929 is a VAWA return.
- Pending for form Motions are VAWA returns.
- Pending for form N-470 is a CRU return.

Thanks,

**Karla Reznikov**
Program Control Analyst
Business Operations Group
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
PHONE: (703) 535-5367

| | |
|---|---|
| **From:** | Schmidt, Bruce H |
| **To:** | Lundquist, Mark E |
| **Cc:** | Cervenka, Marvin E; Peck, Denis R |
| **Subject:** | RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request |
| **Date:** | Thursday, February 04, 2010 9:26:46 AM |
| **Attachments:** | TSC Internal MAAG 2009 11.xls |

Gentlemen –

Serco does keep documentation on manual reject counts on the portal exclusively for the TSC; as part of our invoice reconciliation review. I see the GAO and OSI would like counts for the number of manual rejects performed at each center for I-129 / I-129 H1B cases from year 2000 to 20008. I highlighted the area of interest on Serco's internal TSC MAAG for Nov 2009.

I can make a request to Serco for their internal MAAGs for the NSC and TSC since Dec 2007. I suspect we can find JHM MAAGs on the shared drive prior to Dec 2007 for the requested information.

Unless I hear otherwise – I'll move forward and take appropriate action.

Bruce

---

**From:** Lundquist, Mark E
**Sent:** Thursday, February 04, 2010 9:00 AM
**To:** Schmidt, Bruce H
**Cc:** Cervenka, Marvin E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Bruce has access to the portal. Bruce, do you know if Serco keeps any manual reject counts by form type on the portal?

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Cervenka, Marvin E
**Sent:** Thursday, February 04, 2010 8:58 AM
**To:** Lundquist, Mark E
**Subject:** FW: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark

When I was at the TSC I had access to the SI (Now SERCO) Portal. Don't remember if you could find data that old using the Portal.

Marvin

---

**From:** Gydesen, Justyn J [mailto:justyn.gydesen@dhs.gov]
**Sent:** Thursday, February 04, 2010 8:49 AM
**To:** Nicholson, Richard E; Lundquist, Mark E; Anderson, Toni D; Bamford, Reno C; Clay, Janet P;

Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Cervenka, Marvin E
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Same here.

---

**Justyn J. Gydesen** | **Assistant Center Director/COTR**
| Records Division | USCIS Nebraska Service Center
| ☎: 402.323.2545 | 🖷: 402.323.2488 | ✉: **Justyn.Gydesen@dhs.gov**

---

**From:** Nicholson, Richard E
**Sent:** Thursday, February 04, 2010 7:43 AM
**To:** Lundquist, Mark E; Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; 'Cervenka, Marvin E'
**Subject:** RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

We don't have records that go back that far. Its possible to go back a couple of years.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(949) 389-3168

---

**From:** Lundquist, Mark E
**Sent:** Thursday, February 04, 2010 4:39 AM
**To:** Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Cervenka, Marvin E
**Subject:** Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request
**Importance:** High

Records ACDs,

GAO and OSI would like counts for the number of manual rejects performed at each center for I-129 / I-129 H1B cases from year 2000 to 20008.
Please send me what counts you can put together for each year during this time frame by 2/18/10 if your center processed I-129 during this time frame.
If additional time is needed due to un-archiving records, please let me know.

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529

Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Peck, Denis R
**Sent:** Wednesday, January 27, 2010 2:04 PM
**To:** Lundquist, Mark E
**Cc:** Sweeney, Shelly A
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

We need to help BEST if we can to respond to the GAO data request below. Contact all four centers and ask them to have a thorough search done and respond with information they have for manual rejects done between fiscal years 2000- 2008 on the H1B petition, form I-129. If they can provide numbers for the I-129 form as a whole only, have them provide that. If they have neither, they should provide that.

CSC and VSC should have I-129 H1B CAP reject data at least since FY2007. The request below is for all H1B during the entire year, not just the CAP filings.

Thanks – Shelly is your POC for any further information.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Jackson, Holly Jo
**Sent:** Tuesday, January 26, 2010 12:00 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Johnson, Bobbie L; Nemeth, Carmen M
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good morning Shelly-

I spoke with GAO and I hope this clarifies what they are looking for:

When we met last week, the officials we spoke to mentioned that there are manual logs of those petitions that are rejected during the sorting process in the mail room. Further, they said that they could compile data for us on how many petitions were manually rejected. We would be interested in getting this information for H-1B petitions for each year from fiscal year 2000 through fiscal year 2008.

Please let me know if this makes sense or if you need further clarification.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division

Office: 202-272-8898
holly.j.jackson@dhs.gov

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 21, 2010 3:10 PM
**To:** Jackson, Holly Jo
**Cc:** Peck, Denis R; Johnson, Bobbie L
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests

Holly,

We have a quick question regarding the data being requested in the third bullet for the January 19th meeting. Is GAO requesting data on manual rejects for each fiscal year's cap season or H-1B manual rejects during that fiscal year?

Thanks!

Shelly

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 12:55 PM
**To:** Zwiener, Sandra J; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good afternoon-

Thank you Sandra and OIT for you quick response and for all the information you have provided.

The 2 sub-bullets regarding the December 16th meeting have been addressed. The GAO is looking for further information regarding the following from December 16th:

- GAO is looking for standard operating procedures or regulations or guidance that describes the lottery process. During the meeting in December, it was mentioned that DHS has specific procedures for running a lottery in years such as April 2008 when a great deal more petitions were received beyond the number that were eligible for the cap. Further, it was stated that we would see what other guidance there might be for other years, such as those in which the cap has not been reached. The GAO is looking for documentation that would describe these types of processes in greater detail.

The below information is still needed regarding the January 19th meeting:

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

Thanks everyone for your assistance and please let me know if you have any questions or concerns.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: 202-272-8898
holly.j.jackson@dhs.gov

---

**From:** Zwiener, Sandra J
**Sent:** Thursday, January 21, 2010 10:29 AM
**To:** Jackson, Holly Jo; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

December 16, 2010 Meeting (OIT)

In regards to question 1, are you looking for OIT to provide this information? The I-129 form captures the same fields no matter which "type". However, I do not think I have the information on how the business team DE's these cases.

January 19, 2010 Meeting (OIT)

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.

The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.

This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.

This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.

Thanks,
Sandra Zwiener, PMP, IPRC
C3/ICPS Program Manager
402.323.2524 | 402.304.2561 | sandra.zwiener@dhs.gov

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 8:17 AM
**To:** Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Zwiener, Sandra J; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** GAO 130916: H-1B Visa Cap - information requests

Good morning everyone-

Acting on behalf of Carmen Nemeth while she is out of the office this week, I am following up in

regards to requests for information from GAO following both the December 16th meeting, and the teleconference which took place Tuesday, January 19, 2010.

Outstanding items from the meeting held December 16, 2010 and subsequent emails:

- Documentation regarding the lottery process for the cap (e.g. standard operating procedures)

1) What fields from the I-129 L-Classification Supplement are captured in the CLAIMS3 data that was provided to GAO.

2) Based on the updated spreadsheet you provided, it looks like CLAIMS3 does not capture all fields from part C of the I-129 H-1B Data Collection and Filing Fee Exemption Supplement. How does DHS determine whether a firm (not a beneficiary) is exempt from the numerical limitation for the cap?

During the January 19, 2010 meeting, we agreed to provide the following information to GAO:

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This information is needed ASAP for the December 16th information which has been previously requested. And the additional requests for information from the January 19th meeting are needed by **January 29, 2010**. Please let me know if you have any questions or concerns regarding the above requests.

Thank you!

*Holly Jo Jackson*
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: 202-272-8898

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

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Please let me know if this makes sense or if you need further clarification.

Holly Jo

Holly Jo Jackson

Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: 202-272-8898
holly.j.jackson@dhs.gov

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**Cc:** Peck, Denis R; Johnson, Bobbie L
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Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
Office: 202-272-8898
holly.j.jackson@dhs.gov

---

**From:** Zwiener, Sandra J
**Sent:** Thursday, January 21, 2010 10:29 AM
**To:** Jackson, Holly Jo; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

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This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.

Thanks,

Sandra Zwiener, PMP, IPRC
C3/ICPS Program Manager
402.323.2524 | 402.304.2561 | sandra.zwiener@dhs.gov

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 8:17 AM
**To:** Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Zwiener, Sandra J; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** GAO 130916: H-1B Visa Cap - information requests

Good morning everyone-

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Outstanding items from the meeting held December 16, 2010 and subsequent emails:

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1) What fields from the I-129 L-Classification Supplement are captured in the CLAIMS3 data that was provided to GAO.

2) Based on the updated spreadsheet you provided, it looks like CLAIMS3 does not capture all fields from part C of the I-129 H-1B Data Collection and Filing Fee Exemption Supplement. How does DHS determine whether a firm (not a beneficiary) is exempt from the numerical limitation for the cap?

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    - *The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.*

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This information is needed ASAP for the December 16th information which has been previously requested. And the additional requests for information from the January 19th meeting are needed by **January 29, 2010**. Please let me know if you have any questions or concerns regarding the above requests.

Thank you!

*Holly Jo Jackson*
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

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# FY10 H1B Related

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H1B results from yesterday"s lottery
**Date:** Monday, December 28, 2009 2:47:55 PM

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Denis,
Yes.
That is almost a 10% reject rate.
In preparation for FY 2011 cap season, I would like to know the number of rejects by cap category (regular vs. masters) in FY 2010. Do you think the centers have those numbers?
Thanks.
Jim

-----Original Message-----
From: Peck, Denis R
Sent: Monday, December 28, 2009 2:02 PM
To: Stoddard, Becky M; Loughlin, Stephen J; Collins, Mary Lou E
Cc: Young, Claudia F; Fitzsimmons, James; Sweeney, Shelly A
Subject: Re: H1B results from yesterday's lottery

Thanks Becky,

Jim, this makes 25 rejects of the 270 lottery selections. Do you feel we should draw a final group to replace these - let's all discuss tomorrow.

Denis

----- Original Message -----
From: Stoddard, Becky M
To: Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E
Sent: Mon Dec 28 08:34:46 2009
Subject: FW: H1B results from yesterday's lottery

VSC data entered 163 and will reject 17. If you have any questions please let me know as Mary Lou is out today.

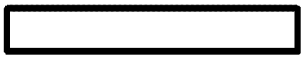
Thanks,

Becky

Becky Stoddard

Immigration Services Analyst

VSC/CPAU



(b)(6)

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From: Collins, Mary Lou E
Sent: Monday, December 28, 2009 8:33 AM
To: Stoddard, Becky M
Subject: FW: H1B results from yesterday's lottery

---

From: Benavente, Jessy J
Sent: Thursday, December 24, 2009 1:13 PM
To: Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E
Cc: Sweeney, Shelly A; Richardson, Gregory A; Gregg, Bret S; Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J
Subject: RE: H1B results from yesterday's lottery

CSC data entered 82 and will reject 8.

Jessy Benavente

SMPA

---

From: Peck, Denis R
Sent: Thursday, December 24, 2009 7:07 AM
To: Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
Cc: Sweeney, Shelly A; Richardson, Gregory A
Subject: H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529 (b)(6)

[redacted]

202-272-1542 FAX

| | |
|---|---|
| **From:** | Stoddard, Becky M |
| **To:** | Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E |
| **Subject:** | FW: H1B results from yesterday"s lottery |
| **Date:** | Monday, December 28, 2009 8:34:49 AM |

VSC data entered 163 and will reject 17. If you have any questions please let me know as Mary Lou is out today.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted] (b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Monday, December 28, 2009 8:33 AM
**To:** Stoddard, Becky M
**Subject:** FW: H1B results from yesterday's lottery

---

**From:** Benavente, Jessy J
**Sent:** Thursday, December 24, 2009 1:13 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E
**Cc:** Sweeney, Shelly A; Richardson, Gregory A; Gregg, Bret S; Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J
**Subject:** RE: H1B results from yesterday's lottery

CSC data entered 82 and will reject 8.

Jessy Benavente
SMPA

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

| | |
|---|---|
| **From:** | Benavente, Jessy J |
| **To:** | Peck, Denis R |
| **Cc:** | Robbins, Bonnie M; Mehta, Dilipkumar N; "Villahermosa, April L"; Bennett, Linda J; Nguyen, Van T |
| **Subject:** | FW: CAP Counts |
| **Date:** | Thursday, December 24, 2009 1:11:14 PM |

Denis,
We received a total of 50 H1B Cap cases on Wednesday which we will reject.

Jessy Benavente
SMPA

---

**From:** Nelson, Marvin E
**Sent:** Wednesday, December 23, 2009 10:43 PM
**To:** Benavente, Jessy J
**Cc:** Martin, James L; Ly, Pam P
**Subject:** CAP Counts

Jessy:

Per your request, here's the count of CAP cases received 12/23/09:

CRN: 22
CRP: 17
CMN: 7
CMP: 4

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avila Road
Laguna Niguel, CA 92677
☎ [redacted] (949) 389-3487

(b)(6)

**From:** Nguyen, Van T
**To:** Peck, Denis R; Hallam, Larry J
**Cc:** Benavente, Jessy J
**Subject:** RE: H1B results from yesterday"s lottery
**Date:** Thursday, December 24, 2009 10:49:35 AM

---

Hi Denis:

Jessy's message was intended for yesterday. He will be in today at around 11:00.

CSC has 90 selected cap cases. All have been keyed, except for 6 CRN and 2 CRP cases which need to be rejected. We are holding these for further guidance.

Stay warm and have a wonderful Holiday, Denis.

Van Nguyen
Supervisory Adjudications Officer
Phone [redacted] (b)(6)
Fax: 949-389-3493
van.nguyen@dhs.gov

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:14 AM
**To:** Hallam, Larry J; Nguyen, Van T
**Subject:** FW: H1B results from yesterday's lottery

I can't tell from Jessy's out of office message if he is out as of 1030 today or yesterday so to be safe am adding both of you. Merry etc. etc,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 10:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Subject:** RE: H1B CAP filings received on Monday december 21
**Date:** Tuesday, December 22, 2009 9:27:02 AM

---

Denis -

Our numbers from yesterday.

Mary-Lou

CAPs in R-N-S receive date on 12/21/09

VRP- 154

VMP- 23

VRN- 352

VMN- 30

539s- 28

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 8:41 AM
To: Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Petherbridge, Dan R
Subject: Fw: H1B CAP filings received on Monday december 21

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security

[redacted]

----- Original Message ----- (b)(6)
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
Cc: McConnell, James E; Fitzsimmons, James; Young, Claudia F; Richardson, Gregory A
Sent: Tue Dec 22 08:36:37 2009
Subject: H1B CAP filings received on Monday december 21

VSC, CSC

We need the racked-and-stacked counts from Monday as soon as possible, plus whatever remaining filings you received before Monday that have not been data entered yet, if any. Please confirm with the CRU branches if they have any remaining.

Denis Peck

| CNMI | | | | | | |
|---|---|---|---|---|---|---|
| Date | Count | Form | Processed | Accepted Classification | Rejected | Rejected Classification |
| 7-Dec | 2 | I-129 | 0 | H1B | 2 | E-2 |
| 8-Dec | 0 | | | | | |
| 9-Dec | 0 | | | | | |
| 10-Dec | 0 | | | | | |
| 11-Dec | 0 | | | | | |
| 14-Dec | 0 | | | | | |
| 15-Dec | | | | | | |
| 16-Dec | | | | | | |
| 17-Dec | | | | | | |
| 18-Dec | | | | | | |
| 21-Dec | | | | | | |
| 22-Dec | | | | | | |
| 23-Dec | | | | | | |
| 24-Dec | | | | | | |
| 28-Dec | | | | | | |
| 29-Dec | | | | | | |
| 30-Dec | | | | | | |
| 31-Dec | | | | | | |
| 1-Jan | | | | | | |
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| GUAM | | | | | | |
|---|---|---|---|---|---|---|
| Date | Count | Form | Processed | Accepted Classification | Rejected | Rejected Classification |
| 4-Dec | 6 | I-129 | 6 | H2B (4)<br>H1B (2) | 0 | |
| 7-Dec | 0 | | | | | |
| 8-Dec | 0 | | | | | |
| 9-Dec | 0 | | | | | |
| 10-Dec | 0 | | | | | |
| 11-Dec | 0 | | | | | |
| 14-Dec | 1 | I-129PP | 2 | H1B(2) | | |
| 15-Dec | | | | | | |
| 16-Dec | | | | | | |
| 17-Dec | | | | | | |
| 18-Dec | | | | | | |
| 21-Dec | | | | | | |
| 22-Dec | | | | | | |
| 23-Dec | | | | | | |
| 24-Dec | | | | | | |
| 28-Dec | | | | | | |
| 29-Dec | | | | | | |
| 30-Dec | | | | | | |
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| CW | | | | | |
|---|---|---|---|---|---|
| Date | Count | Form | Processed | Accepted Classification | Rejected |
| 7-Dec | 0 | | | | |
| 8-Dec | 0 | | | | |
| 9-Dec | 0 | | | | |
| 10-Dec | 0 | | | | |
| 11-Dec | 0 | | | | |
| 14-Dec | 0 | | | | |
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|---|---|
| **From:** | Perkins, Robert M |
| **To:** | Sweeney, Shelly A; Gooselaw, Kurt G; Nguyen, Carolyn Q |
| **Cc:** | Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P; Loughlin, Stephen J |
| **Subject:** | RE: H-1B Cap |
| **Date:** | Wednesday, December 09, 2009 3:25:38 PM |

Shelley,

Thanks for the update. According to Records, H1B cap cases are considered priority and we are current in this workload. The front log is primarily extensions.

Thanks,

Rob

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 2:53 PM
**To:** Perkins, Robert M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P
**Subject:** H-1B Cap

VSC and CSC,

I have confirmed with Jim that there are approximately 4,000 cap numbers left as of COB 12/8. This was calculated by subtracting 80,000 (estimated count) from 84,000 (65,000 minus 1,000 for Chile/Singapore plus 20,000 for Masters).

Rob, can you let BEST know what the contractor front log estimate is?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

| | |
|---|---|
| **From:** | Lundquist, Mark E |
| **To:** | Peck, Denis R |
| **Cc:** | Summers, Janice D |
| **Subject:** | FW: Please Respond by 11/15: Last Opportunity: Service Center Specific Deliverables |
| **Date:** | Wednesday, November 18, 2009 11:38:52 AM |
| **Importance:** | High |

Denis,

Since TSC asked for an extension and VSC did not submit anything, how do you want to proceed? Will the deliverables section of the RFP refer to these SOP as attachments or do you just need the deliverable titles and the contractor will get the SOPs at a later time?

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: (202) 272-1529 / Fax: (202) 272-1542

---

**From:** Putnam, Anne F
**Sent:** Thursday, November 12, 2009 9:58 AM
**To:** Lundquist, Mark E
**Cc:** Loughlin, Stephen J; Ashline, Heidi L
**Subject:** FW: Please Respond by 11/15: Last Opportunity: Service Center Specific Deliverables
**Importance:** High

Mark,

I am a bit confused; the items VSC listed below are part of the contract and have been for years, these are not new. Do you still need processing instructions for items that have been part of the contract ongoing from contract to contract?

Thanks
Anne

---

**From:** Lundquist, Mark E
**Sent:** Friday, November 06, 2009 4:32 PM
**To:** Anderson, Toni D; Bamford, Reno C; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Garner, Deanna L; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Manahan, Lisa F; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Watts, Noel J; Yandow, Jackie D
**Cc:** Summers, Janice D; Barrows, Angela K; Bushey, Sandra T; Drumheller, Marnie K; Gregg, Bret S; Hazuda, Mark J; Jacobson, Neil M; McMahon, Gerald K; Wiles, Marilyn P
**Subject:** Please Respond by 11/15: Last Opportunity: Service Center Specific Deliverables
**Importance:** High

Records ACDs,

This is a last call for any reports that you would like included as a deliverables in the next SCOSS contract. Please review the reports you submitted previously below (and attached) and verify if there is anything that you need to modify or add. Each report listed below must also have a detailed procedure in the format of the attachments. The drop dead date to finalize the list of reports and the attached

**From:** Shiflett, Julie M
**To:** Peck, Denis R
**Subject:** Response to DAAGs 11/09/2009 - CSC 76 Remaining Receipts
**Date:** Monday, November 16, 2009 2:35:39 PM

---

**This is the answer about the CSC 76 remaining receipts that you noticed on the Nov 9 DAAG... Pretty lame... I'll note this is see if VSC gives them a ding for SDR...a very expensive interpretation...**

Many Thanks,
:)

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ ( (202) 272-1071|🖷 (202) 272-1542 |✉Julie.Shiflett@dhs.gov

---

**From:** Collins, Thomas C. [mailto:thomas.collins@stanleyassociates.com]
**Sent:** Monday, November 16, 2009 2:17 PM
**To:** Shiflett, Julie M
**Subject:** RE: DAAGs 11/09/2009

Julie,

As for the DAAG, it was a miscommunication between the supervisors that left the forms in the deposit room overnight.

We have spoken to them to ensure this does not happen again.

As for G-23, let me check again with Dan, slipped my mind.

Sorry.

Tom

---

**From:** Shiflett, Julie M [mailto:julie.shiflett@dhs.gov]
**Sent:** Monday, November 16, 2009 7:00 AM
**To:** Collins, Thomas C.
**Subject:** RE: DAAGs 11/09/2009

**Okay. Also, the G-23 "receipt files" line item – have you finished that yet? I know Erin said you've been doing it the same way since day one, but the procedure I sent you – have you seen this before? It should have been part of the transition – the whole Field Manual is about ½ inch thick – it's called the G-23 Performance Analysis System (PAS)...Kristen would remember...**

Many Thanks,
:)

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060
☎ ( (202) 272-1071|🖷 (202) 272-1542 |✉Julie.Shiflett@dhs.gov

---

**From:** Collins, Thomas C. [mailto:thomas.collins@stanleyassociates.com]
**Sent:** Thursday, November 12, 2009 4:36 PM
**To:** Shiflett, Julie M; Treacy, Erin P.; Siesel, Gregory P
**Subject:** RE: DAAGs 11/09/2009

Julie,

We are still researching this day, hope to have an answer tomorrow.

Thanks.

Tom

---

**From:** Shiflett, Julie M [mailto:julie.shiflett@dhs.gov]
**Sent:** Thursday, November 12, 2009 9:36 AM
**To:** Treacy, Erin P.; Collins, Thomas C.; Siesel, Gregory P
**Subject:** FW: DAAGs 11/09/2009
**Importance:** High

**What's up with the 76 remaining fee applications? Why couldn't these get finished? This would mean a penalty for not meeting SDR...**

## I-129 H1B CRIS (CAP Receipt Information System) Database:

**Purpose of Report:** The CRIS database was designed to aid the California Service Center (CSC) in the tracking and processing of H1B CAP cases. The CRIS database is an Access database that require the Contractor to input the RNG number and/or receipt number of the respective H1B CAP case and input the H1B cap case data information such as petitioner, attorney and beneficiary name, address, DOB, COB, EIN number and reason for rejection when rejecting the H1B cap cases. CRIS information is also used to respond to the inquiries from the petitioner and the attorneys. The database has a search capability to search for a H1B cap case by CAP number, petitioner/beneficiary's name and box number etc. The database has capability to produce reject and/or acknowledgement letters.

**Type of report:** Database.

**Report Name/number:** CSC- CRIS

**Frequency:** Daily during the H1B CAP open season.

**How to print the report:** The contractor will maintain the RNG lottery CAP number information and the other case information into CRIS database to ensure that all H1B CAP cases received at CSC are accounted for. The information relating to the rejected cap cases is entered into CRIS database. The Contractor selects the appropriate reject letter stored in the CRIS database and then prints the reject letter by clicking the print button.

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Stoddard, Becky M; Loughlin, Stephen J; Nicholson, Richard E |
| **Cc:** | Sweeney, Shelly A; Johnson, Bobbie L |
| **Subject:** | RE: H-1B Mailroom Hold URGENT |
| **Date:** | Thursday, July 08, 2010 10:36:00 AM |

Becky, give us one more update tomorrow for anything coming in and the employment branch will send out an instruction on what to do with these cases. Rich, has CSC received any of these yet – send us a count.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Stoddard, Becky M
**Sent:** Thursday, July 08, 2010 9:11 AM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** FW: H-1B Mailroom Hold URGENT

Denis,

We are holding two cases so far at VSC. These are cases that were filed without a certified LCA.

Thanks,
Becky

Becky Stoddard
Supervisory Immigration Services Analyst
VSC/CPAU
[redacted]
(b)(6)

---

**From:** Lasnier, Angela M
**Sent:** Thursday, July 08, 2010 7:08 AM
**To:** Lasnier, Angela M; Vincent, Sarah J; Stoddard, Becky M; VSC STANLEY Admin; Cullen, Janice L
**Subject:** H-1B Mailroom Hold URGENT

Counts as of the COB on 7/7/10

7/6 1 H1B PP
7/2 1 H1B non PP

Angela Lasnier
Data Entry Supervisor

**From:** Peck, Denis R
**To:** Patel, Shivani M; Lundquist, Mark E
**Subject:** FW: FY11 VSC H1B CAP Report PUT this in 6.2.8.4 as a VSC specific report
**Date:** Wednesday, May 26, 2010 11:28:00 AM
**Attachments:** FY11 VSC H1B CAP Report.xls

Shivani/Mark,

Put a screenshot into the RFP if you can of this spreadsheet. One tab of it is enough. I used the first tab.

Vermont
Service
Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 | 4,317 | 6,819 | 5,273 | 3,124 | | | 52,281 |

| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
|---|---|---|---|---|---|---|
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | 6,134 |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | 1,600 |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | 2,218 |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | 939 |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | 10,891 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 | 140 | 98 | 193 | 56 | | | 6,802 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 | 57 | 58 | 68 | 53 | | | 1,867 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 | 77 | 15 | 79 | 59 | | | 2,514 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 | 37 | 17 | 30 | 16 | | | 1,039 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 | 311 | 188 | 370 | 184 | 0 | 0 | 12,222 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received in FY 2011 CAP season | 12,222 |
| Grand total received in FY 2010 CAP season | 58,265 |
| % Change: FY11 receipts over FY10 receipts | -79.02% |

Use this verbage:

H1B CAP report is a spreadsheet maintained by the contractor to record the daily received and production figures during the annual H1B CAP filing season beginning on April 1. Submitted to the VSC COTR each day. This spreadsheet is also maintained at CSC.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Loughlin, Stephen J
**Sent:** Thursday, April 15, 2010 10:39 AM
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E
**Subject:** FW: FY11 VSC H1B CAP Report

(b)(6)

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]

---

**From:** Surprenant, Mandy
**Sent:** Thursday, April 15, 2010 10:17 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M; 'Peacock, Walter W.'; 'Treacy, Erin'; Sweeney, Mark M; Shuttle, Peter J
**Subject:** FY11 VSC H1B CAP Report

All,

nter

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|
| Monday | Tuesday | Wednesday | Thursday | Friday |
| 4,133 | 2,189 | 680 | | |
| 2 | 0 | 0 | | |
| 225 | 293 | 165 | | |
| 0 | 0 | 0 | | |
| 4,360 | 2,482 | 845 | 0 | 0 |

| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|
| 1,417 | 2,070 | 1,562 | | |
| 56 | 38 | 29 | | |
| 507 | 3 | 172 | | |
| 24 | 11 | 15 | | |
| 2,004 | 2,122 | 1,778 | 0 | 0 |

| Monday | Tuesday | Wednesday | Thursday | Friday |
|---|---|---|---|---|
| 1 | 3 | 3 | | |
| 11 | 24 | 24 | | |
| 1 | 0 | 15 | | |
| 21 | 15 | 1 | | |
| 34 | 42 | 43 | 0 | 0 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | | | 52,281 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 98 | 193 | 56 | | | 6,802 |
| 57 | 58 | 68 | 53 | | | 1,867 |
| 77 | 15 | 79 | 59 | | | 2,514 |
| 37 | 17 | 30 | 16 | | | 1,039 |
| 311 | 188 | 370 | 184 | 0 | 0 | 12,222 |

0

12,222

58,265

-79.02%

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 5/14/2010 | | | | | | | | |
| 5/17/2010 | | | | | | | | |
| 5/18/2010 | | | | | | | | |
| 5/19/2010 | | | | | | | | |
| 5/20/2010 | | | | | | | | |
| 5/21/2010 | | | | | | | | |
| 5/24/2010 | | | | | | | | |
| 5/25/2010 | | | | | | | | |
| 5/26/2010 | | | | | | | | |
| 5/27/2010 | | | | | | | | |
| 5/28/2010 | | | | | | | | |
| TOTALS | 146 | 7 | 406 | 12 | 45 | 4 | 59 | 5 |

| Totals |
| --- |
| [redacted] |

| Totals |
| --- |
| 5,945 |
| 1,764 |
| 2,253 |
| 944 |
| 10,906 |

| Totals |
| --- |
| 7 |
| 59 |
| 16 |
| 37 |
| 119 |

# Vermont Service Center

| | Regular Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VMN) | Premium (VMP) | Non-Premium (VMN) | Premium (VMP) |
| 4/7/2010 | 70 | 0 | 243 | 0 | 0 | 0 | 0 | 0 |
| 4/8/2010 | 19 | 0 | 66 | 4 | 16 | 0 | 37 | 2 |
| 4/9/2010 | 17 | 2 | 24 | 2 | 10 | 0 | 16 | 0 |
| 4/12/2010 | 16 | 2 | 30 | 0 | 8 | 1 | 3 | 0 |
| 4/13/2010 | 13 | 1 | 22 | 3 | 8 | 0 | 0 | 0 |
| 4/14/2010 | 11 | 2 | 21 | 3 | 3 | 3 | 3 | 3 |
| 4/15/2010 | | | | | | | | |
| 4/16/2010 | | | | | | | | |
| 4/19/2010 | | | | | | | | |
| 4/20/2010 | | | | | | | | |
| 4/21/2010 | | | | | | | | |
| 4/22/2010 | | | | | | | | |
| 4/23/2010 | | | | | | | | |
| 4/26/2010 | | | | | | | | |
| 4/27/2010 | | | | | | | | |
| 4/28/2010 | | | | | | | | |
| 4/29/2010 | | | | | | | | |
| 4/30/2010 | | | | | | | | |
| 5/3/2010 | | | | | | | | |
| 5/4/2010 | | | | | | | | |
| 5/5/2010 | | | | | | | | |
| 5/6/2010 | | | | | | | | |
| 5/7/2010 | | | | | | | | |
| 5/10/2010 | | | | | | | | |
| 5/11/2010 | | | | | | | | |
| 5/12/2010 | | | | | | | | |
| 5/13/2010 | | | | | | | | |

Rev: 3/4/08

| Dates | 4/7/10 | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Wednesday | Thursday | Friday |
| (VRN) H1B CAP | 6,134 | 6,311 | 5,452 |
| (VRP) H1B CAP - Premium | 441 | 57 | 0 |
| (VMN) H1B Masters | 2,218 | 1,569 | 717 |
| (VMP) H1B Masters - Premium | 711 | 0 | 7 |
| Totals | 9,504 | 7,937 | 6,176 |

| Data Entry Complete | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 4 | 892 |
| (VRP) H1B CAP - Premium | 1,159 | 415 | 67 |
| (VMN) H1B Masters | 0 | 715 | 856 |
| (VMP) H1B Masters - Premium | 228 | 639 | 27 |
| Totals | 1,387 | 1,773 | 1,842 |

| Completed Rejects (Manual) | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 0 | 0 |
| (VRP) H1B CAP - Premium | 0 | 0 | 0 |
| (VMN) H1B Masters | 0 | 0 | 0 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 |

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

**From:** Peck, Denis R
**To:** Johnson, Bobbie L
**Subject:** RE: I-907 Premium Processing Service
**Date:** Friday, April 30, 2010 12:10:00 PM

---

Bobbie,

I didn't get the tables for the 140 and 129 -= are we comfortable with the "unknown" reporting status when JPMC cannot match the table to an incoming 907?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 29, 2010 9:46 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Velarde, Barbara Q
**Subject:** FW: I-907 Premium Processing Service
**Importance:** High

Denis,

Please see the Lockbox's proposed course of action below. Do we agree with this?

Thanks.

Bobbie

---

**From:** Saini, Mallika
**Sent:** Tuesday, April 27, 2010 1:02 PM
**To:** Johnson, Bobbie L; Young, Claudia F
**Cc:** Zemlan, Elizabeth C; Mannion, Kimberly E
**Subject:** RE: I-907 Premium Processing Service

Hello Bobbie and Claudia,

Thank you for reaching out to David Cartier for the eCISCOR outage information. Based on the information he provided on the rarity of occurrences when eCISCOR is down, we would like to propose that the Lockbox system shall retry to connect to eCISCOR for up to 24 hours to receive a response for an application. If a response is not received 24 hours after the initial request, the Lockbox will reject the application. We want to confirm with you if you agree that this process should be put into place for the rare case that eCISCOR is down for an extended period of time.

Thanks,
Mallika

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K |
| **Cc:** | Neufeld, Donald |
| **Subject:** | RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15. |
| **Date:** | Friday, April 16, 2010 10:48:00 AM |

PP percentage was unfortunately a little lower than last year. They processed 4,703 Premiums through last night and none of the 600 remaining in DE are premiums.

4,703/20,600 total DE is 22.83%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Velarde, Barbara Q
**Sent:** Friday, April 16, 2010 10:35 AM
**To:** Peck, Denis R; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

And the PP percentage?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Peck, Denis R
**Sent:** Friday, April 16, 2010 10:29 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

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**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
(b)(6) **Stanley Associates, Inc.**
[redacted] office
mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K |
| **Cc:** | Neufeld, Donald |
| **Subject:** | FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15. |
| **Date:** | Friday, April 16, 2010 10:29:00 AM |
| **Attachments:** | FY11 VSC H1B CAP Report.xls<br>FY11 Cap report (CSC 4-15-10).xls |

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
[redacted]office
mobile (b)(6)
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,155 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 0 | 1,035 | 50 | 45 | 29 |
| (CMN) H1B Masters | 0 | 1,597 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 0 | 573 | 29 | 23 | 11 |
| Total | 0 | 7,360 | 327 | 313 | 356 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,758 | 397 | 163 | 176 | 225 |
| (CRP) H1B CAP - Premium | 949 | 86 | 50 | 45 | 29 |
| (CMN) H1B Masters | 1,421 | 176 | 85 | 69 | 91 |
| (CMP) H1B Masters - Premium | 534 | 39 | 29 | 23 | 11 |
| Total | 6,662 | 698 | 327 | 313 | 356 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
|---|---|---|---|---|---|---|
| | | | | | | |
| | | | | | | |
| | | | | | | |

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
|---|---|---|---|---|---|---|
| 113 | 94 | 156 | 98 | 66 | 127 | 5,373 |
| 23 | 26 | 55 | 7 | 16 | 37 | 1,323 |
| 43 | 38 | 62 | 45 | 34 | 44 | 2,108 |
| 12 | 9 | 13 | 23 | 9 | 16 | 718 |
| 191 | 167 | 286 | 173 | 125 | 224 | 8,547 |

| 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total | (Info Only) CIS Review |
|---|---|---|---|---|---|---|---|
| 113 | 94 | 156 | 98 | 66 | 127 | 5,373 | 16 |
| 23 | 26 | 55 | 7 | 16 | 37 | 1,323 | 3 |
| 43 | 38 | 62 | 45 | 34 | 44 | 2,108 | 7 |
| 12 | 9 | 13 | 23 | 9 | 16 | 718 | 0 |
| 191 | 167 | 286 | 173 | 125 | 224 | 9,522 | 26 |

| | |
|---|---|
| | 26 |
| | 9,548 |
| | 43,796 |
| | -78.20% |

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 5,373 | 5373 | 5373 |
| (CRP) H1B CAP - Premium | 1,323 | 790 | 162 |
| (CMN) H1B Masters | 2,108 | 2108 | 1881 |
| (CMP) H1B Masters - Premium | 718 | 527 | 74 |
| Totals | 9,522 | 8,798 | 7,490 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 511 | 600 |
| (CMN) H1B Masters | 0 | 222 |
| (CMP) H1B Masters - Premium | 186 | 438 |
| Totals | 697 | 1260 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 22 | 28 |
| (CMN) H1B Masters | 0 | 5 |
| (CMP) H1B Masters - Premium | 5 | 15 |
| Totals | 27 | 48 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|---|
| 5338 | 4315 | 2816 | 1341 | 351 | 351 |
| 127 | 72 | 53 | 37 | 0 | 0 |
| 584 | 308 | 287 | 280 | 139 | 139 |
| 51 | 37 | 25 | 16 | 0 | 0 |
| 6,100 | 4,732 | 3,181 | 1,674 | 490 | 490 |
| | | | | | |
| 34 | 1005 | 1463 | 1,427 | 935 | |
| 33 | 54 | 18 | 16 | 37 | |
| 1249 | 262 | 17 | 7 | 131 | |
| 22 | 14 | 10 | 9 | 16 | |
| 1338 | 1335 | 1508 | 1459 | 1119 | 0 |
| | | | | | |
| 1 | 18 | 36 | 48 | 55 | |
| 2 | 1 | 1 | 0 | 0 | |
| 48 | 14 | 4 | 0 | 10 | |
| 1 | 0 | 2 | 0 | 0 | |
| 52 | 33 | 43 | 48 | 65 | 0 |

| 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 | 5/12/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/9/10 | 6/10/10 | etc | |
|---|---|---|---|
| 351 | 351 | 351 | |
| 0 | 0 | 0 | |
| 139 | 139 | 139 | |
| 0 | 0 | 0 | |
| 490 | 490 | 490 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

# California Service Center

| | Cap Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-premium (CRN) | Premium (CRP) | Non-premium (CRN) | Premium (CRP) | Non-premium (CMN) | Premium (CMP) | Non-premium (CMN) | Premium (CMP) |
| 4/7/2010 | | 511 | | 22 | | 186 | | 5 |
| 4/8/2010 | | 600 | | 28 | 222 | 438 | 5 | 15 |
| 4/9/2010 | 34 | 33 | 1 | 2 | 1249 | 22 | 48 | 1 |
| 4/12/2010 | 1005 | 54 | 18 | 1 | 262 | 14 | 14 | |
| 4/13/2010 | 1463 | 18 | 36 | 1 | 17 | 10 | 4 | 2 |
| 4/14/2010 | 1427 | 16 | 48 | | 7 | 9 | | |
| 4/15/2010 | 935 | 37 | 55 | | 131 | 16 | 10 | |
| 4/16/2010 | | | | | | | | |
| 4/19/2010 | | | | | | | | |
| 4/20/2010 | | | | | | | | |
| 4/21/2010 | | | | | | | | |
| 4/22/2010 | | | | | | | | |
| 4/23/2010 | | | | | | | | |
| 4/26/2010 | | | | | | | | |
| 4/27/2010 | | | | | | | | |
| 4/28/2010 | | | | | | | | |
| 4/29/2010 | | | | | | | | |
| 4/30/2010 | | | | | | | | |
| 5/3/2010 | | | | | | | | |
| 5/4/2010 | | | | | | | | |
| 5/5/2010 | | | | | | | | |
| 5/6/2010 | | | | | | | | |
| 5/7/2010 | | | | | | | | |
| 5/10/2010 | | | | | | | | |
| 5/11/2010 | | | | | | | | |
| 5/12/2010 | | | | | | | | |

Rev: 3/4/08

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| 5/13/2010 | | | | | | | | |
| 5/14/2010 | | | | | | | | |
| 5/17/2010 | | | | | | | | |
| 5/18/2010 | | | | | | | | |
| 5/19/2010 | | | | | | | | |
| 5/20/2010 | | | | | | | | |
| 5/21/2010 | | | | | | | | |
| 5/24/2010 | | | | | | | | |
| 5/25/2010 | | | | | | | | |
| 5/26/2010 | | | | | | | | |
| 5/27/2010 | | | | | | | | |
| 5/28/2010 | | | | | | | | |
| 6/1/2010 | | | | | | | | |
| 6/2/2010 | | | | | | | | |
| 6/3/2010 | | | | | | | | |
| 6/4/2010 | | | | | | | | |
| 6/7/2010 | | | | | | | | |
| 6/8/2010 | | | | | | | | |
| 6/9/2010 | | | | | | | | |
| 6/10/2010 | | | | | | | | |
| 6/11/2010 | | | | | | | | |
| TOTALS | 4864 | 1269 | 158 | 54 | 1888 | 695 | 81 | 23 |

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |
| | | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | |
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | |
| | | | | | | |
| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | 3,374 | 55,655 |
| | | | | | |
| | | | | | Total |
| | | | | | 6,134 |
| | | | | | 1,600 |
| | | | | | 2,218 |
| | | | | | 939 |
| | | | | | 10,891 |
| | | | | | |
| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Total |
| 140 | 98 | 193 | 56 | 141 | 6,943 |
| 57 | 58 | 68 | 53 | 22 | 1,889 |
| 77 | 15 | 79 | 59 | 64 | 2,578 |
| 37 | 17 | 30 | 16 | 9 | 1,048 |
| 311 | 188 | 370 | 184 | 236 | 12,458 |

0

12,458

58,265

-78.62%

| Dates | 4/7/10 | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Wednesday | Thursday | Friday |
| (VRN) H1B CAP | 6,134 | 6,311 | 5,452 |
| (VRP) H1B CAP - Premium | 441 | 57 | 0 |
| (VMN) H1B Masters | 2,218 | 1,569 | 717 |
| (VMP) H1B Masters - Premium | 711 | 0 | 7 |
| Totals | 9,504 | 7,937 | 6,176 |

| Data Entry Complete | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 4 | 892 |
| (VRP) H1B CAP - Premium | 1,159 | 415 | 67 |
| (VMN) H1B Masters | 0 | 715 | 856 |
| (VMP) H1B Masters - Premium | 228 | 639 | 27 |
| Totals | 1,387 | 1,773 | 1,842 |

| Completed Rejects (Manual) | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 0 | 0 |
| (VRP) H1B CAP - Premium | 0 | 0 | 0 |
| (VMN) H1B Masters | 0 | 0 | 0 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 |

nter

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Totals |
|---|---|---|---|---|
| Monday | Tuesday | Wednesday | Thursday | |
| 4,133 | 2,189 | 680 | 50 | |
| 2 | 0 | 0 | 0 | |
| 225 | 293 | 165 | 60 | |
| 0 | 0 | 0 | 0 | |
| 4,360 | 2,482 | 845 | 110 | |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1,417 | 2,070 | 1,562 | 771 | 6,716 |
| 56 | 38 | 29 | 22 | 1,786 |
| 507 | 3 | 172 | 169 | 2,422 |
| 24 | 11 | 15 | 9 | 953 |
| 2,004 | 2,122 | 1,778 | 971 | 11,877 |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1 | 3 | 3 | 44 | 51 |
| 11 | 24 | 24 | 0 | 59 |
| 1 | 0 | 15 | 21 | 37 |
| 21 | 15 | 1 | 0 | 37 |
| 34 | 42 | 43 | 65 | 184 |

# Vermont Service Center

| | Regular Cases | | | | Masters Cases | | | |
|---|---|---|---|---|---|---|---|---|
| Date | Accepted | | Rejected | | Accepted | | Rejected | |
| ... | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VRN) | Premium (VRP) | Non-Premium (VMN) | Premium (VMP) | Non-Premium (VMN) | Premium (VMP) |
| 4/7/2010 | 70 | 0 | 243 | 0 | 0 | 0 | 0 | 0 |
| 4/8/2010 | 19 | 0 | 66 | 4 | 16 | 0 | 37 | 2 |
| 4/9/2010 | 17 | 2 | 24 | 2 | 10 | 0 | 16 | 0 |
| 4/12/2010 | 16 | 2 | 30 | 0 | 8 | 1 | 3 | 0 |
| 4/13/2010 | 13 | 1 | 22 | 3 | 8 | 0 | 0 | 0 |
| 4/14/2010 | 11 | 2 | 21 | 3 | 3 | 3 | 3 | 3 |
| 4/15/2010 | 1 | 1 | 3 | 10 | 2 | 1 | 5 | 1 |
| TOTALS | 147 | 8 | 409 | 22 | 47 | 5 | 64 | 6 |

Rev: 3/4/08

**From:** Peck, Denis R
**To:** Loughlin, Stephen J
**Subject:** RE: FY11 VSC H1B CAP Report
**Date:** Tuesday, April 06, 2010 10:16:00 AM

The good side to all this is it won't take the contractor long to get current again.

Re your voicemail I just got - if there's anything you want to discuss call again or I can call back. No need to wait until May to talk about it.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 06, 2010 9:40 AM
**To:** Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** FW: FY11 VSC H1B CAP Report

Here is their most recent report.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services (b)(6)
U.S. Department of Homeland Security
[redacted]

**From:** Surprenant, Mandy
**Sent:** Tuesday, April 06, 2010 9:36 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M; 'Peacock, Walter W.'; 'Treacy, Erin'
**Subject:** FY11 VSC H1B CAP Report

All,

**Please see the attached FY11 VSC CAP Report as of COB April 5, 2010.**

**Thank you,**
**Mandy L. Surprenant** |Reports Analyst|Stanley Associates, Inc. | VSC - SCOSS| ☎ [redacted] 🖷: 802.527.4869| ✉:
**Mandy.Surprenant@dhs.gov**

(b)(6)

**From:** Peck, Denis R
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** RE: CAP report (4/5/10)
**Date:** Tuesday, April 06, 2010 9:48:00 AM

---

Thanks Walter,

We'll start data entry then on the Premium filings tomorrow morning as planned. Take all the steps to downsize the project that can be done based on the first three days results, as we expect no change from here on. H1B season will continue for several months at least.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP report (4/5/10)

Morning,

Please find attached the updated CSC report which now includes Monday's receipts.

Thank you, Walter

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 05, 2010 10:15 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Payne, Christopher; Printup, Maurice; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L; Siesel, Gregory P
**Subject:** RE: CAP report (4/5/10)

Walter/Rich,

Attached is the CSC 4-5-10 CAP report.

Please let me know if you have any questions about the numbers.

Regards,

Greg

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Collins, Mary Lou E; Loughlin, Stephen J |
| **Subject:** | RE: CAP numbers from CSC |
| **Date:** | Monday, April 05, 2010 3:47:00 PM |

I know, but I'd really rather have the complete and final numbers after the Friday mail is all opened and sorted. It can't take them much longer to get done with 2,071 pieces.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Monday, April 05, 2010 3:10 PM
**To:** Peck, Denis R; Loughlin, Stephen J
**Subject:** RE: CAP numbers from CSC

Denis –

I have attached our CAP report for Thursday and Friday. The 2071 that are unidentified are packages that were picked up at the post office late Friday afternoon. Let me know if you have any questions.

Thanks
Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 1:56 PM
**To:** Loughlin, Stephen J; Collins, Mary Lou E
**Subject:** FW: CAP numbers from CSC

This is how we wanted them to report it. So just as soon as this is completed up there we can update upper mgt down here on what the numbers for the first two days are. As you can see they dropped off over 1,300 from the initial estimates.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 1:28 PM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; McConnell, James E; Fitzsimmons, James
**Subject:** FW: CAP numbers

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 10:20 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L

**Subject:** RE: CAP numbers

Walter/Rich,

Attached is the revised CSC 4-2-10 CAP report. (CSC CAP numbers thru April 2nd.)

We will send out a new 4-3-10 CAP report with today's receipts.

OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 9:21 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Subject:** RE: CAP numbers

Walter/Rich,

We have some missing box ranges due to NFTS upload problems on Friday.

We are in the process of reauditing those missing box ranges.

My best estimate is NLT 1100 (Pacific) that I'll be able to send you the final numbers.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

**From:** Peck, Denis R
**To:** Loughlin, Stephen J; Collins, Mary Lou E
**Subject:** FW: CAP numbers from CSC
**Date:** Monday, April 05, 2010 1:55:00 PM
**Attachments:** FY11 Cap report (CSC 4-2-10 NFTS numbers).xls

---

This is how we wanted them to report it. So just as soon as this is completed up there we can update upper mgt down here on what the numbers for the first two days are. As you can see they dropped off over 1,300 from the initial estimates.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

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**Subject:** FW: CAP numbers

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 10:20 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L
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OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

---

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Regards,

Greg

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**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

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The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| | |

| 4/7/10 | Total |
|---|---|
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |
| | |

r bucket)

| 4/7/10 | Total |
|---|---|
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |

0

7,425

43,796

83.05%

California Service Center

| Dates | | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 4,170 | 4170 | 4170 |
| (CRP) H1B CAP - Premium | 1,088 | 1088 | 1088 |
| (CMN) H1B Masters | 1,593 | 1593 | 1593 |
| (CMP) H1B Masters - Premium | 574 | 574 | 574 |
| Totals | 7,425 | 7,425 | 7,425 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 0 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 0 | |
| Totals | 0 | 0 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | |
| (CRP) H1B CAP - Premium | 0 | |
| (CMN) H1B Masters | 0 | |
| (CMP) H1B Masters - Premium | 0 | |
| Totals | 0 | 0 |

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | 4/19/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 | 4/27/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 | 5/5/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/6/10 | 5/7/10 | 5/10/10 | 5/11/10 | 5/12/10 | 5/13/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 | 5/21/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 | 5/31/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 4170 | 4170 | 4170 | 4170 | 4170 | 4170 |
| 1088 | 1088 | 1088 | 1088 | 1088 | 1088 |
| 1593 | 1593 | 1593 | 1593 | 1593 | 1593 |
| 574 | 574 | 574 | 574 | 574 | 574 |
| 7,425 | 7,425 | 7,425 | 7,425 | 7,425 | 7,425 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/9/10 | 6/10/10 | 6/11/10 | etc |
|---|---|---|---|
| 4170 | 4170 | 4170 | |
| 1088 | 1088 | 1088 | |
| 1593 | 1593 | 1593 | |
| 574 | 574 | 574 | |
| 7,425 | 7,425 | 7,425 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

**From:** Peck, Denis R
**To:** Collins, Mary Lou E
**Subject:** FW: CAP numbers at CSC
**Date:** Monday, April 05, 2010 10:00:00 AM

---

Anything updated at your place yet? I haven't seen a whole lot of data from the contractor regarding Vermont

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 9:34 AM
**To:** Loughlin, Stephen J
**Subject:** FW: CAP numbers at CSC

Steve,

This is where they're holding at CSC; has Stanley provided anything complete to you yet?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 9:24 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Devera, Jennie F
**Cc:** Peck, Denis R; Fitzsimmons, James
**Subject:** FW: CAP numbers

Chris: We do not have concrete numbers for cap yet, the contactor depends upon NFTS which was down Friday all day. The below numbers are estimates based on an average box numbers. As soon as the contractor downloads the numbers from the Dolphins we will get a solid count by category this morning.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

**From:** Peck, Denis R
**To:** Loughlin, Stephen J
**Subject:** FW: CAP numbers at CSC
**Date:** Monday, April 05, 2010 9:33:00 AM

Steve,

This is where they're holding at CSC; has Stanley provided anything complete to you yet?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 9:24 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Devera, Jennie F
**Cc:** Peck, Denis R; Fitzsimmons, James
**Subject:** FW: CAP numbers

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Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

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**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

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| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

**From:** Peck, Denis R
**To:** Perkins, Robert M; Nguyen, Carolyn Q; Sweeney, Shelly A
**Cc:** Gooselaw, Kurt G; Johnson, Bobbie L; Boudreau, Lynn A; Collins, Mary Lou E; Loughlin, Stephen J
**Subject:** Re: Premium Processing Webpage
**Date:** Thursday, February 25, 2010 2:03:10 PM

---

Well we can revisit this because it is an ongoing objective for us and the lockboxes to reduce the rejection rate. If our pilot from last december is working out well why not expand it to include PP filings and PP upgrades. So long as we don't start the 15 day clock until arrival by mail at the correct center, what is the downside? We could specifically state that we will not do this during the initial 5 day H1B season.

Also, I would like us to start forwarding misfiled 751s between CSC and VSC if there are no complications that would result. Cost savings are one of the biggest value added steps we can provide right now, and are very much sought after at HQ.

----- Original Message -----
From: Perkins, Robert M
To: Nguyen, Carolyn Q; Sweeney, Shelly A
Cc: Gooselaw, Kurt G; Johnson, Bobbie L; Boudreau, Lynn A; Peck, Denis R; Collins, Mary Lou E; Loughlin, Stephen J
Sent: Thu Feb 25 08:34:11 2010
Subject: RE: Premium Processing Webpage

Agreed...

Rob

---

From: Nguyen, Carolyn Q
Sent: Monday, February 22, 2010 12:01 PM
To: Sweeney, Shelly A
Cc: Gooselaw, Kurt G; Johnson, Bobbie L; Boudreau, Lynn A; Perkins, Robert M; Peck, Denis R
Subject: FW: Premium Processing Webpage

Hi Shelly,

Rich Nicholson just shared the below. I guess PP filings will be rejected for wrong jurisdiction.

Thanks.

---

From: Nicholson, Richard E
Sent: Monday, February 22, 2010 8:54 AM

To: Nguyen, Carolyn Q
Subject: RE: Premium Processing Webpage

From: Peck, Denis R
Sent: Tuesday, December 15, 2009 12:12 PM
To: Collins, Mary Lou E; Nicholson, Richard E
Cc: Loughlin, Stephen J; Johnson, Bobbie L; Young, Claudia F; Hazuda, Mark J; Gregg, Bret S
Subject: RE: I-129 rejecting vs. forwarding

Mary Lou,

We've discussed forwarding here and decided that at least on a pilot basis, we should do it. Rich, adding you in.

For I-129s (including any I-539s) filed at your centers with jurisdiction at your counterpart center, please forward instead of rejecting. This will not be extended to I-129 Premium filings and in lieu of the imminent reaching of H1B CAP, it will not include those filings either. In other words just your plain vanilla I-129s. If you want to include the I-129F as well, that can be included.

Forward them as we are doing the lockbox applications, unreceipted, manifested with fees attached and via Fedex 2nd day delivery. The official received date will be when received at the proper center of jurisdiction. I will let you all work out any other details. If anyone sees a significant problem in this plan please respond back. Minimizing the reject rate has become both a Lockbox and a SCOPS objective and this will help our metrics.

Thanks,

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

202-272-1081

202-272-1542 FAX

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(949) 389-3168

---

From: Nguyen, Carolyn Q
Sent: Monday, February 22, 2010 8:38 AM
To: Nicholson, Richard E
Subject: FW: Premium Processing Webpage

Hi Rich,

Would you please respond to the questions below regarding wrong jurisdiction for PP cases?

Thanks much.

---

From: Sweeney, Shelly A
Sent: Monday, February 22, 2010 5:42 AM
To: Nguyen, Carolyn Q; Perkins, Robert M; Boudreau, Lynn A
Cc: Johnson, Bobbie L; Peck, Denis R; Gooselaw, Kurt G
Subject: Premium Processing Webpage

We have been reviewing the webpage for premium processing, and noticed that it contains the below sentences:

If a petitioner or applicant erroneously filed a concurrent or standalone Form I-907 relating to a Form I-129 or standalone relating to a Form I-140 petition at the wrong service center, USCIS will not reject the filing, but instead will forward the filing to the correct service center having jurisdiction over the petition or application[sas1] . For these incorrectly filed Forms I-907, the 15 calendar-day period will start on the date the file is received at the correct service center as indicated in the Form I-907 filing instructions.

We believe that this sentence may be inaccurate for the I-129. Are concurrent I-907/I-129s filed in wrong jurisdiction rejected (or is that just the H-1B PP cap cases)? Are the standalone I-907s still forwarded to the correct office for receipting?

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Wright, William G |
| **Cc:** | Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A |
| **Subject:** | RE: FY2010 H1B CAP reject counts since December 21 closing |
| **Date:** | Monday, February 01, 2010 11:50:00 AM |

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Wright, William G |
| **Cc:** | Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A |
| **Subject:** | FY2010 H1B CAP reject counts since December 21 closing |
| **Date:** | Monday, February 01, 2010 9:42:00 AM |

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

**From:** McConnell, James E
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F
**Subject:** FW: H-1B question
**Date:** Friday, January 29, 2010 9:55:59 AM

---

Denis,

This is a follow up to Bill's request from yesterday. Can you query the centers for the manual rejects for the H1B that were received after the cap closed?

Thanks,
Jim


==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
202-272-1073 - Voice
202-272-1543 - FAX
==========


---

**From:** Wright, William G
**Sent:** Friday, January 29, 2010 9:51 AM
**To:** McConnell, James E; Kruszka, Robert F
**Cc:** Bentley, Christopher S
**Subject:** RE: H-1B question

James / Robert – Received Jim's out of office msg. Can you assist?

r/
Bill

---

**From:** Wright, William G
**Sent:** Friday, January 29, 2010 9:47 AM
**To:** Wright, William G; Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** RE: H-1B question

Jim – sorry to pester you, but any idea on the below?

r/
Bill

---

**From:** Wright, William G
**Sent:** Thursday, January 28, 2010 3:15 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Kruszka, Robert F; Bentley, Christopher S
**Subject:** H-1B question

Jim – Got a call from CBS News in Los Angeles. Producer wants to know if we can give them a total number of petitions that were filed for the FY10 program that were not accepted/denied, etc. (she's mainly interested in those after the cap was reached).

**From:** Velarde, Barbara Q
**To:** Peck, Denis R
**Subject:** RE: Accomplishments - small edits
**Date:** Friday, October 09, 2009 11:08:07 AM

---

Thank you very much

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

---

**From:** Peck, Denis R
**Sent:** Friday, October 09, 2009 10:54 AM
**To:** Velarde, Barbara Q
**Subject:** RE: Accomplishments - small edits

You probably don't need the entire attachment again so I am just putting here the dollar sign and figures I added that were missing, (Yellow)

1 billion dollars in receipts and successfully adjudicated over 133,000 premium processing cases accounting in over[u1] $133,000,000 in revenue.

**2.4 Manage resources effectively to improve performance and mission capabilities**

SCOPS oversaw the realignment of center workloads in an effort to meet overall center goals. All four service centers assessed workload capacity and realigned workloads and priorities in a joint effort resulting in the shipment of various discrete workloads to leverage available capacity. Workload realignment in the I-130s, I-129, I-539, I-730, and I-140s resulted in achieving processing time goals and production goals at each center. SCOPS oversaw the successful management of the H1B cap as well as the expansion of I-129 R premium processing and reestablishment of I-140 premium. SCOPS oversaw the centralization of the EB5 workload resulting in a more focused adjudicative approach to a sensitive workload and more predictable decisional outcomes. SCOPS realigned portfolios to ensure full coverage and cooperation with the field and internal stakeholders. Managers implemented tracking tools to ensure proper oversight of projects and integration of key players for each project design. New reports for administrative functions allowed proper oversight and quick resolution of issues resulting in success in overall resource management. SCOPS finished FY09 with only $15,850 in Prompt Payment interest, equaling $183 per million.

**2.5 Improve SCOPS mission accomplishment capabilities through input and development along with implementation of policy development, business reengineering, transformation, development of**

- If you want to add the thing we did with asylum in March, SCOPS worked with RAIO to implement the new legislative requirement for unaccompanied minors to now file for asylum directly with USCIS vs. the immigration courts. The new filing option was put into place by the March 23, 2009 deadline with the NSC selected as the service center for accepting these cases.

- If you want to add to the T and U background, you could refer to the fact that SCOPS worked with VSC to implement the new I-929 in January 2009, the petition for U visa family members.

- You could refer to SCOPS working in coordination with the IDP branch to implement use of the new Secure Mail envelope for remailing PONDS cards and travel documents, in September 2009.

Just little bits to consider.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, October 08, 2009 6:31 PM
**To:** Velarde, Barbara Q; Thomas, Ronnie D; Cox, Sophia; Peck, Denis R; Dutile, George J; Christian, Bryan P; Young, Claudia F
**Cc:** Richardson, Gregory A; Kruszka, Robert F; Gooselaw, Kurt G
**Subject:** RE: Accomplishments
**Importance:** High

I guess an attachment would help

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, October 08, 2009 6:30 PM
**To:** Thomas, Ronnie D; Cox, Sophia; Peck, Denis R; Dutile, George J; Christian, Bryan P; Young, Claudia F
**Cc:** Richardson, Gregory A; Kruszka, Robert F; Gooselaw, Kurt G
**Subject:** Accomplishments

Folks. I am attaching a draft of the SES accomplishments I have to present in support of my rating. I am limited to 4 pages and cheated with the font and not bulleting. I have some blanks (XX) that I need filled in. I think some of you might have given me the data but quite frankly I've been trying to do this in between meetings and the garbage that is going on. If you could please take a look at this and let me know if I missed any significant accomplishments from your portfolio or the field and fill in blanks as best you can, I'd appreciate it. I need this finished by tomorrow since I have to turn all my stuff and directors and deputies stuff in by Tuesday and I am on travel. Thanks

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

# California Service Center

| Dates | Total | Total | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Assembled* | Received | Assembled | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | |
| Regular CAP(CRN) | **16,788** | 7688 | | | | | | | | 0 | 1195 | 1285 | 1268 | 1090 | 1405 | 1445 | 1457 | 852 | | | |
| Regular Premium(CRP) | **6,214** | 4540 | 1753 | 1482 | 1007 | 297 | | 1 | | 0 | | | | | | | | | | | |
| Regular Masters(CMN) | **7,776** | 3587 | | | | | 66 | 1954 | 1567 | 0 | | | | | | | | | | | |
| Premium Masters(CMP) | **3,572** | 3192 | 7 | | | 1207 | 1978 | | | 0 | | | | | | | | | | | |
| Total | **34,350** | 19007 | 1,760 | 1,482 | 1,007 | 1,504 | 2,044 | 1,955 | 1,567 | 0 | 1,195 | 1,285 | 1,268 | 1,090 | 1,405 | 1,445 | | | | | |

Note: #1 - PP Searches by Assembly teams on 4/16/09

Note: #2 - Assembly #s from 4/16/09 on do not account for assemble/key numbers by DE.

# FY10 H1B Related

**From:** Fitzsimmons, James
**To:** Gooselaw, Kurt G; Peck, Denis R
**Subject:** FW: Question about H1B Cap Cases
**Date:** Wednesday, September 23, 2009 2:24:15 PM

---

Denis,
This issue has been raised again by CSC. I thought the matter was resolved with Rich Nicholson's "will do" response below.
Jim

**From:** Nguyen, Carolyn Q
**Sent:** Wednesday, September 23, 2009 1:34 PM
**To:** Gooselaw, Kurt G
**Cc:** Perkins, Robert M; Fitzsimmons, James
**Subject:** RE: H1B Cap Count

Hi, Kurt,

Should we now process the pending Masters as regular cap cases since we have approved over 20,000 of the Masters?

Thanks.

BROKEN CHAIN----BROKEN CHAIN----BROKEN CHAIN
---

---

**From:** Nicholson, Richard E
**Sent:** Thursday, September 17, 2009 10:45 AM
**To:** Fitzsimmons, James
**Subject:** RE: Question about H1B Cap Cases

Will do....

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(949) 389-3168

---

**From:** Fitzsimmons, James
**Sent:** Thursday, September 17, 2009 6:58 AM
**To:** Peck, Denis R; Manahan, Lisa F; Nicholson, Richard E
**Subject:** RE: Question about H1B Cap Cases
**Importance:** High

All,
After discussing this matter, Denis and I agreed that the preferred way is to use MAS for MASTERS and STD for REGULAR because for cap counting purposes we won't know until all the petitions have been adjudicated on which date the MASTERS cap was actually reached.
Jim

---

**From:** Peck, Denis R

**Sent:** Thursday, September 17, 2009 9:08 AM
**To:** Manahan, Lisa F
**Cc:** Fitzsimmons, James
**Subject:** RE: Question about H1B Cap Cases

Lisa,

No, don't change until you hear otherwise and I also think that while it is primarily irrelevant now, Jim should be sending out his guidance preference on this. He should be back in Monday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Thursday, September 17, 2009 8:33 AM
**To:** Peck, Denis R
**Subject:** FW: Question about H1B Cap Cases

Denis,

I wanted to make sure that you are aware that VSC is continuing to enter MAS for the Master cases even though CSC is now entering STD. It might not be a big deal and may be a moot point as Rob has pointed out below but I wanted you to be aware of this. See Attached

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

---

**From:** Perkins, Robert M
**Sent:** Tuesday, September 15, 2009 4:22 PM
**To:** Manahan, Lisa F
**Subject:** RE: Question about H1B Cap Cases

Lisa,

I would defer to Jim Fitzsimmons, as he is responsible for the cap numbers. However, at VSC, we have not changed CLAIMS from MAS to STD in Adjudications and I would prefer not to do so. From Jim's prior communication, I don't believe he is expecting us to do so.

Of course, at our current rate of receipts, it is questionable whether we will even hit the "Regular" cap (including the MAS spillover). If not, then it really is a moot point anyway.

Rob

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, September 15, 2009 3:37 PM
**To:** Perkins, Robert M
**Subject:** FW: Question about H1B Cap Cases

Rob,

Yesterday in my meeting with Stanley they informed me that CSC is now keying all Masters as STD instead of MAS. The last guidance I received from Denis was to continue to key as MAS. Should we inform Stanley to key the Masters as STD?

Thanks,

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

---

**From:** Nicholson, Richard E
**Sent:** Tuesday, September 15, 2009 3:30 PM
**To:** Manahan, Lisa F
**Subject:** RE: Question about H1B Cap Cases

Actually, it came from our ACD who processes the CAP....sorry.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(949) 389-3168

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, September 15, 2009 12:28 PM
**To:** Nicholson, Richard E
**Subject:** RE: Question about H1B Cap Cases

I don't remember seeing this from HQ. The latest guidance I received is attached.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

---

**From:** Nicholson, Richard E
**Sent:** Tuesday, September 15, 2009 3:26 PM
**To:** Manahan, Lisa F
**Subject:** RE: Question about H1B Cap Cases

From Hq, since they reached the CAP on Master all cases are now STD, so they can keep track of the regulars.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(949) 389-3168

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, September 15, 2009 12:24 PM
**To:** Nicholson, Richard E
**Subject:** Question about H1B Cap Cases

Rich,

# Daily Report for: Vermont Sep 9, 2009

| Form/Process | Beginning Pending | Received | Processed | Pending Adjust | Current Pending | Oldest Pending | Pending Value |
|---|---|---|---|---|---|---|---|
| I-817 | | | | | | | |
| I-821 | | | | | | | |
| I-821 (TPS) Burundi | | | | | | | |
| I-821 (TPS) El Salvador | | | | | | | |
| I-821 (TPS) Liberia | | | | | | | |
| I-821 (TPS) Honduras | | | | | | | |
| I-821 (TPS) Nicaragua | | | | | | | |
| I-821 (TPS) Somalia | | | | | | | |
| I-821 (TPS) Sudan | | | | | | | |
| I-821 (E-Filing) | | | | | | | |
| **I-821 Total** | **0** | **0** | **0** | **0** | **0** | | |
| I-824 | 24 | 30 | 24 | | 30 | 9/9/2009 | $10,200 |
| I-829 (GUI ICF) | | | | | | | |
| I-829 (MFAS) | | | | | | | |
| I-864 | | | | | | | |
| I-865 | 50 | 30 | 48 | | 32 | 9/9/2009 | |
| I-881 | | 6 | 6 | | | | |
| I-89 & I-181 | | 6 | 6 | | | | |
| I-89 & I-485 | 6 | | | | 6 | 9/4/2009 | |
| I-89 & I-687 | | | | | | | |
| I-89 & I-751 | | 1 | 1 | | | | |
| I-89 & I-765 | 284 | 463 | 126 | | 621 | 9/4/2009 | |
| I-89 & I-817 | | | | | | | |
| I-89 & I-829 | | | | | | | |
| I-89 & I-90 | | | | | | | |
| I-89 & Immigrant Visa (OS-155A) | | | | | | | |
| I-89 (Only) | | | | | | | |
| I-90 B | | | | | | | |
| I-90 D | | | | | | | |
| I-90 (Claims) | | | | | | | |
| I-90 (Legal/SAW) | | | | | | | |
| I-90 (Renewal) | | | | | | | |
| I-905 | | | | | | | |
| I-907 (I-129 Upgrade) | | 32 | 32 | | | | |
| I-907 (I-140 Upgrade) | | | | | | | |
| I-907 (E-Filing) - I-129 Upgrade | | 2 | 2 | | | | |
| I-907 (E-Filing) - I-140 Upgrade | | | | | | | |
| **I-907 Total** | **0** | **34** | **34** | **0** | **0** | | |
| I-914 | 5 | 7 | 3 | | 9 | 9/9/2009 | |
| I-914A | 7 | 4 | 9 | | 2 | 9/9/2009 | |
| I-918 | 28 | 44 | 30 | | 42 | 9/8/2009 | $3,360 |
| I-918A | 39 | 32 | 31 | | 40 | 9/9/2009 | $3,200 |
| I-929 | | | | | | | |
| Motions | | | | | | | |
| N-400 | | | | | | | |
| N-400 (Military) | | | | | | | |
| N-400 Old | | | | | | | |
| N-470 | | | | | | | |
| N-565 | | | | | | | |

Stanley Proprietary – Not for distribution outside of the Government

**From:** Gooselaw, Kurt G
**To:** Doherty, Shannon P; Peck, Denis R
**Subject:** RE: Labor Certificates - VSC review checklist for acceptability
**Date:** Monday, August 24, 2009 2:23:08 PM

---

Thanks Shannon. The goal here to ensure that CSC and VSC are processing the intake of these consistently. I have not seen CSC's guidelines. I don't know if we are stretching the adjudication aspect a little bit too much here on the TLC where the labor cert does not match the start date. If the petitioner indicates a start date after 10/1 we should accept and adjudication makes the determination whether the date is correct. There could be situations where an amended petition is filed where the employer was not able to obtain all benes at one time. Just throwing that out for thought.

---

**From:** Doherty, Shannon P
**Sent:** Monday, August 24, 2009 12:05 PM
**To:** Peck, Denis R
**Cc:** Gooselaw, Kurt G
**Subject:** RE: Labor Certificates - VSC review checklist for acceptability

Denis & Kurt,

See my edits in red. Please note, that petitions requesting an "Amended Petition" (Part 2, Item 2.f. is checked) are exempt this requirement. Petitions filed for FY 2009 (requesting a starting date *before* October 1, 2009) are also exempt this requirement. We need to make sure that the contractor is clear about these two exceptions if we are going to allow them to reject petitions for this provision in the regulations. I had thought that at CSC petitions were not being rejected for this issue, because it was considered too complicated for them to process. Is that not the case?

Could you also send me a copy of the checklist CSC uses? Or are both Service Centers now going to use this checklist?

This is the reject for LCAs (needed with H1Bs). We review for all of the items listed on the reject.

Your I-129 petition, supporting documents and fee are being returned to you for the following reason:

____ A valid Labor Condition Application was not submitted with your filing.

____ The petitioner's signature is missing on the Labor Condition Application.

____ The Department of Labor official's signature is missing on the Labor Condition Application.

____ The starting and/or ending dates are missing on the Labor Condition Application.

This is the reject for ETAs (needed with H2Bs). We review for all of the items listed on the reject.

Your I-129 petition, supporting documents and fee are being returned to you for the following reason:

____ The starting date listed in part 5 of your petition does not match the starting date listed

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report
**Date:** Tuesday, June 23, 2009 12:05:20 PM

---

Rob and I thought the reason why it was 24,000 instead of 20,000 was to account for the denials and rejects. Therefore we thought Jim was using the number received.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 23, 2009 12:04 PM
**To:** Manahan, Lisa F
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report

Not really; you are just counting up the data entered figures. Jim is querying C3 to determine how many are approved or pending. There have been about 600-700 denials already and these he's deducted from the totals. It could be a few more weeks before he give the word that we have enough.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, June 23, 2009 11:39 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

If my calculation is correct we will most likely hit the Master's cap today (24,000). Is Jim going to send a message to let us know when we should start entering STD instead of MAS for the Masters?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Bard, Shanna M
**Sent:** Tuesday, June 23, 2009 10:22 AM
**To:** Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

We can give these numbers to OCOMM and update the webpage today with Jim's numbers below. However, due to the IT problems Jim is experiencing, we don't have the approved/pending numbers.

If we give these numbers and then find that there were more denials/withdrawals/revocations then next week's numbers will be lower and we will have to answer the "Why?" questions again.

I am thinking we hold off until at least tomorrow morning to see if IT can fix the issue so we can get a more accurate number. If the IT issue can't be fixed by tomorrow, we run with these numbers. What are your thoughts?

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted] (b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Monday, June 22, 2009 11:52 AM
**To:** Young, Claudia F
**Subject:** RE: 2010 H1B CAP Reports

Claudia,

June 15-19 receipts
Regular cap cases 470
Masters cap cases 149

As of June 19th, count of potential regular cap receipts is approximately 44,700.
That is based on adding to 470 to 44,200 (last week's number).
I am not going to be able to provide approval counts today because of server storage issue resting with OIT.

Jim

---

**From:** Peck, Denis R
**Sent:** Monday, June 22, 2009 11:30 AM
**To:** Fitzsimmons, James; Young, Claudia F
**Subject:** FW: 2009 H1B CAP Reports

Jim, here it is through Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Nguyen, Loc B
**To:** Peck, Denis R; Schmidt, Bruce H
**Subject:** RE: SCOSS Option Year 1 Program Actual Projection
**Date:** Tuesday, May 12, 2009 1:21:59 PM
**Attachments:** SCOSS Program Actual Projection Option Year 1latest.xls

Sorry, that was a mistake on my part as I neglected to copy the header from above. All three headers should reflect Dec08-Apr09. Here is the revised file with corrections.


***Chris Nguyen***
Sayres & Associates Contractor/SFA
USCIS- Service Center Operations
20 Massachusetts Ave, NW, Room 1304
Office- [redacted] (b)(6)
Fax- (202) 272-1542
Email: Loc.Nguyen@dhs.gov


**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, May 12, 2009 1:15 PM
**To:** Nguyen, Loc B; Schmidt, Bruce H
**Subject:** FW: SCOSS Option Year 1 Program Actual Projection

Are the H11, L11 and M 11 heading right or are they really complete with December through April data for all 3 columns? They need to be to give an accurate forecast.


Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)


**From:** Nguyen, Loc B
**Sent:** Tuesday, May 12, 2009 9:58 AM
**To:** Peck, Denis R; Schmidt, Bruce H; Shiflett, Julie M
**Cc:** 'Summers, Janice D'
**Subject:** SCOSS Option Year 1 Program Actual Projection

Denis,

Attached please find the actual compiled by forms/process from the Dec-08-Apr09 MAAG reports for SERCO and STANLEY. Note that Fee Collections only have four months of CPF invoices from Dec08-Mar09 versus the MAAG's of five. The full Option Year 1 projection costs are calculated based on average monthly processed units multiply by average cost per form multiply by 12. New to Apr09 VSC and CSC MAAG reports are the following listed forms. I need you to validate the data in the cells I highlighted are correct. Lastly, not sure if this compilation is relevant to what Bruce Alexander is asking, but you and Bruce S. may find it to be helpful. Please review and let me know of any questions.

| Service Center Operations (SCOPS) | SERCO's Dec08-Mar09 Actual Processed Units | Stanley's Dec08-Apr09 Actual Processed Units | Total SERCO's and Stanley's Dec08-Feb09 Processed Units | Average Monthly Processed Units | Option Year 1 Average Cost Per Form | Total Option Year 1 Projected Cost | Center | Tier |
|---|---|---|---|---|---|---|---|---|
| Data Collection Operations | | | | | | | | |
| I-129 (H1B CAP) | 0 | 30,085 | 30,085 | 6,017 | $4.1089 | $296,462.40 | VSC, CSC | 2 |
| I-129 (H1B Master CAP) | 0 | 8,847 | 8,847 | 1,769 | $3.6842 | $78,228.01 | VSC | 2 |
| I-907/I-129 (Premium H1B CAP) | 0 | 6,901 | 6,901 | 1,380 | $3.1223 | $51,712.78 | VSC | 1 |
| I-907/I-129 (Premium Master H1B CAP) | 0 | 3,502 | 3,502 | 700 | $3.1223 | $26,242.31 | VSC | 1 |


***Chris Nguyen***
Sayres & Associates Contractor/SFA
USCIS- Service Center Operations
20 Massachusetts Ave, NW, Room 1304

**From:** Nguyen, Loc B
**To:** Peck, Denis R; Schmidt, Bruce H; Shiflett, Julie M
**Cc:** "Summers, Janice D"
**Subject:** SCOSS Option Year 1 Program Actual Projection
**Date:** Tuesday, May 12, 2009 9:57:34 AM
**Attachments:** SCOSS Program Actual Projection Option Year 1latest.xls

---

Denis,

Attached please find the actual compiled by forms/process from the Dec-08-Apr09 MAAG reports for SERCO and STANLEY. Note that Fee Collections only have four months of CPF invoices from Dec08-Mar09 versus the MAAG's of five. The full Option Year 1 projection costs are calculated based on average monthly processed units multiply by average cost per form multiply by 12. New to Apr09 VSC and CSC MAAG reports are the following listed forms. I need you to validate the data in the cells I highlighted are correct. Lastly, not sure if this compilation is relevant to what Bruce Alexander is asking, but you and Bruce S. may find it to be helpful. Please review and let me know of any questions.

| Service Center Operations (SCOPS) | SERCO's Dec08-Mar09 Actual Processed Units | Stanley's Dec08-Apr09 Actual Processed Units | Total SERCO's and Stanley's Dec08-Feb09 Processed Units | Average Monthly Processed Units | Option Year 1 Average Cost Per Form | Total Option Year 1 Projected Cost | Center | Tier |
|---|---|---|---|---|---|---|---|---|
| Data Collection Operations | | | | | | | | |
| I-129 (H1B CAP) | 0 | 30,085 | 30,085 | 6,017 | $4.1059 | $296,462.40 | VSC, CSC | 2 |
| I-129 (H1B Master CAP) | 0 | 8,847 | 8,847 | 1,769 | $3.6843 | $78,228.01 | VSC | 2 |
| I-907/I-129 (Premium H1B CAP) | 0 | 6,901 | 6,901 | 1,380 | $3.1223 | $51,712.78 | VSC | 1 |
| I-907/I-129 (Premium Master H1B CAP) | 0 | 3,502 | 3,502 | 700 | $3.1223 | $26,242.31 | VSC | 1 |


***Chris Nguyen***
Sayres & Associates Contractor/SFA
USCIS- Service Center Operations
20 Massachusetts Ave, NW, Room 1304
Office- [redacted] (b)(6)
Fax- (202) 272-1542
Email: Loc.Nguyen@dhs.gov

**From:** Shiflett, Julie M
**To:** Peck, Denis R
**Subject:** H1B CAP D.E. Tally as of May 5, 2009
**Date:** Thursday, May 07, 2009 7:55:42 AM

---

**Tally of CAP Data Entered as of May 5, 2009:**

**Regulars: CSC: 18,243**

**VSC: 27,186**

**Total of: 45,429**

**Masters: CSC: 9,872**

**VSC: 12,482**

**Total of: 22,354**

**Grand Total: 67,783**

Many Thanks,

:)

---

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060

☎ [redacted] 🖷 (202) 272-1542 ✉Julie.Shiflett@dhs.gov

(b)(6)

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 27, 2009 11:35:19 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Fyi – It looks like we have 22,402 Masters and 38,484 regular so far between CSC and VSC.

Lisa F. Manahan
Assistant Center Director Records/COTR (b)(6)
Vermont Service Center
Phone: [redacted]

---

**From:** Upton, Mandy L
**Sent:** Monday, April 27, 2009 11:14 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 24, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] | 🖷: 802.527.4869| ✉:
Mandy.Upton@dhs.gov
(b)(6)

**From:** Meisenhelder, Robert F
**To:** Peck, Denis R
**Cc:** Lewis, Lyndon A; Demich, Mitch D; Faries, Philip C
**Subject:** RE: H1B CAP numbers through April 17: 66,354
**Date:** Thursday, April 23, 2009 12:12:55 PM

---

Denis,

Can I put these two pieces of information together that:

1) Since the total amount receive as of 4/17/09 was 66,354
2) Approximately 32,500 have been data entered.

Does this mean that as of 4/17, there were less than 34,000 application waiting to be data processed with the payments attached?

If this is a correct understanding, one further question for the next Monday up is when does VSC & CSC currently estimate that they will catch up on data entering the applications?

If front log isn't expected to be cleared by April 30th, then we should have those two service centers update their front log form submitted at the end March to show the end of April balances.

Robert F. Meisenhelder
Chief Accounting & Reporting Branch
USCIS OCFO (b)(6)
[redacted]
(202) 272-9652 Fax
-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, April 21, 2009 11:43 AM
To: Lewis, Lyndon A; Meisenhelder, Robert F
Subject: FW: H1B CAP numbers through April 17: 66,354

This was the update we're doing on Mondays; Rendell is included. We are far from our limits and this will be going on for many weeks to come.

Yesterday we received a total of 290, and Monday is our heaviest day of the week.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Peck, Denis R
Sent: Monday, April 20, 2009 9:29 AM
To: Neufeld, Donald; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: RE: H1B CAP numbers through April 17: 66,354

Here is the sheet with the revision. I'll send this again next Monday unless anyone requires an update before then.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Neufeld, Donald
Sent: Monday, April 20, 2009 9:17 AM
To: Peck, Denis R; Velarde, Barbara Q; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: RE: H1B CAP numbers through April 17: 66,354

Thanks Denis. Please change the second line on the report to read "Premium CAP" instead of "Regular Premium".

-----Original Message-----
From: Peck, Denis R
Sent: Monday, April 20, 2009 8:42 AM
To: Velarde, Barbara Q; Neufeld, Donald; Paar, Tom; Kruszka, Robert F
Cc: Jones, Rendell L; Fitzsimmons, James; Kielsmeier, Lauren; 'Richardson, Gregory A'; Cummings, Kevin J; Young, Claudia F; 'McConnell, James E'
Subject: H1B CAP numbers through April 17: 66,354

Through last Friday, all received filings have been opened and sorted. Approximately 32,500 have been data entered.

Since the initial 5 days, we have received an average of 372 filings per day.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX
-----Original Message-----
From: Kielsmeier, Lauren
Sent: Monday, April 20, 2009 8:15 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Barbara/Denis, I am interested in seeing the latest update on the H1B CAP numbers when you have them. Thanks.

Lauren

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 7:41 AM
To: Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Peck, Denis R
Subject: RE: For tomorrow morning.

I have asked Denis to provide the most up to date numbers we have. We will be posting weekly updates every Monday beginning next Monday.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Paar, Tom
Sent: Thursday, April 16, 2009 6:41 AM
To: Richardson, Gregory A
Cc: Kruszka, Robert F; Velarde, Barbara Q
Subject: FW: For tomorrow morning.

Greg,

Knowing who the "early birds" are around here, could you please address Lauren's email below...thanks.

Respectfully,

-----Original Message-----
From: Kielsmeier, Lauren
Sent: Thursday, April 16, 2009 6:04 AM
To: Neufeld, Donald
Cc: Jones, Rendell L; Paar, Tom
Subject: Fw: For tomorrow morning.

Hi Don, can you pls send me the most current H-1B numbers for WH report. Possible to get more current figures, or is 4/9 the last count? Would be great to have this info by 10am - let me know.

Thanks,
Lauren

----- Original Message -----
From: Grossman, Jordan <Jordan.Grossman@dhs.gov>
To: Kielsmeier, Lauren <Lauren.Kielsmeier@dhs.gov>
Sent: Wed Apr 15 22:39:40 2009
Subject: For tomorrow morning.

Hi Lauren,

Could you let me know how many visas short you guys are for the WH report? The report is due at noon tomorrow.

Thanks!

---

From: Shlossman, Amy
Sent: Wednesday, April 15, 2009 10:24 PM
To: Grossman, Jordan
Subject: CIS

Did they send any updates on the HB-1 visas? Lauren mentioned this am that they still haven't reached their limit for the non-master degree category. Would be good to include in the WH report.

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: Masters Cap?
**Date:** Tuesday, April 21, 2009 9:21:38 AM

Thanks Denis.

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 21, 2009 9:20 AM
**To:** Fitzsimmons, James
**Subject:** FW: Masters Cap?

Jim,

This is something for you to soothe over with the adjudications folks. Just passing it along,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, April 21, 2009 7:04 AM
**To:** Peck, Denis R
**Subject:** FW: Masters Cap?

Denis,

Question about the 24,000 Masters – Did Jim take into consideration that we don't need any extras for rejects this year? Rob and I were talking and thought that a 20% denial rate was very high.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted]

(b)(6)

---

**From:** Hazuda, Mark J
**Sent:** Thursday, April 16, 2009 4:47 PM
**To:** Perkins, Robert M; Manahan, Lisa F
**Subject:** FW: Masters Cap?

FYI

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 4:37 PM
**To:** Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M;

Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

Sounds good.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 16, 2009 12:53 PM
**To:** Gregg, Bret S; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

My recommendation is:

24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total is 100,000.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 3:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Makes sense rolling them into the regular cap.

We do need some type of cushion in the regular cap though because we will have denials/withdrawals, etc. What's our overall magic number?

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, April 16, 2009 12:46 PM
**To:** Gregg, Bret S; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Jim says our magic number is 24K for the masters so we are okay. We don't need a cushion because they just fold into the regular cap. It is my understanding we just close the cap when we hit it. I am including Jim in case I am saying something wrong. Also, Denis once we hit the master's cap do we update differently to roll into the regular cap?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 12:58 PM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| **Totals** | **27576** | **38261** | **65837** | |

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted]

(b)(6)

| | |
|---|---|
| **From:** | Gregg, Bret S |
| **To:** | Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F |
| **Cc:** | Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R |
| **Subject:** | RE: Masters Cap? |
| **Date:** | Thursday, April 16, 2009 4:36:45 PM |

Sounds good.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 16, 2009 12:53 PM
**To:** Gregg, Bret S; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

My recommendation is:

24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total is 100,000.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 3:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Makes sense rolling them into the regular cap.

We do need some type of cushion in the regular cap though because we will have denials/withdrawals, etc. What's our overall magic number?

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, April 16, 2009 12:46 PM
**To:** Gregg, Bret S; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Jim says our magic number is 24K for the masters so we are okay. We don't need a cushion because they just fold into the regular cap. It is my understanding we just close the cap when we hit it. I am including Jim in case I am saying something wrong. Also, Denis once we hit the master's cap do we update differently to roll into the regular cap?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 12:58 PM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| **Totals** | **27576** | **38261** | **65837** | |

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted]

(b)(6)

| | |
|---|---|
| **From:** | Kielsmeier, Lauren |
| **To:** | Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A |
| **Cc:** | Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L |
| **Subject:** | RE: H1B CAP numbers through April 14 |
| **Date:** | Thursday, April 16, 2009 10:03:09 AM |

Thanks, all. Appreciate it.

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, April 16, 2009 9:54 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren
Subject: RE: H1B CAP numbers through April 14

The target is 24,000.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 9:33 AM
To: Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Including Jim our cap expert. I believe it is 23 or 24K.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

FOR OFFICIAL USE ONLY (FOUO)

This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

-----Original Message-----
From: Peck, Denis R
Sent: Thursday, April 16, 2009 9:30 AM
To: Velarde, Barbara Q; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren
Subject: H1B CAP numbers through April 14

Barbara,

We received 21,915 Masters and 43,559 nonMasters through Tuesday. Our daily intake has been in the 300-500 range since April 8.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

| | |
|---|---|
| **From:** | Fitzsimmons, James |
| **To:** | Peck, Denis R |
| **Subject:** | RE: CSC 2009 H1B CAP Report |
| **Date:** | Thursday, April 16, 2009 7:53:00 AM |

Thanks Denis.

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 15, 2009 4:10 PM
**To:** Fitzsimmons, James
**Subject:** FW: CSC 2009 H1B CAP Report

I didn't have time to update a combined one today. Here are the two individual centers. About 400 received on Tuesday. Long time before we hit the 24,000 masters target at this rate.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Wednesday, April 15, 2009 10:49 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report

---

**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Wednesday, April 15, 2009 2:41 AM
**To:** Akeo, Timothy; Benavente, Jessy J; CR Bobeng, John; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA 92677
☎ [redacted] (b)(6)
(949) 389-3487

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 6,516 | 1,261 | **17,952** |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 919 | 93 | **6,601** |
| Regular Masters(VMN) | | 2,032 | 3,665 | 2418 | 485 | **8,600** |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 461 | 64 | **3,396** |
| **Total** | **4,107** | **7,910** | **12,315** | **10,314** | **1,903** | **36,549** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | 12,660 | 2,372 | 1,016 | 1,034 | 870 | 17,952 |
| Regular Premium(VRP) | 5,718 | 555 | 117 | 150 | 61 | 6,601 |
| Regular Masters(VMN) | 6,303 | 1211 | 419 | 377 | 290 | 8,600 |
| Premium Masters(VMP) | 2,977 | 274 | 51 | 59 | 35 | 3,396 |
| Total | 27,658 | 4,41 | 1,603 | 1,620 | 1,256 | 36,549 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 4,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <45% | <72% | <73% | <67% | <92% | <59% |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

4/6 - 1002 Regular
183 PP

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | **30,677** |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | **11,147** |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | **15,192** |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | **6,366** |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **63,382** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 30,677 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 11,151 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 15,188 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 6,366 |
| Total | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 63,382 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 6,516 | | **16,691** |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 919 | | **6,508** |
| Regular Masters(VMN) | | 2,032 | 3,665 | 2418 | | **8,115** |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 461 | | **3,332** |
| **Total** | **4,107** | **7,910** | **12,315** | **10,314** | | **34,646** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | 12,604 | 2,220 | 958 | 909 | | |
| Regular Premium(VRP) | 5,716 | 539 | 111 | 142 | | |
| Regular Masters(VMN) | 6,282 | 1113 | 379 | 341 | | |
| Premium Masters(VMP) | 2,973 | 258 | 49 | 52 | | |
| Total | 27,575 | 4,130 | 1,497 | 1,444 | | 34,646 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <45% | <72% | <73% | <67% | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

4/6 - 1002 Regular
183 PP

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | 6,942 | | **28,493** |
| Regular Premium | 3,559 | 5,679 | 795 | 967 | | **11,000** |
| Regular Masters | 855 | 5,683 | 5,166 | 2655 | | **14,359** |
| Premium Masters | 1,123 | 4,221 | 443 | 487 | | **6,274** |
| **Total** | **7,572** | **22,320** | **19,183** | **11,051** | | **60,126** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | 23,189 | 3,011 | 1,384 | 1,109 | | 28,693 |
| Regular Premium | 10,041 | 658 | 159 | 162 | | 11,020 |
| Regular Masters | 11,897 | 1505 | 616 | 381 | | 14,399 |
| Premium Masters | 5,828 | 319 | 75 | 54 | | 6,276 |
| Total | 50,955 | 5,493 | 2,234 | 1,706 | | 60,388 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 6,516 | | **16,691** |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 919 | | **6,508** |
| Regular Masters(VMN) | | 2,032 | 3,665 | 2418 | | **8,115** |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 461 | | **3,332** |
| **Total** | **4,107** | **7,910** | **12,315** | **10,314** | | **34,646** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | | | | | | |
| Regular Premium(VRP) | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | 1,185 | | 30,815 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | <73% | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

4/6 - 1002 Regular
183 PP

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | | | **21,551** |
| Regular Premium | 3,559 | 5,679 | 795 | | | **10,033** |
| Regular Masters | 855 | 5,683 | 5,166 | | | **11,704** |
| Premium Masters | 1,123 | 4,221 | 443 | | | **5,787** |
| **Total** | **7,572** | **22,320** | **19,183** | | | **49,075** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | | | | | | |
| Regular Premium | | | | | | |
| Regular Masters | | | | | | |
| Premium Masters | | | | | | |
| Total | 48,181 | 4,882 | 2,035 | | | 55,098 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Perkins, Robert M
**Cc:** Bushey, Sandra T; Renaud, Daniel M
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 06, 2009 4:11:57 PM
**Attachments:** VSC H1B Cap Report 2009.xls
Cap Report 2.xls

---

Here is the latest.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Vincent, Sarah J
**Sent:** Monday, April 06, 2009 4:00 PM
**To:** 'Collins, Thomas C.'; Briggs, Shawn M; Stefaniak, Marcy M; Vincent, Sarah J; Manahan, Lisa F
**Subject:** FW: VSC 2009 H1B CAP Report

Lisa,

Reports updated with today's numbers as of COB first shift (thanks Shawn)

Estimated still on the floor mail dated 4/2-4/3 to bar-code

VRN 1200
VRP 100
VMN 400
VMP 300

CRU has approximately 420 cases to review.

(b)(6)

Thank you,
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.| VSC - SCOSS| [redacted]
Sarah.Vincent@dhs.gov

---

**From:** Collins, Thomas C
**Sent:** Monday, April 06, 2009 3:29 PM
**To:** Vincent, Sarah J
**Cc:** Stefaniak, Marcy M
**Subject:** FW: VSC 2009 H1B CAP Report

Here are the reports

Thomas C. Collins
Acting Site Manager
Stanley SCOSS Team
Vermont Service Center
(D)
(BB [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 3:26 PM

**To:** Collins, Thomas C
**Subject:** FW: VSC 2009 H1B CAP Report

This is what I sent this morning. I had sent the Cap Report 2.xls on Saturday but I sent a modified copy this morning because I mixed the Reg. Master and PP Masters.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

(b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:51 AM
**To:** Peck, Denis R; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

I modified the report I sent on Saturday (Cap Report2. xls) because I had flip-flopped the VSC numbers for Regular Masters and Premium Masters.

The combined totals for VSC & CSC should be:

Reg. Cap – 21,551
PP Cap - 10,003
Total Reg. – 31,584

Reg. Masters – 11,704
PP Masters - 5,787
Total Master – 17,491

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:19 AM
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

(b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted] 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 3,144 | | **13,319** |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 533 | | **6,122** |
| Regular Masters(VMN) | | 2,032 | 3,665 | 1020 | | **6,717** |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 681 | | **3,552** |
| **Total** | **4,107** | **7,910** | **12,315** | **5,378** | | **29,710** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | | | | | | |
| Regular Premium(VRP) | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | | | 29,630 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | | | **21,551** |
| Regular Premium | 3,559 | 5,679 | 795 | | | **10,033** |
| Regular Masters | 855 | 5,683 | 5,166 | | | **11,704** |
| Premium Masters | 1,123 | 4,221 | 443 | | | **5,787** |
| **Total** | **7,572** | **22,320** | **19,183** | | | **49,075** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | | | | | | |
| Regular Premium | | | | | | |
| Regular Masters | | | | | | |
| Premium Masters | | | | | | |
| Total | 48,181 | 4,882 | 2,035 | | | 55,098 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | | | **21,551** |
| Regular Premium | 3,559 | 5,679 | 795 | | | **10,033** |
| Regular Masters | 855 | 5,683 | 5,166 | | | **11,704** |
| Premium Masters | 1,123 | 4,221 | 443 | | | **5,787** |
| **Total** | **7,572** | **22,320** | **19,183** | | | **49,075** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | | | | | | |
| Regular Premium | | | | | | |
| Regular Masters | | | | | | |
| Premium Masters | | | | | | |
| Total | 48,181 | 4,882 | 2,035 | | | 55,098 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | Apr |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | | | 8,875 |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | | | 5,389 |
| Regular Masters(VMN) | | 2,032 | 3,665 | | | 5,697 |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | | | 2,871 |
| **Total** | **4,107** | **7,910** | **12,315** | | | **24,832** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | | | | | | |
| Regular Premium(VRP) | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | | | 29,630 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | 0 |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

**From:** Collins, Thomas C.
**To:** Moulin, Kristen L.
**Cc:** Peck, Denis R; Shiflett, Julie M
**Subject:** RE: VSC 2009 H1B CAP Report - Day 3
**Date:** Monday, April 06, 2009 11:09:41 AM

---

Kristen,

Fed Ex is only about 700 pieces more than normal, and mail is only slighter higher than normal.

Thanks.

Thomas C. Collins
Acting Site Manager
Stanley SCOSS Team
Vermont Service Center
(D)
(BB [redacted] (b)(6)

-----Original Message-----
From: Moulin, Kristen L.
Sent: Monday, April 06, 2009 11:00 AM
To: Collins, Thomas C.
Cc: 'denis.peck@dhs.gov'; 'julie.shiflett@dhs.gov'
Subject: Fw: VSC 2009 H1B CAP Report - Day 3

Tom, can you answer Denis' question re today's mail? Thanks. Kristen

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Peck, Denis R <denis.peck@dhs.gov>
To: Moulin, Kristen L.; Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Mon Apr 06 10:57:36 2009
Subject: RE: VSC 2009 H1B CAP Report - Day 3

Kristen, thank you.

Have they sent anything to you regarding today's mail volume - was it just like any other Monday or was there a significant amount of CAP mail?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
Sent: Monday, April 06, 2009 10:53 AM
To: Peck, Denis R; Shiflett, Julie M
Subject: Fw: VSC 2009 H1B CAP Report - Day 3

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Mon Apr 06 09:07:42 2009
Subject: VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(:
[redacted]*: Mandy.Upton@dhs.gov
<mailto:Mandy.Upton@dhs.gov>

(b)(6)

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Subject:** Fw: VSC 4/1 is barcoded.
**Date:** Monday, April 06, 2009 10:44:04 AM

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Briggs, Shawn M <shawn.briggs@dhs.gov>
To: Vincent, Sarah; Upton, Mandy L <mandy.upton@dhs.gov>; VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Sent: Mon Apr 06 10:34:23 2009
Subject: RE: 4/1 is barcoded.

End Counts for CAP 04/01 Mail

VMP: 2,910
VRP: 5,642
VRN: 12,124
VMN: 6,065

Total: 26,741

Thank You,
Shawn Briggs |VSC|SCOSS| Assistant Site Manager | ( 802.527.4700 x4606 | or | x7620 š
shawn.briggs@dhs.gov <blocked::mailto:shawn.briggs@dhs.gov>
P Consider the environment before printing

---

From: Vincent, Sarah J
Sent: Mon 4/6/2009 10:33 AM
To: Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Subject: 4/1 is barcoded.

All 4/1 mail has been bar coded at this time. An updated pending will be sent out to all shortly from Shawn.

Thank you,

Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.|VSC - SCOSS|(: 802.527.4700 ext 4650: Sarah.Vincent@dhs.gov <mailto:Sarah.Vincent@dhs.gov>

---

From: Upton, Mandy L
Sent: Monday, April 06, 2009 9:08 AM
To: VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins,

| | |
|---|---|
| **From:** | Manahan, Lisa F |
| **To:** | Peck, Denis R; Perkins, Robert M |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Monday, April 06, 2009 9:51:13 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>Cap Report 2.xls |

Denis,

I modified the report I sent on Saturday (Cap Report2. xls) because I had flip-flopped the VSC numbers for Regular Masters and Premium Masters.

The combined totals for VSC & CSC should be:

Reg. Cap – 21,551
PP Cap - 10,003
Total Reg. – 31,584

Reg. Masters – 11,704
PP Masters - 5,787
Total Master – 17,491

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:19 AM
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]
(b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted] 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | | | **10,175** |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | | | **5,589** |
| Regular Masters(VMN) | | 2,032 | 3,665 | | | **5,697** |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | | | **2,871** |
| **Total** | **4,107** | **7,910** | **12,315** | | | **24,332** |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP(VRN) | | | | | | |
| Regular Premium(VRP) | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | | | 29,630 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

# California & Vermont Service Center

## I-129 Cap Report

## 04/08/16

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,737 | 12,779 | | | **21,551** |
| Regular Premium | 3,559 | 5,679 | 795 | | | **10,033** |
| Regular Masters | 855 | 5,683 | 5,166 | | | **11,704** |
| Premium Masters | 1,123 | 4,221 | 443 | | | **5,787** |
| **Total** | **7,572** | **22,320** | **19,183** | | | **49,075** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | | | | | | |
| Regular Premium | | | | | | |
| Regular Masters | | | | | | |
| Premium Masters | | | | | | |
| Total | 48,181 | 4,882 | 2,035 | | | 55,098 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

**From:** Collins, Mary Lou E
**To:** Manahan, Lisa F; Peck, Denis R
**Subject:** RE: I-129 Data Entry Question
**Date:** Friday, April 03, 2009 10:45:15 AM

---

Denis –

The LCA field is not a required field for Data Entry; C3 will save and issue a receipt number without anything in this field.

The LCA field is however a required field for an adjudicative decision update. Officers cannot update C3 with an approval or denial decision without something in this field.

Please let me know if you have any further questions.

Thanks
Mary-Lou

---

**From:** Manahan, Lisa F
**Sent:** Friday, April 03, 2009 9:53 AM
**To:** Collins, Mary Lou E
**Subject:** FW: I-129 Data Entry Question

Mary Lou,

Can you please respond to Denis on the I-129 as I have to leave for awhile?

Thanks,

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Friday, April 03, 2009 9:47 AM
**To:** Manahan, Lisa F
**Subject:** FW: I-129 Data Entry Question

Lisa, can you have someone verify for me that this is not a required field (as in the record will save even if you leave it blank, and we don't manually reject if blank either). I think I've had this question in the past and that is what we found out but I'm not certain anymore.

After that, how about a report on how things are going. California said they would have all their petitions categorized this morning for the first two days – about 26,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

| | |
|---|---|
| **From:** | Velarde, Barbara Q |
| **To:** | Velarde, Barbara Q; Peck, Denis R; Cummings, Kevin J; "McConnell, James E"; Kruszka, Robert F |
| **Subject:** | RE: VSC 2009 H1B CAP Report - 31,300 package count |
| **Date:** | Friday, April 03, 2009 10:32:41 AM |

Never mind I just opened up the two reports from CSC and VSC. I will forward those reports unless you plan on consolidating them.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

**FOR OFFICIAL USE ONLY (FOUO)**

This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

---

**From:** Velarde, Barbara Q
**Sent:** Friday, April 03, 2009 10:31 AM
**To:** Peck, Denis R; Cummings, Kevin J; 'McConnell, James E'; Kruszka, Robert F
**Subject:** RE: VSC 2009 H1B CAP Report - 31,300 package count

Denis will there be a report that is broken out by cap and regular for me to send up the chain, or is this what I should send for today?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

**FOR OFFICIAL USE ONLY (FOUO)**

This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

---

**From:** Peck, Denis R
**Sent:** Friday, April 03, 2009 10:12 AM
**To:** Velarde, Barbara Q; Cummings, Kevin J; McConnell, James E; Kruszka, Robert F
**Subject:** FW: VSC 2009 H1B CAP Report - 31,300 package count

The VSC package count through the first two days, multiplied 1.5, would equate to 47,000 petitions. California had counted 26,000 – we're at roughly 73,000 through first two days.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Friday, April 03, 2009 9:51 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Cc:** Collins, Mary Lou E; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report

fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Friday, April 03, 2009 9:11 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 2, 2009.

**Please note that of the 6,593 4/2 mail received we estimate that the following could be subject to CAP based on address:

| | |
|---|---|
| Premium | 937 |
| Other | 2580 |
| Total | 3517 pieces |

**Please also note that we are putting the barcoding of Masters cases as a priority per USCIS request.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] : 802.527.4869| :
Mandy.Upton@dhs.gov

(b)(6)

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Thursday, April 02, 2009 12:28:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls

---

TYPO – see below

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 12:12 PM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Here are the correct numbers. Apparently the report clerk added some of the manifests that had already been counted and that is why the number jumped to 34,103. Please note that you should be seeing the number of opened and bar coded count jump up quite a bit from yesterday.

In summary we received 24,801 pieces of mail and of that 4,107 have been opened and bar coded.

Sorry for the confusion!

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center (b)(6)
Phone: [redacted]

---

**From:** Vincent, Sarah J
**Sent:** Thursday, April 02, 2009 11:53 AM
**To:** Upton, Mandy L; 'Collins, Thomas C.'; VSC STANLEY Admin
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Updated to reflect updated MR counts.

(b)(6)

Thank you,
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.| VSC - SCOSS| [redacted]
Sarah.Vincent@dhs.gov

# FY10 H1B Related

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** RE: reject breakdown
**Date:** Wednesday, April 01, 2009 3:06:33 PM

---

Denis,

This morning our CRU received '135' H1B Cap cases filed to early (yesterday). 95 of them were from "Satyam" and the remaining ones were from various companies. I was also informed that our mailroom received several call from UPS asking to pull these filings because they were delivered too early. CRU performed the reject notices on these filings and they were all sent out in the mail today.

As for the improper rejects here are the counts for three months:

December - 278
January - 254
February - 202

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

-----Original Message-----
From: Peck, Denis R
Sent: Wednesday, April 01, 2009 2:50 PM
To: Manahan, Lisa F
Subject: RE: reject breakdown

No, if you have an improper reject count send it for me.

Agreed, there is no need to continue this level of auditing.

But do audit what they plan to reject from today's H1B extensions mail. As for new non CAP H1B's, are you comfortable with them not putting any in by mistake? Your call.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

-----Original Message-----
From: Manahan, Lisa F
Sent: Wednesday, April 01, 2009 2:29 PM
To: Peck, Denis R
Subject: RE: reject breakdown

We wouldn't have known if we didn't perform this test. I have instructed our audit team to stop with the 100% review due to the CAP. Did I ever send you the monthly improper reject counts?

Lisa F. Manahan
Assistant Center Director Records/COTR

Vermont Service Center
Phone: [redacted] (b)(6)

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, March 31, 2009 5:17 PM
To: Manahan, Lisa F
Subject: RE: reject breakdown

Because when I asked you to do a 100% review that's all I wanted. A review for correct rejection. The typos and the log - that's not crucial enough for a 100% review. The timeliness , maybe that was worth checking on.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, March 31, 2009 4:23 PM
To: Manahan, Lisa F
Subject: RE: reject breakdown

Thank god. I was thinking in terms of standard 4 errors. You only had one of those. The rest I can live with. There's no monetary deduction for being out of the time compliance.

Actually that's pretty good, only one incorrect decision out of 1,203.

How many CAP rejects today? Are you all ready for tomorrow?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

-----Original Message-----
From: Manahan, Lisa F
Sent: Tuesday, March 31, 2009 4:14 PM
To: Peck, Denis R
Subject: Fw: reject breakdown

Denis,

This is the info. on the rejects. Errors are listesd by PR. As you can see most of the errors were time compliance errors.

Lisa

----- Original Message -----

From: Ashline, Heidi L
To: Manahan, Lisa F
Cc: Putnam, Anne F; Bushey, Carrie N
Sent: Tue Mar 31 14:59:35 2009
Subject: FW: reject breakdown

Lisa,

Here is the information you have requested. It is a breakdown of the deficiencies we have received so far doing the 100% Reject Audits.

If you have any questions, please let me know.

Thanks,

Heidi Ashline

Immigration Services Analyst

USCIS/VSC/CPAU

[redacted] (b)(6)

---

From: Bushey, Carrie N
Sent: Tuesday, March 31, 2009 2:54 PM
To: Ashline, Heidi L
Subject: reject breakdown

Heidi,

Here is the breakdown of the data that has been recorded in the 100% reject review as of 3/31/09 (1st shift). We could get more rejects on the 2nd run for 2nd shift to review later.

Deficiency Recorded (PR)

Description

Total Deficiency

4.3.3

Keying errors (typos)

16

4.3.2 (standard 2)

Logging errors

3

4.3.2 (standard 4)

File should not have been rejected

1

4.3.2 (standard 3)

Time compliance

97

Total: 117 deficiencies

Total number of rejects reviewed: 1203 (as of end of 1st shift on 3/31/09)

Thanks,

Carrie Bushey

Immigration Services Analyst

Citizen & Immigration Srvs

Vermont Service Center

(b)(6)

**From:** Richardson, Gregory A
**To:** McConnell, James E; Fitzsimmons, James; Kruszka, Robert F
**Cc:** Peck, Denis R; Velarde, Barbara Q
**Subject:** FW: 11 AM update - FEDEX is finished unloading and volume is down 44%
**Date:** Wednesday, April 01, 2009 11:52:30 AM

---

Copy in Robert and the two Jim(s),

FYI: April 1, 2009 H1B filing update.

NOTE: INTERNAL EMAIL

Thank you,

Greg Richardson
Chief of Staff SCOPS

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Wednesday, April 01, 2009 11:25 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; Cox, Sophia
**Subject:** FW: 11 AM update - FEDEX is finished unloading and volume is down 44%

FEDEX is our single biggest courier source. Their package count is down 44% from last year. I think this will hold up over the remainder of the day with all other courier companies.

USPS mail was about 50% of last year's package count. I see no reason there would be a difference in applications per package vs. last year, so it is safe to guess we will be no higher than 60% of last years count by days end, probably a little less.

STILL EARLY.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, April 01, 2009 11:22 AM
**To:** Peck, Denis R
**Cc:** Flannery, E. Pat; Moulin, Kristen L.; Siesel, Gregory P.; Shiflett, Julie M
**Subject:** 11 AM update

Morning,

FedEx is done 20,135 vs. 36k last year.

Estimated total receipts 1st day is 28,000 vs. 50k last year.

Looks like 44% less than the first day last year.

Walter

| | |
|---|---|
| **From:** | Perkins, Robert M |
| **To:** | Williams, Carol L; Peck, Denis R |
| **Cc:** | Manahan, Lisa F; Stoddard, Becky M; Nicholson, Richard E; Bushey, Sandra T; Fitzsimmons, James |
| **Subject:** | H1B Cap and PP Clock |
| **Date:** | Tuesday, March 03, 2009 11:38:15 AM |
| **Attachments:** | H-1B_multi_filingFS_19Mar08.pdf<br>Duplicate Rule.pdf |

Carol and Denis,

As discussed in the last couple of conference calls, the five-day filing period was introduced as in interim rule in Federal Register Vol. 73, No. 57 on Monday, March 24, 2008. The five-day filing period is discussed in Part III A on page 15392 of the attached rule.

The attached Fact Sheet dated March 19, 2008 discusses Premium Processing and the fact that the premium processing clock cannot start until after the random selection process has been completed. If we do not receive enough filings to run the random generator, I would still advocate that the clock should not begin until after all mail is received and counted. In the event we do not receive enough filings, I believe we should recommend to OCC a start date of 4/8/09 (day after five day filing window).

We will follow up with Stanley locally on the issue of tracking cases in the USG provided Access DB in lieu of the CHRIS database. We have been meeting with Stanley for over a month now and this was not portrayed as a major issue. We will also discuss and work out a process for the Masters non-selectees that are eventually selected in the regular cap (assuming that we receive the 23-24K that Jim intends to accept).

Thanks,

Rob

**DEPARTMENT OF HOMELAND SECURITY**

**8 CFR Part 214**

**[CIS No. 2434–07; DHS Docket No. USCIS–2007–0060]**

**RIN 1615–AB68**

## Petitions Filed on Behalf of H–1B Temporary Workers Subject to or Exempt From the Annual Numerical Limitation

**AGENCY:** U.S. Citizenship and Immigration Services, DHS.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The Department of Homeland Security is amending its regulations governing petitions filed on behalf of alien workers subject to the annual numerical limitations applicable to the H nonimmigrant classification. This rule precludes a petitioner from filing more than one petition based on the H–1B nonimmigrant classification on behalf of the same alien temporary worker in a given fiscal year if the alien is subject to a numerical limitation or is exempt from a numerical limitation by virtue of having earned a master's or higher degree from a U.S. institution of higher education. Additionally, this rule makes accommodations for petitioners seeking to file petitions on the first day on which filings will be accepted for the next fiscal year on behalf of alien workers subject to the annual numerical limitation or U.S. master's or higher degree holders exempt from this limitation. This rule also clarifies the treatment of H nonimmigrant petitions incorrectly claiming an exemption from the numerical limitations. Finally, the rule removes from the regulations unnecessary language regarding the annual numerical limitation applicable to the H–1B nonimmigrant classification. These changes are necessary to clarify the regulations and further ensure the fair and orderly adjudication of petitions subject to numerical limitations.

**DATES:** *Effective date:* This rule is effective March 24, 2008.

*Comment Date:* Written comments must be submitted on or before May 23, 2008.

**ADDRESSES:** You may submit comments, identified by DHS Docket No. USCIS–2007–0060 by one of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov.* Follow the instructions for submitting comments.
- *E-mail:* You may submit comments directly to USCIS by e-mail at *rfs.regs@dhs.gov.* Include DHS Docket No. USCIS–2007–0060 in the subject line of the message.
- *Mail:* Chief, Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., Suite 3008, Washington, DC 20529. To ensure proper handling, please reference DHS Docket No. USCIS–2007–0060 on your correspondence. This mailing address may also be used for paper, disk, or CD-ROM submissions.
- *Hand Delivery/Courier:* U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529. Contact Telephone Number is (202) 272–8377.

**FOR FURTHER INFORMATION CONTACT:** Patricia Jepsen, Adjudications Officer, Business and Trade Services, Office of Service Center Operations, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529, telephone (202) 272–8410.

**SUPPLEMENTARY INFORMATION:**

### I. Public Participation

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this interim rule. The Department of Homeland Security (DHS) and U.S. Citizenship and Immigration Services (USCIS) also invite comments that relate to the economic, environmental, or federalism effects that might result from this interim rule. Comments that will provide the most assistance to USCIS in developing these procedures will reference a specific portion of the interim rule, explain the reason for any recommended change, and include data, information, or authority that support such recommended change.

Instructions: All submissions received must include the agency name and DHS Docket No. USCIS–2007–0060. All comments received will be posted without change to *http://www.regulations.gov,* including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received go to *http://www.regulations.gov.* Submitted comments may also be inspected at the Regulatory Management Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, 111 Massachusetts Avenue, NW., 3rd Floor, Washington, DC 20529.

### II. Background

The ability of employers to fill available U.S. jobs on a timely basis with alien temporary workers otherwise eligible for the H–1B nonimmigrant classification generally depends on when they filed petitions for such workers and the number of such petitions that USCIS has approved with respect to the relevant fiscal year (i.e., October 1 through September 30). With a few exceptions, the total number of aliens who may be accorded H–1B nonimmigrant status during any fiscal year currently may not exceed 65,000 (referred to as the "cap" or "numerical limitation"). *See* Immigration and Nationality Act (INA) sec. 214(g), 8 U.S.C. 1184(g). USCIS may only accord status to qualified aliens in the order in which the H–1B petitions are filed. *See* INA sec. 214(g)(3), 8 U.S.C. 1184(g)(3). This interim final rule will improve USCIS' ability to administer the cap by modifying the filing procedures for H–1B petitions submitted by employers on behalf of aliens.

#### *A. The H–1B Petition Process*

An H–1B nonimmigrant is an alien employed to perform services in a specialty occupation, services related to a Department of Defense cooperative research and development project or coproduction project, or services of distinguished merit and ability in the field of fashion modeling. INA sec. 101(a)(15)(H), 8 U.S.C. 1101(a)(15)(H); 8 CFR 214.2(h)(4). To qualify as a specialty occupation, the position must meet one of the following requirements: (1) The minimum entry requirement for the position normally is a bachelor's or higher degree or its equivalent; (2) the degree requirement is common to the industry or the position is so complex or unique that it can be performed only by an individual with a degree; (3) the employer normally requires a degree or its equivalent for the position; or (4) the nature of the specific duties is so specialized and complex that the knowledge required to perform the duties is usually associated with attainment of a bachelor's or higher degree. 8 CFR 214.2(h)(4)(iii)(A).

Before employing an H–1B temporary worker, a U.S. employer first must file an H–1B petition with USCIS on behalf of the worker on Form I–129, "Petition for a Nonimmigrant Worker" together with the forms, "H Classification Supplement to Form I–129" and "H–1B Data Collection and Filing Fee Exemption Supplement." The worker must be named on the petition. 8 CFR 214.2(h)(2)(iii). For a petition filed on behalf of a temporary worker in a

specialty occupation, the employer also must file a Labor Condition Application (LCA) that has been certified by the Department of Labor (DOL). 8 CFR 214.2(h)(4)(i)(B)(1). The LCA specifies the job, salary, length, and geographic location of employment. The petitioner must pay several different fees with the H–1B petition. The base filing fee is $320. 8 CFR 103.7(b)(1) (listing Form I–129 filing fee). In addition, a petition filed by an employer with 26 or more full-time employees must pay a $1,500 fee; a petition filed by an employer with 25 or fewer full-time employees must pay a $750 fee. INA 214(c)(9)(B), 8 U.S.C. 1184(c)(9)(B). Most employers filing an initial H–1B petition, and H–1B employers filing a petition on behalf of an alien currently employed as an H–1B temporary worker by another employer, must pay a fraud prevention and detection fee of $500. INA 214(c)(12)(A) and (C). Finally, an employer requesting expedited processing of the H–1B petition must pay an extra $1,000 premium processing fee with the expedited processing request. INA 286(u), 8 U.S.C. 1356(u); 8 CFR 103.2(f)(2). These fees are not refundable. 8 CFR 103.2(a)(1).

Once USCIS accepts the H–1B petition, it adjudicates the petition and issues a written decision notifying the petitioner whether USCIS requires additional information before it can issue a decision or whether the petition is approved or denied. 8 CFR 103.2(a)(8) and 214.2(h)(9) and (10). USCIS may revoke a petition that has been previously approved, even after expiration of the petition. 8 CFR 214.2(h)(11). A petitioning employer, following receipt of the written decision, may appeal to USCIS the denial or revocation of a petition. 8 CFR 214.2(h)(12). An approved H–1B petition is valid for a period of up to three years.[1] *See* 8 CFR 214.2(h)(9)(iii)(A)(1). Prior to the expiration of the initial H–1B petition, the petitioning employer may apply for an extension of stay, or a different employer may petition on behalf of the temporary worker. 8 CFR 214.2(h)(2)(i)(D) and (15)(ii)(B). However, any such extension only may only be granted for a period of time such that the total period of the temporary worker's admission does not exceed six years.[2] INA sec. 214(g)(4), 8 U.S.C. 1184(g)(4); 8 CFR 214.2(h)(13)(iii)(A). At the end of the six-year period, such alien must either seek permanent resident status or depart the United States.[3] *See* 8 CFR 214.2(h)(13)(iii)(A). The alien may be eligible for a new six-year period of admission in H–1B nonimmigrant status if he or she remains outside the United States for at least one year. *Id.*

*B. H–1B Nonimmigrants Subject to the 65,000 Cap*

Most aliens seeking H–1B nonimmigrant classification are subject to the 65,000 cap. Exempt from the 65,000 cap are aliens who: (1) Are employed at, or have received offers of employment from, an institution of higher education, or a related or affiliated nonprofit entity; (2) are employed at, or have received offers of employment from, a nonprofit research organization or a governmental research organization; or (3) have earned a master's or higher degree from a U.S. institution of higher education. INA sec. 214(g)(5), 8 U.S.C. 1184(g)(5). A cap of 20,000 applies to the exemption based on an alien's U.S. master's or higher degree ("20,000 cap on master's degree exemptions"). INA sec. 214(g)(5)(C), 8 U.S.C. 1184(g)(5)(C). Based on the employer's answers to the questions on the "H–1B Data Collection and Filing Fee Exemption Supplement" to Form I–129, USCIS determines whether the alien beneficiary qualifies for one of the exemptions.

The spouses and children of H–1B aliens, classified as H–4 nonimmigrants, are exempt from the 65,000 or 20,000 cap. *See* INA sec. 214(g)(2); 8 U.S.C. 1184(g)(2); 8 CFR 214.2(h)(8)(ii)(A). In addition, USCIS does not apply the 65,000 or 20,000 cap in the following cases: requests for petition extensions or extensions of stay in the United States; and petitions filed on behalf of aliens who are currently in H–1B nonimmigrant status but are seeking to change the terms of current employment, change employers, or work concurrently under a second H–1B petition. Such aliens have already been counted towards the cap(s). *See* INA sec. 214(g)(7), 8 U.S.C. 1184(g)(7); 8 CFR 214.2(h)(8)(ii)(A).

*C. Random Selection Process*

In order to ensure that the 65,000 and 20,000 caps are not exceeded, USCIS monitors the number of H–1B petitions it receives. The first day on which petitioners may file H–1B petitions can be as early as six months ahead of the employment start date. 8 CFR 214.2(h)(9)(i)(B). Therefore, a petitioner requesting an employment start date of October 1, the first day of the next fiscal year, may file the H–1B petition as early as April 1 of the current fiscal year. When USCIS determines, based on the number of H–1B petitions it has received, that the applicable cap will be reached, it announces to the public the final day on which it will accept such petitions for adjudication in that fiscal year. USCIS refers to this day as the "final receipt date." *See* 8 CFR 214.2(h)(8)(ii)(B). USCIS then randomly selects the number of petitions necessary to reach the cap from the petitions received on the final receipt date. *Id.* If USCIS receives sufficient H–1B petitions to reach the cap for the next fiscal year on the first day that filings may be made, that day is the final receipt date. USCIS then randomly applies all of the cap numbers among the H–1B petitions filed on that day and the following day. *Id.*

Following the random selection process conducted for the 65,000 cap, USCIS rejects any petitions that are not selected or that are received after the final receipt date (or the day following the final receipt date, if applicable). *Id.*; 8 CFR 214.2(h)(8)(ii)(D). With respect to the 20,000 cap, USCIS will count any non-selected or subsequently filed H–1B petitions towards the 65,000 cap. If the 65,000 cap already has been reached, however, USCIS will reject such petitions.

The procedures at 8 CFR 214.2(h)(8)(ii)(B) for assigning cap numbers also apply to other H nonimmigrant petitions that are subject to numerical limitations. *See* 8 CFR 214.2(h)(8)(i). However, because demand for other H categories has not been as great as for the H–1B classification, USCIS has only had to apply the random selection procedures to H–1B petitions subject to the overall 65,000 cap or the 20,000 cap on master's degree exemptions.

*D. Random Selection Process Under the 65,000 Cap for Fiscal Year 2008*

On Monday, April 2, 2007, the first available filing day for fiscal year (FY) 2008, USCIS received H–1B petitions totaling nearly twice the 65,000 cap. *See* USCIS Update at *http://www.uscis.gov/files/pressrelease/H1BFY08Cap040307.pdf*. This was the first time since the random selection process regulations were promulgated that USCIS received more petitions than

[1] Initial H–1B petitions involving a DOD research and development or co production project may be approved for a period of up to five years. 8 CFR 214.2(h)(9)(iii)(A)(2).

[2] Aliens entering the United States in H–1B status to perform services of an exceptional nature in a research, development and/or co production project administered by the Department of Defense may remain in the United States for a maximum period of ten years. 8 CFR 214.2(h)(13)(iii)(B).

[3] Certain aliens are exempt from the six-year maximum period of admission under sections 104(c) and 106(a) and (b) of the American Competitiveness in the Twenty-First Century Act of 2000, Pub. L. No. 106–313, 114 Stat. 1251 (2000).

available cap numbers on the first available filing day. USCIS believes that petitioners rushed to file H–1B petitions for FY 2008 on the first available filing day because the cap had been reached very early in the previous fiscal years, and petitioners may have anticipated that a similar shortage of H–1B cap numbers would occur for FY 2008.[4] In order to ensure receipt of a petition by USCIS on April 2, H–1B petitioners incurred significant costs to send their petitions via overnight courier. The huge volume of filings scheduled for delivery on April 2 caused logistical problems for overnight couriers and on the two USCIS service centers where filings could be made.

Using the petitions received on April 2 and April 3, USCIS conducted the random selection process and thereafter rejected all petitions that were not randomly selected. When adjudicating the selected petitions, USCIS found approximately 500 instances where a single beneficiary had been named on at least two petitions filed by the same petitioner in what appears to have been an attempt to increase the chances of being selected in the random selection process. As a general practice, when USCIS approved a petition for a specifically-named individual, it denied any duplicate petitions subsequently adjudicated. Under current procedures, because H–1B cap numbers are allotted per alien, and not per petition, no adverse consequences befall a petitioner that seeks to exploit the system through filing multiple petitions. By statute, USCIS may only allot one cap number per alien beneficiary, regardless of the number of petitions that were filed on the alien's behalf. INA section 214(g)(7), 8 U.S.C. 1184(g)(7).

Based on its experience administering the 65,000 cap, USCIS has determined that the current procedures applicable to petitions filed on behalf of cap-subject aliens pose three problems. First, USCIS has determined that accepting duplicate filings over the course of the fiscal year, as well as for the random selection process, undermines the fair and orderly administration of the cap. When USCIS receives enough H–1B petitions to meet the cap on the first filing day for the coming fiscal year, then conducts an early random selection process, the filing of duplicative petitions increases the odds that USCIS will select at least one of the duplicative petitions for adjudication. Such petitioners thereby gain an unfair advantage over other petitioners participating in the random selection process who filed a single petition for a given beneficiary and job offer. Moreover, the filing of duplicative petitions results in unnecessary adjudications. Such unnecessary adjudications slow the overall processing of H–1B petitions, creating disadvantages for employers and otherwise eligible alien beneficiaries who need to make advance arrangements for the beneficiaries' upcoming employment.

Second, since the current regulations provide that the final receipt date is the first day on which filings will be accepted if the cap is reached on that day, and USCIS understands that petitioners anticipate the cap being reached on the first day for future fiscal years, petitioners feel pressured to file petitions on that day for fear of being excluded from the random selection process. USCIS faces significant logistical difficulties in order to handle such a large number of filings being made on the same day. While the current regulations at 8 CFR 214.2(h)(8)(ii)(B) provide some relief by authorizing USCIS to include in the random selection process petitions filed on the first day and the following day, this relief has proved to be insufficient to alleviate these difficulties.

Third, the filing of duplicate or multiple petitions may result in USCIS making available more than one receipt number to the same beneficiary, making it more difficult for USCIS to achieve an accurate projection of the number of petitions needed to generate the required number of approvals to reach the cap. In turn, USCIS may prematurely determine that the cap has been reached and either subsequently reject timely-filed petitions or close the opportunity for other prospective H–1B employers to file petitions.

*E. Cap on Master's Degree Exemptions*

Just as with the 65,000 cap, the 20,000 cap on master's degree exemptions has been exhausted earlier and earlier for each fiscal year since the cap exemption was added to the law. *See* Omnibus Appropriations Act for Fiscal Year 2005, Div. J, Tit. IV, section 425, Public Law 108–447, 118 Stat. 2809 (2004) (establishing the master's degree exemption). For FY 2006, the 20,000 cap was reached on January 17, 2006. For FY 2007, the cap was reached on July 26, 2006, less than four months after petition filings began on April 1, 2006. For FY 2008, the cap was reached on May 4, 2007, just over one month after petition filings began on April 2, 2007. For each of these fiscal years, USCIS announced a final receipt date and conducted the random selection process. *See* USCIS Update at *http://www.uscis.gov/files/pressrelease/H1Bfy08CapUpdate050407.pdf.* USCIS rejected any non-selected or subsequently filed petitions since the 65,000 cap on H–1B petitions already had been reached by the time USCIS conducted the random selections.

USCIS believes that the trend of exhausting the 20,000 cap on master's degree exemptions at an earlier date will continue. Should both the 20,000 and 65,000 caps be reached on the same day that numbers become available (e.g., April 1 of the preceding fiscal year), no regulatory mechanism is in place to facilitate administration of the 20,000 cap in relation to the 65,000 cap. In addition, while USCIS is not aware of duplicative or multiple H–1B petitions being filed in past fiscal years on behalf of the same aliens eligible for the master's degree exemption, USCIS anticipates the possibility of such filings for future fiscal years as the H–1B classification becomes increasingly oversubscribed. In fact, USCIS believes that for FY 2009, it is likely that petitioners will rush to file H–1B petitions on behalf of aliens eligible for the master's degree exemption on the first available filing days, in anticipation that there will be a shortage of master's degree exemptions.

The filing of duplicative or multiple H–1B petitions on behalf of an alien eligible for the master's degree exemption would place employers filing such petitions at an unfair advantage over employers filing only a single petition by increasing the chances that one of the duplicative or multiple petitions would be selected. This problem would be exacerbated were the 20,000 cap to be reached prior to or at the same time as the 65,000 cap, since all petitions not selected in the random selection process for the 20,000 cap would be considered twice—at the time of the random selection for the 20,000 cap and, thereafter, for the 65,000 cap. This would reduce the availability of H–1B numbers for single petition filers. The same problem holds true if employers of aliens subject to the master's degree exemption seek to increase the chances of obtaining an H–1B number by filing concurrent petitions for the same aliens under both the master's degree exemption and the 65,000 cap. In its administration of the 65,000 and 20,000 caps, USCIS must remove any potential for unfairness and ensure that the H–1B petitions filed on

[4] Each year, the cap has been reached earlier in the year. In FY07, the cap was reached on 5–26–06 (*see http://www.uscis.gov/files/pressrelease/FY07H1Bcap_060106PR.pdf*). In FY06, the cap was reached on 8–10–05 (*http://www.uscis.gov/files/pressrelease/H–1Bcap_12Aug05pdf*). In FY05, the cap was reached on 10–1–04 (*http://www.uscis.gov/files/pressrelease/H1B_05fnl100104.pdf*).

behalf of aliens subject to either or both caps have an equal chance of being selected.

**III. Changes in This Interim Rule**

*A. Final Receipt Date When Cap Numbers Are Used Up Quickly*

This rule provides that USCIS will include petitions filed on all of those first five business days in the random selection process if USCIS receives a sufficient number of petitions to reach the applicable numerical limit (including limits on exemptions) on any one of the five business days on which USCIS may accept petitions. This will eliminate filing problems resulting from a rush of filings made on the first day on which employers may file petitions for the upcoming fiscal year. *See* revised 8 CFR 214.2(h)(8)(ii)(B). USCIS has determined that a filing period of five business days is sufficient to account for a wider range of mail delivery times offered by the various mail delivery providers available to the public.

This rule also provides that, if both the 65,000 and 20,000 caps are reached within the first five business days available for filing H–1B petitions for a given fiscal year, USCIS must first conduct the random selection process for petitions subject to the 20,000 cap on master's degree exemptions before it may begin the random selection process of petitions to be counted towards the 65,000 cap. *See* revised 8 CFR 214.2(h)(8)(ii)(B). After conducting the random selection for petitions subject to the 20,000 cap, USCIS then must add any non-selected petitions to the pool of petitions subject to the 65,000 cap and conduct the random selection process for this combined group of petitions. Therefore, those petitions that otherwise would be eligible for the master's degree exemption that are not selected in the first random selection will have another opportunity to be selected for an H–1B number in the second random selection process. This rule also clarifies that those petitions not selected in either random selection will be rejected. *See id.*

*B. Elimination of Multiple Filings*

To ensure the fair and equitable distribution of cap numbers, this rule precludes a petitioner (or its authorized representative) from filing, during the course of any fiscal year, more than one H–1B petition on behalf of the same alien beneficiary if such alien is subject to the 65,000 cap or qualifies for the master's degree exemption. *See* new 8 CFR 214.2(h)(2)(i)(G). This preclusion applies even if the petitions are not duplicative.

USCIS recognizes that, by statute, multiple filings of H–1B petitions are contemplated. *See* INA sec. 214(g)(7), 8 U.S.C. 1184(g)(7). Nevertheless, USCIS finds that this rule's preclusion of duplicative H–1B filings is consistent with the statute. Section 214(g)(7) of the INA, 8 U.S.C. 1184(g)(7), states that "[w]here multiple petitions are approved for 1 alien, that alien shall be counted only once." USCIS interprets this statutory language as applying to an alien who has multiple petitions filed on his or her behalf by more than one employer. Therefore, an alien who will be performing H–1B duties on behalf of two separate petitioners will be counted only once against the cap. USCIS does not believe that the statutory language at section 214(g)(7) of the INA, 8 U.S.C. 1184(g)(7), was intended to allow a single employer to file multiple H–1B petitions on behalf of the same alien. Such a broad interpretation would undermine the purpose of the H–1B numerical cap since multiple filings can result in the misallocation of the total available cap numbers.

USCIS recognizes that, on occasion, an employer may extend the same alien two or more job offers for distinct positions and therefore have a legitimate business need to file two or more separate H–1B petitions on behalf of the same alien. This rule precludes this practice if the alien beneficiary is subject to the numerical limitations or qualifies for the master's degree exemption. First, allowing multiple filings by one employer on behalf of the same alien could create a loophole for employers that seek to exploit the random selection process to the competitive disadvantage of other petitioners. Such employers could file multiple petitions on behalf of the same alien under the guise that the petitions are based on different job offers, when the employment positions are in fact the same or only very slightly different.

Second, requiring USCIS adjudicators to distinguish between multiple petitions filed by one employer for one alien based on different job offers and duplicative petitions for one alien for the same, single position would require a significant expenditure of limited USCIS adjudicative resources. USCIS could not make such determinations on the face of the petition, but would need to substantively examine and compare the merits of the petition and any other petition filed by the same employer on behalf of the alien. This would defeat the purpose of the random selection process, which is not intended to be a decision on the merits, but instead, an expeditious way for USCIS to determine which petitions are eligible for consideration on the merits.

Finally, prohibiting employers from filing multiple petitions on behalf of the same alien should have no impact on the unusual situation where an employer may have the same alien in mind for materially distinct employment positions. Once an alien is allocated an H–1B number based on one petition, the employer is able to file an amended petition or a petition for concurrent employment to reflect the different nature of the duties that are associated with the beneficiary's second employment position. Since the alien would have already been counted against the cap, such amended or additional petition would not be affected by the prohibition on multiple petition filings. *See* INA sec. 214(g)(7), 8 U.S.C. 1184(g)(7).

For these reasons, USCIS believes that it must curtail both duplicative and multiple petition filings by the same employer in order to prevent future fairness problems similar to those USCIS experienced with its administration of the FY 2008 random selection process for the 65,000 cap. Accordingly, this rule provides that USCIS will deny all the petitions filed by an employer (or authorized representative) for the same fiscal year with respect to the same alien subject to the 65,000 or 20,000 caps. *See* new 8 CFR 214.2(h)(2)(i)(G). In cases where USCIS does not discover that duplicative or multiple petitions were filed until after approving them, this rule also provides that USCIS may revoke all such petitions if they were approved after this rule becomes effective. *Id.*

This rule does not, however, preclude related employers from filing petitions on behalf of the same alien. USCIS recognizes that an employer and one or more related entities (such as a parent, subsidiary or affiliate) may extend the same alien two or more job offers for distinct positions and therefore have a legitimate business need to file two or more separate H–1B petitions on behalf of the same alien.

For example, a Fortune 500 company may be the parent company of numerous U.S.-based subsidiaries whose business is to engage in either the food, beverage or snack industries. Each line of business may, in turn, be divided into several business units and operate distinct companies (restaurant, bottled beverage plant, cereal manufacturer, etc) with different EIN numbers, addresses, etc. Although all the subsidiaries are ultimately related to the parent company through corporate ownership, this rule does not prohibit different

subsidiaries from filing one H–1B petition each on behalf of the same alien so long as each employer/subsidiary has a legitimate business need to hire such alien for a position within that subsidiaries' corporate structure. Thus, in this example, if the bottled beverage plant owned by the Fortune 500 company and the cereal manufacturing company owned by the same Fortune 500 company are each in need of the services of a Chief Financial Officer, both may file one petition each on behalf of the same alien. A subsidiary should not file an H–1B petition for an alien just to increase the alien's chances of being selected for an H–1B number where that subsidiary has no legitimate need to employ the alien and is, instead, only filing a petition to facilitate the alien's hiring by a different, although related, subsidiary.

USCIS may issue a request for additional evidence or notice of intent to deny, or notice of intent to revoke for any or each petition if it determines that the employer and related entity(ies) filed a duplicate petition as defined in this regulation. *See* 8 CFR parts 103 and 214.2(h)(11). The burden rests with the employer to establish that it has a legitimate business need to file more than one H–1B petition on behalf of the same alien. If the employer does not meet its burden, USCIS may deny or revoke each petition, as appropriate. Without such authority, a loophole would exist for related employers to file multiple petitions on behalf of the same alien under the guise that the petitions are based on different job offers, when the true purpose of filing the petitions is to secure employment for the alien with a single employer seeking his or her services. As an example, one target of this provision is the unscrupulous employer that establishes or uses shell subsidiaries or affiliates to file additional petitions on behalf of the same alien in order to increase the alien's chances of being allotted an H–1B number. USCIS believes that these consequences are warranted in order to deter unfair filing practices and further ensure the integrity of the H–1B cap counting process.

To date, USCIS has identified the problems resulting from multiple filings only in the context of H–1B petitions. For this reason, this rule limits the bar on multiple petition filings to H–1B petitions.

*C. Denial of Petitions After Cap Numbers Are Used*

Over the past few years, USCIS has received a significant number of petitions that claim to be exempt from the 65,000 cap, but are determined after the final receipt date or after all cap numbers have been used to be subject to the cap. The current regulations do not specifically address treatment of such petitions. This rule amends the regulations to clarify that such petitions will be denied rather than rejected. See revised 8 CFR 214.2(h)(8)(ii)(B) and (D). USCIS has determined that denial of these petitions is appropriate because USCIS must adjudicate them in order to make a determination on whether the alien beneficiary is subject to the numerical cap. USCIS only rejects filings before an adjudication takes place. See 8 CFR 103.2(a)(7). Because USCIS must adjudicate these petitions, it will not return the petition and refund the filing fee.

*D. Technical Changes*

1. Removal of References To Cap Numbers

This rule revises 8 CFR 214.2(h)(8)(i)(A) to remove specific references to the H–1B numerical cap. The revised paragraph now generally refers to the numerical limitations set forth in section 214(g)(1) of the INA, 8 U.S.C. 1184(g)(1). USCIS has determined that specifying the cap numbers in the regulations is not necessary and may cause confusion in the future should Congress change the INA.

2. Inclusion of 20,000 Cap

This rule revises 8 CFR 214.2(h)(8)(ii)(B) to clarify that the random selection process applies to the administration of the 20,000 cap on master's degree exemptions. The current provision generally refers to "numerical limitations," "the numerical limit," or "cap." To maintain consistent terminology, this rule also replaces references in 8 CFR 214.2(h)(8)(ii)(B) and (D) to the "cap" with the statutory term, "numerical limitations."

**IV. Regulatory Requirements**

*A. Administrative Procedure Act*

This final rule addresses requirements that are procedural in nature and does not alter the substantive rights of applicants or petitioners for immigration benefits. Accordingly, this final rule is exempt from the notice and comment requirements under the Administrative Procedure Act (APA) at 5 U.S.C. 553(b)(A). This rule does not change the eligibility rules governing any immigration benefit. It will not confer rights or obligations upon any party. This rule clarifies existing USCIS regulations and modifies the filing requirements for petitioners submitting H–1B petitions.

In addition, USCIS believes that good cause exists to implement this change effective immediately upon publication in the **Federal Register** as an interim final rule without first providing notice and the opportunity for public comment. The APA provides that an agency may dispense with notice and comment rulemaking procedures when an agency, for "good cause," finds that those procedures are "impracticable, unnecessary, or contrary to the public interest." *See* 5 U.S.C. 553(b)(B). The exception excuses notice and comment, in emergency situations, or where "the delay created by the notice and comment requirements would result in serious damage to important interests." *Woods Psychiatric Institute* v. *United States*, 20 Cl. Ct. 324, 333 (Cl. Ct. 1990) *aff'd* 925 F.2d 1454 (Fed. Cir. 1991); *also National Fed'n of Fed. Employees* v. *National Treasury Employees Union*, 671 F.2d 607, 611(D.C. Cir. 1982).

This rule is necessary to preclude the potential for abuse by those petitioners who might seek an unfair advantage in obtaining one of the limited number of H–1B petition approvals. As discussed above, last year was the first year that the 65,000 H–1B cap was reached on the same day that petitioners could begin to file petitions. USCIS believes that the practice of filing multiple petitions in an effort to exploit the random selection process has become more wide-spread over the past year as fears are raised that the 65,000 H–1B cap and 20,000 cap on master's degree exemptions for FY 2009 will be reached on April 1, 2008. Delay in issuing this regulation to consider public comment, would not allow USCIS to ameliorate the problem by removing this loophole in time for the April 1, 2008 filing start date. This would adversely impact a large number of companies, in particular smaller businesses that cannot afford to pay multiple petition fees to secure an H–1B visa for their employees.

Accordingly, USCIS is implementing these amendments as an interim rule effective immediately upon publication in the **Federal Register**. USCIS nevertheless invites comments on this rule and will consider all timely comments in the preparation of a final rule.

*B. Regulatory Flexibility Act*

The Regulatory Flexibility Act (RFA) (5 U.S.C. 603(b)), as amended by the Small Business Regulatory Enforcement and Fairness Act of 1996 (SBREFA), requires an agency to prepare and make available to the public a regulatory flexibility analysis that describes the effect of a proposed rule on small entities (i.e., small businesses, small

organizations, and small governmental jurisdictions) when the agency is required "to publish a general notice of proposed rulemaking for any proposed rule." Because this rule is being issued as an interim rule, on the grounds set forth above, a regulatory flexibility analysis is not required under the RFA.

*C. Unfunded Mandates Reform Act of 1995*

This rule will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100 million or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

*D. Small Business Regulatory Enforcement Fairness Act of 1996*

This rule is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Act of 1996. This rule will not result in an annual effect on the economy of $100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

*E. Executive Order 12866 (Regulatory Planning and Review)*

This rule has been designated as a "significant regulatory action" by the Office of Management and Budget (OMB) under Executive Order 12866, section 3(f), Regulatory Planning and Review. Accordingly, an analysis of the economic impacts of this rule has been prepared and submitted to the Office of Management and Budget (OMB) for review. This rule imposes no additional costs on the public, or any regulated entity that is subject to its provisions. This rule does not preclude any petitioner from filing a legitimate petition, only the filing of the same petition more than once. The race to meet the filing date of each fiscal year has become a ritual for H–1B petitioners and USCIS expects the 65,000 and 20,000 maximums to be met easily every year. Thus, the volume of applications and fee income are not expected to change from current levels. This rule may result in a fee being collected instead of returned if the prohibition against duplicate petitions is violated, because while in 2007 only the duplicate petition was denied if the first one adjudicated was approved, this rule provides that both petitions will be denied. Nonetheless, all employers and employees that are the subject of a timely filing will have the same chance as all others for their petition to be selected for processing. This rule does not change that. Hence, this rule will benefit both petitioners and alien beneficiaries by making sure that all petitioners have an equal chance to have their petition considered. A copy of the complete analysis is available in the rulemaking docket for this rule at *www.regulations.gov*, under Docket No. USCIS–2007–0060, or by calling the information contact listed above.

*F. Executive Order 13132 (Federalism)*

This rule would have no substantial direct effects on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

*G. Paperwork Reduction Act*

Under the Paperwork Reduction Act of 1995, Public Law 104–13, all Departments are required to submit to the Office of Management and Budget (OMB), for review and approval, any reporting requirements inherent in a rule. This rule does not impose any new reporting or record-keeping requirements under the Paperwork Reduction Act.

**List of Subjects in 8 CFR Part 214**

Administrative practice and procedure, Aliens, Employment, Foreign Officials, Health Professions, Reporting and recordkeeping requirements, Students.

■ Accordingly, part 214 of chapter I of title 8 of the Code of Federal Regulations is amended as follows:

## PART 214—NONIMMIGRANT CLASSES

■ 1. The authority citation for part 214 continues to read as follows:

**Authority:** 8 U.S.C. 1101, 1102, 1103, 1182, 1184, 1186a, 1187, 1221, 1281, 1282, 1301–1305 and 1372; sec. 643, Pub. L. 104–208, 110 Stat. 3009–708; Pub. L. 106–386, 114 Stat. 1477–1480; section 141 of the Compacts of Free Association with the Federated States of Micronesia and the Republic of the Marshall Islands, and with the Government of Palau, 48 U.S.C. 1901 note, and 1931 note, respectively; 8 CFR part 2.

■ 2. Section 214.2 is amended by:
■ a. Adding new paragraph (h)(2)(i)(G);
■ b. Revising paragraph (h)(8)(i)(A);
■ c. Revising paragraph (h)(8)(ii)(B); and by
■ d. Revising paragraph (h)(8)(ii)(D).
The addition and revisions read as follows:

**§ 214.2 Special requirements for admission, extension, and maintenance of status.**

* * * * *

(h) * * *

(2) * * *

(i) * * *

(G) *Multiple H–1B petitions.* An employer may not file, in the same fiscal year, more than one H–1B petition on behalf of the same alien if the alien is subject to the numerical limitations of section 214(g)(1)(A) of the Act or is exempt from those limitations under section 214(g)(5)(C) of the Act. If an H–1B petition is denied, on a basis other than fraud or misrepresentation, the employer may file a subsequent H–1B petition on behalf of the same alien in the same fiscal year, provided that the numerical limitation has not been reached or if the filing qualifies as exempt from the numerical limitation. Otherwise, filing more than one H–1B petition by an employer on behalf of the same alien in the same fiscal year will result in the denial or revocation of all such petitions. If USCIS believes that related entities (such as a parent company, subsidiary, or affiliate) may not have a legitimate business need to file more than one H–1B petition on behalf of the same alien subject to the numerical limitations of section 214(g)(1)(A) of the Act or otherwise eligible for an exemption under section 214(g)(5)(C) of the Act, USCIS may issue a request for additional evidence or notice of intent to deny, or notice of intent to revoke each petition. If any of the related entities fail to demonstrate a legitimate business need to file an H–1B petition on behalf of the same alien, all petitions filed on that alien's behalf by the related entities will be denied or revoked.

* * * * *

(8) * * *

(i) * * *

(A) Aliens classified as H–1B nonimmigrants, excluding those involved in Department of Defense research and development projects or coproduction projects, may not exceed the limits identified in section 214(g)(1)(A) of the Act.

* * * * *

(ii) * * *

(B) When calculating the numerical limitations or the number of exemptions under section 214(g)(5)(C) of the Act for a given fiscal year, USCIS will make numbers available to petitions in the

Out-of-Scope



order in which the petitions are filed. USCIS will make projections of the number of petitions necessary to achieve the numerical limit of approvals, taking into account historical data related to approvals, denials, revocations, and other relevant factors. USCIS will monitor the number of petitions (including the number of beneficiaries requested when necessary) received and will notify the public of the date that USCIS has received the necessary number of petitions (the "final receipt date"). The day the news is published will not control the final receipt date. When necessary to ensure the fair and orderly allocation of numbers in a particular classification subject to a numerical limitation or the exemption under section 214(g)(5)(C) of the Act, USCIS may randomly select from among the petitions received on the final receipt date the remaining number of petitions deemed necessary to generate the numerical limit of approvals. This random selection will be made via computer-generated selection as validated by the Office of Immigration Statistics. Petitions subject to a numerical limitation not randomly selected or that were received after the final receipt date will be rejected. Petitions filed on behalf of aliens otherwise eligible for the exemption under section 214(g)(5)(C) of the Act not randomly selected or that were received after the final receipt date will be rejected if the numerical limitation under 214(g)(1) of the Act has been reached for that fiscal year. Petitions indicating that they are exempt from the numerical limitation but that are determined by USCIS after the final receipt date to be subject to the numerical limit will be denied and filing fees will not be returned or refunded. If the final receipt date is any of the first five business days on which petitions subject to the applicable numerical limit may be received (i.e., if the numerical limit is reached on any one of the first five business days that filings can be made), USCIS will randomly apply all of the numbers among the petitions received on any of those five business days, conducting the random selection among the petitions subject to the exemption under section 214(g)(5)(C) of the Act first.

* * * * *

(D) If the total numbers available in a fiscal year are used, new petitions and the accompanying fee shall be rejected and returned with a notice that numbers are unavailable for the particular nonimmigrant classification until the beginning of the next fiscal year. Petitions received after the total numbers available in a fiscal year are used stating that the alien beneficiaries are exempt from the numerical limitation will be denied and filing fees will not be returned or refunded if USCIS later determines that such beneficiaries are subject to the numerical limitation.

* * * * *

Dated: March 18, 2008.

**Michael Chertoff,**

*Secretary.*

[FR Doc. E8–5906 Filed 3–21–08; 8:45 am]

BILLING CODE 4410–10–P

*Office of Communications*
U.S. Citizenship and Immigration Services

# Fact Sheet

March 19, 2008

## CHANGES TO THE FY2009 H-1B PROGRAM

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) issued an interim final rule today that prohibits employers from filing more than one petition for an H-1B visa for a single employee in a fiscal year. The change is intended to promote a fair and systematic process for H-1B petitioners. This rule ensures that companies filing H-1B petitions that are subject to numerical limits will have an equal chance to receive consideration for an H-1B worker.

The interim final rule will become effective upon publication in the *Federal Register* and may be accessed via USCIS' website at www.uscis.gov.

### BACKGROUND

U.S. businesses utilize the H-1B program to employ foreign workers in fields that require theoretical and practical expertise in specialized occupations requiring a bachelor's degree or higher (or its equivalent), such as scientists, engineers, or computer programmers. By law, USCIS cannot grant more than 65,000 new H-1B visas per fiscal year, subject to certain limited exceptions. The first 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned masters' or higher degrees are exempt from the H-1B numerical limitation of 65,000. USCIS administers a separate "20,000 cap" for such exempt petitions.

USCIS will use a random selection process for all the master's degree or higher cap-exempt cases received on the first five business days available for filing H-1B petitions for a given fiscal year, if necessary. In the event that the U.S. master's exemption limit is reached on the first five business days, USCIS will first conduct the random selection process for such petitions before it begins random selection for petitions to be counted toward the 65,000 cap. Petitions eligible for the U.S. master's degree or higher exemption that are not selected to receive an H-1B visa number from the 20,000 cap will be considered with the other H-1B petitions in the random selection for the 65,000 cap filed on the first five business days.

### CAP-EXEMPT PETITION

USCIS also notes that petitions for new H-1B employment are exempt from the cap if the aliens will work at the defined institutions of higher education or a related or affiliated nonprofit entities, or at nonprofit research organizations or governmental research organizations. Thus, employers may continue to file petitions for these exempt H-1B categories regardless of H-1B visa number availability.

(more)

## CAP PROCEDURES

USCIS will use the following process for handling H-1B petitions subject to the FY 2009 cap:

- April 1, 2008 is the first day petitions may be received for an October 1, 2008 start date. When it is determined that the numerical limitations have been reached, USCIS employs a random selection process to choose among the petitions received on the "final receipt date." If the "final receipt date" falls within any one of the first five business days, the random selection will be run using all the cap-subject petitions received on those five days.

- USCIS will reject and return the filing fee(s) for all cap-subject H-1B petitions that are not selected in the process described above. The new rule clarifies that this provision only applies to petitions that indicate they are cap-subject. If a petitioner claims to be exempt from the cap and is later found to be subject to the cap, USCIS will not refund or return fees and that petition will be denied if no cap numbers are available.

- Petitions for the FY 2009 cap received before April 1, 2008 will be rejected. A petition is considered received when USCIS takes possession of and stamps the petition as received, not by the date the petition is postmarked.

In order to fully utilize its data entry and initial processing capacity, USCIS may choose to distribute filings received at one service center to other service centers for data entry. In the event that USCIS exercises this option, petitioners may receive receipt notices or other correspondence from a service center other than the one to which their H-1B petition was mailed.

## PREMIUM PROCESSING

Cap-subject petitions requesting premium processing that are received on the "final receipt date," or during the initial five business day period mentioned above, cannot be processed until after the random selection has been completed. The premium processing 15-day adjudication period (processing deadline) will not begin until such time as USCIS has completed the random selection process.

The number of master's exemption cases received cannot be determined until all the petitions have been sorted and counted. The same holds true for the master's exemption premium processing cases. In accordance with established guidelines, USCIS will refund premium processing fees for any filings for which it cannot meet processing deadlines. Even if USCIS issues a refund of the premium processing fee, it will continue to provide premium processing for these filings until completion.

**CURRENT H-1B WORKERS**

Petitions filed on behalf of current H-1B workers do not count towards the congressionally mandated H-1B cap. Accordingly, this rule does not affect USCIS processing of petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States;
- Change the terms of employment for current H-1B workers;
- Allow current H-1B workers to change from one cap-subject position to a different cap-subject position with a different employer; or
- Allow current H-1B workers to work concurrently in a second H-1B position.

– USCIS –

# Questions and Answers

Revised May 9, 2008

## USCIS ANNOUNCES INTERIM RULE ON H-1B VISAS

*Rule Modifies Petition Selection Process and Prohibits Multiple Filings*

**What is the H-1B visa program?**

The H-1B visa program is used by U.S. businesses to employ foreign workers in occupations that require theoretical and practical application of highly specialized knowledge and a bachelor's degree or higher (or its equivalent), such as scientists, engineers, or computer programmers.

**What is the purpose of the new rule?**

The overall goal of the new rule is to promote equal opportunity for prospective petitioners seeking visas for H-1B workers.

**What are the specific modifications under the new rule?**

1. USCIS will now either deny or revoke multiple petitions filed by an employer for the same H-1B worker.
2. USCIS will not refund filing fees for duplicative or multiple H-1B petitions.
3. In years when USCIS implements the random selection process for petitions, USCIS will include petitions in the random selection process that are filed during the first five business days available for filing H-1B petitions for a given fiscal year, rather than just the first two such days.
4. If a petition incorrectly indicates that it is exempt from any of the H-1B numerical limits, the petition will be denied if no H-1B visa numbers are available and the filing fees will not be returned.

**Do the new rules referencing multiple filings on behalf of one worker apply to a parent company and its affiliated entities?**

The rule does not prevent related employers (such as a parent company and its subsidiary) from filing petitions on behalf of the same alien for different positions, based on legitimate business need.

**How long did it take for the prior FY2008 congressionally mandated H-1B caps to be reached?**

April 2, 2007 was the first day H-1B petitions could be received for Fiscal Year 2008. On that day USCIS received enough petitions to fill the 65,000 cap for Fiscal Year 2008. On April 30, 2007, USCIS received enough petitions to fill the 20,000 advanced degree cap.

(more)

**What are the FY2009 congressionally mandated H-1B caps?**

By law, the congressionally mandated cap is 65,000 for new H-1B visas per fiscal year, subject to certain limited exceptions. The advanced degree exemption is 20,000 H-1B visas.

**When can employers file an H-1B petition for fiscal year 2009?**
April 1, 2008 is the first day petitions may be received for an October 1, 2008 start date.

**What happens when the cap is reached?**
When it is determined that the numerical limitations have been reached, USCIS employs a random selection process to choose among the petitions received on the "final receipt date." If the "final receipt date" falls within any one of the first five business days, the random selection will be run using all the cap-subject petitions received during those five days.

If the limits are reached during that period:

- 20,000 Reached - USCIS randomly selects from these petitions ahead of selection for the 65,000 limit.
- Over 20,000 Not Selected - Considered with other H-1B petitions in the random selection for the 65,000 limit.
- Under 20,000 – Ongoing approvals counted toward the 20,000 cap until the limit is reached.

**If USCIS finds out that an employer is filing multiple petitions for the same potential employee, will USCIS disqualify that employer entirely?**

USCIS will handle all duplicate filings in accordance with the interim final rule published on March 24, 2008 in the Federal Register. USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one is filing is discovered. If duplicate or multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 14, 2008

## USCIS RUNS RANDOM SELECTION PROCESS FOR H-1B PETITIONS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today conducted the computer-generated random selection processes on H-1B petitions, to select which H-1B petitions for fiscal year 2009 (FY 2009) would continue to full adjudication. If approved these H-1B petitions will be eligible to receive an H-1B visa number.

USCIS conducted two random selections, first on petitions qualifying for the 20,000 "master's or higher degree" (advanced degree) exemption, and second on the remaining advance degree petitions together with the general H-1B pool of petitions, for the 65,000 cap.

The approximately 163,000 petitions received on the first five days of the eligible filing period for FY 2009 (April 1 through April 7, 2008) were labeled with unique numerical identifiers. USCIS has notified the appropriate service centers which numerical identifiers have been randomly selected, so each center may continue with final processing of the petitions associated with those numerical identifiers.

Petitioners whose properly filed petitions have been selected for full adjudication should receive a receipt notice dated no later than June 2, 2008. USCIS will return unselected petitions with the fee(s) to petitioners or their authorized representatives. As previously announced, duplicate filings will be returned without the fee. The total adjudication process is expected to take approximately eight to ten weeks.

For cases selected through the random selection process and initially filed for premium processing, the 15-day premium processing period begins today (April 14), the day of the random selection process.

USCIS has "wait-listed" some H-1B petitions, meaning they may possibly replace petitions chosen to receive an FY-2009 cap number, but that subsequently are denied, withdrawn, or otherwise found ineligible. USCIS will retain these petitions until a decision is made whether they will replace a previously selected petition. USCIS will send a letter to the wait list petitioners to inform them of their status

USCIS expects that for each of these wait-listed petitions, it will either issue a receipt notice or return the petition with fees within six to eight weeks.

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U.S. Citizenship and Immigration Services

# USCIS Update

April 18, 2008

## USCIS TO ALLOW F-1 STUDENTS OPPORTUNITY TO REQUEST CHANGE OF STATUS

*Short-term, Immediate Measure for Beneficiaries of Selected H-1B Petitions*

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it would allow F-1 students who are the beneficiaries of selected H-1B petitions for fiscal year (FY) 2009 to request a change of status in lieu of consular notification.

This short-term measure follows an April 8, 2008 interim final rule that, among other actions, automatically extends the F-1 status of qualifying students who are the beneficiaries of approved H-1B petitions to cover the gap between the expiration of a student's F-1 status and the H-1B employment start date of October 1. To obtain the automatic extension, a student must be the beneficiary of an H-1B petition filed for the next fiscal year (with an October 1 employment start date) and have requested a change of status. For F-1 student beneficiaries of petitions that USCIS subsequently rejects, denies, or revokes, or for those who violate their status, the automatic extension terminates at that time.

Since the rule was published after the filing period had closed for new FY 2009 H-1B petitions, many petitioners of F-1 students did not include a request for a change of status with the H-1B petition. Instead, petitioners requested consular notification based on the assumption that these students would have been required to leave the United States to obtain an H-1B visa at a consular office abroad.

USCIS has determined that it will allow petitioners of F-1 students whose H-1B petitions were randomly selected to receive an H-1B visa number for FY2009 following the closure of the filing period, to now request a change of status on behalf of qualified beneficiaries, if such requests are received within 30 days of the issuance of the receipt notice.

To request a change of status in lieu of consular notification, petitioners (or authorized representatives) should send an e-mail with the request to the USCIS service center where their petition is pending within 30 days of the issuance of the receipt notice. Special email addresses for each service center have been established specifically for this purpose. These addresses are listed below and are posted on USCIS' website. Petitioners should e-mail their requests for change of status in lieu of consular notification upon receipt of the notice so the agency has the request before completing H-1B petition adjudication. The requests should include the receipt number and both the petitioner's and beneficiary's name, date of birth, I-94 (Arrival/Departure Record) number, and Student and Exchange Visitor Information System (SEVIS) number. Please do not contact the service center about requesting a change of status until after receiving the receipt notice.

E-mail addresses for requesting change of status are:

- Vermont Service Center
  - Premium Processing cases: VSCPPCAPGAP.Vscppcapgap@dhs.gov
  - Non-Premium cases: VSCNONPPCAPGAP.Vscnonppcapgap@dhs.gov
- California Service Center
  - Premium Processing cases: CSC.ppcapgap@dhs.gov
  - Non-Premium cases: CSC.nonppcapgap@dhs.gov

NOTE: If an F-1 student, who is the beneficiary of a selected 2009 H-1B petition, has a pending request to change to a status other than H-1B but now wants to file under the process outlined above, he or she should withdraw the previously filed change in accordance with established regulations.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 10, 2008

## USCIS RELEASES PRELIMINARY NUMBER OF FY 2009 H-1B CAP FILINGS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced a preliminary number of nearly 163,000 H-1B petitions received during the filing period ending on April 7, 2008. More than 31,200 of those petitions were for the advanced degree exemption.

USCIS expects next week it will conduct the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption. Those petitions not selected under the advanced degree exemption will join the random selection process for the regular 65,000 cap.

USCIS will reject, and return filing fees for all cap-subject petitions not randomly selected, unless found to be a duplicate. USCIS will handle duplicate filings in accordance with the interim final rule published on March 24, 2008 in the *Federal Register*.

USCIS will provide regular updates as the processing of FY 2009 H-1B cap cases continues.

– USCIS –

www.uscis.gov

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 4, 2008

## USCIS TO ACCEPT H-1B PETITIONS SENT TO CALIFORNIA OR VERMONT SERVICE CENTERS

*Temporary Accommodation Made for FY-09 Cap-Subject H-1B Petitions*

**WASHINGTON** – U.S. Citizenship and Immigration Services (USCIS) announced today that it will not reject an H-1B petition that is subject to the fiscal year 2009 cap solely on the grounds that it was received at the wrong service center (e.g., the petition may have been inadvertently mailed to the California Service Center instead of the Vermont Service Center or vice versa).

It is important to note this accommodation does not apply if the petitions were sent to the Texas or Nebraska Service Centers.

USCIS is taking this limited, short-term measure to alleviate concerns from the public where an H-1B petition has been received by USCIS but at the incorrect Service Center. This measure applies only to H-1B petitions subject to the fiscal year 2009 cap that are received by USCIS before the close of business on the "final receipt date". USCIS will announce the final receipt date once the agency determines it has received the number of petitions needed to fill the congressionally mandated limitations of 65,000 new H-1B visas and 20,000 U.S. advanced degree exemptions per fiscal year. For more information on the H-1B program, please visit the USCIS website.

– USCIS –

*Office of Communications*
U.S. Citizenship and Immigration Services

# Fact Sheet

March 19, 2008

## CHANGES TO THE FY2009 H-1B PROGRAM

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) issued an interim final rule today that prohibits employers from filing more than one petition for an H-1B visa for a single employee in a fiscal year. The change is intended to promote a fair and systematic process for H-1B petitioners. This rule ensures that companies filing H-1B petitions that are subject to numerical limits will have an equal chance to receive consideration for an H-1B worker.

The interim final rule will become effective upon publication in the *Federal Register* and may be accessed via USCIS' website at www.uscis.gov.

### BACKGROUND

U.S. businesses utilize the H-1B program to employ foreign workers in fields that require theoretical and practical expertise in specialized occupations requiring a bachelor's degree or higher (or its equivalent), such as scientists, engineers, or computer programmers. By law, USCIS cannot grant more than 65,000 new H-1B visas per fiscal year, subject to certain limited exceptions. The first 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned masters' or higher degrees are exempt from the H-1B numerical limitation of 65,000. USCIS administers a separate "20,000 cap" for such exempt petitions.

USCIS will use a random selection process for all the master's degree or higher cap-exempt cases received on the first five business days available for filing H-1B petitions for a given fiscal year, if necessary. In the event that the U.S. master's exemption limit is reached on the first five business days, USCIS will first conduct the random selection process for such petitions before it begins random selection for petitions to be counted toward the 65,000 cap. Petitions eligible for the U.S. master's degree or higher exemption that are not selected to receive an H-1B visa number from the 20,000 cap will be considered with the other H-1B petitions in the random selection for the 65,000 cap filed on the first five business days.

### CAP-EXEMPT PETITION

USCIS also notes that petitions for new H-1B employment are exempt from the cap if the aliens will work at the defined institutions of higher education or a related or affiliated nonprofit entities, or at nonprofit research organizations or governmental research organizations. Thus, employers may continue to file petitions for these exempt H-1B categories regardless of H-1B visa number availability.

(more)

## CAP PROCEDURES

USCIS will use the following process for handling H-1B petitions subject to the FY 2009 cap:

- April 1, 2008 is the first day petitions may be received for an October 1, 2008 start date. When it is determined that the numerical limitations have been reached, USCIS employs a random selection process to choose among the petitions received on the "final receipt date." If the "final receipt date" falls within any one of the first five business days, the random selection will be run using all the cap-subject petitions received on those five days.

- USCIS will reject and return the filing fee(s) for all cap-subject H-1B petitions that are not selected in the process described above. The new rule clarifies that this provision only applies to petitions that indicate they are cap-subject. If a petitioner claims to be exempt from the cap and is later found to be subject to the cap, USCIS will not refund or return fees and that petition will be denied if no cap numbers are available.

- Petitions for the FY 2009 cap received before April 1, 2008 will be rejected. A petition is considered received when USCIS takes possession of and stamps the petition as received, not by the date the petition is postmarked.

In order to fully utilize its data entry and initial processing capacity, USCIS may choose to distribute filings received at one service center to other service centers for data entry. In the event that USCIS exercises this option, petitioners may receive receipt notices or other correspondence from a service center other than the one to which their H-1B petition was mailed.

## PREMIUM PROCESSING

Cap-subject petitions requesting premium processing that are received on the "final receipt date," or during the initial five business day period mentioned above, cannot be processed until after the random selection has been completed. The premium processing 15-day adjudication period (processing deadline) will not begin until such time as USCIS has completed the random selection process.

The number of master's exemption cases received cannot be determined until all the petitions have been sorted and counted. The same holds true for the master's exemption premium processing cases. In accordance with established guidelines, USCIS will refund premium processing fees for any filings for which it cannot meet processing deadlines. Even if USCIS issues a refund of the premium processing fee, it will continue to provide premium processing for these filings until completion.

**CURRENT H-1B WORKERS**

Petitions filed on behalf of current H-1B workers do not count towards the congressionally mandated H-1B cap. Accordingly, this rule does not affect USCIS processing of petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States;
- Change the terms of employment for current H-1B workers;
- Allow current H-1B workers to change from one cap-subject position to a different cap-subject position with a different employer; or
- Allow current H-1B workers to work concurrently in a second H-1B position.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# News Release

March 19, 2008

## USCIS ANNOUNCES INTERIM RULE ON H-1B VISAS

*Rule Modifies Selection Process and Prohibits Multiple Filings*

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) transmitted an interim final rule to the *Federal Register* today that prohibits employers from filing multiple H-1B petitions for the same employee. These changes will ensure that companies filing H-1B petitions subject to congressionally mandated numerical limits have an equal chance to employ an H-1B worker. To ensure a fair and orderly distribution of available H-1B visas, USCIS will deny or revoke multiple petitions filed by an employer for the same H-1B worker and will not refund the filing fees submitted with multiple or duplicative petitions.

This rule does not preclude related employers (such as a parent company and its subsidiary) from filing petitions on behalf of the same alien for different positions, based on a legitimate business need. The interim final rule becomes effective upon publication in the *Federal Register.*

Last August, President Bush announced that the Administration would be undertaking a series of immigration and border security reforms. The changes to the H-1B filing process under this rule are an important part of that initiative.

On April 1, 2008, employers may file petitions requesting H-1B workers for fiscal year 2009 employment starting on October 1, 2008. For fiscal year 2009, Congress has set a limit of 65,000 for most H-1B workers. Additionally, the first 20,000 H-1B workers who have a U.S. master's degree or higher are exempt from the cap. Under current procedures, which are not changed by this rule, once USCIS receives 20,000 petitions for aliens with a U.S. master's degree or higher, all other cases requesting the educational exemption are counted toward the 65,000 cap. Once the 65,000 cap is reached for a fiscal year, USCIS will announce that the cap has been filled and reject further petitions subject to the cap.

This rule also stipulates that if USCIS determines the number of H-1B petitions received meets the cap within the first five business days of accepting applications for the coming fiscal year, USCIS will apply a random selection process among all H-1B petitions received during this time period. If the 20,000 advanced degree limit is reached during the first five business days, USCIS will randomly select from those petitions ahead of conducting the random selection for the 65,000 limit. Petitions subject to the 20,000 limit that are not selected in that random selection will be considered with the other H-1B petitions in the random selection for the 65,000 limit.

The rule further clarifies that USCIS will deny petitions that incorrectly claim an exemption from any H-1B numerical limits. Those filing fees will not be returned.

This interim final rule can be viewed, along with additional information on this rule and the H-1B program, at USCIS' website at www.uscis.gov.

– USCIS –

# USCIS Update

January 30, 2008

## USCIS ANNOUNCES CENTRALIZED FILING LOCATION FOR CERTAIN H-1B CAP EXEMPT PETITIONERS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced today a new customer service initiative to streamline the adjudication of H-1B petitions. Effective today, USCIS will employ a special unit dedicated to processing these types of H-1B cap exempt petitions at the USCIS California Service Center (CSC). Aliens employed by certain types of educational, nonprofit or governmental organizations, as defined below (normally referred to as "cap exempt," aliens employed by such entities are not subject to the H-1B numerical limitations). *See* section 214(g)(5)(a) and (b) of the Immigration and Nationality Act (INA); and 8 CFR 214.2 (h)(8)(A).

H-1B "cap exempt" petitions, as referenced here, include petitions filed by:

- Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a);
- Nonprofit organizations or entities related to or affiliated with institutions of higher education; and
- Nonprofit research organizations or governmental research organizations, as defined in 8 CFR 214.2(h)(19)(iii)(C).

Such institutions and organizations can indicate that their H-1B filing is cap exempt by marking Form I-129 (Petition of Non-Immigrant Worker) with a "yes" answer to questions 1, 2, or 3 in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (page 10).

H-1B petitioners are now encouraged to use the following special mailing address for qualifying H-1B cap exempt petitions. To determine if your petition qualifies, please make sure your institution or organization fits one of the categories listed above.

For Direct Mail:

**U. S. Citizenship and Immigration Services**
**California Service Center**
**ATTN: CAP EXEMPT H-1B Processing Unit**
**P.O. BOX 30040**
**Laguna Niguel, CA 92607-3004**

For non-United States Postal Service (USPS) deliveries (e.g. private couriers):

**U. S. Citizenship and Immigration Services**
**California Service Center**
**ATTN: CAP EXEMPT H-1B Processing Unit**
**24000 Avila Road, Room 2312**
**Laguna Niguel, CA 92677**

Each H-1B petitioner is encouraged to mark the outside of the envelope and the top margin of the I-129 form, with "EXEMPT." This will ensure quick identification of the H-1B filing throughout the petition's processing at CSC.

If a cap exempt H-1B petition is received at a different Service Center, that Service Center will expeditiously forward the petition to the CSC for processing. In the near future, USCIS will post special filing instructions to Form I-129 requiring all[1] qualifying H-1B cap exempt petitions to be filed at the CSC.

Please note, the highest volume of H-1B filings occurs during the month of April (Six months before the new fiscal year). This may result in longer than average receipting times or other interruptions in processing times. The public is reminded that petitioners may file a qualifying H-1B cap exempt petition at any time of the year dependent on the petitioner's need, and no earlier than six months ahead of the intended start date.

– USCIS –

[1] H-1B "cap exempt" petitions, as referenced here, do **not** cover H-1B petitions filed on behalf of beneficiaries requesting an exemption from the cap on account of holding a U.S. Master's degree or higher, requesting an extension of stay, or change of employer, or petitions requesting an amendment. These types of petitions, while also "exempt" should continue to be filed in accordance with the filing charts on uscis.gov and the Form I-129 instructions.

# FY09 H1B Related

| | |
|---|---|
| **From:** | Garner, Deanna L |
| **To:** | Chiang, James Y; Fitzsimmons, James |
| **Cc:** | Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R |
| **Subject:** | RE: Latest H-1B cap numbers for FY 2009 |
| **Date:** | Monday, July 21, 2008 2:55:57 PM |

I'm assuming the 2nd chart is H2B numbers and that Subject: line if this msg. relates to 1st chart for H1B for last Monday.
If that's incorrect, pls let me know. Thx, Dee

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 2:28 PM
**To:** Fitzsimmons, James
**Cc:** Garner, Deanna L; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks, Jim.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 2:08 PM
**To:** Chiang, James Y
**Subject:** RE: Latest H-1B cap numbers for FY 2009

| H-2B | Approved | Denied | Pending | Total |
|---|---|---|---|---|
| Through July 18th | 17,589 | 414 | 11,202 | 29,205 |

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 1:50 PM
**To:** Fitzsimmons, James
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks. Do you have numbers for H-2B cap? Dee was asking for it this morning.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 1:49 PM
**To:** Chiang, James Y
**Cc:** McConnell, James E
**Subject:** Latest H-1B cap numbers for FY 2009

James,

Below are the latest H-1B cap numbers for FY 2009 as of July 18th.

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 49,600 | 20,500 | 70,100 | 8,400 | 62,100 | 19% | 0.9% |
| Masters | 18,400 | 3,500 | 21,900 | 1,700 | 20,500 | 9% | 1.5% |

Data available at close of business, July 18th

[1] Untouched plus RFE's

[2] Pending minus RFE's

[3] Approvals plus denials plus RFE's

[4] Proportion of petitions touched that are RFE's

[5] Proportion of petitions approved or denied that are denied

Salient highlights from the table are:

- 77% of Regular cap has been reached.
- 92% of Masters cap has been reached.
- 88% of Regular cap petitions have been touched.
- 93% of Masters cap petitions have been touched.

Jim

FY 2009 Duplicate counts

| | Individuals | Petitions |
|---|---|---|
| CSC only | 92 | 184 |
| VSC only | 188 | 377 |
| CSC & VSC | 12 | 24 |
| TOTAL | 292 | 585 |

one triplicate in VSC only

# FY09 H1B Related

| | |
|---|---|
| **From:** | Chiang, James Y |
| **To:** | Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Fitzsimmons, James; Williams, Carol L; Jepsen, Patricia A; Shiflett, Julie M |
| **Subject:** | RE: CAP REPORT 4-23-08 |
| **Date:** | Thursday, April 24, 2008 1:04:03 PM |

Denis,

Please wait until Monday when Jim returns so that further analysis can be studied. There are many factors (reject rate, denial rate, etc.) that will determine whether a cushion is needed.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 24, 2008 11:52 AM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Chiang, James Y; Fitzsimmons, James; Williams, Carol L; Jepsen, Patricia A; Shiflett, Julie M
**Subject:** FW: CAP REPORT 4-23-08

Summary through April 23:

1. Reject rates: California 1.58% (325 of 20,568), Vermont 5.15% (901 of 17,540) Combined 3.22% (1,226 of 38,108)
2. Stage of completion: California, 57.4% data entered or rejected, Vermont 28.5%
3. Remaining: 97,000 – 38,108 = 58,892 remaining.
4. Projected finishes (by myself): California, May 2. Vermont, May 16.

Significant findings: 1. No cushion is going to be required. 97,000 initially identified applications will be sufficient.

2. 10-20 Premium Processing cases are being found each day at each center, misfiled with the non PP filings. We will incur lost revenue due to this. I will instruct both centers to record the numbers found after next Monday, the expiration of the PP clock. These checks will not be desposited unless they are included as a single payment check, in which case we will deposit and refund the $1,000 portion.
3. California must vacate their leased workroom May 2. If there will be a cushion they desire to know asap so they can pull the cases before moving to a consolidated storage/work area.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Thursday, April 24, 2008 11:21 AM
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-23-08

FYI.....our daily for 4/23.

Mary-Lou

**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 24, 2008 9:27 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** RE: CAP REPORT 4-23-08

Attached is the Cap report for 4/23/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Chiang, James Y
**Subject:** RE: 4/23/08 CAP Summary
**Date:** Thursday, April 24, 2008 9:49:37 AM

---

Denis: Come May 2nd we no longer have the room we are currently using to stage H1bs. If we going to select cushion cases we need to get a list before we have to move from the room. If we don't pull before vacating the room it will be an added burden to find and pull cushion cases.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 24, 2008 6:27 AM
**To:** Nicholson, Richard E
**Cc:** Fitzsimmons, James; Chiang, James Y
**Subject:** RE: 4/23/08 CAP Summary

325 rejects out of 20,568 combined data entered and rejects is 1.6% rejection rate and really not rising very much. I think at this point we have to decide if a cushion is going to be needed at all. I will send Vermont's statistics on when they come in this morning.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 24, 2008 8:47 AM
**To:** Poulos, Christina ; Gregg, Bret S; Peck, Denis R; Prince, Rose M; Perkins, Robert M; Canney, Keith J; Shiflett, Julie M
**Cc:** Mehta, Dilipkumar N
**Subject:** FW: 4/23/08 CAP Summary

We are approximately 57.4% complete on data entry.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Nelson, Marvin E
**Sent:** Wednesday, April 23, 2008 11:47 PM
**To:** Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nicholson, Richard E; Noll, Richard W; Pepper, Derek R; Printup, Maurice ; Sharpe, Gerald; Siesel, Gregory P
**Subject:** 4/23/08 CAP Summary

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted]

(b)(6)

**From:** Chiang, James Y
**To:** Peck, Denis R
**Subject:** RE: CAP REPORT 4-21-08
**Date:** Tuesday, April 22, 2008 11:49:22 AM

Thanks.

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 22, 2008 11:41 AM
**To:** Fitzsimmons, James; Chiang, James Y
**Subject:** FW: CAP REPORT 4-21-08

And here is Vermont. 472 rejects out of just over 12,000 processed thus far, holding at the 4% rate.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, April 22, 2008 11:13 AM
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-21-08

Denis –

Here is the CAP report for 4/21 for VSC. Let me know if you have any questions.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 22, 2008 10:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-21-08

Attached is the Cap report for 4/21/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted] (b)(6)

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP REPORTS
**Date:** Tuesday, April 22, 2008 9:49:06 AM

---

Denis,

Do you have more recent cap reports?

Jim

---

**From:** Peck, Denis R
**Sent:** Friday, April 18, 2008 1:35 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Williams, Carol L; Jepsen, Patricia A; Shiflett, Julie M
**Cc:** Neufeld, Donald; Bushey, Sandra T; Prince, Rose M
**Subject:** FW: H-1B CAP REPORT 4-17-08

Summary: California completed entering their Premium cases Thursday and began non-Premiums; Vermont is on course to finish Premiums on Monday.

Reject rates through through Thursday: California 1.1%, Vermont 5.6%

A very few late filings still coming in – 3 on Thursday at CSC.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Friday, April 18, 2008 12:27 PM
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-17-08

Denis -

Here are the numbers for today.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Friday, April 18, 2008 10:03 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-17-08

Attached is the CAP report for 4/17/08

**From:** Bushey, Sandra T
**To:** Peck, Denis R
**Subject:** RE: CAP REPORT 4-16-08
**Date:** Thursday, April 17, 2008 1:12:58 PM

---

If they can meet the deadline fine – but that would mean ADJ would have about 6,500 cases ready by COB tomorrow and I don't think that will happen. The other part is the quality of work we are seeing (or lack of I should say).

It's your call.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 17, 2008 1:04 PM
**To:** Bushey, Sandra T
**Subject:** RE: CAP REPORT 4-16-08

You're right, but, they only have to do 10,872 PP cases. According to the spreadsheet through yesterday, they did 3,911. That leaves just under 7,000. If they sustain the rate they did Wednesday, they would finish by cob Monday, counting some rejects. So I don't think we need to push the panic button yet. Unless these figures aren't correct, but I'm going by them.

I'm going to ask Jerry if he will stand by completing all PP by cob Monday. If he verifies they will meet that goal, are you in agreement?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Bushey, Sandra T
**Sent:** Thursday, April 17, 2008 12:52 PM
**To:** Peck, Denis R
**Cc:** Paul, Michael J; Collins, Mary Lou E; Stoddard, Becky M; Manahan, Lisa F; Canney, Keith J; Perkins, Robert M
**Subject:** FW: CAP REPORT 4-16-08

Here is the official report. As you will see they did not come close to the 2,830 mark on the second day – nor did they meet it on the third day of data entry. We are now on day four and at this rate will not have enough cases in the pipeline to keep Adjudicators busy over the weekend – which we should be doing if we intend to adjudicate everything in 15 days.

---

**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 17, 2008 12:34 PM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-16-08

Attached is the CAP report for 4/16/08

Marcy Stefaniak

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Peck, Denis R |
| **Cc:** | Paul, Michael J; Collins, Mary Lou E; Stoddard, Becky M; Manahan, Lisa F; Canney, Keith J; Perkins, Robert M |
| **Subject:** | FW: CAP REPORT 4-16-08 |
| **Date:** | Thursday, April 17, 2008 12:51:50 PM |
| **Attachments:** | VSC H-1B Cap Report 2008 4-16-08 xls.xls |

Here is the official report. As you will see they did not come close to the 2,830 mark on the second day – nor did they meet it on the third day of data entry. We are now on day four and at this rate will not have enough cases in the pipeline to keep Adjudicators busy over the weekend – which we should be doing if we intend to adjudicate everything in 15 days.

---

**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 17, 2008 12:34 PM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-16-08

Attached is the CAP report for 4/16/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
802-527-4733

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: 163,240 H1B
**Date:** Friday, April 11, 2008 2:13:09 PM
**Importance:** High

Denis,

There is a discrepancy of 1,800 between contractor's total for VSC (104,419) and the total on lists I received from VSC (102,631).

Jim

Jim –

These are correct for Vermont.

Mary-Lou

**From:** Fitzsimmons, James
**Sent:** Friday, April 11, 2008 1:49 PM
**To:** Nicholson, Richard E; Collins, Mary Lou E; Bushey, Sandra T
**Subject:** Barcode totals
**Importance:** High

Rich/Mary Lou

Would you kindly verify the barcode totals below for your center.

I am happy to report that I found no duplicate barcodes.

Thanks very much. You and your staff did a grand job.

Now it is my turn.

Jim

| CATEGORY | | | |
|---|---|---|---|
| CMN | 7,873 | VMN | 12,050 |
| CMP | 4,536 | VMP | 5,906 |
| CRN | 39,513 | VRN | 74,296 |
| CRP | 6,900 | VRP | 10,379 |
| | 58,822 | | 102,631 |

**From:** Peck, Denis R
**Sent:** Friday, April 11, 2008 12:37 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Williams, Carol L; Shiflett, Julie M
**Cc:** Aytes, Michael; Neufeld, Donald
**Subject:** 163,240 H1B

Barcoded databases were due to us at noon, we are still awaiting them. We expect them within the hour.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Sharpe, Gerald

**From:** Choi, Sunny
**To:** Williams, Carol L; Peck, Denis R; Rhatigan, Chris
**Cc:** Cummings, Kevin J
**Subject:** RE: Draft Web Update
**Date:** Friday, April 11, 2008 12:40:51 PM

(b)(5)

[redacted]

Thanks!

Sunny Choi
Associate Counsel
Adjudications Law Division
Office of the Chief Counsel
U.S. Citizenship & Immigration Services
(b)(6) [redacted] tel
cell
(206) 835-4899 - fax
sunny.choi@dhs.gov

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**From:** Williams, Carol L
**Sent:** Friday, April 11, 2008 9:34 AM
**To:** Peck, Denis R; Choi, Sunny; Rhatigan, Chris
**Cc:** Cummings, Kevin J; Williams, Carol L
**Subject:** RE: Draft Web Update

Chris –

Please see Denis Peck's response below highlighted in yellow.

Regards.

---

**From:** Peck, Denis R
**Sent:** Friday, April 11, 2008 12:05 PM
**To:** Williams, Carol L; Choi, Sunny
**Cc:** Cummings, Kevin J
**Subject:** RE: Draft Web Update

This is a draft answer, have at it.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

202-272-1542 FAX

---

**From:** Rhatigan, Chris
**Sent:** Friday, April 11, 2008 11:45 AM
**To:** Williams, Carol L; Choi, Sunny
**Cc:** Peck, Denis R; Cummings, Kevin J
**Subject:** RE: Draft Web Update
**Importance:** High

That was a cut and paste from the press release posted earlier on the H-1B rule...
I have another question from Computer World magazine regarding the approx 163,000 H-1B visas ....

Senator Grassley's office is saying that the 163K number includes H-1B visas that are exempt from that cap, i.e., visas that are going to non-profits, academic institutions or are renewals. Consequently, it is arguing that the actual number of visas that will be counted against the cap and distributed via the lottery is less than the 163K.

Does the 163K represent all the H-1B petitions that the USCIS received, including those H-1B visas that are not counted in the cap?

NO. We accept those types of H-1B petitions not counted against the CAP all year long. These are not included here. During April 1-7 they were processed as usual.

These 163,000 are just for those received April 1-7 that apply against the annual, FY2009 65,000 visa and 20,000 visas H-1B CAPS for nonmasters and masters degree petitioners, respectively. .

If that's the case, the how many H-1B visas out of the 163K are actually subject to the cap's limits?

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 2:01 PM
**To:** Rhatigan, Chris; Choi, Sunny
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** Draft Web Update

Chris -

I have highlighted a sentence in red. I don't think this interpretation is accurate. I do not think we are keeping the fees of petitions that are not selected if they are duplicates. I believe we are keeping the fees of a petition that is selected for the lottery if a duplicate petition is later found and returning the fees and petition for the duplicate that is not found. See below.

Duplicate Petitions A & B – Scenario 1
Petition A selected for lottery (fee retained)
Petition B not selected for lottery (fee and petition returned)

Duplicate Petitions A & B – Scenario 2
Petition A not selected for lottery (fee and petition returned)
Petition B not selected for lottery (fee and petition returned)

Please run by OCC for their take on this. I have cc:ed Sunny Choi given the timing issue of having this up today. Perhaps I have read it too many times. I would take out the sentence in red to avoid all confusion.

Thanks.

Carol

---

**From:** Rhatigan, Chris
**Sent:** Thursday, April 10, 2008 12:50 PM
**To:** Williams, Carol L
**Cc:** Peck, Denis R; Cummings, Kevin J
**Subject:** RE: NEXT WEEK????

Good – here is what the DRAFT Update looks like for today – I am running this by for technical edits with Chief Counsel and Community Relations

# USCIS Update

(b)(5) April 10, 2008

## USCIS RELEASES PRELIMINARY NUMBER OF FY 2009 H-1B CAP FILINGS

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**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 12:21 PM
**To:** Rhatigan, Chris
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** RE: NEXT WEEK????

After speaking with Denis Peck, SCOPS is fine with indicating "next week" for the RNG being run.

I am drafting a release that will provide specific timelines for notifications. I'm not sure if you were on that email traffic this morning.

Thank you for your help.

---

**From:** Rhatigan, Chris
**Sent:** Thursday, April 10, 2008 12:06 PM
**To:** Williams, Carol L
**Cc:** Williams, Carol L; Peck, Denis R; Cummings, Kevin J
**Subject:** NEXT WEEK????
**Importance:** High

I AM WRITING USCIS UPDATE -

USCIS today announced a preliminary number of nearly 163,000 H-1B petitions were received during the filing period ending on April 7, 2008. More than 31,200 of those were for the advanced degree category.
USCIS expects ***(when – can we say next week)*** to conduct the computer-generated random selection process beginning with the selection of s for advanced degree exemption petitions.
Those not selected will join the random selection process under the cap-subject 65,000 limit.

---

**From:** Clark, Matthew J
**Sent:** Thursday, April 10, 2008 9:47 AM
**To:** Rhatigan, Chris
**Subject:** FW: H-1B Web Update

FYI-

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 9:31 AM
**To:** Vietti, Peter J; Bacon, William H; Wright, William G; Bentley, Christopher S; Clark, Matthew J
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** H-1B Web Update

Good morning –

Kevin Cummings has asked me to send the following data below regarding H-1B petitions received during the cap time. He would like a web posting placed on the website today informing the public of the numbers of petitions filed. SCOPS has specifically asked that all numbers be listed as approximate as these below data represents only 99% of the final count. Please let me know if you have any questions. I have also included Denis Peck as he is the Branch Chief who works closely with the contractors and knows the numbers.

**GRAND TOTAL of H1B petitions received: 162,713**

TOTAL H1B petitions filed under Regular cap: 131,436 or 81% of total filings

TOTAL H1B petitions filed under the Masters cap: 31,277 or 19% of total filings

I am also working on a second web posting that we would like to be posted on Monday and will send that later today for your review.

**From:** Williams, Carol L
**To:** Chiang, James Y; Peck, Denis R; Kruszka, Robert F
**Cc:** Cummings, Kevin J; Williams, Carol L; Jepsen, Patricia A; Fitzsimmons, James
**Subject:** FYI - Web Posting from Yesterday
**Date:** Friday, April 11, 2008 12:09:48 PM

---

## USCIS Releases Preliminary Number Of FY 2009 H-1B Cap Filings

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced a preliminary number of nearly 163,000 H-1B petitions received during the filing period ending on April 7, 2008. More than 31,200 of those petitions were for the advanced degree category.

USCIS expects next week it will conduct the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption. Those petitions not selected under the advanced degree category will join the random selection process for the cap-subject 65,000 limit.

USCIS will reject, and return filing fees for all cap-subject petitions not randomly selected, unless found to be a duplicate. USCIS will handle duplicate filings in accordance with the interim final rule published on March 24, 2008 in the *Federal Register*.

USCIS will provide regular updates as the processing of FY 2009 H-1B cap cases continues.

---

**Related Files**

USCIS Update (61KB PDF)

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P [redacted]
F: 202-272-1398

(b)(6)

**From:** Irazabal, Luz F
**To:** Velarde, Barbara Q; Peck, Denis R
**Cc:** Fitzsimmons, James; Williams, Carol L; Rodriguez, Miguel E
**Subject:** Re: H1B questions
**Date:** Thursday, April 10, 2008 5:36:19 PM

---

Thanks Barbara...

_____
Luz Figuereo Irazabal
USCIS Congressional Relations

Sent from my blackberry

----- Original Message -----
From: Velarde, Barbara Q
To: Irazabal, Luz F; Peck, Denis R
Cc: Fitzsimmons, James; Williams, Carol L
Sent: Thu Apr 10 16:28:02 2008
Subject: RE: H1B questions

That is not something we can answer. We try to approve right at or as close as possible to those cap marks and have to track closely for the entire fiscal year. Is the question how many we accept into the queue to adjudicate? That too is based on complex algorithms taking into account abandonment and denial rates to get us as close to the approval at the cap levels as possible. The question really is rather confusing.

_____

From: Irazabal, Luz F
Sent: Thursday, April 10, 2008 2:43 PM
To: Velarde, Barbara Q; Peck, Denis R
Subject: FW: H1B questions

Barbara/Dennis – can you help me with question below? Thanks! Luz

Luz Figuereo Irazabal
USCIS Congressional Relations

_____ (b)(6)

From: Williams, Elliot (Judiciary-Dem) [mailto:Elliot_Williams@Judiciary-dem.senate.gov]
Sent: Thursday, April 10, 2008 1:53 PM
To: Irazabal, Luz F
Subject: RE: H1B questions

Disregard that last message and let me clarify a little. How many applications, above the 85,000 (so that's the 65,000 + 20,000) will USCIS actually approve? It's my understanding that, in order to ensure

that all 85,000 slots are filled, several thousand applications above the cap will be approved. If that's the case, what's the number?

---

From: Williams, Elliot (Judiciary-Dem)
Sent: Thursday, April 10, 2008 1:40 PM
To: 'Irazabal, Luz F'
Subject: RE: H1B questions

One more question – how many about the 65,000 limit will USCIS send to the State Department? I understand that USCIS sends more than 65,000 names over.

---

From: Irazabal, Luz F [mailto:luz.irazabal@dhs.gov]
Sent: Thursday, April 10, 2008 1:30 PM
To: Williams, Elliot (Judiciary-Dem)
Subject: H1B questions

Elliot - regarding the H-1B, USCIS recieved more than 163,000 petitions. The computer-generated random selection may be as early as next week. I have requested the info about number of petitioners with U.S. earned master degrees.

Please let me know if you have any other questions about it. In a few, I will send the info re: naturalization surge.

---
Luz Figuereo Irazabal
USCIS Congressional Relations

Sent from my blackberry

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Peck, Denis R; Prince, Rose M |
| **Cc:** | Novak, Paul E; Poulos, Christina ; Cummings, Kevin J; Williams, Carol L; Velarde, Barbara Q |
| **Subject:** | Preliminary analysis |
| **Date:** | Wednesday, April 09, 2008 12:30:09 PM |

Denis/Rose

I have done a quick analysis on the percentages of cases that were filed for H1B status at both Centers. The numbers I used were those submitted by Stanley, which reflect about 99% completion rate. The only cases left to be included in the VSC counts are those which are currently being reviewed by our Records employees. That number is very small and should not have much of an impact on the final counts.

These conclusions are based on the information that has been received to date:

| | | | |
|---|---|---|---|
| **GRAND TOTAL of H1B petitions received:** | **162,713** | | |
| TOTAL H1B petitions filed under Regular cap<br>81% of total filings | 131,436 | or | |
| TOTAL H1B petitions filed under the Masters cap<br>of total filings | 31,277 | or | 19% |
| TOTAL H1B petitions filed asking for Premium Processing<br>of total fillings | 28,915 | or | 18% |
| TOTAL H1B petition filed NOT asking for Premium Processing<br>82% of total filings | 133,798 | or | |

**BREAKDOWN ESTIMATES:**

| | | | |
|---|---|---|---|
| **GRAND TOTAL OF H1B petitions received:** | **162,713** | | |
| TOTAL Regular petitions | 131,436 | | |
| RNG Selection estimate for Regular Cap<br>of Reg. filings | 70,000 | or | 53% |
| TOTAL Masters petitions | 31,277 | | |
| RNG Selection estimate for Masters Cap<br>of Masters filings | 25,000 | or | 80% |

**IF THE SAME LOGIC HOLDS TRUE WE CAN EXPECT TO RECEIVE:**

- 34% of the Masters filings requested premium processing

- 34% of the 25,000 RNG selections would be: 8,500

- 18% of the Regular filings Requested premium processing
  - 14% of 70,000 RNG selections would be 9,800

TOTAL OF ANTICIPATED PREMIUM CASES SELECTED 18,300

- ASSUMING THAT VSC WILL RECEIVE 2/3 OF THE CASEWORK 12,078
  ASSUMING THAT CSC WILL RECEIVE 1/3 OF THE CASEWORK 6,039

This information is only a preliminary estimate and a more accurate analysis will have to be conducted.

Sandi

| | |
|---|---|
| **From:** | Velarde, Barbara Q |
| **To:** | Nicholson, Richard E; Peck, Denis R; Bushey, Sandra T; Shiflett, Julie M; Prince, Rose M; Gregg, Bret S; "christina.poulos@dhs.gov" |
| **Cc:** | Manahan, Lisa F; Novak, Paul E; "Keith.Canney@dhs.gov"; Kane, Daniel J; Perkins, Robert M; Kruszka, Robert F; Fitzsimmons, James; Chiang, James Y; Cummings, Kevin J |
| **Subject:** | RE: H1B information |
| **Date:** | Friday, April 04, 2008 11:12:04 AM |

Including Jim, James and Kevin

-----Original Message-----
From: Nicholson, Richard E
Sent: Friday, April 04, 2008 10:33 AM
To: Peck, Denis R; Bushey, Sandra T; Shiflett, Julie M; Prince, Rose M; Gregg, Bret S; 'christina.poulos@dhs.gov'
Cc: Manahan, Lisa F; Novak, Paul E; 'Keith.Canney@dhs.gov'; Kane, Daniel J; Perkins, Robert M; Velarde, Barbara Q; Kruszka, Robert F
Subject: Re: H1B information

Great idea, we will do the same.
Rich Nicholson
Assistant Center Director/Records
California Service Center
USCIS
[redacted] (b)(6)

----- Original Message -----
From: Peck, Denis R
To: Bushey, Sandra T; Shiflett, Julie M; Nicholson, Richard E; Prince, Rose M; Gregg, Bret S; Poulos, Christina <christina.poulos@dhs.gov>
Cc: Manahan, Lisa F; Novak, Paul E; 'Canney, Keith J' <Keith.Canney@dhs.gov>; Kane, Daniel J; Perkins, Robert M; Velarde, Barbara Q; Kruszka, Robert F
Sent: Fri Apr 04 10:24:02 2008
Subject: RE: H1B information

Sandy,

Thanks for doing that sample. This is good hard data we can digest and make adjustments from. Maybe California could take an identical sample and see if they get similar results. A 15% error rate presents problems.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Bushey, Sandra T
Sent: Friday, April 04, 2008 10:07 AM
To: Peck, Denis R; Shiflett, Julie M
Cc: Manahan, Lisa F; Novak, Paul E; 'Canney, Keith J'; Kane, Daniel J; Perkins, Robert M; Velarde, Barbara Q; Kruszka, Robert F
Subject: H1B information

Denis,

We reviewed a total of 100 cap cases to see if they would pass the eligibility review if selected by the RNG. We did find some deficiencies which when calculated resulted in approximately 85% of those cases would have met the acceptability requirements.

Here is a breakdown of the 100 randomly selected cases:

47 – Regular CAP – Non-premium cases reviewed

- Ø 7 - Start date errors
- Ø 1 - Page 11 all blank
- Ø 1 - Incorrect fee

12 – Regular CAP – Premium Cases reviewed

- Ø 1 - Incorrect Fee

33 – Masters – Non-premium cases reviewed

- Ø 2 - Start date errors
- Ø 1 - No page 10 included in filing
- Ø 1 - No signature on Page 4

4 – Masters – Premium

Ø 1 – Start date error

The review also revealed that 2 files that passed the acceptability review would need to be transferred out by Adjudications because no DOB was able to be located for the beneficiary.

Denis, I was surprised at the fact that only 85% of the cases reviewed would have passed through the process. At that rate HQ may want to either review more cases to see if that figure holds true, or add to the number of "cushion" cases that need to be held in abeyance at the Centers.

Just another point of interest: We did receive a petition today that had been Xeroxed and had the RNG barcode from last year. When we reviewed the LCA it is still valid and therefore eligible for submission once again. Having the old bar code throw the clerk off, but we are seeing just about everything at this point.

We received this information from Stanley - VSC still has about 1/3 of the 4/1 mail to go through for barcoding.

The following chart shows the correct numbers bar coded in Vermont.

The Regular Masters and Premium Masters numbers were transposed.

Vermont Bar Coding Progress

Bar Coded on 1st

Bar Coded on 2d

Bar Coded on 3d

Total

Regular CAP(VRN)

5,330

1,622

17,048

24,000

Regular Premium(VRP)

3,370

4,670

695

8,735

Regular Masters(VMP)

0

637

1,362

1,999

Premium Masters(VMN)

622

4,539

0

5,161

Total

9,322

11,468

19,105

39,895

California Bar Coding Progress

Bar Coded on 1st

Bar Coded on 2d

Bar Coded on 3d

Total

Regular CAP(VRN)

9,785

6,744

10,239

26,768

Regular Premium(VRP)

1,056

1,208

3,094

5,358

Regular Masters(VMP)

989

2,251

2,976

6,216

Premium Masters(VMN)

1,117

1,108

1,779

4,004

Total

12,947

11,311

18,088

42,346

I will keep you updated.

**From:** Bushey, Sandra T
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Manahan, Lisa F; Novak, Paul E; "Canney, Keith J"; Kane, Daniel J; Perkins, Robert M; Velarde, Barbara Q; Kruszka, Robert F
**Subject:** H1B information
**Date:** Friday, April 04, 2008 10:06:59 AM

---

Denis,

We reviewed a total of 100 cap cases to see if they would pass the eligibility review if selected by the RNG. We did find some deficiencies which when calculated resulted in approximately 85% of those cases would have met the acceptability requirements.

Here is a breakdown of the 100 randomly selected cases:

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## Vermont Bar Coding Progress

| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Total | |
|---|---|---|---|---|---|
| | | | | | |

| | | | | |
|---|---|---|---|---|
| Regular CAP(VRN) | 5,330 | 1,622 | 17,048 | 24,000 |
| Regular Premium(VRP) | 3,370 | 4,670 | 695 | 8,735 |
| Regular Masters(VMP) | 0 | 637 | 1,362 | 1,999 |
| Premium Masters(VMN) | 622 | 4,539 | 0 | 5,161 |
| Total | 9,322 | 11,468 | 19,105 | 39,895 |

# California Bar Coding Progress

| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Total |
|---|---|---|---|---|
| Regular CAP(VRN) | 9,785 | 6,744 | 10,239 | 26,768 |
| Regular Premium(VRP) | 1,056 | 1,208 | 3,094 | 5,358 |
| Regular Masters(VMP) | 989 | 2,251 | 2,976 | 6,216 |
| Premium Masters(VMN) | 1,117 | 1,108 | 1,779 | 4,004 |
| Total | 12,947 | 11,311 | 18,088 | 42,346 |

I will keep you updated.

| | |
|---|---|
| **From:** | Velarde, Barbara Q |
| **To:** | Bushey, Sandra T; VSC H1B FY09 CAP; Novak, Paul E; Peck, Denis R; Kruszka, Robert F; Shiflett, Julie M; Poulos, Christina ; Prince, Rose M; Gregg, Bret S |
| **Subject:** | RE: H1B counts |
| **Date:** | Thursday, April 03, 2008 6:11:29 PM |

Thank you

---

**From:** Bushey, Sandra T
**Sent:** Thursday, April 03, 2008 6:10 PM
**To:** VSC H1B FY09 CAP; Novak, Paul E; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F; Shiflett, Julie M; Poulos, Christina ; Prince, Rose M; Gregg, Bret S
**Subject:** H1B counts

I know it's late but I just want to give a quick update on the piece count for H1B's:

On 4/1/08 we received 49,191 pieces (many in boxes and we have about 1/3 of that amount left to review and barcode)

On 4/2/08 we received 14,952 pieces (still unopened)

On 4/3/08 we received 5,471 pieces (still unopened)

We are progressing on opening the mail and as you can see our mail count is dropping each day. I will have a more definitive count for you all in the morning that will be broken down by the category and number of cases we have reviewed for masters, premium masters, regular, and premium regular cases. We have identified a few Chile/Singapore cases, but very, very few.

Just thought I would send you a little good news in light of the FedEx situation.

Sandi

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | VSC H1B FY09 CAP; Novak, Paul E; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F; Shiflett, Julie M; Poulos, Christina ; Prince, Rose M; Gregg, Bret S |
| **Subject:** | H1B counts |
| **Date:** | Thursday, April 03, 2008 6:10:01 PM |

I know it's late but I just want to give a quick update on the piece count for H1B's:

On 4/1/08 we received 49,191 pieces (many in boxes and we have about 1/3 of that amount left to review and barcode)

On 4/2/08 we received 14,952 pieces (still unopened)

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Just thought I would send you a little good news in light of the FedEx situation.

Sandi

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Velarde, Barbara Q; Kruszka, Robert F; Peck, Denis R; Novak, Paul E |
| **Cc:** | Prince, Rose M; Manahan, Lisa F; Collins, Mary Lou E; Poulos, Christina |
| **Subject:** | H1B update |
| **Date:** | Tuesday, April 01, 2008 4:44:49 PM |

Mail "estimates' as of 4:00 p.m. today

DHL 5363

UPS 4,330

USPS 2,130 (express)

FedEx - 38,000 (estimate – still unloading - a total of 5 tractor trailer trucks for today)

Other couriers 113

Again, these are just estimates for Fed Ex - we will not be finished unloading for awhile - everything else is going fine. I will give you an update in the morning.

Sandi

| | |
|---|---|
| **From:** | Garner, Deanna L |
| **To:** | Chiang, James Y; Fitzsimmons, James |
| **Cc:** | Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R |
| **Subject:** | RE: Latest H-1B cap numbers for FY 2009 |
| **Date:** | Monday, July 21, 2008 2:55:57 PM |

I'm assuming the 2nd chart is H2B numbers and that Subject: line if this msg. relates to 1st chart for H1B for last Monday.
If that's incorrect, pls let me know. Thx, Dee

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 2:28 PM
**To:** Fitzsimmons, James
**Cc:** Garner, Deanna L; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks, Jim.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 2:08 PM
**To:** Chiang, James Y
**Subject:** RE: Latest H-1B cap numbers for FY 2009

| H-2B | Approved | Denied | Pending | Total |
|---|---|---|---|---|
| Through July 18th | 17,589 | 414 | 11,202 | 29,205 |

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 1:50 PM
**To:** Fitzsimmons, James
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks. Do you have numbers for H-2B cap? Dee was asking for it this morning.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 1:49 PM
**To:** Chiang, James Y
**Cc:** McConnell, James E
**Subject:** Latest H-1B cap numbers for FY 2009

James,

Below are the latest H-1B cap numbers for FY 2009 as of July 18th.

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 49,600 | 20,500 | 70,100 | 8,400 | 62,100 | 19% | 0.9% |
| Masters | 18,400 | 3,500 | 21,900 | 1,700 | 20,500 | 9% | 1.5% |

Data available at close of business, July 18th

[1] Untouched plus RFE's

[2] Pending minus RFE's

[3] Approvals plus denials plus RFE's

[4] Proportion of petitions touched that are RFE's

[5] Proportion of petitions approved or denied that are denied

Salient highlights from the table are:

- 77% of Regular cap has been reached.
- 92% of Masters cap has been reached.
- 88% of Regular cap petitions have been touched.
- 93% of Masters cap petitions have been touched.

Jim

**From:** Rhatigan, Chris
**To:** Williams, Carol L
**Cc:** Peck, Denis R; Cummings, Kevin J
**Subject:** RE: NEXT WEEK????
**Date:** Thursday, April 10, 2008 12:50:00 PM

Good – here is what the DRAFT Update looks like for today – I am running this by for technical edits with Chief Counsel and Community Relations

# USCIS Update

April 10, 2008

## USCIS RELEASES PRELIMINARY NUMBER OF FY 2009 H-1B CAP FILINGS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced a preliminary number of nearly 163,000 H-1B petitions received during the filing period ending on April 7, 2008. More than 31,200 of those petitions were for the advanced degree category.

USCIS expects next week it will conduct the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption. Those petitions not selected under the advanced degree category will join the random selection process for the cap-subject 65,000 limit.

USCIS will reject, and return filing fees for all cap-subject petitions not randomly selected, unless found to be a duplicate. USCIS will handle duplicate filings in accordance with the interim final rule published on March 24, 2008 in the *Federal Register*.

USCIS will provide regular updates as the processing of FY 2008 H-1B cap cases continues.

**H-1B in General:** U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers or computer programmers. As part of the H-1B program, the Department of Homeland Security (DHS) and the Department of Labor (DOL) require U.S. employers to meet specific labor conditions to ensure that American workers are not adversely impacted, while DOL's Wage and Hour Division safeguards the treatment and compensation of H-1B workers.

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 12:21 PM
**To:** Rhatigan, Chris
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** RE: NEXT WEEK????

After speaking with Denis Peck, SCOPS is fine with indicating "next week" for the RNG being run.

I am drafting a release that will provide specific timelines for notifications. I'm not sure if you were on that email traffic this morning.

Thank you for your help.

**From:** Rhatigan, Chris
**Sent:** Thursday, April 10, 2008 12:06 PM
**To:** Williams, Carol L
**Cc:** Williams, Carol L; Peck, Denis R; Cummings, Kevin J
**Subject:** NEXT WEEK????
**Importance:** High

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**Sent:** Thursday, April 10, 2008 9:47 AM
**To:** Rhatigan, Chris
**Subject:** FW: H-1B Web Update

FYI-

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 9:31 AM
**To:** Vietti, Peter J; Bacon, William H; Wright, William G; Bentley, Christopher S; Clark, Matthew J
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** H-1B Web Update

Good morning –

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Thank you and regards.

Carol L. Williams

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Peck, Denis R; Prince, Rose M |
| **Cc:** | Novak, Paul E; Poulos, Christina ; Cummings, Kevin J; Williams, Carol L; Velarde, Barbara Q |
| **Subject:** | Preliminary analysis |
| **Date:** | Wednesday, April 09, 2008 12:30:09 PM |

Denis/Rose

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| TOTAL H1B petitions filed under the Masters cap<br>of total filings | 31,277 | or | 19% |
| TOTAL H1B petitions filed asking for Premium Processing<br>of total fillings | 28,915 | or | 18% |
| TOTAL H1B petition filed NOT asking for Premium Processing<br>82% of total filings | 133,798 | or | |

**BREAKDOWN ESTIMATES:**

| | | | |
|---|---|---|---|
| **GRAND TOTAL OF H1B petitions received:** | **162,713** | | |
| TOTAL Regular petitions | 131,436 | | |
| RNG Selection estimate for Regular Cap<br>of Reg. filings | 70,000 | or | 53% |
| TOTAL Masters petitions | 31,277 | | |
| RNG Selection estimate for Masters Cap<br>of Masters filings | 25,000 | or | 80% |

**IF THE SAME LOGIC HOLDS TRUE WE CAN EXPECT TO RECEIVE:**

- 34% of the Masters filings requested premium processing

- 34% of the 25,000 RNG selections would be: 8,500

- 18% of the Regular filings Requested premium processing
  - 14% of 70,000 RNG selections would be 9,800

TOTAL OF ANTICIPATED PREMIUM CASES SELECTED 18,300

- ASSUMING THAT VSC WILL RECEIVE 2/3 OF THE CASEWORK 12,078
  ASSUMING THAT CSC WILL RECEIVE 1/3 OF THE CASEWORK 6,039

This information is only a preliminary estimate and a more accurate analysis will have to be conducted.

Sandi

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Velarde, Barbara Q; VSC H1B FY09 CAP; Kruszka, Robert F; Novak, Paul E; Prince, Rose M; Peck, Denis R; Shiflett, Julie M; Cummings, Kevin J; Williams, Carol L |
| **Subject:** | VSC piece count - |
| **Date:** | Wednesday, April 02, 2008 4:23:32 PM |

---

Below are the "piece" counts from the couriers for the first two days of cap:

As you notice the mail dropped significantly on the second day. At this point we are well on our way to meeting the Masters cap as well.

I will keep everyone update.

(Just a note - large percentage of cases are coming in with a 907 attached).

**4/1/08 Counts**

| | |
|---|---|
| Post Office | 2090 |
| PO Express | 2130 |
| DHL | 5363 |
| UPS | 4330 |
| Fed Ex CC | 150 |
| Fed Ex Ground | 15 |
| Other Couriers | 113 |
| Fed Ex | 35,000 |

**4/2/08 Counts**

| | |
|---|---|
| PO | 5154 |
| DHL | 1046 |
| UPS | 636 |
| Other Couriers | 5 |
| Fed Ex | 5707 |

# Documents received from Shelly Sweeney

# RE: H-1B numbers from 2009

Thursday, February 11, 2016
2:43 PM

| | |
|---|---|
| Subject | **RE: H-1B numbers from 2009** |
| From | Peck, Denis R |
| To | Sweeney, Shelly A |
| Cc | Johnson, Bobbie L |
| Sent | Thursday, April 08, 2010 10:04 AM |
| Attachments | Cap Report 2 |

This was the day by day in 2009

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 11:01 AM
**To:** Peck, Denis R
**Cc:** Johnson, Bobbie L
**Subject:** FW: H-1B numbers

Denis,

OCOMM would like to know the break out for the first five days last year. I saw in your message earlier that the combined total was under 64,000. What was the approximate number of advanced degree and regular cap filings during that time period?

Thanks!

Shelly

**From:** Sweeney, Shelly A

**Sent:** Thursday, April 08, 2010 10:56 AM

**To:** Irazabal, Luz; Johnson, Bobbie L

**Subject:** RE: H-1B numbers

Adding Bobbie.

**From:** Irazabal, Luz

**Sent:** Thursday, April 08, 2010 10:39 AM

**To:** Sweeney, Shelly A

**Subject:** FW: H-1B numbers

Shelly – can you help me with this question?

Thank you,
Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
[redacted] (b)(6)

**From:** Bentley, Christopher S
**Sent:** Thursday, April 08, 2010 10:37 AM
**To:** Irazabal, Luz; Wright, William G
**Cc:** Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** RE: H-1B numbers

Luz,

Can we find out how those numbers compared with the same time frame last year? - Chris

**Christopher S. Bentley**
Press Secretary
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (work) [redacted] (cell)

(b)(6)

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:34 AM
**To:** Wright, William G
**Cc:** Bentley, Christopher S; Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** H-1B numbers

Bill – here are the latest numbers on the H-1B cap.

**USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.**

We are still waiting on clearance from the front office in order to release the USCIS Update.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office
Cell
luz.irazabal@dhs.gov

(b)(6)

# California & Vermont Service Center

## I-129 Cap Report

02/11/16

| California/Vermont Bar Coding Progress | | | | | | |
|---|---|---|---|---|---|---|
| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | **Total** |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | **30,677** |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | **11,147** |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | **15,192** |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | **6,366** |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **63,382** |

| California/Vermont Mail Receipts By Day | | | | | | |
|---|---|---|---|---|---|---|
| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 30,677 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 11,151 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 15,188 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 6,366 |
| Total | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 63,382 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# RE: H-1B report

Thursday, February 11, 2016
2:48 PM

| | |
|---|---|
| Subject | **RE: H-1B report** |
| From | Sweeney, Shelly A |
| To | Canney, Keith J |
| Sent | Thursday, December 02, 2010 1:05 PM |
| Attachments | RE H-1B re... |

Keith,

Did the VSC's processing times regress this week or was there a typo on last week's report (see attached email)?

Thanks!

Shelly

**From:** Canney, Keith J
**Sent:** Thursday, December 02, 2010 8:26 AM
**To:** Harton, Frank A
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B report

Sorry about that. Will ensure to do so in the future.

**From:** Harton, Frank A
**Sent:** Thursday, December 02, 2010 8:26 AM
**To:** Canney, Keith J
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B report

Thanks, Keith. Please send these to Shelly Sweeney and copy me.

Regards,

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted] (b)(6)

**From:** Canney, Keith J
**Sent:** Thursday, December 02, 2010 6:14 AM
**To:** Harton, Frank A
**Cc:** Fierro, Joseph; Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** H-1B report

Frank -

The VSC Cap processing date is 9/21/2010 (distributed to officers), and the EOS processing date is 6/15. We are approaching 60 days processing time on the cap cases and once we reach said benchmark, we will focus our efforts on staying within 60 days on the cap cases while we look to decrease the Non-Cap backlog.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **22-Nov-10** | **29-Nov-10** |
| Filed between 1-April-10 and: | 22-Sep-10 | 29-Sep-10 |
| **Initial Pending Cap > 60 days** | **2029** | **2130** |
| **With Officer** | 1481 | 1576 |
| **With Contractor** | 299 | 301 |
| **ADJ Staged** | 195 | 203 |
| **Other** | 54 | 50 |
| **Weekly FY11 Non PP CAP actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | **474** | **147** |
| DENIED | **60** | **10** |
| RFE/ ITD | 840 | 368 |
| **TOTAL** | **1374** | **525** |
| **Weekly FY11 PP CAP actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | 664 | 542 |
| DENIED | 33 | 25 |
| RFE/ ITD | 336 | 250 |
| **TOTAL** | **1033** | **817** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **22-Nov-10** | **29-Nov-10** |
| Filed between 1-Oct-09 and: | 22-Sep-10 | 29-Sep-10 |
| **Initial Pending EOS > 60 days** | **12583** | **13034** |
| **With Officer** | 1352 | 1258 |
| **With Contractor** | 10432 | 10931 |
| **ADJ Staged** | 675 | 710 |
| **Other** | 124 | 135 |
| **Weekly FY10/11 Non PP EOS actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | **673** | **316** |
| DENIED | **58** | **28** |
| RFE/ ITD | 105 | 49 |
| **TOTAL** | **836** | **393** |
| **Weekly FY10/11 PP EOS actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | 999 | 765 |
| DENIED | 30 | 38 |
| RELOC | | |
| RFE/ ITD | 280 | 218 |
| **TOTAL** | **1309** | **1021** |

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Tuesday, November 23, 2010 2:40 PM
**To:** Sweeney, Mark M; Sweeney, Shelly A; Harton, Frank A; Perkins, Robert M; Lockerby, Beth A; Canney, Keith J; Fierro, Joseph
**Subject:** RE: H-1B report

CORRECTION IN RED BELOW.

---

**From:** Sweeney, Mark M
**Sent:** Tuesday, November 23, 2010 3:31 PM
**To:** Sweeney, Shelly A; Harton, Frank A; Perkins, Robert M; Lockerby, Beth A; Canney, Keith J; Fierro, Joseph
**Subject:** H-1B report

Shelly,

Our continued decrease in adjudicative actions during this period resulted from our continued push to get premium filings under control as we head into the long Thanksgiving weekend. VSC will continue to concentrate our efforts on the PP workload over the next several weeks. This increased focus on working our PP backlog down is an effort to position us well for the upcoming holiday season wherein we will experience high leave usage for those who process our PP work. Yesterday we did see a significant spike in premium receipts, upwards of 800 filings.

We are currently issuing the following non-premium H1B work with mailroom dates to officers:

CAP: **10/13/2010**
EXT: 6/21/2010

Mark

| FY11 CAP NON PP | | |
|---|---|---|
| Report date | 15-Nov-10 | 22-Nov-10 |
| Filed between 1-April-10 and: | 15-Sep-10 | 22-Sep-10 |
| Initial Pending Cap > 60 days | 2314 | 2029 |
| With Officer | 1669 | 1481 |
| With Contractor | 413 | 299 |
| ADJ Staged | 180 | 195 |
| Other | 52 | 54 |
| | | |
| Weekly FY11 Non PP CAP actions | 11/7-11-13 | 11/14-11/20 |
| APPROVED | 398 | 474 |
| DENIED | 60 | 60 |
| RFE/ ITD | 292 | 840 |
| TOTAL | 750 | 1374 |
| | | |
| Weekly FY11 PP CAP actions | 11/7-11- | 11/14- |

1

| | 13 | 11/20 |
|---|---|---|
| APPROVED | 502 | 664 |
| DENIED | 41 | 33 |
| RFE/ ITD | 153 | 336 |
| TOTAL | 696 | 1033 |

| | | |
|---|---|---|
| **FY10/11 EOS NON PP** | | |
| **Report date** | **15-Nov-10** | **22-Nov-10** |
| Filed between 1-Oct-09 and: | 15-Sep-10 | 22-Sep-10 |
| **Initial Pending EOS > 60 days** | **12566** | **12583** |
| **With Officer** | 1354 | 1352 |
| **With Contractor** | 10474 | 10432 |
| **ADJ Staged** | 629 | 675 |
| **Other** | 109 | 124 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **11/7-11-13** | **11/14-11/20** |
| APPROVED | **356** | **673** |
| DENIED | **38** | **58** |
| RFE/ ITD | 28 | 105 |
| **TOTAL** | **422** | **836** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **11/7-11-13** | **11/14-11/20** |
| APPROVED | 770 | 999 |
| DENIED | 50 | 30 |
| RELOC | | |
| RFE/ ITD | 132 | 280 |
| **TOTAL** | **952** | **1309** |

## Shirk, Georgette L

**From:** Sweeney, Mark M <Mark.M.Sweeney@uscis.dhs.gov>
**Sent:** Thursday, March 17, 2011 10:59 AM
**To:** Canney, Keith J; Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Shelly A; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M
**Subject:** VSC H1B Report

Mack (in your SCOPS role) –

VSC's H-1B processing dates (dates distributed to officers) is as follows:

Cap: 1/6/2011
EOS: 2/7/2011

Keith

**FY11 CAP NON PP**

| Report date | 7-Mar-11 | 14-Mar-11 |
|---|---|---|
| Filed between 1-April-10 and: | 5-Jan-11 | 12-Jan-11 |
| **Initial Pending Cap > 60 days** | **1651** | **1783** |
| **With Officer** | 1044 | 1023 |
| **With Contractor** | 537 | 707 |
| **ADJ Staged** | 28 | 6 |
| **Other** | 42 | 47 |

| **Weekly FY11 Non PP CAP actions** | **2/27-3/5** | **3/6-3/12** |
|---|---|---|
| APPROVED | **429** | **313** |
| DENIED | **69** | **48** |
| RFE/ ITD | 143 | 118 |
| **TOTAL** | **641** | **479** |

| **Weekly FY11 PP CAP actions** | **2/27-3/5** | **3/6-3/12** |
|---|---|---|
| APPROVED | 175 | 138 |
| DENIED | 68 | 45 |
| RELOC | | |
| RFE/ ITD | 27 | 26 |
| **TOTAL** | **270** | **209** |

**FY10/11 EOS NON PP**

| Report date | | 7-Mar-11 | 14-Mar-11 |
|---|---|---|---|
| Filed between 1-Oct-09 and: | | 5-Jan-11 | 12-Jan-11 |

| Initial Pending EOS > 60 days | | 4063 | 3443 |
|---|---|---|---|
| With Officer | | 2266 | 2334 |
| With Contractor | | 1656 | 1019 |
| ADJ Staged | | 49 | 4 |
| Other | | 92 | 86 |

| Weekly FY10/11 Non PP EOS actions | WEEK | 2/27-3/5 | 3/6-3/12 |
|---|---|---|---|
| APPROVED | | 891 | 887 |
| DENIED | | 104 | 101 |
| RELOC | | 2 | |
| RFE/ ITD | | 247 | 232 |
| TOTAL | | 1244 | 1220 |

| Weekly FY10/11 PP EOS actions | WEEK | 2/27-3/5 | 3/6-3/12 |
|---|---|---|---|
| APPROVED | | 687 | 687 |
| DENIED | | 75 | 62 |
| RELOC | | | |
| RFE/ ITD | | 187 | 153 |
| TOTAL | | 949 | 902 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 11:20 AM
**To:** Irazabal, Luz; Johnson, Bobbie L
**Subject:** RE: H-1B numbers

Luz,

It was a little over 20,000 advanced degree exemptions and nearly 42,000 regular cap petitions.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:56 AM
**To:** Irazabal, Luz; Johnson, Bobbie L
**Subject:** RE: H-1B numbers

Adding Bobbie.

---

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:39 AM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B numbers

Shelly – can you help me with this question?

Thank you,
Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
[redacted] (b)(6)

---

**From:** Bentley, Christopher S
**Sent:** Thursday, April 08, 2010 10:37 AM
**To:** Irazabal, Luz; Wright, William G
**Cc:** Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** RE: H-1B numbers

Luz,

Can we find out how those numbers compared with the same time frame last year? - Chris

**Christopher S. Bentley**
Press Secretary
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security

(b)(6)
[redacted] (work) [redacted] (cell)

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 10:34 AM
**To:** Wright, William G
**Cc:** Bentley, Christopher S; Rhatigan, Chris; Ostapowich, Stephanie A
**Subject:** H-1B numbers

Bill – here are the latest numbers on the H-1B cap.

**USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.**

We are still waiting on clearance from the front office in order to release the USCIS Update.

Thank you,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security
20 Massachusetts Avenue, NW
Washington, DC 20589
[redacted] Office
Cell
luz.irazabal@dhs.gov

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, October 15, 2010 11:25 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B pending

Sorry, those are cases that have been issued an RFE and are awaiting response. You probably wouldn't have known that.

---

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 6:56 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B pending

One quick, very stupid question...what kinds of cases are in the "rule 103" category?

---

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 8:54 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B pending

Thanks!

---

**From:** Fierro, Joseph
**Sent:** Thursday, October 14, 2010 4:49 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly:

H-1B Regular Cap – 8/5/10
H-1B Master Cap – 8/15/10
H-1B Cap Exempt – 7/1/10
EOS 6/9/10

| CSC I-129 H1Bs (10-04-2010 to 10-08-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,120 | 103 | 493 | 1,716 |
| I-129 PP H1B | 1,403 | 92 | 354 | 1,849 |
| Total: | 2,523 | 195 | 847 | 3,565 |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 8:39 AM
**To:** Fierro, Joseph; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** RE: H-1B pending

Joe,

Can we also have the CSC's actions on these cases for the last week and the current processing date for initials and EOS petitions added to these reports?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

Here is the CSC report of pending H-1B cases.

Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 8:56 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B pending

One quick, very stupid question...what kinds of cases are in the "rule 103" category?

---

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 8:54 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B pending

Thanks!

---

**From:** Fierro, Joseph
**Sent:** Thursday, October 14, 2010 4:49 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly:

H-1B Regular Cap – 8/5/10
H-1B Master Cap – 8/15/10
H-1B Cap Exempt – 7/1/10
EOS 6/9/10

| CSC I-129 H1Bs (10-04-2010 to 10-08-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,120 | 103 | 493 | 1,716 |
| I-129 PP H1B | 1,403 | 92 | 354 | 1,849 |
| Total: | 2,523 | 195 | 847 | 3,565 |

---

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Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

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Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
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| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 7:54 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B pending

Thanks!

---

**From:** Fierro, Joseph
**Sent:** Thursday, October 14, 2010 4:49 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B pending

Shelly:

H-1B Regular Cap – 8/5/10
H-1B Master Cap – 8/15/10
H-1B Cap Exempt – 7/1/10
EOS 6/9/10

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|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 1,120 | 103 | 493 | 1,716 |
| I-129 PP H1B | 1,403 | 92 | 354 | 1,849 |
| Total: | 2,523 | 195 | 847 | 3,565 |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 8:39 AM
**To:** Fierro, Joseph; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** RE: H-1B pending

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**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

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Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 9:29 AM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Clark, Matthew J
**Subject:** RE: Morning...

Great...

I'm waiting for final clearance from Lauren at the front office.

Thanks,
Luz

**Luz Figuereo Irazabal**
USCIS Media Relations
[redacted]
(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:20 AM
**To:** Irazabal, Luz
**Cc:** Johnson, Bobbie L; Clark, Matthew J
**Subject:** RE: Morning...

5,600 masters (advanced degree) and approximately 13,500 regular cap

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:14 AM
**To:** Irazabal, Luz
**Cc:** Johnson, Bobbie L; Clark, Matthew J
**Subject:** RE: Morning...

Almost have them. Two shakes of a lambs tale.

---

**From:** Irazabal, Luz
**Sent:** Thursday, April 08, 2010 9:57 AM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L; Clark, Matthew J
**Subject:** Morning...

Just checking on the status of the numbers...

Thanks,
Luz

**Luz Figuereo Irazabal**
Public Affairs Officer
Office of Communications, Media Relations Division
U.S. Citizenship and Immigration Services
Department of Homeland Security

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 02, 2010 1:57 PM
**To:** Canney, Keith J
**Cc:** Sweeney, Mark M
**Subject:** RE: H-1B report

Many thanks for the clarification!

---

**From:** Canney, Keith J
**Sent:** Thursday, December 02, 2010 2:10 PM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M
**Subject:** RE: H-1B report

Shelley -

We have found some pockets of work that should have been distributed to adjudicators before other cases that have later received dates. We are working to ensure that, in the future, cases are issued in chronological order based on receipt. With the overtime that we now have available, we are hoping to work through these newly discovered pockets as quickly as possible. That is the reason for the regression.

Sorry for the confusion.

Keith

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, December 02, 2010 2:05 PM
**To:** Canney, Keith J
**Subject:** RE: H-1B report

Keith,

Did the VSC's processing times regress this week or was there a typo on last week's report (see attached email)?

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, December 02, 2010 8:26 AM
**To:** Harton, Frank A
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B report

Sorry about that. Will ensure to do so in the future.

---

**From:** Harton, Frank A
**Sent:** Thursday, December 02, 2010 8:26 AM
**To:** Canney, Keith J
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B report

Thanks, Keith. Please send these to Shelly Sweeney and copy me.

Regards,

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted] (b)(6)

---

**From:** Canney, Keith J
**Sent:** Thursday, December 02, 2010 6:14 AM
**To:** Harton, Frank A
**Cc:** Fierro, Joseph; Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A
**Subject:** H-1B report

Frank -

The VSC Cap processing date is 9/21/2010 (distributed to officers), and the EOS processing date is 6/15. We are approaching 60 days processing time on the cap cases and once we reach said benchmark, we will focus our efforts on staying within 60 days on the cap cases while we look to decrease the Non-Cap backlog.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **22-Nov-10** | **29-Nov-10** |
| Filed between 1-April-10 and: | 22-Sep-10 | 29-Sep-10 |
| **Initial Pending Cap > 60 days** | **2029** | **2130** |
| **With Officer** | 1481 | 1576 |
| **With Contractor** | 299 | 301 |
| **ADJ Staged** | 195 | 203 |
| **Other** | 54 | 50 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | **474** | **147** |
| DENIED | **60** | **10** |
| RFE/ ITD | 840 | 368 |
| **TOTAL** | 1374 | 525 |
| | | |
| **Weekly FY11 PP CAP actions** | 11/14-11/20 | 11/21-11/27 |
| APPROVED | 664 | 542 |
| DENIED | 33 | 25 |
| RFE/ ITD | 336 | 250 |
| TOTAL | **1033** | **817** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **22-Nov-10** | **29-Nov-10** |
| Filed between 1-Oct-09 and: | 22-Sep-10 | 29-Sep-10 |
| **Initial Pending EOS > 60 days** | **12583** | **13034** |
| **With Officer** | 1352 | 1258 |
| **With Contractor** | 10432 | 10931 |
| **ADJ Staged** | 675 | 710 |
| **Other** | 124 | 135 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | **673** | **316** |
| DENIED | **58** | **28** |
| RFE/ ITD | 105 | 49 |
| **TOTAL** | **836** | **393** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **11/14-11/20** | **11/21-11/27** |
| APPROVED | 999 | 765 |
| DENIED | 30 | 38 |
| RELOC | | |
| RFE/ ITD | 280 | 218 |
| TOTAL | **1309** | **1021** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, November 19, 2010 7:28 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B report

I apologize for the late response...just saw the follow-up message. The dates have not moved since last week due to our focus on PP. Thus, the VSC Cap processing date is 9/8/2010 (distributed to officers), and the EOS processing date is still 6/4.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 17, 2010 7:59 AM
**To:** Canney, Keith J
**Subject:** RE: H-1B report

Many thanks for the information below. Would it be possible to get the VSC's current processing date for cap and EOS cases? SCOPS has our monthly teleconference with AILA and they have requested an update on our current processing times.

---

**From:** Canney, Keith J
**Sent:** Wednesday, November 17, 2010 7:56 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Harton, Frank A
**Cc:** Perkins, Robert M; Lockerby, Beth A; Sweeney, Mark M; Fierro, Joseph
**Subject:** H-1B report

Shelly,

Decreased adjudicative actions during this period resulted from the four-day workweek. As an FYI, VSC will be primarily concentrating our efforts of the PP workload over the next several weeks. This increased focus on working our PP backlog down is an effort to position us well for the upcoming holiday season wherein we will experience high leave usage for those who process our PP work.

Keith

| FY11 CAP NON PP | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** | **3008** | **2541** | **2314** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 | 2385 | 1909 | 1669 |
| **With Contractor** | 393 | 287 | 616 | 868 | 381 | 391 | 413 |
| **ADJ Staged** | 292 | 419 | 470 | 141 | 152 | 172 | 180 |
| **Other** | 108 | 59 | 63 | 73 | 90 | 69 | 52 |
| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
| APPROVED | | **518** | **512** | **552** | **582** | **568** | **398** |
| DENIED | | **25** | **42** | **60** | **51** | **71** | **60** |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| RFE/ ITD | | 377 | 92 | 209 | 335 | 321 | 292 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** | **968** | **960** | **750** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 | 717 | 595 | 502 |
| DENIED | | 17 | 36 | 28 | 26 | 34 | 41 |
| RFE/ ITD | | 196 | 200 | 209 | 180 | 172 | 153 |
| TOTAL ACTIONS | | **841** | **778** | **1007** | **923** | **801** | **696** |

## FY10 EOS NON PP

| **Report date** | | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
|---|---|---|---|---|---|---|---|
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** | **12112** | **12197** | **12566** |
| **With Officer** | | 1386 | 1246 | 1135 | 1063 | 1323 | 1354 |
| **With Contractor** | | 9084 | 9418 | 10030 | 10422 | 10199 | 10474 |
| **ADJ Staged** | | 415 | 441 | 501 | 504 | 550 | 629 |
| **Other** | | 152 | 137 | 117 | 123 | 125 | 109 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** | **457** | **496** | **356** |
| DENIED | | **39** | **60** | **73** | **91** | **57** | **38** |
| RFE/ ITD | | 21 | 42 | 33 | 41 | 56 | 28 |
| **TOTAL ACTIONS** | | **283** | **538** | **326** | **589** | **609** | **422** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 | 976 | 953 | 770 |
| DENIED | | 39 | 53 | 41 | 40 | 26 | 50 |
| RELOC | | | | | | 1 | |
| RFE/ ITD | | 257 | 161 | 174 | 162 | 141 | 132 |
| TOTAL ACTIONS | | **1371** | **1067** | **1392** | **1178** | **1121** | **952** |

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Thursday, February 17, 2011 5:49 PM
**To:** Johnson, Bobbie L
**Cc:** Harton, Frank A; Sweeney, Shelly A; Harvey, Mark E
**Subject:** Re: H-1B Report

Will do. Thanks

----- Original Message -----
From: Johnson, Bobbie L
To: Velarde, Barbara Q
Cc: Harton, Frank A; Sweeney, Shelly A; Harvey, Mark E
Sent: Thu Feb 17 18:41:05 2011
Subject: FW: H-1B Report

Barbara,

You'll notice below that we have quite a chunk of notices sitting with clerical. We're focusing our clerical efforts tomorrow and on Monday (holiday work) on this workload. We'll also be taking a look at why this happened and how to prevent this from occurring, such as getting these cases to clerical sooner during the 60-day clock to give them the time they need to issue the notices.

Please let me know if you have additional questions or concerns.

Thanks!

Bobbie

Bobbie L. Johnson

Acting Deputy Director

California Service Center

949-389-3186

---

From: Fierro, Joseph
Sent: Thursday, February 17, 2011 2:38 PM
To: Harvey, Mark E
Cc: Harton, Frank A; Sweeney, Shelly A; Johnson, Bobbie L; Canney, Keith J; Velarde, Barbara Q
Subject: H-1B Report

Mark/Frank:

I have changed the report slightly in the hopes of making it clearer. If you have any suggestions to this, please let me know. The dates I provide from this date forward will indicate cases that are distributed to the officers on the floor. I would like to give some explanatory notes to help in the understanding of how this report works for our purposes and how CSC works this report to identify the status of cases in the work flow and determine where we are in processing.

PDA (our analysts) runs this initial report in CLAIMS3 (C3). There are many codes in C3 that define or identify a "pending" case for the purposes of the G-22 and this report. Many of these codes considered "pending" for the purposes of the G-22 and this report are in fact, when further or individually analyzed, closed. The CSC continually has to manually review the report to identify the cases that come up as "pending" that are not actually pending. The cases that are identified on this report as "pending" but are actually closed for some reason or other are eventually closed out and removed from the report. This will explain why some cases may come up as passed a reported time on this report.

Also, various other anomalies occur each week and may appear on the report as passed reported times. Some examples of anomalies include cases that have gone to BCU for IBIS resolution or CARRP review, CFDO for fraud, have been adjudicated but were never updated, have been misrouted, are placed on adjudicative hold for non security or fraud reasons, placed out of JIT order by the contractor, etc. Anomalies are continually being identified and are either closed out or adjudicated if possible, or continue to be held in abeyance if required by BCU or CFDO.

Many cases have been reviewed by the officer and supervisor prior to the reported time, but only need clerical updating. These cases usually get updated within 1-3 days. This is why I have added the "w/clerical" part of the report.

Please keep in mind that the majority of the cases "W/officer" and with supervisors are resubmits which means that they have already been RFEd.

Finally, there are a small number of cases that "fall through the cracks" and must be identified and picked up for adjudication. We identify these cases immediately and send e-mail messages to the officer, supervisor, or ACD to have

these adjudicated immediately and keep them within reported times. Currently, we have 6 divisions adjudicating H-1Bs, so it takes some tracking and effort to ensure everyone gets those cases that fall through the cracks done.

In the past I have used the most accurate times possible, or a time that most reflects the reality of the vast majority of cases vs. using the proportionately small number of cases that are open, are anomalies, or simply fall through the cracks, as the reported date. The reported time included a review of the JIT shelves, both physically and on paper, a review of the reports provided by our analysts, and a physical review of what is on the floor.

To help avoid confusion in the future, I will now report the time that cases are being distributed to the floor as the reported time.

- Joe

CAP/EOS dates distributed to officers:

Regular CAP: 12/22/10

Master Cap: 12/19/10

CAP Exempt: 12/18/10

EOS distributed to officers: 1/11/11

CSC I-129 H1Bs Pending with NFTS location as of 02/14/2011

CSC I-129 H1Bs (02-06-2011 to 02-12-2011)

Data Source: C3

Data Source: CATs

Status

Counts filed before 12/14/2010

Everything filed up today

APP

DEN

RFE

Total

Div I

I-129 H1B

460

114

240

814

I-129 H1B EOS

80

34

24

138

H-1Bs

Initials

At BCU

2

2

I-129 PP H1B

431

50

91

572

At CFDO

27

30

I-129 PP H1B EOS

429

23

56

508

In File Room/Jit Shelf

43

1,919

Total:

1,400

221

411

2,032

On RFE Shelf/Rule 103

700

703

Div II

I-129 H1B

23

4

5

32

Other Location

91

127

I-129 H1B EOS

3

4

0

7

W/Clerical/Incl Resubmits

628

826

I-129 PP H1B

0

0

0

0

W/Officer/Incl Resubmits

638

880

I-129 PP H1B EOS

0

0

0

0

Others

At BCU

21

31

Total:

26

8

5

39

At CFDO

18

22

Div V

I-129 H1B

59

0

47

106

In File Room/Jit Shelf

45

2,660

I-129 H1B EOS

58

3

11

72

On RFE Shelf/Rule 103

467

499

I-129 PP H1B

1

0

2

3

Other Location

67

198

I-129 PP H1B EOS

2

0

0

2

W/Clerical/Incl Resubmits

230

488

Total:

120

3

60

183

W/Officer/Incl Resubmits

335

801

Div VI

I-129 H1B

14

0

21

35

Total:

3,312

9,186

I-129 H1B EOS

396

11

17

424

Notes:

- Resubmits are cases that have already been RFEd.

- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.

- “Other Location” consists mostly of contractor locations.

I-129 PP H1B

0

0

0

0

I-129 PP H1B EOS

4

1

0

5

Total:

414

12

38

464

Grand Total:

1,960

244

514

2,718

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 28, 2010 8:28 AM
**To:** Fierro, Joseph
**Cc:** Johnson, Bobbie L
**Subject:** RE: H-1B Update

Joe,

Will the 21 officers mentioned below be working the non-premium EOS cases full-time? Or will they also be working another form type/classification part-time?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 27, 2010 11:00 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Shuttle, Peter J
**Subject:** H-1B Update

Shelly:

Processing times for non pp H-1Bs:

Regular Cap - 8/17/2010 (70 days)
Master Cap – 9/1/2010 (56 days)
Cap Exempt – 8/13/2010 (73 days)
EOS 6/15/2010 (132 days)

We will be adding 21 officers to the non premium EOS cases and we will shoot to have everything current within 3 months. The training for the additional officers will occur this week and next week.

| CSC I-129 H1Bs Pending as of 10/25/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/25/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 3,253 | 6,188 |
| | | PENDING | 272 | 276 |
| | | REOPENED | 10 | 10 |
| | | RULE 103 | 2,648 | 2,721 |
| | | SUSPENSE | 18 | 22 |
| | | TRANSFERRED IN | 385 | 441 |
| | Others | NEW CASE | 11,628 | 18,831 |
| | | PENDING | 217 | 226 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 527 | 529 |

| | | | | |
|---|---|---|---|---|
| | | SUSPENSE | 20 | 25 |
| | | TRANSFERRED IN | 168 | 186 |
| **Total:** | | | **19,147** | **29,456** |

| CSC I-129 H1Bs (10-18-2010 to 10-22-2010) - Data Source: CATs | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| I-129 H1B | 925 | 128 | 374 | 1,427 |
| I-129 PP H1B | 1,323 | 97 | 311 | 1,731 |
| **Total:** | **2,248** | **225** | **685** | **3,158** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, October 28, 2010 12:26 PM
**To:** Sweeney, Shelly A
**Cc:** Johnson, Bobbie L
**Subject:** Re: H-1B Update

Full-time.

----- Original Message -----
From: Sweeney, Shelly A
To: Fierro, Joseph
Cc: Johnson, Bobbie L
Sent: Thu Oct 28 09:27:31 2010
Subject: RE: H-1B Update

Joe,

Will the 21 officers mentioned below be working the non-premium EOS cases full-time? Or will they also be working another form type/classification part-time?

Thanks!

Shelly

---

From: Fierro, Joseph
Sent: Wednesday, October 27, 2010 11:00 AM
To: Sweeney, Shelly A; Johnson, Bobbie L
Cc: Shuttle, Peter J
Subject: H-1B Update

Shelly:

Processing times for non pp H-1Bs:

Regular Cap - 8/17/2010 (70 days)

Master Cap – 9/1/2010 (56 days)

Cap Exempt – 8/13/2010 (73 days)

EOS 6/15/2010 (132 days)

We will be adding 21 officers to the non premium EOS cases and we will shoot to have everything current within 3 months. The training for the additional officers will occur this week and next week.

CSC I-129 H1Bs Pending as of 10/25/2010 - Data Source: C3

Status

Counts filed before 08/25/2010

Everything filed up today

H-1Bs

Initials

NEW CASE

3,253

6,188

PENDING

272

276

REOPENED

10

10

RULE 103

2,648

2,721

SUSPENSE

18

22

TRANSFERRED IN

385

441

Others

NEW CASE

11,628

18,831

PENDING

217

226

REOPENED

1

1

RULE 103

527

529

SUSPENSE

20

25

TRANSFERRED IN

168

186

Total:

19,147

29,456

CSC I-129 H1Bs (10-18-2010 to 10-22-2010) - Data Source: CATs

APP

DEN

RFE

Total

I-129 H1B

925

128

374

1,427

I-129 PP H1B

1,323

97

311

1,731

Total:

2,248

225

685

3,158

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 01, 2010 12:23 PM
**To:** Wright, William G; Young, Claudia F; Doherty, Shannon P; Sweeney, Shelly A
**Subject:** RE: H-1B

Adding Shelly.

---

**From:** Wright, William G
**Sent:** Thursday, April 01, 2010 1:16 PM
**To:** Johnson, Bobbie L; Young, Claudia F; Doherty, Shannon P
**Subject:** FW: H-1B

Ladies – If it's possible, could you provide me an update next Wednesday? I'll provide basic info only to the reporter.

ThanX in advance.

r/
Bill

---

**From:** Olson,Anna [mailto:anna_olson@nbr.com]
**Sent:** Thursday, April 01, 2010 11:23 AM
**To:** Wright, William G
**Subject:** RE: H-1B

Thanks, that is helpful.

Yes, I'd very much appreciate an update next Thursday. I'll look forward to talking then.

Best,
Anna

**Anna Olson/ Associate Producer, PBS Nightly Business Report/ 202-682-9029/** Anna_Olson@nbr.com

---

**From:** Wright, William G [mailto:William.G.Wright@dhs.gov]
**Sent:** Thursday, April 01, 2010 10:19 AM
**To:** Olson,Anna
**Subject:** RE: H-1B

Anna – I wish I could provide you something concrete today; but, quite frankly, there's just no way of gauging the numbers on the first day. We will be monitoring the number of petitions received; we should have a better indication after one week. I'll be happy to give you an update next Thursday. But, what I can tell you is that we always prepare for large numbers of petitions. We'll just have to wait and see.

For some historical perspective, the cap was not reached between FY92-FY96 and FY01-03. For the FY10 program last year, we did reach the Congressionally-mandated cap of 65,000 petitions; but, not until Dec. 21, 2009. Contrast that with the FY2009 program -- opened April 1, 2008 and reached the cap within one day.

Hope this is helpful.

Regards,
Bill

---

**From:** Olson,Anna [mailto:anna_olson@nbr.com]
**Sent:** Thursday, April 01, 2010 9:47 AM
**To:** Wright, William G
**Subject:** RE: H-1B

Thanks, Bill. What would probably be most helpful is some information today on how many applications you're expecting/ how many you receive. We may report this information in the program this evening. Were application numbers down last year, and do you expect to see similar numbers?

Thanks again!
Anna

**Anna Olson/ Associate Producer, PBS Nightly Business Report/ 202-682-9029/** Anna_Olson@nbr.com

---

**From:** Wright, William G [mailto:William.G.Wright@dhs.gov]
**Sent:** Wednesday, March 31, 2010 5:38 PM
**To:** Olson,Anna
**Subject:** Re: H-1B

Anna -- we'll respectfully decline your invitation; however, I'll be happy to provide a written on-the-record statement if that will suffice.

Regards,
Bill

----- Original Message -----
From: Olson,Anna <anna_olson@nbr.com>
To: Wright, William G <William.G.Wright@dhs.gov>
Sent: Wed Mar 31 15:36:50 2010
Subject: RE: H-1B

Thanks, Bill. It looks like we'll probably include a story about this in tomorrow's program. Might someone be available tomorrow for a taped, on-camera interview to discuss this year's H-1B program?

Thanks again for your help,

Anna

Anna Olson/ Associate Producer, PBS Nightly Business Report/ 202-682-9029/ Anna_Olson@nbr.com

---

From: Wright, William G [mailto:William.G.Wright@dhs.gov]
Sent: Wednesday, March 31, 2010 3:34 PM
To: Olson,Anna
Subject: H-1B

Anna – As discussed, first link below is the release we put out earlier this month about the FY11 H-1B program. Second link will provide you much detailed information on the program in general.

Let me know if I can help further.

Best regards,
Bill Wright

Deputy Press Secretary
U.S. Citizenship and Immigration Services

(b)(6)

http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=5b29dd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=68439c7755cb9010VgnVCM10000045f3d6a1RCRD

http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=73566811264a3210VgnVCM100000b92ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Tuesday, December 07, 2010 2:51 PM
**To:** Fierro, Joseph; Sweeney, Shelly A; Harton, Frank A
**Cc:** Melville, Rosemary; Johnson, Bobbie L
**Subject:** RE: H-1B Report

Thank you Joe

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Fierro, Joseph
**Sent:** Tuesday, December 07, 2010 3:29 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Harton, Frank A
**Cc:** Melville, Rosemary; Johnson, Bobbie L
**Subject:** H-1B Report

Hi Barbara:

Here are the H1B processing times:

Regular Cap – 10/6/2010

Master Cap – 10/5/2010

Cap Exempt – 10/1/2010

EOS – 9/22/2010 – Note: We have distributed or reviewed cases through 9/22/2010. However, some cases are currently being reviewed, while some cases have been adjudicated but are awaiting clerical updating. We plan on having all the EOS cases up to 9/22/2010 completed, including updating, by Tuesday or Wednesday next week.

- CSC adjudicated approximately 2500 cases last weekend on OT.
- CSC more than doubled its production from last week's report from a total of 3329 actions to 7573 this week's report.

| CSC I-129 H1Bs Pending as of 12/06/2010 - Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 10/06/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,511 | 4,328 |
| | | PENDING | 391 | 391 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 3,035 | 3,041 |

| | | | | |
|---|---|---|---|---|
| | | SUSPENSE | 18 | 19 |
| | | TRANSFERRED IN | 394 | 481 |
| | Others | NEW CASE | 8,847 | 13,860 |
| | | PENDING | 399 | 399 |
| | | REOPENED | 3 | 3 |
| | | RULE 103 | 697 | 698 |
| | | SUSPENSE | 21 | 22 |
| | | TRANSFERRED IN | 175 | 207 |
| **Total:** | | | **15,499** | **23,457** |

| CSC I-129 H1Bs (11-28-2010 to 12-04-2010) - Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 684 | 79 | 296 | 1,059 |
| | I-129 H1B EOS | 1,445 | 33 | 69 | 1,547 |
| | I-129 PP H1B | 809 | 59 | 310 | 1,178 |
| | I-129 PP H1B EOS | 755 | 27 | 127 | 909 |
| | **Total:** | **3,693** | **198** | **802** | **4,693** |
| Div II | I-129 H1B | 437 | 79 | 60 | 576 |
| | I-129 H1B EOS | 422 | 8 | 45 | 475 |
| | I-129 PP H1B | 3 | 1 | 3 | 7 |
| | I-129 PP H1B EOS | 0 | 2 | 0 | 2 |
| | **Total:** | **862** | **90** | **108** | **1,060** |
| Div V | I-129 H1B | 3 | 0 | 0 | 3 |
| | I-129 H1B EOS | 493 | 15 | 8 | 516 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 2 | 0 | 0 | 2 |
| | **Total:** | **498** | **15** | **8** | **521** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 1,230 | 12 | 43 | 1,285 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 14 | 0 | 0 | 14 |
| | **Total:** | **1,244** | **12** | **43** | **1,299** |
| **Grand Total:** | | **6,297** | **315** | **961** | **7,573** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, January 05, 2011 3:40 PM
**To:** Chong, Jenny
**Subject:** RE: I-129 Weekly Report

Ekkk...I don't seem to have access to O common. Could you copy and paste? Sorry. :-(

---

**From:** Chong, Jenny
**Sent:** Wednesday, January 05, 2011 4:01 PM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Johnson, Bobbie L; Fierro, Joseph
**Subject:** I-129 Weekly Report

Hi.

I am sorry for not sending the report any sooner.

Please click on the link below to see current report for I-129 H1Bs Pending.
O:\PDA\PDA_Reports\DivX\DivI\CSC I-129 H1Bs Pending.xls

Here is our JIT Report.

I-129 H1B Master CAP: 10/21/2010
I-129 Regular CAP: 10/25/10
I-129 Cap Exempt: 10/20/2010

I-129 H1B EOS: 11/01/10

Please feel free to contact me if I missed anything.

Thank you.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 10, 2011 8:13 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,718 | 1/7/2011 |
| H-1B Master's Exemption* | 20,000 | 20,971 | 1/7/2011 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, January 03, 2011 8:25 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** Should hit cap by end of January

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,614 | 12/31/2010 |
| H-1B Master's Exemption* | 20,000 | 20,671 | 12/31/2010 |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 8:39 AM
**To:** Fierro, Joseph; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** RE: H-1B pending

Joe,

Can we also have the CSC's actions on these cases for the last week and the current processing date for initials and EOS petitions added to these reports?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, October 13, 2010 11:08 AM
**To:** Sweeney, Shelly A; Johnson, Bobbie L
**Cc:** Kramar, John; Melville, Rosemary; Shuttle, Peter J
**Subject:** H-1B pending

Shelly:

Here is the CSC report of pending H-1B cases.

Thanks,

Joe

| CSC I-129 H1Bs Pending as of 10/12/2010 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/12/2010 | Everything filed up today |
| H-1Bs | Initials | NEW CASE | 1,894 | 6,327 |
| | | PENDING | 277 | 278 |
| | | REOPENED | 8 | 8 |
| | | RULE 103 | 2,400 | 2,545 |
| | | SUSPENSE | 17 | 22 |
| | | TRANSFERRED IN | 375 | 412 |
| | Others | NEW CASE | 11,208 | 19,224 |
| | | PENDING | 221 | 225 |
| | | REOPENED | 1 | 1 |
| | | RULE 103 | 453 | 457 |
| | | SUSPENSE | 20 | 28 |
| | | TRANSFERRED IN | 158 | 173 |
| **Total:** | | | **17,032** | **29,700** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 22, 2010 8:05 AM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E
**Subject:** RE: H-1B pending cases

Jim, you are, once again, my hero!

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, September 22, 2010 8:58 AM
**To:** Sweeney, Shelly A
**Cc:** McConnell, James E
**Subject:** H-1B pending cases

Shelly,
See below.
Jim

H-1B petitions pending adjudication received between April 1 and July 31, 2010

| | Current nonimmigrant status | | |
|---|---|---|---|
| **CSC** | All | F1 | Other |
| Cap | 5,950 | 1,963 | 3,987 |
| Non-cap | 13,674 | 424 | 13,250 |
| | 19,624 | 2,387 | 17,237 |
| | | | |
| **VSC** | | | |
| Cap | 6,429 | 2,412 | 4,017 |
| Non-cap | 11,842 | 75 | 11,767 |
| | 18,271 | 2,487 | 15,784 |
| | | | |
| **All** | | | |
| Cap | 12,379 | 4,375 | 8,004 |
| Non-cap | 25,516 | 499 | 25,017 |
| | 37,895 | 4,874 | 33,021 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 08, 2010 10:29 AM
**To:** Johnson, Bobbie L
**Subject:** RE: Premium filing percentage was down about 5% this year

Bobbie,

The total number isn't problematic. When I break it out, we had 21,000+ advanced degree and 41,000+ regular cap. In our public updates last year we always stated that we had received approximately 20,000 advanced degree petitions. I believe it was done to prevent confusion and let them know that we were still accepting petitions for the advanced degree exemption based on the denials, revocations, etc. Are we ok with saying that we had received approximately 21,500 advanced degree petitions and 41,800 regular cap petitions or do we want to simply say that our combined total was a little over 63K last year during the same time frame?

Thanks!

Shelly

-----Original Message-----
From: Johnson, Bobbie L
Sent: Thursday, April 08, 2010 11:21 AM
To: Sweeney, Shelly A
Subject: Fw: Premium filing percentage was down about 5% this year

----- Original Message -----
From: Peck, Denis R
To: Velarde, Barbara Q; Johnson, Bobbie L
Sent: Thu Apr 08 10:26:55 2010
Subject: Premium filing percentage was down about 5% this year

I found this old update I sent out on the same date last year. Not surprisingly some companies figured out they can save the money and get the same results in sufficient time.

From: Peck, Denis R
Sent: Thursday, April 09, 2009 9:39 AM
To: Aytes, Michael; Neufeld, Donald; Rogers, Debra A; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Young, Claudia F; McConnell, James E; Arroyo, Susan K
Cc: Jones, Rendell L; Bentley, Christopher S; Wright, William G
Subject: CAP summary: 21,650 Masters & 42,062 nonMasters through April 8

Combined total, 63,712

All barcoded and data entry began on Premiums evening of April 7.

Received on April 8: 96 Masters, 234 nonMasters. 330 Total. 17 total Premiums

Total Premiums through April 8: 17,534 = 27.5% but percentage drops each day.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted]

(b)(6)

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Velarde, Barbara Q
Sent: Thursday, April 08, 2010 10:11 AM
To: Peck, Denis R; Johnson, Bobbie L
Subject: RE: CAP first five day filings total- 19,206

Wow what a huge decline. Amazing

Barbara Q. Velarde

Deputy Associate Director

Service Center Operations Directorate

U.S. Citizenship and Immigration Services

20 Massachusetts Avenue, Room 2134

Washington, DC 20529

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From: Peck, Denis R
Sent: Thursday, April 08, 2010 10:08 AM
To: Johnson, Bobbie L
Cc: Velarde, Barbara Q
Subject: RE: CAP first five day filings total- 19,206

I agree. That looks good and it is correct to go.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Johnson, Bobbie L
Sent: Thursday, April 08, 2010 10:06 AM
To: Peck, Denis R
Cc: Velarde, Barbara Q
Subject: FW: CAP first five day filings total- 19,206
Importance: High

Denis,

I just want to confirm that the numbers you give below are the numbers we should send to OCOMM for the public update. Last year we rounded the numbers and are planning to do the same this year.

Please confirm.

Thanks!

Bobbie

---

From: Sweeney, Shelly A
Sent: Thursday, April 08, 2010 9:57 AM
To: Johnson, Bobbie L
Subject: RE: CAP first five day filings total- 19,206

Bobbie,

I would like to confirm with you that the information below ready for issuance in the USCIS Update:

Approximately 5,600 masters and approximately 13,500 regular.

Last year's figures were rounded. Do you want me to continue with rounding or use the actual figures below?

Thanks!

Shelly

---

From: Peck, Denis R
Sent: Thursday, April 08, 2010 9:26 AM
To: Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K; Shiflett, Julie M; Lundquist, Mark E
Subject: CAP first five day filings total- 19,206
Importance: High

I count 4,293 Premiums – 22.35%

The master-nonmasters breakdown looks like 5,631 masters and 13,575 regular.

Our comparable five day total last year was just under 64,000.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted]

(b)(6)

202-272-1542 FAX

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Friday, November 19, 2010 6:06 AM
**To:** Sweeney, Shelly A; Richardson, Gregory A; Harton, Frank A
**Subject:** RE: H-1B Processing Update

We finally got them their OT so we should see some progress... thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, November 18, 2010 4:33 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's report from the CSC and the VSC. Please note that production is a bit lower as last week was a short week due to the holiday:

**CSC**:

The CSC reported that they are at a 9/1 processing date for regular cap cases (last week was 8/22) and a 9/23 processing date for master's cap (last week was 9/22). Cap exempt is at 9/5 (same as last week). The processing date for EOS has moved slightly to 7/16 (last week it was at 7/10). As of November 16, there were 5,972 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,760 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 12,826 EOS petitions still pending that are outside of the two month processing goal. Of that number, 532 have had an RFE/NOID issued already.

From 11/8 to 11/12, the CSC approved 1,119 non premium cases, denied 109 non premium cases, and issued an RFE on 251 non premium cases. CSC also approved 990 premium cases, denied 61 premium cases, and issued an RFE on 232 premium cases during the same time period.

**VSC**:

The VSC has not yet provided their updated processing date for cap or EOS cases. They did indicate that they are focusing right now on premium filings and may continue to do so for a few weeks. As of November 15, there were 2,314 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,566 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/7 to 11/13, the VSC approved 754 non premium cases, denied 98 non premium cases, and issued an RFE/NOID on 320 non premium cases. VSC also approved 1,272 premium cases, denied 91 premium cases, and issued an RFE/NOID on 285 premium cases during the same time period.

Thanks!

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Tuesday, October 19, 2010 8:28 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Processing Update

Thanks!

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 19, 2010 8:52 AM
**To:** Johnson, Bobbie L
**Subject:** H-1B Processing Update

Bobbie,

Here is a synopsis of this week's report from the VSC and the CSC:

**CSC**:

The CSC reported that they are at an 8/9 processing date for regular cap cases and an 8/15 processing date for master's cap. This is an improvement of a couple of days for the regular cap workload. The processing date for master's cap is the same as last week. Cap exempt is at 7/17 (last week this was at 7/11). The processing date for EOS moved forward slightly to 6/15 (last week was 6/9). As of October 18, there were 6,575 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,523 have had an RFE/NOID issued and are pending response. The initial pending outside of 2 months has shot up from last week by about 1,600. I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 12,415 EOS petitions still pending that are outside of the two month processing goal. Of that number, 488 have had an RFE/NOID issued and are pending response.

From 10/11 to 10/15, the CSC approved 511 non premium cases, denied 42 non premium cases, and issued an RFE on 214 non premium cases. CSC also approved 1,016 premium cases, denied 55 premium cases, and issued an RFE on 234 premium cases during the same time period.

**VSC**:

The VSC changed their processing date reporting to mimic the way that CSC reports its processing date. The VSC reported that they are at a 8/16 processing date for cap cases, which is no change from last week. The processing date for EOS is at 5/27. As of October 18, there were 3,022 untouched cap petitions still pending that are outside of the two-month processing goal. The initial pending outside of 2 months has shot up from last week by about 1,175. As with CSC, I believe that this increase reflects the surge of petitions we received just prior to the PL 111-230 fee taking effect. There were 11,242 untouched EOS petitions still pending that are outside of the two month processing goal.

From 10/10 to 10/16, the VSC approved 948 non premium cases, denied 102 non premium cases, and issued an RFE/NOID on 134 non premium cases. VSC also approved 1,395 premium cases, denied 89 premium cases, and issued an RFE/NOID on 361 premium cases during the same time period.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 08, 2010 8:31 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** RE: H-1B Processing Update

In addition to the processing times noted below, AILA may wish to hear how we are for cap numbers. As of 12/3, we have received approximately 51,200 cap subject petitions and approximately 18,700 advanced degree petitions.

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**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 08, 2010 8:06 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

CSC:

The CSC reported that they are at a 10/6 processing date for regular cap cases (it was 10/5 last week) and a 10/5 processing date for master's cap (it was 9/28 last week). Cap exempt is at 10/1 (last week was 9/21). The processing date for EOS has moved to 9/22 (the previous week it was at 8/11). As of December 6, there were 5,357 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 3,035 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 10,142 EOS petitions still pending that are outside of the two month processing goal. Of that number, 697 have had an RFE/NOID issued already.

From 11/28 to 12/4, the CSC approved 4,714 non premium cases, denied 226 non premium cases, and issued an RFE on 521 non premium cases. CSC also approved 1,583 premium cases, denied 89 premium cases, and issued an RFE on 440 premium cases during the same time period. *Total actions during that time period was 7,573.*

VSC:

The VSC reported that they are at a 10/22 processing date for cap cases (they reported 9/21 last week). The processing date for EOS is at 7/7 (they reported 6/15 last week). As they are now within 60 days on cap cases, the VSC plans to shift focus to staying with 60 days and eliminating the EOS backlog. As of December 6, there were 2,028 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,922 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 11/28 to 12/4, the VSC approved 1,588 non premium cases, denied 249 non premium cases, and issued an RFE/NOID on 215 non premium cases. VSC also approved 1,957 premium cases, denied 93 premium cases, and issued an RFE/NOID on 409 premium cases during the same time period. *Total actions during that time period was 4,511.*

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, December 17, 2010 9:49 AM
**To:** Canney, Keith J
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Perkins, Robert M
**Subject:** RE: VSC H-1B Report

Keith,

SCOPS would like weekly reports to continue on the cap filings while the VSC is utilizing OT even though the VSC is within 60 days on this caseload.

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, December 16, 2010 6:11 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; Harton, Frank A; Perkins, Robert M
**Subject:** VSC H-1B Report

Shelley -

The VSC Cap processing date (being distributed to officers), is 10/22/2010 and the EOS processing date 7/12/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Now that we are within 60 days on cap filings, do you still need us to report out weekly on this subset of H-1B filings?

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **6-Dec-10** | **13-Dec-10** |
| Filed between 1-April-10 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending Cap > 60 days** | **2028** | **1349** |
| **With Officer** | 1516 | 953 |
| **With Contractor** | 254 | 130 |
| **ADJ Staged** | 208 | 214 |
| **Other** | 50 | 52 |

| **Weekly FY11 Non PP CAP actions** | **11/28-12/4** | **12/5-12/11** |
|---|---|---|
| APPROVED | **956** | **1373** |
| DENIED | **122** | **102** |
| RFE/ ITD | 141 | 433 |
| **TOTAL** | **1219** | **1908** |

| Weekly FY11 PP CAP actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 838 | 577 |
| DENIED | 36 | 55 |
| RFE/ ITD | 263 | 130 |
| **TOTAL** | **1137** | **762** |

## FY10/11 EOS NON PP

| Report date | 6-Dec-10 | 13-Dec-10 |
|---|---|---|
| Filed between 1-Oct-09 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending EOS > 60 days** | **12922** | **12410** |
| **With Officer** | 803 | 3372 |
| **With Contractor** | 11351 | 7697 |
| **ADJ Staged** | 703 | 1219 |
| **Other** | 65 | 122 |

| Weekly FY10/11 Non PP EOS actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 632 | 766 |
| DENIED | 127 | 112 |
| RFE/ ITD | 74 | 167 |
| **TOTAL** | **833** | **1045** |

| Weekly FY10/11 PP EOS actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 1119 | 675 |
| DENIED | 57 | 80 |
| RELOC | | |
| RFE/ ITD | 146 | 90 |
| **TOTAL** | **1322** | **845** |

## Shirk, Georgette L

**From:** Sweeney, Mark M <Mark.M.Sweeney@uscis.dhs.gov>
**Sent:** Thursday, March 24, 2011 6:35 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Shelly A; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Canney, Keith J; Rhodes-Gibney, Cathy S
**Subject:** RE: VSC H1B Report

Mack –

I apologize that is late. Below is the report:

VSC's H-1B processing dates (dates distributed to officers) is as follows:

Cap: 1/6/2011
EOS: 1/13/2011

* Please note that the EOS date fell backward due to a significant number of cases being identified as shelved separate from the main workload. This was not a contractor error as the contractor was fully aware of this.

Mark

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **14-Mar-11** | **21-Mar-11** |
| Filed between 1-April-10 and: | 12-Jan-11 | 19-Jan-11 |
| **Initial Pending Cap > 60 days** | **1783** | **1985** |
| **With Officer** | 1023 | 932 |
| **With Contractor** | 707 | 998 |
| **ADJ Staged** | 6 | 5 |
| **Other** | 47 | 50 |

| **Weekly FY11 Non PP CAP actions** | **3/6-3/12** | **3/13-3/19** |
|---|---|---|
| APPROVED | **313** | **328** |
| DENIED | **48** | **64** |
| RFE/ ITD | 118 | 143 |
| **TOTAL** | **479** | **535** |

| **Weekly FY11 PP CAP actions** | **3/6-3/12** | **3/13-3/19** |
|---|---|---|
| APPROVED | 138 | 130 |
| DENIED | 45 | 41 |
| RELOC | | |
| RFE/ ITD | 26 | 39 |
| TOTAL | **209** | **210** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **14-Mar-11** | **21-Mar-11** |

| Filed between 1-Oct-09 and: | 12-Jan-11 | 19-Jan-11 |
|---|---|---|
| **Initial Pending EOS > 60 days** | **3443** | **2796** |
| **With Officer** | 2334 | 2039 |
| **With Contractor** | 1019 | 664 |
| **ADJ Staged** | 4 | 5 |
| **Other** | 86 | 88 |

| **Weekly FY10/11 Non PP EOS actions** | **3/6-3/12** | **3/13-3/19** |
|---|---|---|
| APPROVED | 887 | 963 |
| DENIED | 101 | 100 |
| RELOC | | |
| RFE/ ITD | 232 | 275 |
| **TOTAL** | **1220** | **1338** |

| **Weekly FY10/11 PP EOS actions** | **3/6-3/12** | **3/13-3/19** |
|---|---|---|
| APPROVED | 687 | 662 |
| DENIED | 62 | 75 |
| RELOC | | |
| RFE/ ITD | 153 | 147 |
| TOTAL | **902** | **884** |

## Shirk, Georgette L

**From:** Bolog, Marguerite M <Marguerite.M.Bolog@uscis.dhs.gov>
**Sent:** Friday, April 29, 2011 7:27 AM
**To:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Hi Shelly—

He's speaking about FY12 for cap, as VSC is current on FY11 cap cases. You are correct; VSC only assigned a receipt date of 4/7 to PP cases.

--Mack

---

**From:** Sweeney, Shelly A
**Sent:** Friday, April 29, 2011 7:48 AM
**To:** Bolog, Marguerite M
**Subject:** FW: VSC H-1B report

Mack,

When Keith says, 4/1 below, is he talking FY11 or FY12? I'm a little confused as the tables are all specific to FY10 or FY11 data... If FY12 (which I am thinking might be the case), how do they tell those cases apart from the rest of the petitions that were filed during the first 5 business days? Weren't they all given a data entry receipt date of April 7? Or was that only the PP cases?

Thanks!

Shelly

---

**From:** Canney, Keith J [mailto:Keith.J.Canney@uscis.dhs.gov]
**Sent:** Friday, April 29, 2011 6:56 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Sweeney, Shelly A; Fierro, Joseph
**Subject:** VSC H-1B report

Mack –

Here is this week's H-1B report. We are currently distributing cases that were received on the following dates:

Cap 4/1
EOS 4/14

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **18-Apr-11** | **25-Apr-11** |
| Filed between 1-Oct-09 and: | 16-Feb-11 | 23-Feb-11 |
| **Initial Pending EOS > 60 days** | **511** | **428** |
| **With Officer** | 338 | 287 |

| | | |
|---|---|---|
| With Contractor | 46 | 27 |
| ADJ Staged | 31 | 15 |
| Other | 96 | 99 |

| Weekly FY10/11 Non PP EOS actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 1025 | 1464 |
| DENIED | 94 | 162 |
| RELOC | 3 | |
| RFE/ ITD | 292 | 449 |
| TOTAL | 1414 | 2075 |

| Weekly FY10/11 PP EOS actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 787 | 656 |
| DENIED | 82 | 110 |
| RELOC | | |
| RFE/ ITD | 179 | 117 |
| TOTAL | 1048 | 883 |

## FY11 CAP NON PP

| Report date | 18-Apr-11 | 25-Apr-11 |
|---|---|---|
| Filed between 1-April-10 and: | 16-Feb-11 | 23-Feb-11 |
| Initial Pending Cap > 60 days | 418 | 359 |
| With Officer | 309 | 270 |
| With Contractor | 19 | 22 |
| ADJ Staged | 38 | 23 |
| Other | 52 | 44 |

| Weekly FY11 Non PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 134 | 107 |
| DENIED | 35 | 62 |
| RELOC | 33 | |
| RFE/ ITD | 77 | 24 |
| TOTAL | 279 | 193 |

| Weekly FY11 PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 48 | 30 |
| DENIED | 24 | 31 |
| RELOC | | |
| RFE/ ITD | 7 | 16 |
| TOTAL | 79 | 77 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, December 17, 2010 10:07 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Perkins, Robert M
**Subject:** RE: VSC H-1B Report

Certainly…

---

**From:** Sweeney, Shelly A
**Sent:** Friday, December 17, 2010 10:49 AM
**To:** Canney, Keith J
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Perkins, Robert M
**Subject:** RE: VSC H-1B Report

Keith,

SCOPS would like weekly reports to continue on the cap filings while the VSC is utilizing OT even though the VSC is within 60 days on this caseload.

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, December 16, 2010 6:11 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; Harton, Frank A; Perkins, Robert M
**Subject:** VSC H-1B Report

Shelley -

The VSC Cap processing date (being distributed to officers), is 10/22/2010 and the EOS processing date 7/12/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Now that we are within 60 days on cap filings, do you still need us to report out weekly on this subset of H-1B filings?

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **6-Dec-10** | **13-Dec-10** |
| Filed between 1-April-10 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending Cap > 60 days** | **2028** | **1349** |
| **With Officer** | 1516 | 953 |
| **With Contractor** | 254 | 130 |
| **ADJ Staged** | 208 | 214 |
| **Other** | 50 | 52 |

| Weekly FY11 Non PP CAP actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 956 | 1373 |
| DENIED | 122 | 102 |
| RFE/ ITD | 141 | 433 |
| TOTAL | 1219 | 1908 |

| Weekly FY11 PP CAP actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 838 | 577 |
| DENIED | 36 | 55 |
| RFE/ ITD | 263 | 130 |
| TOTAL | 1137 | 762 |

## FY10/11 EOS NON PP

| Report date | 6-Dec-10 | 13-Dec-10 |
|---|---|---|
| Filed between 1-Oct-09 and: | 6-Oct-10 | 13-Oct-10 |
| Initial Pending EOS > 60 days | 12922 | 12410 |
| With Officer | 803 | 3372 |
| With Contractor | 11351 | 7697 |
| ADJ Staged | 703 | 1219 |
| Other | 65 | 122 |

| Weekly FY10/11 Non PP EOS actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 632 | 766 |
| DENIED | 127 | 112 |
| RFE/ ITD | 74 | 167 |
| TOTAL | 833 | 1045 |

| Weekly FY10/11 PP EOS actions | 11/28-12/4 | 12/5-12/11 |
|---|---|---|
| APPROVED | 1119 | 675 |
| DENIED | 57 | 80 |
| RELOC | | |
| RFE/ ITD | 146 | 90 |
| TOTAL | 1322 | 845 |

## Shirk, Georgette L

**From:** Nicholson, Richard E
**Sent:** Thursday, January 20, 2011 3:47 PM
**To:** Harton, Frank A; Loughlin, Stephen J
**Cc:** Abram, John P; Canney, Keith J; Peck, Denis R; Sweeney, Shelly A
**Subject:** RE: Maintaining same day currency with withdrawal requests

Frank: Our process does entail adjudications…see below:

I-129 withdrawals do not go to adjudication to be processed. The contractor creates a text file and sends the file to IT, then waits 30 day and then the contractor interfiles the letters.

Excerpts from SOP:

Access the O: Common drive and select the Microsoft Access file name "I-129 Auto Rev Letter Generator"

An e-mail containing the receipt number text files and ITSR will be sent to the IT Department POC. The IT POC will update the cases in CLAIMS 3 as "Revocation Notice Ordered" and "Revocation Notice Sent".

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Harton, Frank A
**Sent:** Thursday, January 20, 2011 12:13 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Abram, John P; Canney, Keith J; Peck, Denis R; Sweeney, Shelly A
**Subject:** RE: Maintaining same day currency with withdrawal requests

Rich and Stephen, would it be possible to send these withdrawals straight to John and Keith's division after they are processed so they can be immediately adjudicated?

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 10:25 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 9:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Shirk, Georgette L

**From:** Harton, Frank A
**Sent:** Thursday, January 20, 2011 3:27 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Canney, Keith J; Peck, Denis R; Sweeney, Shelly A; Fierro, Joseph
**Subject:** RE: Maintaining same day currency with withdrawal requests

Sorry – removing John and adding Joe. I sent to John by mistake.

---

**From:** Harton, Frank A
**Sent:** Thursday, January 20, 2011 3:13 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Abram, John P; Canney, Keith J; Peck, Denis R; Sweeney, Shelly A
**Subject:** RE: Maintaining same day currency with withdrawal requests

Rich and Stephen, would it be possible to send these withdrawals straight to John and Keith's division after they are processed so they can be immediately adjudicated?

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
[redacted]
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 10:25 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 9:05 AM

**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Friday, February 25, 2011 5:57 AM
**To:** Harvey, Mark E
**Cc:** Sweeney, Mark M; Sweeney, Shelly A; Harton, Frank A; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Loughlin, Stephen J
**Subject:** VSC Cap Report

Mark -

This week's CAP/EXT dates and information are as follows:

- CAP being distributed to officers: 12/30/10
- EXT being distributed to officers: 11/29/10

Despite our adjudicating over 3,300 cases last week, you'll notice that the processing date did not change from what I had most recently reported to you. This is due to the following three reasons:

1. The cases returned from CFDO that were introduced into normal workflow (see message from last week);
2. The continued level of PP receipts (which results in a reduction of backlog, but does not necessarily reflect a movement of processing dates); and
3. The identification of a number of older cases on the shelf (not pulled in date order) that we are now pulling and distributing to ISO's. The number of these older cases is not significant enough to trigger a change in the distribution date above. However, when combined with the other two factors listed above, it has led to our not distributing cases beyond the processing dates provided to you last week.

Keith

**FY11 CAP NON PP**

| **Report date** | **14-Feb-11** | **21-Feb-11** |
|---|---|---|
| Filed between 1-April-10 and: | 15-Dec-10 | 22-Dec-10 |
| **Initial Pending Cap > 60 days** | **1769** | **1791** |
| **With Officer** | 1402 | 1340 |
| **With Contractor** | 163 | 223 |
| **ADJ Staged** | 147 | 152 |
| **Other** | 57 | 76 |

| **Weekly FY11 Non PP CAP actions** | **2/6-2/12** | **2/13-2/19** |
|---|---|---|
| APPROVED | **551** | **399** |
| DENIED | **79** | **77** |
| RFE/ ITD | 137 | 243 |
| **TOTAL** | 767 | 719 |

| **Weekly FY11 PP CAP actions** | **2/6-2/12** | **2/13-2/19** |
|---|---|---|

| | | |
|---|---|---|
| APPROVED | 242 | 238 |
| DENIED | 44 | 42 |
| RELOC | | |
| RFE/ ITD | 69 | 154 |
| **TOTAL** | **355** | **434** |

## FY10/11 EOS NON PP

| **Report date** | **14-Feb-11** | **21-Feb-11** |
|---|---|---|
| Filed between 1-Oct-09 and: | 15-Dec-10 | 22-Dec-10 |
| **Initial Pending EOS > 60 days** | **5678** | **5368** |
| **With Officer** | 2869 | 2687 |
| **With Contractor** | 2579 | 2493 |
| **ADJ Staged** | 36 | 82 |
| **Other** | 194 | 106 |

| **Weekly FY10/11 Non PP EOS actions** | **2/6-2/12** | **2/13-2/19** |
|---|---|---|
| APPROVED | 1047 | 817 |
| DENIED | 108 | 108 |
| RFE/ ITD | 204 | 347 |
| **TOTAL** | 1359 | 1272 |

| **Weekly FY10/11 PP EOS actions** | **2/6-2/12** | **2/13-2/19** |
|---|---|---|
| APPROVED | 541 | 649 |
| DENIED | 48 | 77 |
| RELOC | | |
| RFE/ ITD | 107 | 198 |
| TOTAL | **696** | **924** |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Wednesday, March 30, 2011 9:52 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Mark M; Sweeney, Shelly A; Lockerby, Beth A; Fierro, Joseph; Harton, Frank A
**Subject:** VSC H-1B Report

Mack -

VSC's H-1B processing dates (dates distributed to officers) are as follows:

**Cap: All cases have been distributed to officers**
**EOS: 1/28/11**

Keith

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **21-Mar-11** | **28-Mar-11** |
| Filed between 1-Oct-09 and: | 19-Jan-11 | 26-Jan-11 |
| **Initial Pending EOS > 60 days** | **2796** | **2233** |
| **With Officer** | 2039 | 1480 |
| **With Contractor** | 664 | 622 |
| **ADJ Staged** | 5 | 45 |
| **Other** | 88 | 86 |

| **Weekly FY10/11 Non PP EOS actions** | **3/13-3/19** | **3/20-3/26** |
|---|---|---|
| APPROVED | 963 | 911 |
| DENIED | 100 | 102 |
| RELOC | | |
| RFE/ ITD | 275 | 251 |
| **TOTAL** | **1338** | **1264** |

| **Weekly FY10/11 PP EOS actions** | **3/13-3/19** | **3/20-3/26** |
|---|---|---|
| APPROVED | 662 | 623 |
| DENIED | 75 | 64 |
| RELOC | | |
| RFE/ ITD | 147 | 129 |
| TOTAL | **884** | **816** |

## FY11 CAP NON PP

| Report date | 21-Mar-11 | 28-Mar-11 |
|---|---|---|
| Filed between 1-April-10 and: | 19-Jan-11 | 26-Jan-11 |
| **Initial Pending Cap > 60 days** | **1985** | **2165** |
| **With Officer** | 932 | 1452 |
| **With Contractor** | 998 | 611 |
| **ADJ Staged** | 5 | 50 |
| **Other** | 50 | 52 |

| Weekly FY11 Non PP CAP actions | 3/13-3/19 | 3/20-3/26 |
|---|---|---|
| APPROVED | **328** | **384** |
| DENIED | **64** | **49** |
| RFE/ ITD | 143 | 166 |
| **TOTAL** | **535** | **599** |

| Weekly FY11 PP CAP actions | 3/13-3/19 | 3/20-3/26 |
|---|---|---|
| APPROVED | 130 | 125 |
| DENIED | 41 | 42 |
| RELOC | | |
| RFE/ ITD | 39 | 21 |
| **TOTAL** | **210** | **188** |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Friday, March 11, 2011 5:11 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Sweeney, Mark M; Sweeney, Shelly A; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M
**Subject:** VSC H-1B Report

Mack (in your SCOPS role) –

VSC's H-1B processing dates (dates distributed to officers) is as follows:

Cap: 1/3/11
EOS: 12/21/10

Keith

**FY11 CAP NON PP**

| Report date | 28-Feb-11 | 7-Mar-11 |
|---|---|---|
| Filed between 1-April-10 and: | 29-Dec-10 | 5-Jan-11 |
| **Initial Pending Cap > 60 days** | **1740** | **1651** |
| **With Officer** | 1335 | 1044 |
| **With Contractor** | 332 | 537 |
| **ADJ Staged** | 25 | 28 |
| **Other** | 48 | 42 |

| Weekly FY11 Non PP CAP actions | 2/20-2/26 | 2/27-3/5 |
|---|---|---|
| APPROVED | **224** | **429** |
| DENIED | **27** | **69** |
| RFE/ ITD | 81 | 143 |
| **TOTAL** | **332** | **641** |

| Weekly FY11 PP CAP actions | 2/20-2/26 | 2/27-3/5 |
|---|---|---|
| APPROVED | 183 | 175 |
| DENIED | 34 | 68 |
| RELOC | | |
| RFE/ ITD | 59 | 27 |
| TOTAL | **276** | **270** |

**FY10/11 EOS NON PP**

| Report date | 28-Feb-11 | 7-Mar-11 |
|---|---|---|

| Filed between 1-Oct-09 and: | 29-Dec-10 | 5-Jan-11 |
|---|---|---|
| **Initial Pending EOS > 60 days** | **4883** | **4063** |
| **With Officer** | 2582 | 2266 |
| **With Contractor** | 2150 | 1656 |
| **ADJ Staged** | 61 | 49 |
| **Other** | 90 | 92 |

| **Weekly FY10/11 Non PP EOS actions** | **2/20-2/26** | **2/27-3/5** |
|---|---|---|
| APPROVED | 590 | 891 |
| DENIED | 54 | 104 |
| RELOC | | 2 |
| RFE/ ITD | 137 | 247 |
| **TOTAL** | **781** | **1244** |

| **Weekly FY10/11 PP EOS actions** | **2/20-2/26** | **2/27-3/5** |
|---|---|---|
| APPROVED | 663 | 687 |
| DENIED | 43 | 75 |
| RELOC | | |
| RFE/ ITD | 166 | 187 |
| TOTAL | **872** | **949** |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Thursday, March 03, 2011 5:54 AM
**To:** Harvey, Mark E
**Cc:** Fierro, Joseph; Sweeney, Mark M; Sweeney, Shelly A; Harton, Frank A; Perkins, Robert M; Lockerby, Beth A
**Subject:** VSC H-1B report

Mark -

This week's CAP/EXT dates and information are as follows:

- CAP being distributed to officers: 12/30/10
- EXT being distributed to officers: 12/7/10

Keith

**FY11 CAP NON PP**

| Report date | 21-Feb-11 | 28-Feb-11 |
|---|---|---|
| Filed between 1-April-10 and: | 22-Dec-10 | 29-Dec-10 |
| **Initial Pending Cap > 60 days** | **1791** | **1740** |
| **With Officer** | 1340 | 1335 |
| **With Contractor** | 223 | 332 |
| **ADJ Staged** | 152 | 25 |
| **Other** | 76 | 48 |

| Weekly FY11 Non PP CAP actions | 2/13-2/19 | 2/20-2/26 |
|---|---|---|
| APPROVED | **399** | **224** |
| DENIED | **77** | **27** |
| RFE/ ITD | 243 | 81 |
| **TOTAL** | 719 | 332 |

| Weekly FY11 PP CAP actions | 2/13-2/19 | 2/20-2/26 |
|---|---|---|
| APPROVED | 238 | 183 |
| DENIED | 42 | 34 |
| RELOC | | |
| RFE/ ITD | 154 | 59 |
| TOTAL | 434 | 276 |

**FY10/11 EOS NON PP**

| Report date | 21-Feb-11 | 28-Feb-11 |
|---|---|---|
| Filed between 1-Oct-09 and: | 22-Dec- | 29-Dec- |

| | | |
|---|---|---|
| | 10 | 10 |
| **Initial Pending EOS > 60 days** | **5368** | **4883** |
| **With Officer** | 2687 | 2582 |
| **With Contractor** | 2493 | 2150 |
| **ADJ Staged** | 82 | 61 |
| **Other** | 106 | 90 |

| **Weekly FY10/11 Non PP EOS actions** | **2/13-2/19** | **2/20-2/26** |
|---|---|---|
| APPROVED | 817 | 590 |
| DENIED | 108 | 54 |
| RFE/ ITD | 347 | 137 |
| **TOTAL** | 1272 | 781 |

| **Weekly FY10/11 PP EOS actions** | **2/13-2/19** | **2/20-2/26** |
|---|---|---|
| APPROVED | 649 | 663 |
| DENIED | 77 | 43 |
| RELOC | | |
| RFE/ ITD | 198 | 166 |
| TOTAL | **924** | **872** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, February 17, 2011 1:32 PM
**To:** Harvey, Mark E
**Cc:** Harton, Frank A; Sweeney, Shelly A; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** VSC H-1B Report

Mark H -

This week's CAP/EXT dates and information are as follows:

CAP being distributed to officers: 12/30/10
EXT being distributed to officers: 11/29/10

Now that we have reached the cap and there are no longer incoming cap cases, we expect to be able to make inroads into the EOS backlogs while we seek to maintain a 60-day cap processing time.

I'll also note that the processing dates did not move significantly since last week due to our releasing many cases from the CFDO into the normal adjudicative workflow. There were many cases from CFDO that were awaiting adjudication by our fraud team. Since the SOF's were dated and the concerns outlined in the SOF's are now addressed in the normal adjudication of the cases using the EE memo, there was no reason for these cases to remain bottlenecked with our fraud team.

Keith

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **7-Feb-11** | **14-Feb-11** |
| Filed between 1-Oct-09 and: | 8-Dec-10 | 15-Dec-10 |
| **Initial Pending EOS > 60 days** | **6448** | **5678** |
| **With Officer** | 2819 | 2869 |
| **With Contractor** | 2567 | 2579 |
| **ADJ Staged** | 921 | 36 |
| **Other** | 141 | 194 |

| **Weekly FY10/11 Non PP EOS actions** | **1/30-2/5** | **2/6-2/12** |
|---|---|---|
| APPROVED | 964 | 1047 |
| DENIED | 83 | 108 |
| RFE/ ITD | 211 | 204 |
| **TOTAL** | **1258** | **1359** |

| **Weekly FY10/11 PP EOS actions** | **1/30-2/5** | **2/6-2/12** |
|---|---|---|
| APPROVED | 644 | 541 |
| DENIED | 58 | 48 |
| RELOC | | |

| | | |
|---|---|---|
| RFE/ ITD | 152 | 107 |
| TOTAL | **854** | **696** |

## FY11 CAP NON PP

| **Report date** | **7-Feb-11** | **14-Feb-11** |
|---|---|---|
| Filed between 1-April-10 and: | 8-Dec-10 | 15-Dec-10 |
| **Initial Pending Cap > 60 days** | **2276** | **1769** |
| **With Officer** | 1600 | 1402 |
| **With Contractor** | 238 | 163 |
| **ADJ Staged** | 381 | 147 |
| **Other** | 57 | 57 |

| **Weekly FY11 Non PP CAP actions** | **1/30-2/5** | **2/6-2/12** |
|---|---|---|
| APPROVED | **360** | **551** |
| DENIED | **65** | **79** |
| RFE/ ITD | 92 | 137 |
| **TOTAL** | **517** | **767** |

| **Weekly FY11 PP CAP actions** | **1/30-2/5** | **2/6-2/12** |
|---|---|---|
| APPROVED | 653 | 242 |
| DENIED | 46 | 44 |
| RELOC | | |
| RFE/ ITD | 330 | 69 |
| **TOTAL** | **1029** | **355** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, January 06, 2011 9:46 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Harton, Frank A; Perkins, Robert M
**Subject:** VSC H-1B report

Shelley -

The VSC Cap processing date (being distributed to officers) is 10/25/2010 and the EOS processing date 8/18/10.

Keith

**FY11 CAP NON PP**

| Report date | 27-Dec-10 | 3-Jan-11 |
|---|---|---|
| Filed between 1-April-10 and: | 27-Oct-10 | 3-Nov-10 |
| **Initial Pending Cap > 60 days** | **1257** | **1472** |
| **With Officer** | 747 | 683 |
| **With Contractor** | 249 | 512 |
| **ADJ Staged** | 210 | 220 |
| **Other** | 51 | 57 |

| Weekly FY11 Non PP CAP actions | 12/19-12/25 | 12/26-1/1 |
|---|---|---|
| APPROVED | **220** | **60** |
| DENIED | **23** | **24** |
| RFE/ ITD | 101 | 69 |
| **TOTAL** | **344** | **153** |

| Weekly FY11 PP CAP actions | 12/19-12/25 | 12/26-1/1 |
|---|---|---|
| APPROVED | 537 | 572 |
| DENIED | 31 | 33 |
| RELOC | | |
| RFE/ ITD | 132 | 162 |
| TOTAL | **700** | **767** |

**FY10/11 EOS NON PP**

| Report date | 27-Dec-10 | 3-Jan-11 |
|---|---|---|
| Filed between 1-Oct-09 and: | 27-Oct-10 | 3-Nov-10 |
| **Initial Pending EOS > 60 days** | **10823** | **10740** |

| | | |
|---|---|---|
| **With Officer** | 2588 | 2526 |
| **With Contractor** | 7236 | 7214 |
| **ADJ Staged** | 859 | 862 |
| **Other** | 140 | 138 |

| **Weekly FY10/11 Non PP EOS actions** | 12/19-12/25 | 12/26-1/1 |
|---|---|---|
| APPROVED | 783 | 503 |
| DENIED | 45 | 53 |
| RFE/ ITD | 123 | 88 |
| **TOTAL** | **951** | **644** |

| **Weekly FY10/11 PP EOS actions** | 12/19-12/25 | 12/26-1/1 |
|---|---|---|
| APPROVED | 541 | 477 |
| DENIED | 44 | 29 |
| RELOC | | |
| RFE/ ITD | 75 | 98 |
| TOTAL | **660** | **604** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, December 16, 2010 5:11 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; Harton, Frank A; Perkins, Robert M
**Subject:** VSC H-1B Report

Shelley -

The VSC Cap processing date (being distributed to officers), is 10/22/2010 and the EOS processing date 7/12/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Now that we are within 60 days on cap filings, do you still need us to report out weekly on this subset of H-1B filings?

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **6-Dec-10** | **13-Dec-10** |
| Filed between 1-April-10 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending Cap > 60 days** | **2028** | **1349** |
| **With Officer** | 1516 | 953 |
| **With Contractor** | 254 | 130 |
| **ADJ Staged** | 208 | 214 |
| **Other** | 50 | 52 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | **956** | **1373** |
| DENIED | **122** | **102** |
| RFE/ ITD | 141 | 433 |
| **TOTAL** | **1219** | **1908** |
| | | |
| **Weekly FY11 PP CAP actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | 838 | 577 |
| DENIED | 36 | 55 |
| RFE/ ITD | 263 | 130 |
| TOTAL | **1137** | **762** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **6-Dec-10** | **13-Dec-10** |
| Filed between 1-Oct-09 and: | 6-Oct-10 | 13-Oct-10 |
| **Initial Pending EOS > 60 days** | **12922** | **12410** |

| | | |
|---|---|---|
| With Officer | 803 | 3372 |
| With Contractor | 11351 | 7697 |
| ADJ Staged | 703 | 1219 |
| Other | 65 | 122 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | 632 | 766 |
| DENIED | 127 | 112 |
| RFE/ ITD | 74 | 167 |
| **TOTAL** | **833** | **1045** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **11/28-12/4** | **12/5-12/11** |
| APPROVED | 1119 | 675 |
| DENIED | 57 | 80 |
| RELOC | | |
| RFE/ ITD | 146 | 90 |
| TOTAL | **1322** | **845** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Wednesday, December 08, 2010 5:28 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Harton, Frank A; Fierro, Joseph; Perkins, Robert M; Lockerby, Beth A
**Subject:** VSC H-1B report

Shelley,

The VSC Cap processing date (being distributed to officers), is 10/22/2010 and the EOS processing date is 7/7/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **29-Nov-10** | **6-Dec-10** |
| Filed between 1-April-10 and: | 29-Sep-10 | 6-Oct-10 |
| **Initial Pending Cap > 60 days** | **2130** | **2028** |
| **With Officer** | 1576 | 1516 |
| **With Contractor** | 301 | 254 |
| **ADJ Staged** | 203 | 208 |
| **Other** | 50 | 50 |

| **Weekly FY11 Non PP CAP actions** | **11/21-11/27** | **11/28-12/4** |
|---|---|---|
| APPROVED | **147** | **956** |
| DENIED | **10** | **122** |
| RFE/ ITD | 368 | 141 |
| **TOTAL** | **525** | **1219** |

| **Weekly FY11 PP CAP actions** | **11/21-11/27** | **11/28-12/4** |
|---|---|---|
| APPROVED | 542 | 838 |
| DENIED | 25 | 36 |
| RFE/ ITD | 250 | 263 |
| **TOTAL** | **817** | **1137** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **29-Nov-10** | **6-Dec-10** |
| Filed between 1-Oct-09 and: | 29-Sep- | 6-Oct-10 |

| | | |
|---|---|---|
| | 10 | |
| **Initial Pending EOS > 60 days** | **13034** | **12922** |
| **With Officer** | 1258 | 803 |
| **With Contractor** | 10931 | 11351 |
| **ADJ Staged** | 710 | 703 |
| **Other** | 135 | 65 |

| **Weekly FY10/11 Non PP EOS actions** | **11/21-11/27** | **11/28-12/4** |
|---|---|---|
| APPROVED | **316** | 632 |
| DENIED | **28** | 127 |
| RFE/ ITD | 49 | 74 |
| **TOTAL** | 393 | 833 |
| | | |
| **Weekly FY10/11 PP EOS actions** | **11/21-11/27** | **11/28-12/4** |
| APPROVED | 765 | 1119 |
| DENIED | 38 | 57 |
| RELOC | | |
| RFE/ ITD | 218 | 146 |
| **TOTAL** | **1021** | **1322** |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Friday, April 29, 2011 5:56 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Sweeney, Shelly A; Fierro, Joseph
**Subject:** VSC H-1B report

Mack –

Here is this week's H-1B report. We are currently distributing cases that were received on the following dates:

Cap 4/1
EOS 4/14

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **18-Apr-11** | **25-Apr-11** |
| Filed between 1-Oct-09 and: | 16-Feb-11 | 23-Feb-11 |
| **Initial Pending EOS > 60 days** | **511** | **428** |
| **With Officer** | 338 | 287 |
| **With Contractor** | 46 | 27 |
| **ADJ Staged** | 31 | 15 |
| **Other** | 96 | 99 |

| **Weekly FY10/11 Non PP EOS actions** | **4/10-4/16** | **4/17-4/23** |
|---|---|---|
| APPROVED | 1025 | 1464 |
| DENIED | 94 | 162 |
| RELOC | 3 | |
| RFE/ ITD | 292 | 449 |
| **TOTAL** | **1414** | **2075** |

| **Weekly FY10/11 PP EOS actions** | **4/10-4/16** | **4/17-4/23** |
|---|---|---|
| APPROVED | 787 | 656 |
| DENIED | 82 | 110 |
| RELOC | | |
| RFE/ ITD | 179 | 117 |
| TOTAL | **1048** | **883** |

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **18-Apr-11** | **25-Apr-11** |
| Filed between 1-April-10 and: | 16-Feb-11 | 23-Feb-11 |

| Initial Pending Cap > 60 days | 418 | 359 |
|---|---|---|
| With Officer | 309 | 270 |
| With Contractor | 19 | 22 |
| ADJ Staged | 38 | 23 |
| Other | 52 | 44 |

| Weekly FY11 Non PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 134 | 107 |
| DENIED | 35 | 62 |
| RELOC | 33 | |
| RFE/ ITD | 77 | 24 |
| TOTAL | 279 | 193 |

| Weekly FY11 PP CAP actions | 4/10-4/16 | 4/17-4/23 |
|---|---|---|
| APPROVED | 48 | 30 |
| DENIED | 24 | 31 |
| RELOC | | |
| RFE/ ITD | 7 | 16 |
| TOTAL | 79 | 77 |

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Friday, October 15, 2010 10:17 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Weekly H-1B processing

Shelly,

No I don't think the charts below show those figures (other than some of the initial pending with the contractor are cases that have actually been RFEd but CLAIMS doesn't show the update yet). Those figures would be available on our local CAP report but I'm not sure how easy they would be to get for the EOS cases.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Friday, October 15, 2010 9:58 AM
**To:** Shuttle, Peter J
**Subject:** RE: Weekly H-1B processing

Pete,

One last quick question...do the pending numbers below also include cases where an RFE/ITD was issued and we are either waiting a response or a response has arrived but the case hasn't been worked to completion yet?

Thanks!

Shelly

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**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 1:51 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** RE: Weekly H-1B processing

Shelly,

Our Cap processing time is June 11th, 2010 (however what we are distributing to the floor is mid-August).

Our EOS processing time is still May 21, 2010 – we should see this jump very soon as we have begun handing out EOS cases to some of our newly trained resources.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cel** [redacted] (b)(6)

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**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 13, 2010 11:37 AM
**To:** Shuttle, Peter J; Velarde, Barbara Q; Renaud, Daniel M

**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** RE: Weekly H-1B processing

Pete,

Many thanks for the below. One last quick question...can we add the current processing dates for cap and EOS to the reports?

Thanks!

Shelly

---

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 7:23 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** Weekly H-1B processing

Shelly,

Here is our snapshot of H-1B processing for last week. We have both the Cap (non-premium >60 days, and premium processing), and the EOS (non-premium processing, and premium).

This represents **NON Premium Processing H1B** cases. Below...
The left is FY11 CAP that includes cases filed on and after 1-APR-10.
The right is FY10 and FY11 H1B EOS cases filed on or after 1-OCT-09. .
The Initial pending sections represent only untouched cases that are older than 60 days.
The actions in this section are last week's NON PP actions (on cases filed in the same timeframes.)

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** |
| **With Officer** | 1115 | 1082 |
| **With Contractor** | 393 | 287 |
| **ADJ Staged** | 292 | 419 |
| **Other** | 108 | 59 |

| FY10 EOS NON PP | | |
|---|---|---|
| **Report date** | | **12-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** |
| **With Officer** | | 1386 |
| **With Contractor** | | 9084 |
| **ADJ Staged** | | 415 |
| **Other** | | 152 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **518** |
| DENIED | | **25** |
| RFE/ ITD | | 377 |
| **TOTAL ACTIONS** | | **925** |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **223** |
| DENIED | | **39** |
| RFE/ ITD | | 21 |
| **TOTAL ACTIONS** | | **283** |

**For reference, here are the PREMIUM PROCESSING actions counts for last week.**

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 628 |
| DENIED | | 17 |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 1075 |
| DENIED | | 39 |

| | | |
|---|---|---|
| RFE/ ITD | | 196 |
| TOTAL ACTIONS | | 841 |

| | | |
|---|---|---|
| RFE/ ITD | | 257 |
| TOTAL ACTIONS | | 1371 |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **cell** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Friday, October 15, 2010 11:56 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Weekly H-1B processing

# FY11 CAP SUMMARY

| STATUS_TEXT | MAS | STD | Grand Total |
|---|---|---|---|
| Approval - Notice Ordered | 6764 | 15557 | 22321 |
| Denied Fraud - Notice Ordered | | 1 | 1 |
| Denied Others - Notice Ordered | 215 | 563 | 778 |
| Initial Receipts | 1377 | 6906 | 8283 |
| Invent/Audit Adjust | 20 | 26 | 46 |
| No Status | | 1 | 1 |
| RejectedReceipts | 5 | 24 | 29 |
| Reopened | 1 | 1 | 2 |
| Response Received | 196 | 577 | 773 |
| RFE/Intent Sent | 504 | 1411 | 1915 |
| RFE/Intent Undeliverable | 2 | 1 | 3 |
| Transfers In | 9 | 37 | 46 |
| Transfers Out | 1 | | 1 |
| **Grand Total** | **9094** | **25105** | **34199** |

# FY11 CAP Pending Count by Section

| LOCATION SECTION | Initial Receipts | Response Received | RFE/Intent Sent | RFE/Intent Undeliverable |
|---|---|---|---|---|
| ADJ WORKFLOW | 2473 | 44 | 458 | |
| BCU | 5 | | 1 | |
| CA REVIEW | 2 | | | |
| CFDO | 88 | 2 | 1 | |
| CLERICAL | 51 | 2 | 63 | |
| NO LOCATION | 1 | | | |
| OFFICER | 1801 | 551 | 141 | 1 |
| SENIOR | 51 | 3 | 31 | |
| STANLEY | 3782 | 162 | 1205 | 2 |
| SUPERVISOR | 29 | 9 | 11 | |
| **Grand Total** | **8283** | **773** | **1911** | **3** |

Shelly,

Above is a copy of our synopsis of the Cap report, it is too large a document for me to send. We do not have anything like this at this point for EOS cases.

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] / cell [redacted] (b)(6)

1

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Tuesday, November 09, 2010 6:44 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Johnson, Bobbie L; Renaud, Daniel M
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** Weekly Cap/EOS work >60 days

Shelley -

The VSC Cap processing date is 9/8/2010 (distributed to officers), and the EOS processing date is still 6/4. We are approaching 60 days processing time on the cap cases and once we reach said benchmark, we will focus our efforts on staying within 60 days on the cap cases while we look to decrease the Non-Cap backlog.

Keith

| FY11 CAP NON PP | | | | | | |
|---|---|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** | **3008** | **2541** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 | 2385 | 1909 |
| **With Contractor** | 393 | 287 | 616 | 868 | 381 | 391 |
| **ADJ Staged** | 292 | 419 | 470 | 141 | 152 | 172 |
| **Other** | 108 | 59 | 63 | 73 | 90 | 69 |

| | |
|---|---|
| Initial Pend Cap between 60 and 54 days | 348 |
| **Initial Pending Cap < 54 days** | 3357 |

| | |
|---|---|
| Initial Pending CAP PP | 680 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** |
|---|---|---|---|---|---|---|
| APPROVED | | **518** | **512** | **552** | **582** | **568** |
| DENIED | | **25** | **42** | **60** | **51** | **71** |
| RFE/ ITD | | 377 | 92 | 209 | 335 | 321 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** | **968** | **960** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** |
|---|---|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 | 717 | 595 |
| DENIED | | 17 | 36 | 28 | 26 | 34 |
| RFE/ ITD | | 196 | 200 | 209 | 180 | 172 |
| TOTAL ACTIONS | | **841** | **778** | **1007** | **923** | **801** |

| FY10 EOS NON PP |
|---|

| Report date | | 12-Oct-10 | 18-Oct-10 | 25-Oct-10 | 1-Nov-10 | 8-Nov-10 |
|---|---|---|---|---|---|---|
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** | **12112** | **12197** |
| **With Officer** | | 1386 | 1246 | 1135 | 1063 | 1323 |
| **With Contractor** | | 9084 | 9418 | 10030 | 10422 | 10199 |
| **ADJ Staged** | | 415 | 441 | 501 | 504 | 550 |
| **Other** | | 152 | 137 | 117 | 123 | 125 |

| | | |
|---|---|---|
| Initial Pend EOS between 60 and 54 days | | 964 |
| **Initial Pending EOS < 54 days** | | 5456 |

| | | |
|---|---|---|
| Initial Pending EOS PP | | 875 |

| **Weekly FY10 Non PP EOS actions** | WEEK | 10/3-10/9 | 10/10-10/16 | 10/17 - 10/23 | 10/24-10/31 | 10/31-11/6 |
|---|---|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** | **457** | **496** |
| DENIED | | **39** | **60** | **73** | **91** | **57** |
| RFE/ ITD | | 21 | 42 | 33 | 41 | 56 |
| **TOTAL ACTIONS** | | **283** | **538** | **326** | **589** | **609** |

| **Weekly FY10 PP EOS actions** | WEEK | 10/3-10/9 | 10/10-10/16 | 10/17 - 10/23 | 10/24-10/31 | 10/31-11/6 |
|---|---|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 | 976 | 953 |
| DENIED | | 39 | 53 | 41 | 40 | 26 |
| RELOC | | | | | | 1 |
| RFE/ ITD | | 257 | 161 | 174 | 162 | 141 |
| TOTAL ACTIONS | | **1371** | **1067** | **1392** | **1178** | **1121** |

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Thursday, November 04, 2010 9:44 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Johnson, Bobbie L; Renaud, Daniel M
**Cc:** Perkins, Robert M; Canney, Keith J; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** Weekly Cap/EOS work >60 days

Shelly,

Sorry it is late here is this weeks report. From this point on Keith or one of the Division 4 supervisors will be getting you this weekly report. As discussed last week, the overall Premium receipts remain high and is affecting our ability to move more of the non-premium workloads for either the H-1B Cap and EOS cases. The Cap processing date is 9/1/2010 (distributed to officers), and the EOS processing date is still 6/1 to 6/3 (as most of the officers working this work were put on premium processing the last two weeks and are just getting back to working their non-premium workload).

| FY11 CAP NON PP | | | | | |
|---|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** | **3008** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 | 2385 |
| **With Contractor** | 393 | 287 | 616 | 868 | 381 |
| **ADJ Staged** | 292 | 419 | 470 | 141 | 152 |
| **Other** | 108 | 59 | 63 | 73 | 90 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** |
|---|---|---|---|---|---|
| APPROVED | | **518** | **512** | **552** | **582** |
| DENIED | | **25** | **42** | **60** | **51** |
| RFE/ ITD | | 377 | 92 | 209 | 335 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** | **968** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** |
|---|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 | 717 |
| DENIED | | 17 | 36 | 28 | 26 |
| RFE/ ITD | | 196 | 200 | 209 | 180 |
| TOTAL ACTIONS | | **841** | **778** | **1007** | **923** |

| FY10 EOS NON PP | | | | | |
|---|---|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** | **12113** |

| | | | | | |
|---|---|---|---|---|---|
| **With Officer** | | 1386 | 1246 | 1135 | 1063 |
| **With Contractor** | | 9084 | 9418 | 10030 | 10422 |
| **ADJ Staged** | | 415 | 441 | 501 | 504 |
| **Other** | | 152 | 137 | 117 | 123 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** |
|---|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** | **457** |
| DENIED | | **39** | **60** | **73** | **91** |
| RFE/ ITD | | 21 | 42 | 33 | 41 |
| **TOTAL ACTIONS** | | 283 | 538 | 326 | 589 |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** |
|---|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 | 976 |
| DENIED | | 39 | 53 | 41 | 40 |
| RFE/ ITD | | 257 | 161 | 174 | 162 |
| TOTAL ACTIONS | | **1371** | **1067** | **1392** | **1178** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] **/ cell:** [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Monday, October 18, 2010 1:21 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Perkins, Robert M; Sweeney, Mark M; Lockerby, Beth A; Canney, Keith J; Fierro, Joseph
**Subject:** Weekly H-1B Cap and EOS processing

Shelly,

Here is this weeks report. We are changing our processing dates to be in line with California so currently our processing time (what we are distributing to officers) is 8/16/2010. I don't have this week's pending reports yet so I can't give you a back end date showing what we have worked through.

Our EOS date appears to be 5/27/2010.

| FY11 CAP NON PP | | | |
|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** |
| **With Officer** | 1115 | 1082 | 1873 |
| **With Contractor** | 393 | 287 | 616 |
| **ADJ Staged** | 292 | 419 | 470 |
| **Other** | 108 | 59 | 63 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | **518** | **512** |
| DENIED | | **25** | **42** |
| RFE/ ITD | | 377 | 92 |
| **TOTAL ACTIONS** | | **925** | **646** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | 628 | 542 |
| DENIED | | 17 | 36 |
| RFE/ ITD | | 196 | 200 |
| TOTAL ACTIONS | | **841** | **778** |

| FY10 EOS NON PP | | | |
|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug- | 18-Aug- |

| | | | |
|---|---|---|---|
| | | 10 | 10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** |
| **With Officer** | | 1386 | 1246 |
| **With Contractor** | | 9084 | 9418 |
| **ADJ Staged** | | 415 | 441 |
| **Other** | | 152 | 137 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | **223** | **436** |
| DENIED | | **39** | **60** |
| RFE/ ITD | | 21 | 42 |
| **TOTAL ACTIONS** | | **283** | **538** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** |
|---|---|---|---|
| APPROVED | | 1075 | 853 |
| DENIED | | 39 | 53 |
| RFE/ ITD | | 257 | 161 |
| TOTAL ACTIONS | | **1371** | **1067** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**
[redacted] / cell: [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 17, 2010 6:59 AM
**To:** Canney, Keith J
**Subject:** RE: H-1B report

Many thanks for the information below. Would it be possible to get the VSC's current processing date for cap and EOS cases? SCOPS has our monthly teleconference with AILA and they have requested an update on our current processing times.

---

**From:** Canney, Keith J
**Sent:** Wednesday, November 17, 2010 7:56 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Harton, Frank A
**Cc:** Perkins, Robert M; Lockerby, Beth A; Sweeney, Mark M; Fierro, Joseph
**Subject:** H-1B report

Shelly,

Decreased adjudicative actions during this period resulted from the four-day workweek. As an FYI, VSC will be primarily concentrating our efforts of the PP workload over the next several weeks. This increased focus on working our PP backlog down is an effort to position us well for the upcoming holiday season wherein we will experience high leave usage for those who process our PP work.

Keith

| FY11 CAP NON PP | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** | **3022** | **2955** | **3008** | **2541** | **2314** |
| **With Officer** | 1115 | 1082 | 1873 | 1873 | 2385 | 1909 | 1669 |
| **With Contractor** | 393 | 287 | 616 | 868 | 381 | 391 | 413 |
| **ADJ Staged** | 292 | 419 | 470 | 141 | 152 | 172 | 180 |
| **Other** | 108 | 59 | 63 | 73 | 90 | 69 | 52 |
| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
| APPROVED | | **518** | **512** | **552** | **582** | **568** | **398** |
| DENIED | | **25** | **42** | **60** | **51** | **71** | **60** |
| RFE/ ITD | | 377 | 92 | 209 | 335 | 321 | 292 |
| **TOTAL ACTIONS** | | **925** | **646** | **821** | **968** | **960** | **750** |

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/30** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | 628 | 542 | 770 | 717 | 595 | 502 |
| DENIED | | 17 | 36 | 28 | 26 | 34 | 41 |
| RFE/ ITD | | 196 | 200 | 209 | 180 | 172 | 153 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| TOTAL ACTIONS | | 841 | 778 | 1007 | 923 | 801 | 696 |

| FY10 EOS NON PP | | | | | | | |
|---|---|---|---|---|---|---|---|
| **Report date** | | **12-Oct-10** | **18-Oct-10** | **25-Oct-10** | **1-Nov-10** | **8-Nov-10** | **15-Nov-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 | 18-Aug-10 | 25-Aug-10 | 1-Sep-10 | 8-Sep-10 | 15-Sep-10 |
| **Initial Pending EOS > 60 days** | | **11037** | **11242** | **11783** | **12112** | **12197** | **12566** |
| **With Officer** | | 1386 | 1246 | 1135 | 1063 | 1323 | 1354 |
| **With Contractor** | | 9084 | 9418 | 10030 | 10422 | 10199 | 10474 |
| **ADJ Staged** | | 415 | 441 | 501 | 504 | 550 | 629 |
| **Other** | | 152 | 137 | 117 | 123 | 125 | 109 |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | **223** | **436** | **220** | **457** | **496** | **356** |
| DENIED | | **39** | **60** | **73** | **91** | **57** | **38** |
| RFE/ ITD | | 21 | 42 | 33 | 41 | 56 | 28 |
| **TOTAL ACTIONS** | | **283** | **538** | **326** | **589** | **609** | **422** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** | **10/10-10/16** | **10/17 - 10/23** | **10/24-10/31** | **10/31-11/6** | **11/7-11-13** |
|---|---|---|---|---|---|---|---|
| APPROVED | | 1075 | 853 | 1177 | 976 | 953 | 770 |
| DENIED | | 39 | 53 | 41 | 40 | 26 | 50 |
| RELOC | | | | | | 1 | |
| RFE/ ITD | | 257 | 161 | 174 | 162 | 141 | 132 |
| TOTAL ACTIONS | | **1371** | **1067** | **1392** | **1178** | **1121** | **952** |

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Friday, December 17, 2010 9:31 AM
**To:** Sweeney, Shelly A; Richardson, Gregory A; Harton, Frank A
**Subject:** RE: H-1B Processing Update

Do they plan on continuing to use OT? If so, yes I would like to see the report. Thanks

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Sweeney, Shelly A
**Sent:** Friday, December 17, 2010 9:37 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Harton, Frank A
**Subject:** H-1B Processing Update

Barbara, Greg, and Frank,

Here is a synopsis of this week's reports from the CSC and the VSC:

**CSC**:

The CSC reported that they are at a 10/8 processing date for regular cap cases (it was 10/6 last week) and a 10/8 processing date for master's cap (it was 10/5 last week). Cap exempt is at 10/1 (same as last week). The processing date for EOS has moved to 10/8 (the previous week it was at 9/22). As of December 13, there were 4,934 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 2,892 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 8,897 EOS petitions still pending that are outside of the two month processing goal. Of that number, 881 have had an RFE/NOID issued already.

From 12/5 to 12/11, the CSC approved 3,238 non premium cases, denied 226 non premium cases, and issued an RFE on 450 non premium cases. CSC also approved 1,337 premium cases, denied 88 premium cases, and issued an RFE on 263 premium cases during the same time period. *Total actions during that time period was 5,602.*

**VSC**:

The VSC reported that they are at a 10/22 processing date for cap cases (same as last week). The processing date for EOS is at 7/12 (they reported 7/7 last week). As of December 13, there were 1,349 untouched cap petitions still pending that are outside of the two-month processing goal. There were 12,410 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 12/5 to 12/11, the VSC approved 2,139 non premium cases, denied 214 non premium cases, and issued an RFE/NOID on 600 non premium cases. VSC also approved 1,252 premium cases, denied 135 premium cases, and issued an RFE/NOID on 220 premium cases during the same time period. *Total actions during that time period was 4,560.*

The VSC has asked whether they need to keep providing weekly reports on H-1B cap processing since they are now within 60 days. Please advise if you would like reports to continue for this group of filings or if reports should continue for the time being.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, December 23, 2010 3:36 AM
**To:** Sweeney, Shelly A
**Cc:** Fierro, Joseph; Sweeney, Mark M; Perkins, Robert M; Lockerby, Beth A; Harton, Frank A
**Subject:** VSC H-1 report

The VSC Cap processing date (being distributed to officers), is 10/25/2010 and the EOS processing date 8/3/10. We are now within 60 days processing time on the cap cases and thus, we will focus our efforts on staying within 60 days on the cap cases while we continue to decrease the non-cap backlog.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **13-Dec-10** | **20-Dec-10** |
| Filed between 1-April-10 and: | 13-Oct-10 | 20-Oct-10 |
| **Initial Pending Cap > 60 days** | **1349** | **1110** |
| **With Officer** | 953 | 765 |
| **With Contractor** | 130 | 85 |
| **ADJ Staged** | 214 | 210 |
| **Other** | 52 | 50 |

| **Weekly FY11 Non PP CAP actions** | **12/5-12/11** | **12/12-12/18** |
|---|---|---|
| APPROVED | **1373** | **500** |
| DENIED | **102** | **61** |
| RFE/ ITD | 433 | 249 |
| **TOTAL** | **1908** | **810** |

| **Weekly FY11 PP CAP actions** | **12/5-12/11** | **12/12-12/18** |
|---|---|---|
| APPROVED | 577 | 848 |
| DENIED | 55 | 53 |
| RELOC | | 1 |
| RFE/ ITD | 130 | 170 |
| **TOTAL** | **762** | **1072** |

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **13-Dec-10** | **20-Dec-10** |
| Filed between 1-Oct-09 and: | 13-Oct-10 | 20-Oct-10 |

| Initial Pending EOS > 60 days | 12410 | 11319 |
|---|---|---|
| With Officer | 3372 | 2833 |
| With Contractor | 7697 | 7417 |
| ADJ Staged | 1219 | 928 |
| Other | 122 | 141 |

| Weekly FY10/11 Non PP EOS actions | 12/5-12/11 | 12/12-12/18 |
|---|---|---|
| APPROVED | 766 | 1319 |
| DENIED | 112 | 84 |
| RFE/ ITD | 167 | 235 |
| TOTAL | 1045 | 1638 |

| Weekly FY10/11 PP EOS actions | 12/5-12/11 | 12/12-12/18 |
|---|---|---|
| APPROVED | 675 | 803 |
| DENIED | 80 | 86 |
| RELOC | | |
| RFE/ ITD | 90 | 104 |
| TOTAL | 845 | 993 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Wednesday, January 12, 2011 6:52 AM
**To:** Sweeney, Shelly A
**Cc:** Harton, Frank A; Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC H-1B report

Shelly -

The VSC Cap processing date (being distributed to officers) is 10/27/2010 and the EOS processing date 8/30/10. We are working to ensure that we get the cap cases back to a 60 day processing time.

Keith

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-Oct-09 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending EOS > 60 days** | **10740** | **10016** |
| **With Officer** | 2526 | 3166 |
| **With Contractor** | 7214 | 5919 |
| **ADJ Staged** | 862 | 779 |
| **Other** | 138 | 152 |
| | | |
| **Weekly FY10/11 Non PP EOS actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 503 | 968 |
| DENIED | 53 | 90 |
| RFE/ ITD | 88 | 141 |
| **TOTAL** | **644** | **1199** |
| | | |
| **Weekly FY10/11 PP EOS actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 477 | 749 |
| DENIED | 29 | 72 |
| RELOC | | |
| RFE/ ITD | 98 | 117 |
| **TOTAL** | **604** | **938** |

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **3-Jan-11** | **10-Jan-11** |
| Filed between 1-April-10 and: | 3-Nov-10 | 10-Nov-10 |
| **Initial Pending Cap > 60 days** | **1472** | **1694** |
| **With Officer** | 683 | 756 |
| **With Contractor** | 512 | 619 |

| | | |
|---|---|---|
| **ADJ Staged** | 220 | 261 |
| **Other** | 57 | 58 |
| | | |
| **Weekly FY11 Non PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | **60** | **394** |
| DENIED | **24** | **76** |
| RFE/ ITD | 69 | 22 |
| **TOTAL** | 153 | 492 |
| | | |
| **Weekly FY11 PP CAP actions** | **12/26-1/1** | **1/2-1/9** |
| APPROVED | 572 | 906 |
| DENIED | 33 | 42 |
| RELOC | | |
| RFE/ ITD | 162 | 235 |
| **TOTAL** | **767** | **1183** |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Thursday, April 07, 2011 6:51 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Mark M; Fierro, Joseph; Lockerby, Beth A; Harton, Frank A; Sweeney, Shelly A
**Subject:** VSC H-1B Report

Mack -

VSC's H-1B processing dates (dates distributed to officers) are as follows:

**Cap: All cases have been distributed to officers**
**EOS: 3/5/11**

Please note that these are dates currently being distributed to officers. With the availability of overtime, we have recently distributed a large number of cases to the ISOs. As such, the majority of our pending cases over 60 days old are with ISO's awaiting adjudication.

Keith

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **28-Mar-11** | **4-Apr-11** |
| Filed between 1-April-10 and: | 26-Jan-11 | 2-Feb-11 |
| **Initial Pending Cap > 60 days** | **2165** | **1256** |
| **With Officer** | 1452 | 1068 |
| **With Contractor** | 611 | 107 |
| **ADJ Staged** | 50 | 26 |
| **Other** | 52 | 55 |

| **Weekly FY11 Non PP CAP actions** | **3/20-3/26** | **3/27-4-3** |
|---|---|---|
| APPROVED | **384** | **707** |
| DENIED | **49** | **69** |
| RFE/ ITD | 166 | 295 |
| **TOTAL** | **599** | **1071** |

| **Weekly FY11 PP CAP actions** | **3/20-3/26** | **3/27-4-3** |
|---|---|---|
| APPROVED | 125 | 87 |
| DENIED | 42 | 52 |
| RELOC | | |
| RFE/ ITD | 21 | 12 |
| **TOTAL** | **188** | **151** |

| FY10/11 EOS NON PP |
|---|

| Report date | 28-Mar-11 | 4-Apr-11 |
|---|---|---|
| Filed between 1-Oct-09 and: | 26-Jan-11 | 2-Feb-11 |
| **Initial Pending EOS > 60 days** | **2233** | **1494** |
| **With Officer** | 1480 | 1191 |
| **With Contractor** | 622 | 119 |
| **ADJ Staged** | 45 | 68 |
| **Other** | 86 | 116 |

| **Weekly FY10/11 Non PP EOS actions** | **3/20-3/26** | **3/27-4-3** |
|---|---|---|
| APPROVED | 911 | 1343 |
| DENIED | 102 | 93 |
| RELOC | | |
| RFE/ ITD | 251 | 244 |
| **TOTAL** | **1264** | **1680** |

| **Weekly FY10/11 PP EOS actions** | **3/20-3/26** | **3/27-4-3** |
|---|---|---|
| APPROVED | 623 | 820 |
| DENIED | 64 | 70 |
| RELOC | | |
| RFE/ ITD | 129 | 119 |
| TOTAL | **816** | **1009** |

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Wednesday, October 13, 2010 6:23 AM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Renaud, Daniel M
**Cc:** Fierro, Joseph; Canney, Keith J
**Subject:** Weekly H-1B processing

Shelly,

Here is our snapshot of H-1B processing for last week. We have both the Cap (non-premium >60 days, and premium processing), and the EOS (non-premium processing, and premium).

This represents **NON Premium Processing H1B** cases. Below...
The left is FY11 CAP that includes cases filed on and after 1-APR-10.
The right is FY10 and FY11 H1B EOS cases filed on or after 1-OCT-09. .
The Initial pending sections represent only untouched cases that are older than 60 days.
The actions in this section are last week's NON PP actions (on cases filed in the same timeframes.)

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Oct-10** | **12-Oct-10** |
| Filed between 1-April-10 and: | 4-Aug-10 | 12-Aug-10 |
| **Initial Pending Cap > 60 days** | **1908** | **1847** |
| **With Officer** | 1115 | 1082 |
| **With Contractor** | 393 | 287 |
| **ADJ Staged** | 292 | 419 |
| **Other** | 108 | 59 |

| FY10 EOS NON PP | | |
|---|---|---|
| **Report date** | | **12-Oct-10** |
| Filed between 1-Oct-09 and: | | 12-Aug-10 |
| **Initial Pending EOS > 60 days** | | **11037** |
| **With Officer** | | 1386 |
| **With Contractor** | | 9084 |
| **ADJ Staged** | | 415 |
| **Other** | | 152 |

| **Weekly FY11 Non PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **518** |
| DENIED | | **25** |
| RFE/ ITD | | 377 |
| **TOTAL ACTIONS** | | **925** |

| **Weekly FY10 Non PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | **223** |
| DENIED | | **39** |
| RFE/ ITD | | 21 |
| **TOTAL ACTIONS** | | **283** |

**For reference, here are the PREMIUM PROCESSING actions counts for last week.**

| **Weekly FY11 PP CAP actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 628 |
| DENIED | | 17 |
| RFE/ ITD | | 196 |
| TOTAL ACTIONS | | **841** |

| **Weekly FY10 PP EOS actions** | **WEEK** | **10/3-10/9** |
|---|---|---|
| APPROVED | | 1075 |
| DENIED | | 39 |
| RFE/ ITD | | 257 |
| TOTAL ACTIONS | | **1371** |

**Peter Shuttle**
**USCIS - VSC**
**Assistant Center Director AG-3**

# UPDATED CAP report through Monday, both centers: - 17,830 barcoded & current

Thursday, February 11, 2016
3:51 PM

| | |
|---|---|
| Subject | **UPDATED CAP report through Monday, both centers: - 17,830 barcoded & current** |
| From | Peck, Denis R |
| To | Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James |
| Sent | Tuesday, April 06, 2010 9:03 AM |
| Attachments | FY11 Cap r...<br>FY11 VSC ... |

Vermont finished Monday's work sooner than expected. Our total Monday filings were 833 – 520 VSC, 313 CSC.

I confirmed with Stanley that they should commence DE tomorrow morning. They've already stopped calling in many of the temporaries they initially hired.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peck, Denis R
**Sent:** Tuesday, April 06, 2010 8:25 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James
**Subject:** FW: CAP report (4/5/10) - 17,310 barcoded

Vermont has finished totaling their first two days (9,654) and California their first three (7,656). Of the total 3,954 are premium.

We should have Vermont's Monday data by early afternoon.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP report (4/5/10)

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 4,170 | 161 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 1,006 | 47 | 0 | 0 |
| (CMN) H1B Masters | 0 | 1,593 | 80 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 569 | 30 | 0 | 0 |
| Total | 0 | 7,338 | 318 | 0 | 0 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,768 | 407 | 156 | 0 | 0 |
| (CRP) H1B CAP - Premium | 917 | 89 | 47 | 0 | 0 |
| (CMN) H1B Masters | 1,418 | 175 | 80 | 0 | 0 |
| (CMP) H1B Masters - Premium | 530 | 39 | 30 | 0 | 0 |
| Total | 6,633 | 710 | 313 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| Total |
| --- |
| |
| |
| |
| Total |
| 4,331 |
| 1,053 |
| 1,673 |
| 599 |
| 7,656 |
| |
| Total |
| 4,331 |
| 1,053 |
| 1,673 |
| 599 |
| 7,656 |

0

7,656

43,796

-82.52%

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | | |
| | | | | | |
| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 116 | 5,251 | 402 | | |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | | |
| (VMN) H1B Masters | 87 | 1,795 | 117 | | |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | | |
| Totals | 1,433 | 8,092 | 643 | 0 | 0 |
| | | | | | |
| Estimated Daily Receipts * | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
| (VRN) H1B CAP | 4,736 | 693 | 340 | | |
| (VRP) H1B CAP - Premium | 1,273 | 163 | 67 | | |
| (VMN) H1B Masters | 1,537 | 385 | 77 | | |
| (VMP) H1B Masters - Premium | 784 | 77 | 36 | | |
| Totals | 8,330 | 1,318 | 520 | 0 | 0 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

* These numbers will lag as initially we will be unable to open and identify everything on the day it is rec

| etc. | Total |
|---|---|
| | 21,068 |
| | |
| etc. | Total |
| | 5,769 |
| | 1,503 |
| | 1,999 |
| | 897 |
| 0 | 10,168 |
| | |
| etc. | Total |
| | 5,769 |
| | 1,503 |
| | 1,999 |
| | 897 |
| 0 | 10,168 |

0

10,168

58,265

-82.55%

:eived.

# USCIS Update: USCIS Continues to Accept FY 2011 H-1B Petitions

Thursday, February 11, 2016
3:52 PM

| | |
|---|---|
| Subject | **USCIS Update: USCIS Continues to Accept FY 2011 H-1B Petitions** |
| From | Irazabal, Luz |
| To | Wright, William G; Rhatigan, Chris; Wheeler, Shannon L; Clark, Matthew J; Parisi, Thomas; INTERNAL COMMUNICATIONS, USCIS; USCIS Web Publishing; McCament, James W; Melero, Mariela; Blauvelt, Sally; Herrmann, Mary K; Tintary, Ruth E; Brown, Katherine HS; Roles, Rebecca J; Groom, Molly M; Whitney, Ronald W; Bentley, Christopher S; Cabrera, Marilu; Counts, Timothy J; Gitomer, Mariana; Grenier, Paula M; Sebrechts, Marie T; Ostapowich, Stephanie A; Rhatigan, Chris; Scheidhauer, Sharon E; Rummery, Sharon; Tichacek, Katherine; Office Of Communications; Santiago, Ana E; Garcia-Upson, Maria; Brown, Meddie; Harrison, Julia L; Neufeld, Donald; Velarde, Barbara Q; Johnson, Bobbie L; Sweeney, Shelly A; Rogers, Debra A; Drake, Raymond; Bacon, Roxana; Salem, Claudia S; Rodriguez, Miguel E; Carpenter, Dea D; Roles, Rebecca J; Cummings, Kevin J |
| Cc | Kielsmeier, Lauren; Humphrey, Buck H; Alfonso-Royals, Angelica M; Wright, William G |
| Sent | Thursday, April 08, 2010 5:34 PM |
| Attachments | FINAL - US... |

**Summary:** USCIS today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

**Documents:** USCIS Update

**Date of Release:** Today – Thursday, April 8, 2010 - FOR IMMEDIATE RELEASE

**Guidance:**

- Regional Media Managers, Office of Public Engagement, and Office of Legislative Affairs: For your use and distribution as appropriate.
- Internal Communications: For your use as appropriate.
- Customer Service: For your use as appropriate.
- New Media: Please post under the News tab; link to the 2011 H-1B Season Cap page; link to front page banner (1st banner option); and link as a related update to the general H-1B page. *Key words*: employment-based immigration, H-1B
  Also, please update the following page:
  http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=4b7cdd1d5fd37210VgnVCM100000082ca60aRCRD&vgnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD

| | Cap Amount | Cap Eligible Petitions | Petition Target | Date of |
|---|---|---|---|---|

| | | | | Date of Last Count |
|---|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,500 | | 4/8/2010 |
| H-1B Master's Exemption | 20,000 | 5,600 | | 4/8/2010 |

USCIS Update
April 8, 2010

## USCIS Continues to Accept FY 2011 H-1B Petitions

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

USCIS has received approximately 13,500 H-1B petitions counting toward the 65,000 cap. The agency has received approximately 5,600 petitions for individuals with advanced degrees.

USCIS will provide regular updates on the processing of FY 2011 H-1B petitions. These updates and helpful filing information can be found at USCIS' Web site. Should USCIS receive the necessary number of petitions to meet the cap, it will issue an update to advise the public, that the FY 2011 H-1B cap has been met as of a certain date (the "final receipt date"). The final receipt date will be based on the date USCIS physically receives the petition, not the date that the petition has been postmarked. The date USCIS informs the public that the cap has been reached may differ from the actual final receipt date.

To ensure a fair system, USCIS may randomly select the number of petitions required to reach the numerical limit from the petitions received on the final receipt date. USCIS will reject cap subject petitions that are not selected, as well as those received after the final receipt date.

For cases filed for premium processing during the initial five-day filing window of April 1-7, the 15-day premium processing period began April 7. For cases filed for premium processing after the filing window, the premium processing period begins on the date that the petition is physically received at the correct USCIS Service Center.

Petitions filed by employers who are exempt from the cap or petitions filed on behalf of current H-1B workers who have been counted previously against the cap within the past six years will not count toward the congressionally mandated H-1B cap.

Therefore, USCIS will continue to process all petitions filed. For more information on USCIS and its programs, visit www.uscis.gov.

**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# USCIS Update

April 8, 2010

## USCIS Continues to Accept FY 2011 H-1B Petitions

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B nonimmigrant petitions subject to the Fiscal Year 2011 (FY 2011) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 U.S. master's degree or higher educational exemption.

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**H-1B in General**: U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in fields, such as scientists, engineers, or computer programmers.

– USCIS –

# Shelly Sweeney Disc

# FY12 Cap

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 10:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342
**Attachments:** FY12 VSC H1B CAP Report.xls; FY12 Cap report (CSC 4-1-11).xls

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 12, 2011 9:29 AM
**To:** Bolog, Marguerite M
**Cc:** Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; Richardson, Gregory A; Arroyo, Susan K
**Subject:** 4-11 CAP Report
**Attachments:** 4-11-11 FY12 VSC CAP Report.xls; 4-11-11 FY12 CSC Cap report.xls

We're right at 11,000 through Friday. Vermont worked data entry Saturday and both centers look like they'll be day-to-day current no later than Thursday. No data from Monday yet.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 8:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web
**Attachments:** FY12 H-1B Update 14June11.doc

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 153,2600 | 6/131/2011 |
| H-1B Master's Exemption | 20,000 | 109,2300 | 6/131/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

The current annual cap on the H-1B category is 65,000. Not all H-1B nonimmigrants are subject to this annual cap. Please note that up to 6,800 visas are set aside from the cap of 65,000 during each fiscal year for the H-1B1 program under the terms of the legislation implementing the U.S.-Chile and U.S.-Singapore Free Trade Agreements. Unused numbers in this pool are made available for H-1B use for the next fiscal year.

## When to File an FY 2012 H-1B Cap-Subject Petition

We will begin accepting H-1B petitions that are subject to the FY 2012 cap on April 1, 2011. You may file an H-1B petition no more than 6-months in advance of the requested start date.

Petitions seeking an FY 2012 H-1B cap number with an Oct. 1, 2011 start date can be filed no sooner than April 1, 2011.

Note: If you request a start date for a FY 2012 cap-subject H-1B petition that is prior to Oct. 1, 2011 or submit a cap-subject petition prior to April 1, 2011, your petition will be rejected.

## How to Ensure USCIS Considers Your H-1B Cap-Subject Petition Properly Filed

Please comply with the following to ensure that your petition is properly filed:

Complete all sections of the Form I-129 petition, including the H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129) and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 17 through 19). We accept Form I-129 with a revision date of November 23, 2010, or later.

Original signatures, preferably in blue ink, are required on each form.

Include a signed check or money order with the correct fee amount.

Ensure that all required documentation and evidence is submitted with the petition at the time of filing to ensure timely processing.

Note: It is your responsibility to ensure that Form I-129 is completed accurately. Failure to complete Form I-129 with the correct information and provide the required fees or documentation may result in the rejection or denial of the H-1B petition.

Additionally, be sure to file the petition at the correct USCIS Service Center. We will reject all H-1B petitions filed at the wrong location. See section below on "**Where to Mail Your H-1B Cap-Subject Petition**."

# Additional Documents Required With Your Petition

## Labor Condition Application (LCA)

You must submit a certified Department of Labor (DOL) LCA (Form ETA 9035) at the time of filing your petition. A copy of the LCA is acceptable.

Note: USCIS encourages petitioners to keep DOL LCA processing times in mind when preparing the H-1B petition and plan accordingly. If the LCA certified by DOL is for multiple positions, you must provide the name and USCIS case receipt number of any alien who has previously utilized the LCA.

Petitioners should ensure that they have signed the LCA prior to the LCA being submitted with the petition to USCIS.

Please see Department of Labor's Office of Foreign Labor Certification website for further information on the LCA process.

## Evidence of Beneficiary's Educational Background

You must submit evidence of the beneficiary's educational degree at the time of filing. If all of the requirements for the degree have been met, but the degree has not yet been awarded, the following alternate evidence may be submitted:

A copy of the beneficiary's final transcript; or

A letter from the Registrar confirming that all of the degree requirements have been met (if the educational institution does not have a Registrar, such letter must be signed by the person in charge of the educational records where the degree will be awarded).

If you are indicating that the beneficiary is qualified based on a combination of education and experience, please provide substantiating evidence at time of filing.

A Duplicate Copy of the H-1B Petition

You must submit a duplicate copy of your H-1B petition at the time of filing if the beneficiary will be seeking nonimmigrant visa issuance abroad. USCIS will not make a second copy if one is not provided.

You may also choose to submit a duplicate copy of the petition if the beneficiary is requesting a change of status to H-1B or an extension of stay in case the beneficiary later decides to seek visa issuance abroad or the H-1B petition is approved but the beneficiary's concurrent change of status or extension of stay request is denied.

You may review the Department of State website to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

## Multiple or Duplicative Filings

On March 19, 2008, USCIS announced an interim final rule on H-1B visas to prohibit employers from filing multiple or duplicative H-1B visas for the same employee. To ensure fair and orderly distribution of available H-1B visas, USCIS will deny or revoke multiple or duplicative petitions filed by an employer for the same H-1B worker and will not refund the filing fees submitted with multiple or duplicative petitions.

## Where to Mail Your H-1B Cap-Subject Petition

You must file your petition at the correct Service Center depending on the jurisdiction of the H-1B beneficiary's work location as specified in the petition. We have established specific mailing addresses for purposes of identification and processing of H-1B cap-subject cases.

To determine which jurisdiction you are in, see our Web page Direct Filing Addresses for Form I-129, Petition for Nonimmigrant Worker.

Note: A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are exempt from the H-1B numerical limitations.

Please read the filing instructions very carefully. If you file your petition incorrectly, we will reject the petition. Rejected petitions will not retain a filing date.

## Required Fees

There are different fees depending on the type of H-1B petition you are submitting. Please refer to *Fee Exemption and/or Determination* (pages 17 and 18 of Form I-129) for detailed instructions on fees.

The following fees may be required with a cap-subject petition:

Base filing fee:

$325

**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee**

(see H-1B Data Collection and Filing Fee Exemption Supplement, Part B):

$750 for employers with 1 to 25 full-time equivalent employees, unless exempt

$1,500 for employers with 26 or more full-time equivalent employees, unless exempt

**Fraud Prevention and Detection fee:**

$500 to be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner (does not apply to Chile/Singapore H-1B1 petitions)

**Public Law 111-230**

$2,000 to be submitted by a petitioner which employs 50 or more employees in the United States where more than 50 percent of its employees in the United States are in H-1B or L-1 nonimmigrant status.

**Premium Processing fee:**

$1,225 for employers seeking Premium Processing Service

**Checks**

Make checks payable to the Department of Homeland Security or U.S. Citizenship and Immigration Services, dated within the last 6-months, and include the proper guarantee amount and signature.

**Money Orders**

Money orders must be properly endorsed.

**Non-payable Checks or Other Financial Instruments**

USCIS will reject all applications or petitions submitted with the incorrect filing fee. Rejected petitions and petitions in which the check or other financial instrument used to pay the filing fee is returned as non-payable will not retain a filing date. See 8 CFR 103.2(a)(7)(i).

While petitioners are generally provided the opportunity to correct a fee deficiency, pursuant to the regulations, the filing date is not established until and unless the fee deficiency has been corrected. H-1B cap-subject petitions with non-payable fees will be given a new filing date the day the fee deficiency has been corrected, as long as the cap has not been met. If the new filing date is after the cap has been met, the petition will be rejected.

# Premium Processing Service

H-1B petitions are eligible for the Premium Processing Service. Petitioners may choose to file a Request for Premium Processing Service (Form I-907) to have their petition processed within 15 calendar days. To request premium processing submit:

the Form I-907 and

the filing fee of $1,225 (this fee is in addition to the required base filing and other applicable fees and cannot be waived).

You can file the Form I-907 and corresponding fee:

at the same time as Form I-129 or

at any time after you file Form I-129 while it is still pending.

If filed after the Form I-129, be sure to include the receipt number (e.g., EAC 11 123 51234) of the Form I-129 in the pertinent section of Form I-907.

Note: We will only accept the 08/10/09N (or later) edition of Form I-907.

Please see the link to the right for more information concerning the Premium Processing program.

# Organizing your H-1B package

Clearly label all H-1B cap cases, preferably in red ink, on the top margin of Form I-129. Use the following codes:

Regular Cap (65,000 regular cap cases, not including Chile/Singapore cap cases)

C/S Cap (Chile/Singapore H-1B1s)

U.S. Master's (20,000 exemption for beneficiaries with U.S. master's or higher degrees)

A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, ACWIA fee, and Public Law 111-230) is preferred. Applicable fees should be stapled to the bottom right corner of the top document.

**Preferred order of documents at time of submission:**

Form I-907 (if filing for Premium Processing Service)

Form G-28 (if represented by an attorney or accredited representative)

Form I-129, Petition for a Nonimmigrant Worker

H Classification Supplement to Form I-129

H-1B Data Collection and Filing Fee Exemption Supplement

All supporting documentation to establish eligibility

Provide a Table of Contents for supporting documentation

Tab items as listed in Table of Contents

Arrival-Departure Record (Form I-94) if the beneficiary is in the U.S.

SEVIS Form I-20 if the beneficiary is a current or former F-1 student or F-2 dependent

SEVIS Form DS-2019 if the beneficiary is a current or former J-1 or J-2

Form I-566 if the beneficiary is a current A or G nonimmigrant

DOL certified LCA, Form ETA 9035

Employer/attorney/representative letter(s); and

Other supporting documentation.

Duplicate copy of the petition, if necessary. Clearly indentify the duplicate copy of the petition as "COPY", so that it is not mistaken for a duplicate filing.

**How to mail multiple petitions together**

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package. Individual petition envelopes should be marked with the following labels to reference the type of petition:

Master's Premium

Master's

Regular Premium

Regular

Chile/Singapore

# Filing Tips:

**Form G-28, Notice of Entry of Appearance as Attorney or Representative**

If the petitioner will be represented by an attorney or other accredited representative, a properly executed Form G-28 should be submitted. Each Form G-28 should include the following:

All sections completed

The printed name and signature of the representative

The original signature of the petitioner.

**Form I-129, Petition for a Nonimmigrant Worker**

Complete all sections of the form accurately.

Ensure that the petition is properly signed. Please see the Related Links section for more information on properly signing the petition.

Provide the petitioner name and address on the USCIS petition form. It is critical that petitioners accurately provide their name and address on the USCIS petition form. This facilitates USCIS in matching information from the petition with information received from the Independent Information Provider (IIP) through the Validation Instrument for Business Enterprises (VIBE). Listing an attorney or representative's address in the "Petitioner Information" section of the form may result in the issuance of an RFE.

Ensure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, country of birth/citizenship and the I-94 number (if applicable) should be reviewed for accuracy.

If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status or extension of stay in the United States, a copy is suggested, but not necessary.

If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.

Include a copy of the beneficiary's valid passport.

**H Classification Supplement to Form I-129 (pages 11 and 12 of Form I-129)**

Please be sure to complete all sections of the form accurately.

In listing previous periods of stay in H/L classification (question 3), please also include the actual nonimmigrant classification held (e.g. H-1B or L-1).

Petitioner must sign the form, preferably in blue ink.

**H-1B Data Collection and Filing Fee Supplement form (pages 17 through 19 of Form I-129)**

Please be sure to complete all sections of the form accurately.

Please enclose page 17 through 19 of the Form I-129 (with a revision date of November 23, 2010 or later).

Be sure to answer appropriately in Part A, question 5 and Part C, question 2 if the beneficiary has earned a master's degree or higher from a U.S. educational institution.

If the answer to the first question in Part D on page 19 is "No," that the beneficiary will not be assigned to work at an off-site location, then responses to the remaining two questions in Part D are not required.

**Form I-907, Request for Premium Processing**

Please be sure to complete all sections of the form accurately with original signatures. Note: We will accept the 08/10/09 edition of Form I-907 (or later)

The representative may sign in both Parts 3 and 4 of the Form I-907 if there is a valid Form G-28 with the filing. Otherwise, the petitioner's signature is required. Preferably, the signature(s) should be in blue ink.

Please include a copy of the Form I-129 receipt notice along with the Form I-907 when Form I-907 is filed after the filing of Form I-129.

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 1:42 PM
**To:** Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Young, Claudia F
**Subject:** CAP summary numbers, Monday and Tuesday
**Attachments:** CSC DAAG 11-22-2011.xls

CSC just came in. Here's what I count for these two days:

| Center | Monday DE | Tuesday DE | Tuesday pending | Totals |
|---|---|---|---|---|
| CSC | 638 | 975 | 0 * | 1613 |
| VSC | 1157 | 954 | 1779 ** | 3890 |
| | | | | |
| | 1795 | 1929 | 1779 | 5503 |

Their DAAG lists 828 nonCAP 129s pending, some of which may re-categorized as CAP during data entry

VSC gross CAP pending, some of which will be found unacceptable and not be receipted. All of these will be DE today or at a minimum reviewed and determined acceptable or not acceptable.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 2:22 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell Phone:* [redacted]
*E-Mail:* *ann.lees@fcifederal.com*

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 8:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700
**Attachments:** FY12 VSC H1B CAP Report.xls; FY12 Cap report (CSC 4-4-11).xls

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

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**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 12:10 PM
**To:** Fitzsimmons, James
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Harton, Frank A; Tamanaha, Emisa T; Sweeney, Shelly A; Bolog, Marguerite M; Shiflett, Julie M; Lundquist, Mark E
**Subject:** CAP through day 3 count hits 9,300

Almost…..

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, April 06, 2011 1:05 PM
**To:** Peck, Denis R
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 91 | 104 | 3,302 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 118 | 133 | 2,843 |
| H1B Masters | 1,715 | 233 | 95 | 75 | 64 | 2,182 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 33 | 37 | 1,620 |
| Total | 7,294 | 1,410 | 588 | 318 | 337 | 9,947 |

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 1:01 PM
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph <Joseph.Fierro@uscis.dhs.gov>
**Sent:** Friday, April 15, 2011 10:48 AM
**To:** Bolog, Marguerite M
**Cc:** Johnson, Bobbie L; Melville, Rosemary; Canney, Keith J; Young, Claudia F; Sweeney, Shelly A; Harton, Frank A
**Subject:** CSC H-1B Cap Report

Mack:

- FY 11 CAP dates distributed to officers:

  Regular CAP: All distributed
  Master Cap: All distributed

- FY 12 CAP dates receipted to be distributed:

  Regular Cap 4/7/11
  Master Cap 4/7/11

- Cap Exempt distributed to officers 2/18/11

- EOS distributed to officers: 03/18/11

Notes:

**- Resubmits are cases that have already been RFEd.**
**- Cases "In file room/JIT Shelf" beyond reported times are pulled and reviewed.**
**- "Other Location" consists mostly of contractor locations.**

Thanks,

Joe

[redacted] (b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 04/11/2011 Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 02/11/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 2 | 3 |
| | | At CFDO | 23 | 24 |
| | | In File Room/Jit Shelf | 14 | 2,525 |
| | | On RFE Shelf/Rule 103 | 696 | 744 |

| CSC I-129 H1Bs (0 Data S | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div II | I-129 H1B |

| | | | | |
|---|---|---|---|---|
| | | Other Location | 155 | 160 |
| | | W/Clerical/Incl Resubmits | 78 | 83 |
| | | W/Officer/Incl Resubmits | 429 | 478 |
| | Others | At BCU | 8 | 15 |
| | | At CFDO | 12 | 16 |
| | | In File Room/Jit Shelf | 24 | 4,225 |
| | | On RFE Shelf/Rule 103 | 234 | 600 |
| | | Other Location | 64 | 81 |
| | | W/Clerical/Incl Resubmits | 55 | 201 |
| | | W/Officer/Incl Resubmits | 218 | 688 |
| **Total:** | | | **2,012** | **9,843** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, March 02, 2012 6:32 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Schoening, Donald; Canney, Keith J; Bell, Lisa M
**Subject:** CSC H-1B CAP Report

Hi:

CSC has distributed all FY12 cap cases. All FY12 Cap cases will be touched by end of next week.

Cap Exempt cases are being distributed at 11/29/12. We have put additional resources on Cap exempt cases and expect to be current in about a week.

**CSC I-129 H1Bs Pending with NFTS location as of 02/29/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/29/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 2 | 3 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 914 | 1,079 |
| | | On RFE Shelf/Rule 103 | 1,718 | 1,718 |
| | | Other Location | 95 | 114 |
| | | W/Clerical/Incl Resubmits | 414 | 414 |
| | | W/Officer/Incl Resubmits | 1,004 | 1,006 |
| | Others | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **4,164** | **4,351** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (02-19-2012 to 02-25-2012)**

| Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 647 | 36 | 338 | 1,021 |
| | | | | | 0 |
| | I-129 PP H1B | 193 | 31 | 35 | 259 |
| | | | | | 0 |
| | **Total:** | **840** | **67** | **373** | **1,280** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 1 | 1 |
| | I-129 PP H1B | 0 | 0 | 1 | 1 |
| | I-129 PP H1B EOS | 0 | 0 | 1 | 1 |
| | **Total:** | **0** | **0** | **3** | **3** |
| **Grand Total:** | | **840** | **67** | **376** | **1,283** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, September 30, 2011 4:15 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Luna, Corinna A.; Canney, Keith J; Schoening, Donald; Young, Claudia F
**Subject:** CSC H-1B Initial Report

CSC is distributing H-1B initials as follows:

Regular Cap - 8/8/11
Master Cap - 8/8//11
Cap Exempt – 8/12/11

**CSC I-129 H1Bs Pending with NFTS location as of 09/26/2011**

**Data Source: C3**

| | | Status | Counts filed before 07/26/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 1 |
| | | At CFDO | 23 | 24 |
| | | In File Room/Jit Shelf | 16 | 4,694 |
| | | On RFE Shelf/Rule 103 | 1,082 | 1,134 |
| | | Other Location | 68 | 71 |
| | | W/Clerical/Incl Resubmits | 152 | 305 |
| | | W/Officer/Incl Resubmits | 517 | 752 |
| | Others | | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **1,859** | **6,981** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (09-18-2011 to 09-24-2011)**

| Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 148 | 32 | 50 | 230 |
| | | | | | 0 |
| | I-129 PP H1B | 692 | 20 | 152 | 864 |
| | | | | | 0 |
| | **Total:** | **840** | **52** | **202** | **1,094** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | | 0 |
| | I-129 PP H1B | | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **840** | **52** | **202** | **1,094** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, October 14, 2011 11:20 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Luna, Corinna A.; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Initials Report

CSC is distributing cases as follows:

H-1B regular cap – 8/17/11
H-1B master cap – 8/16/11
H-1B cap exempt - 8/22/11

**CSC I-129 H1Bs Pending with NFTS location as of 10/10/2011**
**Data Source: C3**

| | | Status | Counts filed before 08/10/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 8 | 8 |
| | | At CFDO | 21 | 22 |
| | | In File Room/Jit Shelf | 42 | 5,158 |
| | | On RFE Shelf/Rule 103 | 1,102 | 1,102 |
| | | Other Location | 43 | 139 |
| | | W/Clerical/Incl Resubmits | 593 | 644 |
| | | W/Officer/Incl Resubmits | 628 | 748 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **2,437** | **7,821** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (10-0**
**Data Sour**

| | | AF |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | 1 |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | 1 |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, September 02, 2011 9:56 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Initials Report

Hi:

H-1B initials are being distributed at the following dates:

H-1B Regular Cap – 7/13
H-1B Master Cap – 7/27
H-1B Cap Exempt – 7/15

I will be following up with an F-1 cap gap update later today.

- Joe (b)(6)

**CSC I-129 H1Bs Pending with NFTS location as of 08/29/2011**

**Data Source: C3**

| | | Status | Counts filed before 06/29/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 4 | 8 |
| | | At CFDO | 20 | 25 |
| | | In File Room/Jit Shelf | 23 | 3,492 |
| | | On RFE Shelf/Rule 103 | 711 | 734 |
| | | Other Location | 118 | 126 |
| | | W/Clerical/Incl Resubmits | 240 | 604 |
| | | W/Officer/Incl Resubmits | 769 | 1,191 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **1,885** | **6,180** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (0**

**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Grand Total:** | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, August 08, 2011 8:46 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Canney, Keith J; Melville, Rosemary; Louis, Jennifer E
**Subject:** CSC H-1B Initials Report

Tina/Shelly:

CSC is distributing initial H-1Bs as follows:

Regular Cap – 6/17/11
Master Cap - 6/21/11
Cap Exempt - 6/20/11

Joe

[redacted] (b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 08/01/2011 Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 06/01/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 4 | 7 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 18 | 3,640 |
| | | On RFE Shelf/Rule 103 | 785 | 801 |
| | | Other Location | 92 | 210 |
| | | W/Clerical/Incl Resubmits | 284 | 654 |
| | | W/Officer/Incl Resubmits | 607 | 944 |
| | | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **1,807** | **6,273** |

| CSC I-129 H1Bs (0 Data S | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, June 24, 2011 10:38 AM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Louis, Jennifer E; Melville, Rosemary; Richardson, Gregory A; Canney, Keith J
**Subject:** CSC H-1B Initials Report

Tina/Shelly,

CSC is distributing at the following dates:

Regular CAP – 5/6
Master CAP – 5/7
Cap Exempt – 4/24

Pending and Production:

**CSC I-129 H1Bs Pending with NFTS location as of 06/20/2011**
**Data Source: C3**

| | | Status | Counts filed before 04/20/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 2 | 5 |
| | | At CFDO | 23 | 26 |
| | | In File Room/Jit Shelf | 25 | 3,325 |
| | | On RFE Shelf/Rule 103 | 631 | 720 |
| | | Other Location | 48 | 184 |
| | | W/Clerical/Incl Resubmits | 178 | 368 |
| | | W/Officer/Incl Resubmits | 547 | 893 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **1,454** | **5,521** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (0**
**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, September 16, 2011 4:33 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Canney, Keith J; Schoening, Donald; Young, Claudia F
**Subject:** CSC H-1B Initials Report/F-1 COS to H-1B Petitions

Shelly/Tina:

CSC is currently distributing H-1B initial cases at 08/01/11

**CSC I-129 H1Bs Pending with NFTS location as of 09/12/2011**

**Data Source: C3**

| | | Status | Counts filed before 07/12/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 2 | 4 |
| | | At CFDO | 25 | 27 |
| | | In File Room/Jit Shelf | 5 | 3,952 |
| | | On RFE Shelf/Rule 103 | 895 | 979 |
| | | Other Location | 39 | 71 |
| | | W/Clerical/Incl Resubmits | 346 | 819 |
| | | W/Officer/Incl Resubmits | 610 | 898 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **1,922** | **6,750** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (09-04-2011 to 09-10-2011)**

**Data Source: CATs**

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 503 | 59 | 138 | 700 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 601 | 22 | 118 | 741 |
| | I-129 PP H1B EOS | | | | |
| | **Total:** | **1,104** | **81** | **256** | **1,441** |
| **Div II** | I-129 H1B | 0 | 0 | 1 | 1 |
| | I-129 H1B EOS | | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **1** | **1** |
| **Div V** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Div VI** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | | 0 | | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,104** | **81** | **257** | **1,442** |

The 4 remaining untouched cases are with CFDO (FDNS) or with the BCU (CARRP). We have contacted the division to have them reviewed an completed ASAP.

| **I-129 H1B CAP w/ Ben change from F1 to H1B that were filed on or before August 1, 2011**<br>**Data Source: C3**<br>**As of 09/12/2011** | | | |
|---|---|---|---|
| | | **Status** | **Counts** |
| I-129 H1B | CAP | Untouched | 4 |
| | | RFE/NOID issued (awaiting response) | 386 |
| | | RFE/NOID response received | 250 |
| | | Supervisory Review | 111 |
| **Total:** | | | **751** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, December 27, 2011 10:45 AM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Initials Report

CSC is distributing H-1B initial cases as follows:

H-1B Regular Cap – 9/20/11
H-1B Master Cap – 9/28/11
Cap Exempt – 9/22/11

**CSC I-129 H1Bs Pending with NFTS location as of 12/21/2011**
**Data Source: C3**

| | | Status | Counts filed before 10/21/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 12 | 13 |
| | | At CFDO | 13 | 13 |
| | | In File Room/Jit Shelf | 2,673 | 8,078 |
| | | On RFE Shelf/Rule 103 | 967 | 998 |
| | | Other Location | 78 | 95 |
| | | W/Clerical/Incl Resubmits | 235 | 240 |
| | | W/Officer/Incl Resubmits | 694 | 713 |
| | Others | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **4,672** | **10,150** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (1**
**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, October 28, 2011 5:14 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Lauver, Tinnina M; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Intials Report

Hi:

CSC is distributing cases as follows:

Regular Cap - 08/26/11
Master Cap - 08/27/11
Cap Exempt - 08/27/11

**CSC I-129 H1Bs Pending with NFTS location as of 10/21/2011**
**Data Source: C3**

| | | Status | Counts filed before 08/21/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 17 | 18 |
| | | In File Room/Jit Shelf | 197 | 5,351 |
| | | On RFE Shelf/Rule 103 | 977 | 977 |
| | | Other Location | 97 | 107 |
| | | W/Clerical/Incl Resubmits | 885 | 890 |
| | | W/Officer/Incl Resubmits | 952 | 973 |
| | Others | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **3,128** | **8,320** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (1**
**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Grand Total:** | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, February 17, 2012 5:15 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Schoening, Donald; Canney, Keith J; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

CSC is distributing cases as follows:

Regular Cap – 11/17/11
Master Cap – 11/03/11
Cap Exempt – 11/02/11

**CSC I-129 H1Bs Pending with NFTS location as of 02/15/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/15/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 7 | 7 |
| | | At CFDO | 19 | 19 |
| | | In File Room/Jit Shelf | 2,860 | 3,048 |
| | | On RFE Shelf/Rule 103 | 1,188 | 1,191 |
| | | Other Location | 158 | 168 |
| | | W/Clerical/Incl Resubmits | 443 | 443 |
| | | W/Officer/Incl Resubmits | 930 | 931 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,605** | **5,807** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (02-05-2012 to 02-11-2012)**

| Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 884 | 65 | 491 | 1,440 |
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 383 | 39 | 76 | 498 |
| | I-129 PP H1B EOS | | | | 0 |
| | **Total:** | **1,267** | **104** | **567** | **1,938** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,267** | **104** | **567** | **1,938** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, February 03, 2012 11:02 AM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Schoening, Donald; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** CSC H-1B report

Shelly:

CSC is currently distributing H-1B cap cases as follows:

Regular cap – 10/26/11
Master cap – 10/19/11

Cap exempt – 10/18/11

**CSC I-129 H1Bs Pending with NFTS location as of 01/27/2012**
**Data Source: C3**

| | | Status | Counts filed before 11/27/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 9 | 9 |
| | | At CFDO | 18 | 18 |
| | | In File Room/Jit Shelf | 5,028 | 5,223 |
| | | On RFE Shelf/Rule 103 | 776 | 788 |
| | | Other Location | 183 | 222 |
| | | W/Clerical/Incl Resubmits | 400 | 400 |
| | | W/Officer/Incl Resubmits | 814 | 849 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **7,228** | **7,509** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (0**
**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, March 19, 2012 8:26 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Schoening, Donald; Bell, Lisa M; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

There are about 20 outstanding cap cases left and we hope to have them all touched by tomorrow.

Cap exempt cases are being distributed at 1/15/12 - We should be under 60 days by the end of the week.

**CSC I-129 H1Bs Pending with NFTS location as of 03/14/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 01/14/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 14 | 14 |
| | | In File Room/Jit Shelf | 152 | 330 |
| | | On RFE Shelf/Rule 103 | 2,212 | 2,213 |
| | | Other Location | 38 | 74 |
| | | W/Clerical/Incl Resubmits | 246 | 247 |
| | | W/Officer/Incl Resubmits | 627 | 636 |
| | Others | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **3,292** | **3,518** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**

**CSC I-129 H1Bs (03-04-2012 to 03-10-2012)**

**Data Source: CATs**

| | APP | DEN | RFE | Total |
|---|---|---|---|---|

| | | | | | |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 443 | 81 | 248 | 772 |
| | | | | | 0 |
| | I-129 PP H1B | 271 | 29 | 74 | 374 |
| | | | | | 0 |
| | **Total:** | **714** | **110** | **322** | **1,146** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 1 | 0 | 1 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 1 | 0 | 0 | 1 |
| | **Total:** | **1** | **1** | **0** | **2** |
| **Grand Total:** | | **715** | **111** | **322** | **1,148** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, August 10, 2011 8:47 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Shelly:

Here is the report you requested.

Thanks,

Joe (b)(6)

[redacted]

| All Pending I-129 H1B CAP w/ Ben change from F1 to H1B that were filed on or before August 1, 2011<br>Data Source: C3<br>As of 08/10/2011 | | | |
|---|---|---|---|
| | | **Status** | **Counts** |
| I-129 H1B | CAP | Untouched | 1,315 |
| | | RFE/NOID issued (awaiting response) | 312 |
| | | RFE/NOID response received | 398 |
| | | Supervisory Review | 48 |
| **Total:** | | | **2,073** |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, August 10, 2011 6:26 AM
**To:** Canney, Keith J; Fierro, Joseph
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Keith and Joe,

Since we're approaching the new fiscal year, SCOPS would like each center to provide the number of F-1 COS H-1B FY12 cap petitions you have that were filed on or before August 1, 2011 that are still pending? In addition, can you break these petitions into following categories: untouched, pending supervisory review, RFE/NOID issued (awaiting response), and RFE/NOID response received?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 2:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

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**From**: Tailor, Anisa M
**Sent**: Friday, April 01, 2011 01:56 PM
**To**: Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L
**Cc**: Nicholson, Richard E
**Subject**: CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Thursday, October 06, 2011 7:28 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A; Luna, Corinna A.; Fitzsimmons, James
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 23September11.doc

This is just a quick message regarding the attached. It does not appear that it has been posted to the web. See below:

65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

**FY 2012 H-1B Cap Count**

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

Thanks!!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, September 26, 2011 11:10 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A; Luna, Corinna A.
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, September 12, 2011 8:44 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, August 29, 2011 8:59 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, August 22, 2011 2:33 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

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(b)(6)

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, August 29, 2011 7:59 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 26August11.doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, August 22, 2011 2:33 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov
(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, August 15, 2011 11:56 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, July 25, 2011 9:25 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 22July11.doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) | ✉: Tinnina.Lauver@dhs.gov

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**From:** Lauver, Tinnina M
**Sent:** Monday, July 18, 2011 8:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver*** (b)(6)
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 11, 2011 7:34 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 210,6500 | 7/2215/2011 |
| H-1B Master's Exemption | 20,000 | 132,3800 | 7/2215/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, July 11, 2011 6:34 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 7July11 (2).doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 05, 2011 9:08 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, June 27, 2011 1:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***

Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎[redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 198,0400 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 121,2900 | 7/7/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 05, 2011 8:08 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 1July11.doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M (b)(6)
**Sent:** Monday, June 27, 2011 1:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M (b)(6)
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 186,4300 | 76/117/2011 |
| H-1B Master's Exemption | 20,000 | 110,9800 | 76/117/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 06, 2011 6:16 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update_6611.doc

Attached is the updated FY12 H-1B cap count webpage. The only changes to the webpage are the numbers in the FY 2012 H-1B Cap Count chart.

Thanks for your help!

(b)(6)

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Friday, May 27, 2011 10:31 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Attached is the updated FY12 H-1B cap count webpage. We are submitting the updated cap numbers today since Monday is a holiday.

Thank you very much for your help!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
(b)(6)
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 10:48 AM
**To:** USCIS Web Publishing
**Subject:** RE: Cap Numbers for Web

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: 202.272.0904 | ✉: Tinnina.Lauver@dhs.gov

---

**From:** USCIS Web Publishing
**Sent:** Monday, May 23, 2011 10:46 AM
**To:** Lauver, Tinnina M; USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Just updated these. Here's the updated page.

**Kathryn Catania**
Web Content Editor
Office of Communications
US Citizenship and Immigration Services
Department of Homeland Security
Phone [redacted] (b)(6)
http://www.uscis.gov/portal/site/uscis

---

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 8:32 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage. It is noted that the only changes to the webpage are the numbers in the FY 2012 H-1B Cap Count chart.

Thank you very much for your assistance.

***Tinnina (Tina) Lauver***
Adjudication Officer (b)(6)
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 1310,61200 | 6/1/5/26136/2011 |
| H-1B Master's Exemption | 20,000 | 97,30900 | 6/15/26136/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Friday, May 27, 2011 9:31 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 26May11 (2) (2).doc

Attached is the updated FY12 H-1B cap count webpage. We are submitting the updated cap numbers today since Monday is a holiday.

Thank you very much for your help!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 10:48 AM (b)(6)
**To:** USCIS Web Publishing
**Subject:** RE: Cap Numbers for Web

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** USCIS Web Publishing
**Sent:** Monday, May 23, 2011 10:46 AM
**To:** Lauver, Tinnina M; USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Just updated these. Here's the updated page.

**Kathryn Catania**
Web Content Editor
Office of Communications
US Citizenship and Immigration Services
Department of Homeland Security (b)(6)
Phone [redacted]
http://www.uscis.gov/portal/site/uscis

---

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 8:32 AM
**To:** USCIS Web Publishing

**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage. It is noted that the only changes to the webpage are the numbers in the FY 2012 H-1B Cap Count chart.

Thank you very much for your assistance.

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 1310,1200 | 5/26136/2011 |
| H-1B Master's Exemption | 20,000 | 97,09300 | 5/26136/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 10, 2011 11:54 AM
**To:** Wright, William G
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 10May11.doc

FYI

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 10, 2011 8:05 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 109,200 | 5/64/29/2011 |
| H-1B Master's Exemption | 20,000 | 7,36,600 | 5/64/29/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 7:32 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 20May11 (2).doc

Hello,

Attached is the updated FY12 H-1B cap count webpage. It is noted that the only changes to the webpage are the numbers in the FY 2012 H-1B Cap Count chart.

Thank you very much for your assistance.

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 1210,3200 | 5/20136/2011 |
| H-1B Master's Exemption | 20,000 | 87,59300 | 5/20136/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Bolog, Marguerite M <Marguerite.M.Bolog@uscis.dhs.gov>
**Sent:** Tuesday, April 26, 2011 10:29 AM
**To:** USCIS Web Publishing
**Cc:** Clark, Matthew J; 'McKenzie, Trish H'; Parisi, Thomas; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web
**Attachments:** 2012 H-1B Cap Season Web Page 04-26-11.doc

**Importance:** High

ECOMM—

Attached are the latest H-1B cap numbers for the webpage. Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted]

(b)(6)

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ~~7,100~~8,000 | 4/~~15~~22/2011 |
| H-1B Master's Exemption | 20,000 | ~~5,100~~5,900 | 4/~~15~~22/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 14, 2011 9:28 AM
**To:** Young, Claudia F; Bolog, Marguerite M; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Lundquist, Mark E; Stephens, Karen
**Cc:** Velarde, Barbara Q; Arroyo, Susan K; Richardson, Gregory A
**Subject:** FW: Cap update through April 13
**Attachments:** 4-13-11 FY12 VSC CAP Report (2).xls; 4-13-11 FY12 CSC Cap report.xls

CSC is now completely current as of cob last night. Vermont's oldest of their 900 frontlog are those from this past Monday. All the initial week's 10,454 have been data entered or are being prepared for rejecting.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 14, 2011 10:01 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Cap updates

Morning,

Please find attached the 4-13-11 CAP updates for VSC and CSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310 (b)(6)
Mobile: [redacted]

http://www.cgi.com/usfederal

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## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 9:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 03, 2011 8:25 AM
**To:** Luna, Corinna A.; Young, Claudia F
**Subject:** FW: CSC H-1B Initial Report

Corinna and Claudia,

On Friday, the VSC reported that they are at a 6/27 processing date for cap cases while the CSC is at 8/8. That's almost a month and a half difference in processing times. At this point, the CSC is within the 2-month processing goal, while the VSC is (obviously) not. For EOS cases (last report was from 9/8), the VSC was again further back in case distribution by a little over a month. They were distributing cases with a filing date of 6/10 while the CSC was distributing cases with a filing date of 7/22.

I just wanted to see about your availability to discuss VSC and CSC H-1B processing times this week. The VSC has indicated that they are behind due to an influx of premium receipts. I also know that they had to move resources to try to get within the statutory and regulatory processing times for Ls, Os and Ps. I don't see the processing time getting any better for the VSC anytime soon as I anticipate premium filings remaining high as immediate H-1B employment start dates are now possible and there aren't any overtime funds available anymore (that I am aware of). I'm guessing that we will start hearing about the processing time disparity from stakeholders in the near future, so thought we should talk about next steps.

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Friday, September 30, 2011 5:15 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Luna, Corinna A.; Canney, Keith J; Schoening, Donald; Young, Claudia F
**Subject:** CSC H-1B Initial Report

CSC is distributing H-1B initials as follows:

Regular Cap - 8/8/11
Master Cap - 8/8//11
Cap Exempt – 8/12/11

| CSC I-129 H1Bs Pending with NFTS location as of 09/26/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 07/26/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 1 | 1 |
| | | At CFDO | 23 | 24 |
| | | In File Room/Jit Shelf | 16 | 4,694 |
| | | On RFE Shelf/Rule 103 | 1,082 | 1,134 |

| | | | | |
|---|---|---|---|---|
| | | Other Location | 68 | 71 |
| | | W/Clerical/Incl Resubmits | 152 | 305 |
| | | W/Officer/Incl Resubmits | 517 | 752 |
| | Others | | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **1,859** | **6,981** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| CSC I-129 H1Bs (09-18-2011 to 09-24-2011) Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 148 | 32 | 50 | 230 |
| | | | | | 0 |
| | I-129 PP H1B | 692 | 20 | 152 | 864 |
| | | | | | 0 |
| | **Total:** | **840** | **52** | **202** | **1,094** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | | 0 |
| | I-129 PP H1B | | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **840** | **52** | **202** | **1,094** |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Monday, October 31, 2011 8:31 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CSC H-1B Intials Report

Can you come by to brief me on this so I can get a handle for future emails as such.

---

**From:** Fierro, Joseph
**Sent:** Friday, October 28, 2011 6:14 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Lauver, Tinnina M; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Intials Report

Hi:

CSC is distributing cases as follows:

Regular Cap - 08/26/11
Master Cap - 08/27/11
Cap Exempt - 08/27/11

**CSC I-129 H1Bs Pending with NFTS location as of 10/21/2011**

**Data Source: C3**

| | | Status | Counts filed before 08/21/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 17 | 18 |
| | | In File Room/Jit Shelf | 197 | 5,351 |
| | | On RFE Shelf/Rule 103 | 977 | 977 |
| | | Other Location | 97 | 107 |
| | | W/Clerical/Incl Resubmits | 885 | 890 |
| | | W/Officer/Incl Resubmits | 952 | 973 |
| | Others | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **3,128** | **8,320** |

**CSC I-129 H1Bs (1**

**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |

Notes:

- Resubmits are cases that have already been RFEd.

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, September 19, 2011 7:59 AM
**To:** Sweeney, Shelly A
**Subject:** FW: F-1 COS to H-1B Petitions

Shelly –

There was no mention of moving J COS cap cases to the front of the line in our processing the cap gap cases. Was this by design or an oversight?

Keith

---

**From:** Sweeney, Shelly A
**Sent:** Friday, August 12, 2011 10:34 AM
**To:** Canney, Keith J; Fierro, Joseph
**Cc:** Velarde, Barbara Q; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Perkins, Robert M; Schoening, Donald
**Subject:** RE: F-1 COS to H-1B Petitions

[redacted]

Thank you for providing the below inventory list. Although a two month processing time for all F-1 to petitions remains our ultimate goal, BEST understands that this processing time may not be possible as of October 1 of this year due to competing priorities. To mitigate potential harm to cap gap students, BEST proposes both centers prioritize completion of all F-1 COS cap cases filed before 8/1/11 for non-premium work. In this context completion means issuance of an RFE/NOID, approval notice, denial notice, etc. If an RFE/NOID response is received, it should be worked to completion if at all possible.

Once these pre 8/1/11 F-1 COS cap cases are completed, the centers should revert to date order processing for non-premium work. This instruction does not apply to premium cases. Premium cases should be worked as usual. BEST believes that a month and a half lead time will be sufficient to complete this prioritization. Please advise ASAP if you do not believe that this will be feasible for your center.

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, August 11, 2011 6:14 AM
**To:** Fierro, Joseph; Sweeney, Shelly A
**Cc:** Young, Claudia F; Johnson, Bobbie L; Perkins, Robert M
**Subject:** RE: F-1 COS to H-1B Petitions

And here is VSC's data... We did not break out those case that are currently under supervisory review.

Keith

| PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| **STATUS** | **Total** |

| | |
|---|---|
| UNTOUCHED | 2,506 |
| RFE/NOID Issued | 385 |
| RFE/NOID Response Received | 176 |
| Total | 3,163 |

---

**From:** Fierro, Joseph
**Sent:** Wednesday, August 10, 2011 9:47 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Shelly:

Here is the report you requested.

Thanks,

Joe

(b)(6)

**All Pending I-129 H1B CAP w/ Bon change from F-1 to H1B that were filed on or before August 1, 2011**

**Data Source: C3**
**As of 08/10/2011**

| | | Status | Counts |
|---|---|---|---|
| I-129 H1B | CAP | Untouched | 1,315 |
| | | RFE/NOID issued (awaiting response) | 312 |
| | | RFE/NOID response received | 398 |
| | | Supervisory Review | 48 |
| **Total:** | | | **2,073** |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, August 10, 2011 6:26 AM
**To:** Canney, Keith J; Fierro, Joseph
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Keith and Joe,

Since we're approaching the new fiscal year, SCOPS would like each center to provide the number of F-1 COS H-1B FY12 cap petitions you have that were filed on or before August 1, 2011 that are still pending? In addition, can you break these petitions into following categories: untouched, pending supervisory review, RFE/NOID issued (awaiting response), and RFE/NOID response received?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Friday, April 01, 2011 9:24 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** Harton, Frank A
**Subject:** FW: First VSC report indicates CAP volume below last year

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6)
[redacted]

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 10:10 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Young, Claudia F
**Cc:** Jones, Rendell L; Neufeld, Donald
**Subject:** FW: First VSC report indicates CAP volume below last year

The initial news looks like a like day. I'll send more complete numbers when available.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 01, 2011 10:02 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** First VSC report

Morning,

I knew you would want the latest….

Looks like the big snow storm will miss them ☺

FedEx delivery is in about 30 minutes.

Looks like there are around 5,000 "packages". (verses 5,700 "packages" last year).

I'll send you info from CSC later this morning.

Thank you, Walter

## Shirk, Georgette L

**From:** Bell, Lisa M
**Sent:** Monday, January 09, 2012 8:21 AM
**To:** Sweeney, Shelly A
**Subject:** FW: FY12 H-1B Cap Processing Report

*Lisa*

---

**From:** Sweeney, Shelly A
**Sent:** Monday, January 09, 2012 9:19 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** FY12 H-1B Cap Processing Report

Corinna,

Below is a summary of the centers' FY12 H-1B cap processing report. Please note that this report doesn't show much movement as the two weeks reported below included Christmas and New Year's. As such, there was high leave usage at both centers.

**VSC**:

The VSC reported that it is distributing cap cases that were received on 8/25. Two weeks ago at this time, the VSC was distributing cap cases that were received on 8/16. The VSC currently has 9,775 pending cap cases that are over the two-month processing goal (8,049 are untouched). The total number of pending cap cases at the VSC is 15,036 (12,683 of these are untouched). Two weeks ago at this time, the VSC had 8,933 pending cap cases that were outside of the two-month processing goal (7,298 were untouched). At that time, the total number of pending cap cases at the VSC was 16,217 (13,562 of which were untouched).

**CSC**:

The CSC reported that it is distributing regular cap cases that were received on 9/26, master's cap cases that were received on 10/4, and cap exempt petitions that were received on 9/27. Two weeks ago at this time, the CSC was distributing regular cap cases that were received on 9/20, master's cap cases that were received on 9/28, and cap exempt cases that were received on 9/22. The CSC currently has 5,533 pending initial filings that are over the two-month processing goal (3,581 are untouched on a shelf and 660 with an officer, which includes RFE/NOID responses). The total number of pending initial cases at the CSC is 9,666 (7,626 are untouched on a shelf and 686 with an officer, which includes RFE/NOID responses). Two weeks ago at this time, the CSC had 4,672 pending initial cases that were outside of the two-month processing goal (2,673 were untouched on a shelf and 694 with an officer, which included RFE/NOID responses). At that time, the total number of pending initial cases at the CSC was 10,150 (8,078 were untouched on a shelf and 713 with an officer, which included RFE/NOID responses).

I have saved this summary on the shared drive under the following pathway for future reference.

P:\SHARE\SCOPS 2010\C. Business Employment Services\H1B\H1B Reports\FY12 H1B CAP Reports

Thanks!

Shelly

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 31, 2011 10:57 AM
**To:** Wright, William G
**Subject:** FW: H-1B Cap Numbers for Web
**Attachments:** FY12 H-1B Update 31Oct11.doc

FYI

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 31, 2011 10:10 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Numbers for Web

Good morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 496,200 | 10/281/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/281/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, April 18, 2011 8:25 AM
**To:** Bolog, Marguerite M
**Subject:** FW: H-1B cap numbers

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**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

## Shirk, Georgette L

**From:** Wright, William G
**Sent:** Wednesday, November 23, 2011 1:27 PM
**To:** Sweeney, Shelly A
**Subject:** FW: H-1B CAP REACHED - UPDATE ATTACHED

Shelly – before I call him, look at the below msg.

r/
Bill

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**From:** Boogaard, Peter [mailto:Peter.Boogaard@HQ.DHS.GOV]
**Sent:** Wednesday, November 23, 2011 2:23 PM
**To:** Wright, William G
**Subject:** RE: H-1B CAP REACHED - UPDATE ATTACHED

Give me a call.

According to USCIS's weekly report last week, "As of November 14th U.S. Citizenship and Immigration Services (USCIS) received 76,300 H-1B petitions (temporary work visas for specialty occupations) requesting FY 2012 employment – 56,300 regular petitions and 20,000 petitions from aliens with a master's degree or higher. USCIS will continue to accept H-1B petitions until meeting the Congressionally-mandated cap of 65,000 regular petitions and 25,000 master's exemption petitions; thus far, USCIS has approved 32,000 regular petitions and 16,900 master's exemption petitions."

Is the master's exception cap 20k or 25k?

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**From:** Wright, William G
**Sent:** Wednesday, November 23, 2011 1:45 PM
**To:** Boogaard, Peter; Chandler, Matthew; Ortman, Chris
**Cc:** Alfonso-Royals, Angelica M; Bentley, Christopher S; Ostapowich, Stephanie A
**Subject:** RE: H-1B CAP REACHED - UPDATE ATTACHED

Same language….different dates. Last couple of years, we did have a paragraph about applying a 'computer-generated random selection process' to select the remaining few petitions to meet the cap. Wasn't necessary this year, since we were able to accept all of the properly-filed petitions that were submitted on the final receipt date (yesterday)….so, that paragraph was omitted.

Bill

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**From:** Boogaard, Peter [mailto:Peter.Boogaard@HQ.DHS.GOV]
**Sent:** Wednesday, November 23, 2011 1:35 PM
**To:** Wright, William G; Chandler, Matthew; Ortman, Chris
**Cc:** Alfonso-Royals, Angelica M; Bentley, Christopher S; Ostapowich, Stephanie A
**Subject:** RE: H-1B CAP REACHED - UPDATE ATTACHED

Has the language changed at all this year?

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**From:** Wright, William G
**Sent:** Wednesday, November 23, 2011 1:31 PM
**To:** Boogaard, Peter; Chandler, Matthew; Ortman, Chris
**Cc:** Alfonso-Royals, Angelica M; Bentley, Christopher S; Ostapowich, Stephanie A
**Subject:** H-1B CAP REACHED - UPDATE ATTACHED
**Importance:** High

Pete – As anticipated, the H-1B cap has been met – a couple of days early. The final receipt date is official – yesterday. The attached update has been cleared through our front office and we need to push this out this afternoon. This is standard language we put out every year upon reaching the cap.

Providing FYI.

Regards,
Bill

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**From:** Boogaard, Peter [mailto:Peter.Boogaard@HQ.DHS.GOV]
**Sent:** Wednesday, November 23, 2011 9:47 AM
**To:** Wright, William G; Chandler, Matthew; Ortman, Chris
**Subject:** RE: Apologies.....

Thanks, bill.

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**From:** Wright, William G
**Sent:** Wednesday, November 23, 2011 9:46 AM
**To:** Chandler, Matthew; Ortman, Chris; Boogaard, Peter
**Subject:** Apologies.....

….for missing this morning's communicator call….we had nothing to pass….

….however, we do expect to hit the H-1B cap (possibly as early as Friday, not later than Monday).....we have an Update that's in the front office for clearance….will share with you as soon I get it back.

r/
Bill

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 19, 2011 10:41 AM
**To:** McKenzie, Trish H
**Cc:** Fitzsimmons, James; Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: H-1B cap update

No worries, thanks very much!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

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**From:** McKenzie, Trish H (b)(6)
**Sent:** Tuesday, July 19, 2011 11:13 AM
**To:** Lauver, Tinnina M
**Subject:** RE: H-1B cap update

Hi Tina,

We have a new person doing it – we will fix it soon! Very sorry.

**Trish McKenzie**
phone [redacted]
mobile
Web Content Editor (b)(6)
U.S. Citizenship and Immigration Services
Department of Homeland Security
Washington, DC 20529
Trish.McKenzie@dhs.gov
http://www.uscis.gov/portal/site/uscis

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**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 19, 2011 10:59 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Fitzsimmons, James
**Subject:** FW: H-1B cap update

Hello,

Please see message below. I know that we have been submitting weekly updates. Please see updates sent since 7/1/11.

Thank you very much!!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate

(b)(6)
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

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**From:** Fitzsimmons, James
**Sent:** Tuesday, July 19, 2011 10:54 AM
**To:** Lauver, Tinnina M
**Subject:** FW: H-1B cap update

Tina,
Do you know who updates H-1B cap counts onto USCIS website? The current update has cap counts below but 7/1/2011 as date of last count.
Jim

# FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/1/2011 |

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**From:** Fitzsimmons, James
**Sent:** Monday, July 18, 2011 8:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Friday, July 08, 2011 10:46 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: H-1B cap update

I will send on Monday☺

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Friday, July 08, 2011 11:27 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

### FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 7:42 AM
**To:** Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** FW: H-1B cap update

Is Shelly out today? If so, I can forward…

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 8:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 7:24 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Tamanaha, Emisa T
**Subject:** FW: H-1B cap update

Claudia,

I can send to USCIS Web Publishing if you would like. I believe Shelly is out today. I have what was sent last week…I can simply update and send☺

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

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**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, November 03, 2011 2:25 PM
**To:** Luna, Corinna A.
**Cc:** Lauver, Tinnina M
**Subject:** FW: H-1B cap update

Corinna,

I will send the webpage update to OCOMM tomorrow and request posting on Monday. We have maintained our regular updating schedule in the past when Jim gave updates ahead of time because he was going on vacation. This was done to prevent giving stakeholders who are monitoring the webpage the erroneous impression that we have started updating the numbers more than once a week.

Thanks!

Shelly

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**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 12:47 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 6:19 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: H-1B Report CSC

Did we happen to get VSC's report? Did we send a message indicating when the reports are due to HQ?

Thanks for your help!!!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

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**From:** Fierro, Joseph
**Sent:** Friday, June 17, 2011 12:24 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Canney, Keith J; Louis, Jennifer E; Melville, Rosemary
**Subject:** H-1B Report CSC

Tina/Shelly,

CSC is distributing at the following dates:

Regular CAP – 5/4
Master CAP – 5/4
CAP Exempt – 4/20
EOS – 5/1

Pending and Production:

| CSC I-129 H1Bs Pending with NFTS location as of 06/13/2011 Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 04/13/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 1 | 1 |
| | | At CFDO | 20 | 24 |
| | | In File Room/Jit Shelf | 33 | 3,393 |
| | | On RFE Shelf/Rule 103 | 605 | 795 |
| | | Other Location | 64 | 107 |
| | | W/Clerical/Incl Resubmits | 91 | 234 |
| | | W/Officer/Incl Resubmits | 564 | 913 |
| | EOS | At BCU | 8 | 13 |

| CSC I-129 H1Bs (0 Data S | | |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | Total: | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | Total: | |

| | | | | |
|---|---|---|---|---|
| | | At CFDO | 16 | 20 |
| | | In File Room/Jit Shelf | 34 | 9,096 |
| | | On RFE Shelf/Rule 103 | 348 | 356 |
| | | Other Location | 45 | 98 |
| | | W/Clerical/Incl Resubmits | 129 | 486 |
| | | W/Officer/Incl Resubmits | 562 | 1,418 |
| **Total:** | | | **2,520** | **16,954** |

Notes:

- **Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Friday, May 27, 2011 11:52 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: H-1B reporting

Am I suppose to do anything special with these reports from the VSC and CSC?

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) | ✉: Tinnina.Lauver@dhs.gov

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**From:** Canney, Keith J
**Sent:** Friday, May 27, 2011 12:10 PM
**To:** Sweeney, Shelly A; Young, Claudia F; Lauver, Tinnina M
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; FitzGerald, Karen L
**Subject:** RE: H-1B reporting

SCOPS –

Here is our revised report on cap cases. The date that we are currently distributing to officers is April 13, 2011. Let me know if this new reporting format meets your needs.

Keith

| VSC I129 H1B Pending as of 5/23/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 3/24/11** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 0 | 5544 |
| | Response Received | 0 | 70 |
| | RFE/Intent Sent | 0 | 698 |
| | Transfers In | 0 | 206 |
| | Total CAP12 Pending | 0 | 6518 |
| **FY11 CAP** Apr-1-2010 to Mar-30-2011 | Initial Receipts | 93 | 93 |
| | Response Received | 635 | 635 |
| | RFE/Intent Sent | 596 | 596 |
| | Transfers In | 2 | 2 |
| | Total CAP11 Pending | 1327 | 1327 |

| VSC H1B ACTIONS (05-15-11 to 05-21-11) |
|---|

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY12 | 468 | 3 | 116 | 587 |
| CAP PP FY12 | 265 | 6 | 67 | 338 |
| CAP FY11 | 90 | 51 | 6 | 147 |
| CAP PP FY11 | 10 | 20 | 0 | 30 |

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**From:** Young, Claudia F [mailto:cfyoung1@fins3.dhs.gov]
**Sent:** Friday, April 29, 2011 1:25 PM
**To:** Canney, Keith J; Fierro, Joseph; Louis, Jennifer E; FitzGerald, Karen L
**Cc:** Richardson, Gregory A; Sweeney, Shelly A; Lauver, Tinnina M
**Subject:** H-1B reporting

Keith and Joe—

Thank you for your hard work in ensuring that VSC and CSC are current on H-1B cap and EOS cases. Now that numbers are current, SCOPS would like to reduce the frequency of the Centers' H-1B reporting to SCOPS, keeping in mind that if we fall behind in processing times, then SCOPS may ask you to report more often.

- For H-1B EOS cases, please send a monthly report by the 10th of each month.
- For H-1B Cap cases, please send a bi-weekly report by the Friday in the middle of the pay period.

The reports can be sent to me, Shelly Sweeney and Tinnina Lauver.

As for the data to include in the reports, please continue to provide the information you have been giving us. In addition, for cases that are outside the 60-day processing time, could VSC also include the number of cases that have been issued an RFE/NOID?

Please let me know if you have any questions. Thanks and have a great weekend.

Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted]
(b)(6)

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**From:** Canney, Keith J
**Sent:** Thursday, April 28, 2011 7:19 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Fierro, Joseph
**Subject:** RE: VSC H-1B report

Mack/Frank –

As we are now accounting for a new fiscal years' worth of cap cases, let me know what information SCOPS finds useful from the reports below, and if there are any changes that you need as we start reporting/accounting for FY12 H-1B cases. It would also be good to know if this reports need to continue now that we are so current with H-1B's.

If SCOPS is primarily concerned with the high level pending numbers, is it possible to have SCOPS (i.e. Jim Fitzsimmons) run these numbers when needed and rely on the Centers to report distribution dates? Just trying to streamline/minimize the reporting of data (if possible) since there are so many different reports issued by the Centers on a regular basis.

Lastly, if these reports are to continue, please let me know of there are any modifications that need to be made to the list of recipients. Not sure if Claudia wants to be copied, Frank wants to be removed, others added/removed, etc...

Keith

| Processing Dates & #s >60 days | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| CSC | Reg. cap | Master's cap | Cap exempt | | EOS | EOS >60 days | Initial >60 days | | RFE on EOS >60 days | RFE on Initial >60 days | Total Pending as of Date |
| 1/18/11 | 11/16/10 | 11/15/10 | 11/21/10 | | 12/15/10 | 3,942 | 4,468 | | 1,184 | 1,834 | 15,496 |
| 1/24/11 | 11/22/10 | 11/22/10 | 11/22/10 | | 1/1/11 | 3,345 | 4,279 | | 1,145 | 1,719 | 14,583 |
| 1/31/11 | 12/5/10 | 12/5/10 | 12/5/10 | | 1/1/11 | 2,520 | 3,840 | | 3,840 | 1,811 | 13,294 |
| 2/7/11 | 12/14/10 | 12/14/10 | 12/15/10 | | 1/5/11 | 2,017 | 3,511 | | 996 | 1,849 | 11,993 |
| 2/14/11 | 12/22/10 | 12/19/10 | 12/18/10 | | 1/11/11 | 1,183 | 2,129 | | 467 | 700 | 9,186 |
| 2/22/11 | 1/1/11 | 1/3/11 | 1/2/11 | | 1/14/11 | 847 | 1,507 | | 460 | 899 | 8,671 |
| 2/28/11 | 1/14/11 | Current | 1/17/11 | | 1/24/11 | 697 | 1,672 | | 390 | 1,183 | 7,931 |
| 3/7/11 | Current | Current | 1/26/11 | | 2/1/11 | 667 | 1,732 | | 339 | 1,218 | 7,781 |
| 3/14/11 | Current | Current | 1/26/11 | | 2/14/11 | 573 | 1,619 | | 291 | 1,225 | 7,314 |
| 3/21/11 | Current | Current | 1/28/11 | | 2/28/11 | 562 | 1,649 | | 274 | 1,172 | 7,319 |
| 3/28/11 | Current | Current | 2/6/11 | | 3/3/11 | 647 | 1,702 | | 264 | 1,064 | 7,722 |
| 4/4/11 | Current | Current | 2/6/11 | | 3/12/11 | 608 | 1,574 | | 243 | 982 | 7,538 |
| 4/11/11 | Current | Current | 2/18/11 | | 3/18/11 | 615 | 1,397 | | 234 | 696 | 9,843 |
| 4/18/11 | Current | Current | 2/18/11 | | 3/21/11 | 632 | 1,163 | | 306 | 578 | 12,167 |
| 4/25/11 | 4/12/11 (FY12) | 4/11/11 (FY12) | 2/22/11 | | 3/22/11 | 758 | 1,083 | | 302 | 393 | 12,852 |

| Processing Dates & #s >60 days | | | | | | | |
|---|---|---|---|---|---|---|---|
| VSC | Reg. cap | | | | EOS | EOS >60 Days | Cap >60 Days |
| 1/18/11 | 11/3/10 | | | | 9/22/10 | 9,134 | 1,857 |
| 1/24/11 | 11/22/10 | | | | 9/30/10 | 8,553 | 2,137 |
| 1/31/11 | 12/1/10 | | | | 10/19/10 | 7,132 | 1,952 |
| 2/7/11 | 12/20/10 | | | | 11/10/10 | 6,448 | 2,276 |
| 2/14/11 | 12/30/10 | | | | 11/29/10 | 5,678 | 1,769 |
| 2/21/11 | 12/30/10 | | | | 11/29/10 | 5,368 | 1,791 |
| 2/28/11 | 12/30/10 | | | | 12/7/10 | 4,883 | 1,740 |
| 3/7/11 | 1/3/11 | | | | 12/21/10 | 4,063 | 1,651 |
| 3/14/11 | 1/6/11 | | | | 2/7/11 | 3,443 | 1,783 |
| 3/21/11 | 1/6/11 | | | | 1/13/11 | 2,796 | 1,985 |
| 3/28/11 | Current | | | | 1/28/11 | 2,233 | 2,165 |
| 4/4/11 | Current | | | | 3/5/11 | 1,494 | 1,256 |
| 4/11/11 | Current | | | | 3/22/11 | 560 | 607 |
| 4/18/11 | Current | | | | 4/1/11 | 511 | 418 |
| 4/25/11 | 4/1/11 (FY12) | | | | 4/14/11 | 428 | 359 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| CSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | | Approvals (PP) | Denials (PP) | RFEs (PP) | | Total Actions |
| 1/9/11 - 1/15/11 | 2,235 | 181 | 235 | | 1,347 | 95 | 295 | | 4,388 |
| 1/16/11 - 1/22/11 | 1,596 | 119 | 217 | | 1,222 | 83 | 291 | | 3,528 |
| 1/23/11 - 1/29/11 | 2,193 | 153 | 490 | | 1,192 | 101 | 273 | | 4,402 |
| 1/30/11 - 2/5/11 | 1,762 | 231 | 487 | | 1,109 | 89 | 266 | | 3,944 |
| 2/6/11 - 2/12/11 | 1,093 | 170 | 365 | | 867 | 74 | 149 | | 2,718 |
| 2/13/11 - 2/19/11 | 1,047 | 130 | 326 | | 896 | 59 | 148 | | 2,606 |
| 2/20/11 - 2/26/11 | 996 | 68 | 312 | | 788 | 81 | 141 | | 2,386 |
| 2/27/11 - 3/5/11 | 1,111 | 108 | 304 | | 707 | 84 | 171 | | 2,485 |
| 3/6/11 - 3/12/11 | 1,145 | 78 | 356 | | 862 | 71 | 146 | | 2,658 |
| 3/13/11 - 3/19/11 | 1,291 | 123 | 223 | | 740 | 65 | 126 | | 2,568 |
| 3/20/11 - 3/26/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 3/27/11 - 4/2/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 4/3/11 - 4/9/11 | 935 | 138 | 185 | | 945 | 45 | 148 | | 2,396 |
| 4/10/11 - 4/16/11 | 289 | 99 | 70 | | 1,997 | 50 | 337 | | 2,842 |
| 4/17/11 - 4/23/11 | 937 | 86 | 118 | | 1,084 | 49 | 200 | | 2,474 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| VSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | Relocates (non-PP) | Approvals (PP) | Denials (PP) | RFEs (PP) | Relocates (PP) | Total Actions |
| 1/9/11 - 1/15/11 | 1,399 | 165 | 289 | | 1,546 | 105 | 244 | | 3,748 |
| 1/17/11 - 1/22/11 | 1,281 | 136 | 276 | | 1,103 | 76 | 293 | | 3,165 |
| 1/23/11 - 1/29/11 | 1,602 | 317 | 835 | | 1,384 | 208 | 309 | | 4,655 |
| 1/30/11 - 2/5/11 | 1,324 | 148 | 303 | | 1,297 | 104 | 482 | | 3,658 |
| 2/6/11 - 2/12/11 | 1,598 | 187 | 341 | | 783 | 92 | 176 | | 3,177 |
| 2/13/11 - 2/19/11 | 1,216 | 185 | 590 | | 887 | 119 | 352 | | 3,349 |
| 2/20/11 - 2/26/11 | 814 | 81 | 218 | | 846 | 77 | 225 | | 2,261 |
| 2/27/11 - 3/5/11 | 1,320 | 173 | 390 | 2 | 862 | 143 | 214 | | 3,104 |
| 3/6/11 - 3/12/11 | 1,200 | 149 | 350 | | 825 | 107 | 179 | | 2,810 |
| 3/13/11 - 3/19/11 | 1,291 | 164 | 418 | | 792 | 116 | 186 | | 2,967 |
| 3/20/11 - 3/26/11 | 1,295 | 151 | 417 | | 748 | 106 | 150 | | 2,867 |
| 3/27/11 - 4/2/11 | 2,050 | 162 | 539 | | 907 | 122 | 131 | | 3,911 |
| 4/3/11 - 4/9/11 | 2,131 | 157 | 749 | 6 | 787 | 88 | 145 | 1 | 4,064 |
| 4/10/11 - 4/16/11 | 1,159 | 129 | 369 | 36 | 835 | 106 | 186 | | 2,820 |
| 4/17/11 - 4/23/11 | 1,571 | 224 | 473 | | 686 | 141 | 133 | | 3,228 |

## Shirk, Georgette L

**From:** Bolog, Marguerite M <Marguerite.M.Bolog@uscis.dhs.gov>
**Sent:** Friday, April 01, 2011 1:25 PM
**To:** Sweeney, Shelly A
**Subject:** FW: No CSC data yet. VSC says 4,000 CAP packages total

---

**From:** Peck, Denis R [mailto:drpeck@fins3.dhs.gov]
**Sent:** Friday, April 01, 2011 2:26 PM
**To:** Harton, Frank A; Young, Claudia F; Bolog, Marguerite M
**Subject:** No CSC data yet. VSC says 4,000 CAP packages total

Subtracting out the normal daily volume would leave maybe 4,000 H1B packages at best. That could mean 6,000 total filings averaging 1.5 per package.

The bloom appears to be off the high tech visa rose.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 01, 2011 2:16 PM
**To:** 'denis.peck@dhs.gov'
**Cc:** 'Julie.Shiflett@dhs.gov'
**Subject:** Re: Updates for VSC

Afternoon,

That is an accurate assumption.

Walter

---
Sent from my BlackBerry Wireless 7250 Handheld

---

**From:** Peck, Denis R <denis.peck@dhs.gov>
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M <julie.shiflett@dhs.gov>
**Sent:** Fri Apr 01 13:58:00 2011
**Subject:** RE: Updates for VSC

Walter just so I am sure, this is the gross mail count with CAP and nonCAP mail altogether, right? Assuming that assumption is correct the amount of CAP packages in this should be 4,000 at most.

Denis Peck
Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Friday, April 01, 2011 1:15 PM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Updates for VSC

Morning Again,

USPS: 1934
UPS: 392
FedEx: 4062
**Total: 6388**

Last year first day was 9161

Thanks, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

http://www.cgi.com/usfederal

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## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, August 29, 2011 3:08 PM
**To:** McConnell, James E; Fitzsimmons, James; McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M
**Cc:** Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: reporting of Cap numbers

All,

Please see e-mail chain below. It has been determined to post H1B cap numbers on the web bi-weekly instead of weekly. As we get closer to the cap deadline/reaching the cap, we will go back to producing/posting the report weekly.

Please let me know if you have any questions and/or concerns.

Thanks!!!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: 202.272.0904 | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Velarde, Barbara Q
**Sent:** Monday, August 29, 2011 2:45 PM
**To:** Young, Claudia F
**Cc:** Richardson, Gregory A
**Subject:** RE: reporting of Cap numbers

I agree

---

**From:** Young, Claudia F
**Sent:** Monday, August 29, 2011 10:51 AM
**To:** Velarde, Barbara Q
**Cc:** Richardson, Gregory A
**Subject:** reporting of Cap numbers

Barbara,
We would like to begin posting the H1B numbers bi-weekly instead of weekly. Before we reach out to OCOMM, I wanted to ensure you were okay with the bi-weekly reporting. We would go back to weekly once we start getting close to the cap.
Thanks,
Claudia

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Wednesday, June 01, 2011 6:35 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Tamanaha, Emisa T
**Subject:** FW: Sample Cap Report
**Attachments:** FW: H-1B Processing Update

I received the following from Mack. She indicated that she submitted the report in text format. Therefore, based upon the data reported by each center, the updated report can be found below. Please let me know what you think or if you would like me to change the format....

---

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**

The CSC reported that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| Regular FY 12 CAP | 4/28/2011 |
| Master FY12 CAP | 4/23/2011 |
| CAP Exempt | 4/08/2011 |
| EOS | 4/15/2011 |

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. The CSC reported a total of 1, 855 completed actions during the time period.

**VSC:**

The VSC indicated that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| FY12 Cap | 4/13/2011 |
| EOS | 4/18/2011 |

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 320 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6cases and issued an RFE on 67 cases. The VSC reported a total of 925 completed actions during the time period.

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov



(b)(6)

**From:** Bolog, Marguerite M
**Sent:** Tuesday, May 31, 2011 5:08 PM
**To:** Lauver, Tinnina M
**Subject:** Sample Cap Report

See attached. Call me if you have ???

(b)(6)

**Marguerite (Mack) Bolog**| DHS| USCIS| VSC | Immigration Services Officer 3| [redacted] 802.527.4843 |
**marguerite.bolog@dhs.gov**

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| Processing Dates & #s >60 days | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| CSC | Reg. cap | Master's cap | Cap exempt | | EOS | EOS >60 days | Initial >60 days | | RFE on EOS >60 days | RFE on Initial >60 days | Total Pending as of Date |
| 1/18/11 | 11/16/10 | 11/15/10 | 11/21/10 | | 12/15/10 | 3,942 | 4,468 | | 1,184 | 1,834 | 15,496 |
| 1/24/11 | 11/22/10 | 11/22/10 | 11/22/10 | | 1/1/11 | 3,345 | 4,279 | | 1,145 | 1,719 | 14,583 |
| 1/31/11 | 12/5/10 | 12/5/10 | 12/5/10 | | 1/1/11 | 2,520 | 3,840 | | 3,840 | 1,811 | 13,294 |
| 2/7/11 | 12/14/10 | 12/14/10 | 12/15/10 | | 1/5/11 | 2,017 | 3,511 | | 996 | 1,849 | 11,993 |
| 2/14/11 | 12/22/10 | 12/19/10 | 12/18/10 | | 1/11/11 | 1,183 | 2,129 | | 467 | 700 | 9,186 |
| 2/22/11 | 1/1/11 | 1/3/11 | 1/2/11 | | 1/14/11 | 847 | 1,507 | | 460 | 899 | 8,671 |
| 2/28/11 | 1/14/11 | Current | 1/17/11 | | 1/24/11 | 697 | 1,672 | | 390 | 1,183 | 7,931 |
| 3/7/11 | Current | Current | 1/26/11 | | 2/1/11 | 667 | 1,732 | | 339 | 1,218 | 7,781 |
| 3/14/11 | Current | Current | 1/26/11 | | 2/14/11 | 573 | 1,619 | | 291 | 1,225 | 7,314 |
| 3/21/11 | Current | Current | 1/28/11 | | 2/28/11 | 562 | 1,649 | | 274 | 1,172 | 7,319 |
| 3/28/11 | Current | Current | 2/6/11 | | 3/3/11 | 647 | 1,702 | | 264 | 1,064 | 7,722 |
| 4/4/11 | Current | Current | 2/6/11 | | 3/12/11 | 608 | 1,574 | | 243 | 982 | 7,538 |
| 4/11/11 | Current | Current | 2/18/11 | | 3/18/11 | 615 | 1,397 | | 234 | 696 | 9,843 |
| 4/18/11 | Current | Current | 2/18/11 | | 3/21/11 | 632 | 1,163 | | 306 | 578 | 12,167 |
| 4/25/11 | 4/12/11 (FY12) | 4/11/11 (FY12) | 2/22/11 | | 3/22/11 | 758 | 1,083 | | 302 | 393 | 12,852 |

| Processing Dates & #s >60 days | | | | | | | |
|---|---|---|---|---|---|---|---|
| VSC | Reg. cap | | | | EOS | EOS >60 Days | Cap >60 Days |
| 1/18/11 | 11/3/10 | | | | 9/22/10 | 9,134 | 1,857 |
| 1/24/11 | 11/22/10 | | | | 9/30/10 | 8,553 | 2,137 |
| 1/31/11 | 12/1/10 | | | | 10/19/10 | 7,132 | 1,952 |
| 2/7/11 | 12/20/10 | | | | 11/10/10 | 6,448 | 2,276 |
| 2/14/11 | 12/30/10 | | | | 11/29/10 | 5,678 | 1,769 |
| 2/21/11 | 12/30/10 | | | | 11/29/10 | 5,368 | 1,791 |
| 2/28/11 | 12/30/10 | | | | 12/7/10 | 4,883 | 1,740 |
| 3/7/11 | 1/3/11 | | | | 12/21/10 | 4,063 | 1,651 |
| 3/14/11 | 1/6/11 | | | | 2/7/11 | 3,443 | 1,783 |
| 3/21/11 | 1/6/11 | | | | 1/13/11 | 2,796 | 1,985 |
| 3/28/11 | Current | | | | 1/28/11 | 2,233 | 2,165 |
| 4/4/11 | Current | | | | 3/5/11 | 1,494 | 1,256 |
| 4/11/11 | Current | | | | 3/22/11 | 560 | 607 |
| 4/18/11 | Current | | | | 4/1/11 | 511 | 418 |
| 4/25/11 | 4/1/11 (FY12) | | | | 4/14/11 | 428 | 359 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| CSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | | Approvals (PP) | Denials (PP) | RFEs (PP) | | Total Actions |
| 1/9/11 - 1/15/11 | 2,235 | 181 | 235 | | 1,347 | 95 | 295 | | 4,388 |
| 1/16/11 - 1/22/11 | 1,596 | 119 | 217 | | 1,222 | 83 | 291 | | 3,528 |
| 1/23/11 - 1/29/11 | 2,193 | 153 | 490 | | 1,192 | 101 | 273 | | 4,402 |
| 1/30/11 - 2/5/11 | 1,762 | 231 | 487 | | 1,109 | 89 | 266 | | 3,944 |
| 2/6/11 - 2/12/11 | 1,093 | 170 | 365 | | 867 | 74 | 149 | | 2,718 |
| 2/13/11 - 2/19/11 | 1,047 | 130 | 326 | | 896 | 59 | 148 | | 2,606 |
| 2/20/11 - 2/26/11 | 996 | 68 | 312 | | 788 | 81 | 141 | | 2,386 |
| 2/27/11 - 3/5/11 | 1,111 | 108 | 304 | | 707 | 84 | 171 | | 2,485 |
| 3/6/11 - 3/12/11 | 1,145 | 78 | 356 | | 862 | 71 | 146 | | 2,658 |
| 3/13/11 - 3/19/11 | 1,291 | 123 | 223 | | 740 | 65 | 126 | | 2,568 |
| 3/20/11 - 3/26/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 3/27/11 - 4/2/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 4/3/11 - 4/9/11 | 935 | 138 | 185 | | 945 | 45 | 148 | | 2,396 |
| 4/10/11 - 4/16/11 | 289 | 99 | 70 | | 1,997 | 50 | 337 | | 2,842 |
| 4/17/11 - 4/23/11 | 937 | 86 | 118 | | 1,084 | 49 | 200 | | 2,474 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| VSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | Relocates (non-PP) | Approvals (PP) | Denials (PP) | RFEs (PP) | Relocates (PP) | Total Actions |
| 1/9/11 - 1/15/11 | 1,399 | 165 | 289 | | 1,546 | 105 | 244 | | 3,748 |
| 1/17/11 - 1/22/11 | 1,281 | 136 | 276 | | 1,103 | 76 | 293 | | 3,165 |
| 1/23/11 - 1/29/11 | 1,602 | 317 | 835 | | 1,384 | 208 | 309 | | 4,655 |
| 1/30/11 - 2/5/11 | 1,324 | 148 | 303 | | 1,297 | 104 | 482 | | 3,658 |
| 2/6/11 - 2/12/11 | 1,598 | 187 | 341 | | 783 | 92 | 176 | | 3,177 |
| 2/13/11 - 2/19/11 | 1,216 | 185 | 590 | | 887 | 119 | 352 | | 3,349 |
| 2/20/11 - 2/26/11 | 814 | 81 | 218 | | 846 | 77 | 225 | | 2,261 |
| 2/27/11 - 3/5/11 | 1,320 | 173 | 390 | 2 | 862 | 143 | 214 | | 3,104 |
| 3/6/11 - 3/12/11 | 1,200 | 149 | 350 | | 825 | 107 | 179 | | 2,810 |
| 3/13/11 - 3/19/11 | 1,291 | 164 | 418 | | 792 | 116 | 186 | | 2,967 |
| 3/20/11 - 3/26/11 | 1,295 | 151 | 417 | | 748 | 106 | 150 | | 2,867 |
| 3/27/11 - 4/2/11 | 2,050 | 162 | 539 | | 907 | 122 | 131 | | 3,911 |
| 4/3/11 - 4/9/11 | 2,131 | 157 | 749 | 6 | 787 | 88 | 145 | 1 | 4,064 |
| 4/10/11 - 4/16/11 | 1,159 | 129 | 369 | 36 | 835 | 106 | 186 | | 2,820 |
| 4/17/11 - 4/23/11 | 1,571 | 224 | 473 | | 686 | 141 | 133 | | 3,228 |

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Friday, April 29, 2011 2:59 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Young, Claudia F
**Subject:** FW: H-1B Processing Update
**Attachments:** H1B weekly processing #'s.xls

Barbara, Greg, and Claudia—

Here is a synopsis of the April 25th cap reports from the CSC and the VSC:

***CSC***:

The CSC reported that they are at a 4/12/11 processing date for regular FY12 cap cases (it was 4/11/11 last week) and at a 4/11/11 processing date for FY12 master's cap cases (it was at 4/11/11 last week).

Cap exempt is at 2/22/11 (it was 2/18/11 last week). **The processing date for EOS is at 3/22/11** (the previous week it was at 3/21/2011). As of April 25th, there were 1,083 initial H-1B petitions still pending that are outside of the two-month processing goal. Of that number 393 have had an RFE/NOID issued but have not been worked to completion (either pending response or response not yet adjudicated). There were 758 EOS petitions still pending that are outside of the two month processing goal. Of that number, 302 have had an RFE/NOID issued already.

From 4/17 to 4/23, the CSC approved 937 non premium cases, denied 86 non premium cases, and issued an RFE on 118 non premium cases. CSC also approved 1,084 premium cases, denied 49 premium cases, and issued an RFE on 200 premium cases during the same time period. *Total actions during that time period were 2,474.*

***VSC***:

The VSC reported that they are at 4/1/11 for FY12 cap cases (it was 4/7/11 last week; however, that date reflected only FY12 premium cases, not brown files). **The processing date for EOS is at 4/14/11** (They reported 4/1/11 last week). As of April 25th, there were 359 untouched cap petitions still pending that are outside of the two-month processing goal. There were 428 untouched EOS petitions still pending that are outside of the two-month processing goal.

From 4/17 to 4/23, the VSC approved 1,571 non premium cases, denied 224 non premium cases and issued an RFE/NOID on 473 non premium cases. VSC also approved 686 premium cases, denied 141 premium cases, and issued an RFE/NOID on 133 premium cases during the same time period. *Total actions during that time period were 3,228.*

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Wednesday, June 01, 2011 8:45 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Tamanaha, Emisa T
**Subject:** FW: Sample Cap Report
**Attachments:** H1B weekly processing_52311.xls

Yep, it is me again. Sorry. I have updated the report Mack attached to her last update. So, the report to Greg, Barbara and Bobbie will be as follows with the attached. Please let me know if you concur or see any glaring errors……thanks☺

---

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**

The CSC reported that they are distributing cases based upon the following receipt dates:
Regular FY 12 CAP = 4/28/2011
Master FY12 CAP = 4/23/2011
CAP Exempt = 4/08/2011
EOS = 4/15/2011

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. *The CSC reported a total of 1,855 completed actions during the time period.*

**VSC:**

The VSC indicated that they are distributing cases based upon the following receipt dates:
FY12 CAP = 4/13/2011
EOS = 4/18/2011

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 321 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6 cases and issued an RFE on 67 cases. *The VSC reported a total of 925 completed actions during the time period.*

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov

(b)(6)

**From:** Lauver, Tinnina M
**Sent:** Wednesday, June 01, 2011 7:35 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Tamanaha, Emisa T
**Subject:** FW: Sample Cap Report

I received the following from Mack. She indicated that she submitted the report in text format. Therefore, based upon the data reported by each center, the updated report can be found below. Please let me know what you think or if you would like me to change the format....

---

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**

The CSC reported that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| Regular FY 12 CAP | 4/28/2011 |
| Master FY12 CAP | 4/23/2011 |
| CAP Exempt | 4/08/2011 |
| EOS | 4/15/2011 |

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. The CSC reported a total of 1, 855 completed actions during the time period.

**VSC:**

The VSC indicated that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| FY12 Cap | 4/13/2011 |
| EOS | 4/18/2011 |

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 321 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6 cases and issued an RFE on 67 cases. The VSC reported a total of 925 completed actions during the time period.

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Bolog, Marguerite M
**Sent:** Tuesday, May 31, 2011 5:08 PM
**To:** Lauver, Tinnina M
**Subject:** Sample Cap Report

See attached. Call me if you have ???

(b)(6)

**Marguerite (Mack) Bolog**| DHS| USCIS| VSC | Immigration Services Officer 3| [redacted] 802.527.4843 |
**marguerite.bolog@dhs.gov**

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| Processing Dates & #s >60 days | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| CSC | Reg. cap | Master's cap | Cap exempt | | EOS | EOS >60 days | Initial >60 days | | RFE on EOS >60 days | RFE on Initial >60 days | Total Pending as of Date |
| 1/18/11 | 11/16/10 | 11/15/10 | 11/21/10 | | 12/15/10 | 3,942 | 4,468 | | 1,184 | 1,834 | 15,496 |
| 1/24/11 | 11/22/10 | 11/22/10 | 11/22/10 | | 1/1/11 | 3,345 | 4,279 | | 1,145 | 1,719 | 14,583 |
| 1/31/11 | 12/5/10 | 12/5/10 | 12/5/10 | | 1/1/11 | 2,520 | 3,840 | | 3,840 | 1,811 | 13,294 |
| 2/7/11 | 12/14/10 | 12/14/10 | 12/15/10 | | 1/5/11 | 2,017 | 3,511 | | 996 | 1,849 | 11,993 |
| 2/14/11 | 12/22/10 | 12/19/10 | 12/18/10 | | 1/11/11 | 1,183 | 2,129 | | 467 | 700 | 9,186 |
| 2/22/11 | 1/1/11 | 1/3/11 | 1/2/11 | | 1/14/11 | 847 | 1,507 | | 460 | 899 | 8,671 |
| 2/28/11 | 1/14/11 | Current | 1/17/11 | | 1/24/11 | 697 | 1,672 | | 390 | 1,183 | 7,931 |
| 3/7/11 | Current | Current | 1/26/11 | | 2/1/11 | 667 | 1,732 | | 339 | 1,218 | 7,781 |
| 3/14/11 | Current | Current | 1/26/11 | | 2/14/11 | 573 | 1,619 | | 291 | 1,225 | 7,314 |
| 3/21/11 | Current | Current | 1/28/11 | | 2/28/11 | 562 | 1,649 | | 274 | 1,172 | 7,319 |
| 3/28/11 | Current | Current | 2/6/11 | | 3/3/11 | 647 | 1,702 | | 264 | 1,064 | 7,722 |
| 4/4/11 | Current | Current | 2/6/11 | | 3/12/11 | 608 | 1,574 | | 243 | 982 | 7,538 |
| 4/11/11 | Current | Current | 2/18/11 | | 3/18/11 | 615 | 1,397 | | 234 | 696 | 9,843 |
| 4/18/11 | Current | Current | 2/18/11 | | 3/21/11 | 632 | 1,163 | | 306 | 578 | 12,167 |
| 4/25/11 | 4/12/11 (FY12) | 4/11/11 (FY12) | 2/22/11 | | 3/22/11 | 758 | 1,083 | | 302 | 393 | 12,852 |
| 5/23/11 | 4/28/11 (FY12) | 4/23/11 (FY12) | 4//8/11 | | 4/15/11 | 955 | 814 | | 534 | 564 | 15,529 |

| Processing Dates & #s >60 days | | | | | | | |
|---|---|---|---|---|---|---|---|
| VSC | Reg. cap | | | | EOS | EOS >60 Days | Cap >60 Days |
| 1/18/11 | 11/3/10 | | | | 9/22/10 | 9,134 | 1,857 |
| 1/24/11 | 11/22/10 | | | | 9/30/10 | 8,553 | 2,137 |
| 1/31/11 | 12/1/10 | | | | 10/19/10 | 7,132 | 1,952 |
| 2/7/11 | 12/20/10 | | | | 11/10/10 | 6,448 | 2,276 |
| 2/14/11 | 12/30/10 | | | | 11/29/10 | 5,678 | 1,769 |
| 2/21/11 | 12/30/10 | | | | 11/29/10 | 5,368 | 1,791 |
| 2/28/11 | 12/30/10 | | | | 12/7/10 | 4,883 | 1,740 |
| 3/7/11 | 1/3/11 | | | | 12/21/10 | 4,063 | 1,651 |
| 3/14/11 | 1/6/11 | | | | 2/7/11 | 3,443 | 1,783 |
| 3/21/11 | 1/6/11 | | | | 1/13/11 | 2,796 | 1,985 |
| 3/28/11 | Current | | | | 1/28/11 | 2,233 | 2,165 |
| 4/4/11 | Current | | | | 3/5/11 | 1,494 | 1,256 |
| 4/11/11 | Current | | | | 3/22/11 | 560 | 607 |
| 4/18/11 | Current | | | | 4/1/11 | 511 | 418 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 4/25/11 | 4/1/11 (FY12) | | | | 4/14/11 | 428 | 359 |
| 5/23/11 | 4/13/11 (FY12) | | | | 4/18/11 | 321 | 0 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| CSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | | Approvals (PP) | Denials (PP) | RFEs (PP) | | Total Actions |
| 1/9/11 - 1/15/11 | 2,235 | 181 | 235 | | 1,347 | 95 | 295 | | 4,388 |
| 1/16/11 - 1/22/11 | 1,596 | 119 | 217 | | 1,222 | 83 | 291 | | 3,528 |
| 1/23/11 - 1/29/11 | 2,193 | 153 | 490 | | 1,192 | 101 | 273 | | 4,402 |
| 1/30/11 - 2/5/11 | 1,762 | 231 | 487 | | 1,109 | 89 | 266 | | 3,944 |
| 2/6/11 - 2/12/11 | 1,093 | 170 | 365 | | 867 | 74 | 149 | | 2,718 |
| 2/13/11 - 2/19/11 | 1,047 | 130 | 326 | | 896 | 59 | 148 | | 2,606 |
| 2/20/11 - 2/26/11 | 996 | 68 | 312 | | 788 | 81 | 141 | | 2,386 |
| 2/27/11 - 3/5/11 | 1,111 | 108 | 304 | | 707 | 84 | 171 | | 2,485 |
| 3/6/11 - 3/12/11 | 1,145 | 78 | 356 | | 862 | 71 | 146 | | 2,658 |
| 3/13/11 - 3/19/11 | 1,291 | 123 | 223 | | 740 | 65 | 126 | | 2,568 |
| 3/20/11 - 3/26/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 3/27/11 - 4/2/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 4/3/11 - 4/9/11 | 935 | 138 | 185 | | 945 | 45 | 148 | | 2,396 |
| 4/10/11 - 4/16/11 | 289 | 99 | 70 | | 1,997 | 50 | 337 | | 2,842 |
| 4/17/11 - 4/23/11 | 937 | 86 | 118 | | 1,084 | 49 | 200 | | 2,474 |
| 5/15/11 - 5/21/11 | 790 | 82 | 221 | | 601 | 20 | 141 | | 1,855 |

| Total #s | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| VSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | Relocates (non-PP) | Approvals (PP) | Denials (PP) | RFEs (PP) | Relocates (PP) | Total Actions |
| 1/9/11 - 1/15/11 | 1,399 | 165 | 289 | | 1,546 | 105 | 244 | | 3,748 |
| 1/17/11 - 1/22/11 | 1,281 | 136 | 276 | | 1,103 | 76 | 293 | | 3,165 |
| 1/23/11 - 1/29/11 | 1,602 | 317 | 835 | | 1,384 | 208 | 309 | | 4,655 |
| 1/30/11 - 2/5/11 | 1,324 | 148 | 303 | | 1,297 | 104 | 482 | | 3,658 |
| 2/6/11 - 2/12/11 | 1,598 | 187 | 341 | | 783 | 92 | 176 | | 3,177 |
| 2/13/11 - 2/19/11 | 1,216 | 185 | 590 | | 887 | 119 | 352 | | 3,349 |
| 2/20/11 - 2/26/11 | 814 | 81 | 218 | | 846 | 77 | 225 | | 2,261 |
| 2/27/11 - 3/5/11 | 1,320 | 173 | 390 | 2 | 862 | 143 | 214 | | 3,104 |
| 3/6/11 - 3/12/11 | 1,200 | 149 | 350 | | 825 | 107 | 179 | | 2,810 |
| 3/13/11 - 3/19/11 | 1,291 | 164 | 418 | | 792 | 116 | 186 | | 2,967 |
| 3/20/11 - 3/26/11 | 1,295 | 151 | 417 | | 748 | 106 | 150 | | 2,867 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 3/27/11 - 4/2/11 | 2,050 | 162 | 539 | | 907 | 122 | 131 | | 3,911 |
| 4/3/11 - 4/9/11 | 2,131 | 157 | 749 | 6 | 787 | 88 | 145 | 1 | 4,064 |
| 4/10/11 - 4/16/11 | 1,159 | 129 | 369 | 36 | 835 | 106 | 186 | | 2,820 |
| 4/17/11 - 4/23/11 | 1,571 | 224 | 473 | | 686 | 141 | 133 | | 3,228 |
| 5/15/11 - 5/21/11 | 468 | 3 | 116 | | 265 | 6 | 67 | | 925 |

U.S. Citizenship and Immigration Services
*Office of Communications*

# USCIS Update

Nov. 23, 2011

## USCIS Reaches Fiscal Year 2012 H-1B Cap

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap of 65,000 for fiscal year (FY) 2012. USCIS is notifying the public that yesterday, Nov. 22, 2011, was the final receipt date for new H-1B specialty occupation petitions requesting an employment start date in FY 2012.

Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2012 that arrive after Nov. 22, 2011.

As of Oct. 19, 2011, USCIS had also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the 'advanced degree' exemption. USCIS will continue to accept and process petitions that are otherwise exempt from the cap. In addition, petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted toward the FY 2012 H-1B cap. Accordingly, USCIS will continue to accept and process petitions filed to:

- extend the amount of time a current H-1B worker may remain in the U.S.;
- change the terms of employment for current H-1B workers;
- allow current H-1B workers to change employers; and
- allow current H-1B workers to work concurrently in a second H-1B position.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields such as scientists, engineers or computer programmers.

For more information on USCIS and its programs, please visit www.uscis.gov or follow us on Twitter (@uscis), YouTube (/uscis) and the USCIS blog *The Beacon*.

- USCIS -

U.S. Citizenship and Immigration Services
*Office of Communications*

# USCIS Update

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- USCIS -

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 29, 2011 2:00 PM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC cap case report

VSC has 17,192 cap cases pending? 6,010 are over 60 days old?

---

**From:** Canney, Keith J
**Sent:** Monday, November 28, 2011 3:18 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC cap case report

Shelly –

We are currently distributing H-1B cap cases received on 7/20. With the overtime SCOPS has made available and the expected decrease in PP Cases due to our recently hitting the cap, we expect to make some progress on decreasing the number of cases over 60 days old in the weeks to come.

Keith

| VSC I129 H1B Pending as of 11/28/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 9/29/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 6,019 | 17,192 |
| Apr-1-2011 to | Response Received | 654 | 783 |
| Mar-30-2012 | RFE/Intent Sent | 1,141 | 2,385 |
| | Transfers In* | 157 | 157 |
| | Total CAP12 Pending | 7,971 | 20,517 |
| **FY11 CAP** | Initial Receipts | 46 | 46 |
| Apr-1-2010 to | Response Received | 74 | 74 |
| Mar-30-2011 | RFE/Intent Sent | 9 | 9 |
| | Total CAP11 Pending | 129 | 129 |

| VSC H1B ACTIONS (11-20-11 to 11-26-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 87 | 18 | 53 | 158 |
| CAP PP FY12 | 1,075 | 26 | 315 | 1,416 |
| CAP FY11 | | 39 | | 39 |
| CAP PP FY11 | | 16 | | 16 |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 06, 2011 7:53 AM
**To:** Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: VSC H-1B Cap report
**Attachments:** RE: Sample Cap Report

Do you want me ask Joe for CSC's most recent report in order to update the attached before we forward to Greg, Barbara, and Bobbie??

Thanks!

---

**From:** Canney, Keith J
**Sent:** Friday, June 03, 2011 6:58 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M; Young, Claudia F
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** VSC H-1B Cap report

Here is VSC Cap information:

Current distribution date: 4/25/2011

| VSC I129 H1B Pending as of 5/31/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 4/1/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 0 | 5669 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 0 | 115 |
| | RFE/Intent Sent | 0 | 738 |
| | Transfers In* | 0 | 296 |
| 1190 | Total CAP12 Pending | 0 | 6818 |
| FY11 CAP | Initial Receipts | 90 | 90 |
| Apr-1-2010 to Mar-30-2011 | Response Received | 705 | 705 |
| | RFE/Intent Sent | 395 | 395 |
| | Total CAP11 Pending | 1190 | |

| VSC H1B ACTIONS (05-22-11 to 05-28-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 383 | 2 | 89 | 474 |
| CAP PP FY12 | 335 | 7 | 84 | 426 |
| CAP FY11 | 75 | 53 | 6 | 134 |
| CAP PP FY11 | 21 | 29 | 1 | 51 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 8:12 AM
**To:** Luna, Corinna A.
**Subject:** FW: VSC H-1B cap report

See message below from Keith on FY12 cap processing.

---

**From:** Canney, Keith J
**Sent:** Wednesday, February 29, 2012 7:23 AM
**To:** Sweeney, Shelly A
**Subject:** Re: VSC H-1B cap report

We'll be assessing again early next week, once the Feb #'s are finalized...

---
Sent from my Blackberry Wireless Device

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**From**: Sweeney, Shelly A
**Sent**: Wednesday, February 29, 2012 07:17 AM
**To**: Canney, Keith J
**Cc**: Luna, Corinna A.
**Subject**: RE: VSC H-1B cap report

Thanks for the update, Keith. Does it look like the VSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Canney, Keith J
**Sent:** Friday, February 17, 2012 10:48 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B cap report

Shelly –

VSC is currently distributing FY12 cap cases received on October 31.

Keith

| VSC I129 H1B Pending as of 2/16/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 12/18/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 7,045 | 7,046 |
| Apr-1-2011 to | Response Received | 369 | 369 |
| Mar-30-2012 | RFE/Intent Sent | 1,640 | 1,640 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 | 9,054 | 9,055 |

| | | | |
|---|---|---|---|
| | Pending | | |

| VSC H1B ACTIONS (02-05-12 to 02-11-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 680 | 50 | 130 | 860 |
| CAP PP FY12 | 234 | 67 | 48 | 349 |
| CAP FY11 | 9 | 47 | 1 | 57 |
| CAP PP FY11 | 4 | 64 | | 68 |

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Friday, October 14, 2011 2:04 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Bushey, Sandra T; Perkins, Robert M; Howrigan, Tanya L; Sweeney, Mark M; Lauver, Tinnina M; Young, Claudia F; Fierro, Joseph; Canney, Keith J
**Subject:** FW: VSC H-1B report

**Importance:** High

Shelly –

Below you will find this week's H-1B report for EOS cases. We are currently distributing cases received on 7/6. Now that we have worked through the cap gap cases that were received prior to 8/1, we will focus our attention on PP cases as a first priority, and then working non-PP cases in date order. We still continue to see a very high level of PP receipts daily. We are working on a plan to address/reduce H-1B processing times.

It is noted that although we are distributing cases received on 7/6, many cases that were received after 7/6 have been pulled and completed as a result of PP requests and the cap gap initiative.

Lastly, with the arrival of the new fiscal year, overtime is no longer available. This has lead to a decrease in the number of actions. If you compare this email to last weeks, it shows a much greater drop than actual because the Grand Total row included CAP actions and this one only includes the EOS actions where are shown here.

Mark

| VSC I129 H1B Pending as of 10/13/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 8/14/2011** | **ALL PEND** |
| **FY10,11&12 EOS** | Initial Receipts | 7,081 | 14,942 |
| Oct-1-2009 to Present | Response Received | 496 | 581 |
| | RFE/Intent Sent | 957 | 1,670 |
| | Transfers In* | 29 | 32 |
| | EOS 10&11 Pending | 8,563 | 17,225 |

| VSC H1B ACTIONS (10-2-11 to 10-8-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| EOS FY10&11 | 550 | 82 | 86 | 718 |
| EOS PP FY10&11 | 956 | 74 | 202 | 1235 |
| Grand Total | 1,506 | 156 | 288 | 1,953 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 33 |
| RFE/NOID Issued | 487 |

| | |
|---|---|
| RFE/NOID Response Received | 63 |
| Grand Total | 583 |

*24 of remaining untouched are in or were referred to CFDO

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 13, 2011 6:25 AM
**To:** Lockerby, Beth A; Canney, Keith J
**Cc:** Luna, Corinna A.
**Subject:** FW: VSC H-1B report

Adding Beth per Keith's out-of-office message.

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, October 13, 2011 7:24 AM
**To:** Canney, Keith J
**Cc:** Luna, Corinna A.
**Subject:** FW: VSC H-1B report

Keith,

Quick question on the caseswith the CFDO...could the VSC provide a synopsis of the reason(s) why these cases are at the CFDO? Were these students from TVU or UNVA? Was the petitioner on the red list? Or were these referrals for other reasons?

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Tuesday, October 11, 2011 12:05 PM
**To:** Luna, Corinna A.
**Cc:** Perkins, Robert M; Lauver, Tinnina M; Young, Claudia F; Sweeney, Shelly A; Howrigan, Tanya L; Sweeney, Mark M
**Subject:** RE: VSC H-1B report

All but 14 of the untouched cases are with CFDO. We are in the process of ensuring the remaining 14 cases are completed as soon as possible.

Keith

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, October 11, 2011 10:50 AM
**To:** Canney, Keith J
**Cc:** Perkins, Robert M; Lauver, Tinnina M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Keith,

Just to clarify are the 43 untouched below with adjudicators? Thank you. Corinna

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 43 |

**From:** Canney, Keith J
**Sent:** Friday, October 07, 2011 8:09 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Bushey, Sandra T; Perkins, Robert M; Howrigan, Tanya L; Sweeney, Mark M; Lauver, Tinnina M; Young, Claudia F; Fierro, Joseph
**Subject:** VSC H-1B report

Shelly –

Below you will find this week's H-1B report for EOS cases. We are currently distributing cases received on 7/1. Now that we have worked through the cap gap cases that were received prior to 8/1, we will focus our attention on PP cases as a first priority, and then working non-PP cases in date order. We still continue to see a very high level of PP receipts daily. We are working on a plan to address/reduce H-1B processing times.

It is noted that although we are distributing cases received on 7/1, many cases that were received after 7/1 have been pulled and completed as a result of PP requests and the cap gap initiative.

Lastly, with the arrival of the new fiscal year, overtime is no longer available. This will, in turn, lead to a reduction in completion levels from what you have seen in prior reports.

Keith

| VSC I129 H1B Pending as of 10/6/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 8/7/2011** | **ALL PEND** |
| **FY10,11&12 EOS** | Initial Receipts | 6,747 | 15,283 |
| Oct-1-2009 to Present | Response Received | 487 | 567 |
| | RFE/Intent Sent | 872 | 1,581 |
| | Transfers In* | 31 | 34 |
| | EOS 10&11 Pending | 8,137 | 17,465 |

| VSC H1B ACTIONS (9-25-11 to 10-1-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| EOS FY10&11 | 776 | 67 | 119 | 962 |
| EOS PP FY10&11 | 1,091 | 65 | 225 | 1,381 |
| Grand Total | 3,188 | 218 | 730 | 4,136 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 43 |
| RFE/NOID Issued | 534 |
| RFE/NOID Response Received | 46 |
| Grand Total | 623 |

*25 of remaining untouched are in or were referred to CFDO

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Wednesday, August 10, 2011 8:07 AM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC H-1B report

Go ahead and start coordinating with the centers. Barbara would like the prioritization to happen sooner rather than later.
Thanks,
Claudia

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, August 09, 2011 4:32 PM
**To:** Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: VSC H-1B report

That is fine

---

**From:** Young, Claudia F
**Sent:** Tuesday, August 09, 2011 2:37 PM
**To:** Velarde, Barbara Q; Johnson, Bobbie L
**Subject:** FW: VSC H-1B report
**Importance:** High

Barbara,
We would like to do the same plan as last year if that works for you (see attached). To be honest, we don't see VSC getting back within 2 months anytime soon due to the L backlog. We would like to start this now instead of September. Sound like a plan?
Thanks,
Claudia

---

**From:** Sweeney, Shelly A
**Sent:** Monday, August 08, 2011 1:59 PM
**To:** Young, Claudia F
**Cc:** Lauver, Tinnina M; Johnson, Bobbie L
**Subject:** FW: VSC H-1B report

Claudia,

The CSC reports indicate that they are within the two-month processing time for initial petitions. VSC now appears to be approaching a three-month processing time for initial H-1B petitions. Keith noted in his message this morning that he may lose some of his officers to L adjudication to help get within the regulatory 30-day processing time.

With that in mind, I've been trying to think about plans for the beginning of the new fiscal year. Last year we prioritized F-1 COS (cap gap) H-1B petitions that were outside of the two-month processing time when we got backed up (see attached email). Since we are falling behind, do we want to keep this in mind for this year? While I don't believe SCOPS ever publicly announced the prioritization, stakeholders still found out about it and are hinting about for this year.

Thanks!

Shelly

**From:** Lauver, Tinnina M
**Sent:** Monday, August 08, 2011 10:35 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Johnson, Bobbie L
**Subject:** FW: VSC H-1B report

Ladies,

Just as an FYI...

The number of initial H1B EOS cases pending outside the 60 day processing goal has continued to increase at the VSC. As you will note, as of 8/1/2011, they had 3,335 initial H1B EOS cases outside the processing goal. On 7/5/11, the VSC had 1,694 cases, 358 cases on 6/6/11and 321 cases on 5/16/11.

| VSC I129 H1B Pending as of 7/5/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/6/2011** | **ALL PEND** |
| **FY10 &11 EOS** | Initial Receipts | 1,694 | 11,717 |
| | **Initial Receipts Pending as of 8/1/11** | **3,335** | 13,364 |
| Oct-1-2009 to Present | Response Received | 847 | 915 |
| | RFE/Intent Sent | 483 | 914 |
| | Transfers In* | 5 | 59 |
| | EOS 10&11 Pending | 3,029 | 13,605 |

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

**From:** Canney, Keith J
**Sent:** Monday, August 08, 2011 6:17 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Murphy, George H
**Subject:** VSC H-1B report

Shelly -

Here is VSC's report, to include both initials and extensions. For both groups of cases, we are currently distributing petitions received on 5/20. We are set to train additional ISOs this week, as well as add additional resources to this workload. As VSC's primary focus is on the L's at present, we may temporarily divert a few of our H-1B ISOs to ensure we continue to reduce the L backlog to come within regulatory processing times in the near future.

Keith

| VSC H1B ACTIONS (7-24-11 to 7-30-11) |
|---|

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY12 | 334 | 23 | 109 | 466 |
| CAP PP FY12 | 342 | 21 | 75 | 438 |
| CAP FY11 | 46 | 54 | 7 | 107 |
| CAP PP FY11 | 8 | 20 | 4 | 32 |
| EOS FY10&11 | 669 | 66 | 131 | 866 |
| EOS PP FY10&11 | 893 | 58 | 178 | 1129 |
| Grand Total | 2292 | 242 | 504 | 3038 |

| VSC I129 H1B Pending as of 8/1/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 6/2/2011 | ALL PEND |
| **FY12 CAP** | Initial Receipts | 1,732 | 7,117 |
| Apr-1-2011 to | Response Received | 460 | 484 |
| Mar-30-2012 | RFE/Intent Sent | 693 | 1,021 |
| | Transfers In* | 120 | 458 |
| | Total CAP12 Pending | 3,005 | 9,080 |
| **FY11 CAP** | Initial Receipts | 56 | 56 |
| Apr-1-2010 to | Response Received | 234 | 234 |
| Mar-30-2011 | RFE/Intent Sent | 43 | 43 |
| | Total CAP11 Pending | 333 | 333 |
| **FY10 &11 EOS** | Initial Receipts | 3,335 | 13,364 |
| Oct-1-2009 to | Response Received | 528 | 602 |
| Present | RFE/Intent Sent | 659 | 1,158 |
| | Transfers In* | 18 | 78 |
| | EOS 10&11 Pending | 4,540 | 15,202 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, August 08, 2011 12:59 PM
**To:** Young, Claudia F
**Cc:** Lauver, Tinnina M; Johnson, Bobbie L
**Subject:** FW: VSC H-1B report
**Attachments:** RE: F-1 students and Cap Gap

Claudia,

The CSC reports indicate that they are within the two-month processing time for initial petitions. VSC now appears to be approaching a three-month processing time for initial H-1B petitions. Keith noted in his message this morning that he may lose some of his officers to L adjudication to help get within the regulatory 30-day processing time.

With that in mind, I've been trying to think about plans for the beginning of the new fiscal year. Last year we prioritized F-1 COS (cap gap) H-1B petitions that were outside of the two-month processing time when we got backed up (see attached email). Since we are falling behind, do we want to keep this in mind for this year? While I don't believe SCOPS ever publicly announced the prioritization, stakeholders still found out about it and are hinting about for this year.

Thanks!

Shelly

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**From:** Lauver, Tinnina M
**Sent:** Monday, August 08, 2011 10:35 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Johnson, Bobbie L
**Subject:** FW: VSC H-1B report

Ladies,

Just as an FYI...

The number of initial H1B EOS cases pending outside the 60 day processing goal has continued to increase at the VSC. As you will note, as of 8/1/2011, they had 3,335 initial H1B EOS cases outside the processing goal. On 7/5/11, the VSC had 1,694 cases, 358 cases on 6/6/11and 321 cases on 5/16/11.

| VSC I129 H1B Pending as of 7/5/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/6/2011** | **ALL PEND** |
| **FY10 &11 EOS** | Initial Receipts | 1,694 | 11,717 |
| | **Initial Receipts Pending as of 8/1/11** | **3,335** | 13,364 |
| Oct-1-2009 to Present | Response Received | 847 | 915 |
| | RFE/Intent Sent | 483 | 914 |
| | Transfers In* | 5 | 59 |
| | EOS 10&11 Pending | 3,029 | 13,605 |

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) ✉: Tinnina.Lauver@dhs.gov

---

**From:** Canney, Keith J
**Sent:** Monday, August 08, 2011 6:17 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Murphy, George H
**Subject:** VSC H-1B report

Shelly -

Here is VSC's report, to include both initials and extensions. For both groups of cases, we are currently distributing petitions received on 5/20. We are set to train additional ISOs this week, as well as add additional resources to this workload. As VSC's primary focus is on the L's at present, we may temporarily divert a few of our H-1B ISOs to ensure we continue to reduce the L backlog to come within regulatory processing times in the near future.

Keith

| VSC H1B ACTIONS (7-24-11 to 7-30-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 334 | 23 | 109 | 466 |
| CAP PP FY12 | 342 | 21 | 75 | 438 |
| CAP FY11 | 46 | 54 | 7 | 107 |
| CAP PP FY11 | 8 | 20 | 4 | 32 |
| EOS FY10&11 | 669 | 66 | 131 | 866 |
| EOS PP FY10&11 | 893 | 58 | 178 | 1129 |
| Grand Total | 2292 | 242 | 504 | 3038 |

| VSC I129 H1B Pending as of 8/1/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 6/2/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 1,732 | 7,117 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 460 | 484 |
| | RFE/Intent Sent | 693 | 1,021 |
| | Transfers In* | 120 | 458 |
| | Total CAP12 Pending | [illegible] | [illegible] |
| **FY11 CAP** | Initial Receipts | 56 | 56 |
| Apr-1-2010 to Mar-30-2011 | Response Received | 234 | 234 |
| | RFE/Intent Sent | 43 | 43 |
| | Total CAP11 Pending | 333 | 333 |
| **FY10 &11** | Initial Receipts | 3,335 | 13,364 |

| | | | |
|---|---|---|---|
| **EOS** | | | |
| Oct-1-2009 to Present | Response Received | 528 | 602 |
| | RFE/Intent Sent | 659 | 1,158 |
| | Transfers In* | 18 | 78 |
| | EOS 10&11 Pending | 4,540 | 15,202 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, August 08, 2011 6:01 AM
**To:** Lauver, Tinnina M
**Subject:** FW: VSC H-1B report

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**From:** Canney, Keith J
**Sent:** Monday, August 08, 2011 6:17 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Murphy, George H
**Subject:** VSC H-1B report

Shelly -

Here is VSC's report, to include both initials and extensions. For both groups of cases, we are currently distributing petitions received on 5/20. We are set to train additional ISOs this week, as well as add additional resources to this workload. As VSC's primary focus is on the L's at present, we may temporarily divert a few of our H-1B ISOs to ensure we continue to reduce the L backlog to come within regulatory processing times in the near future.

Keith

| VSC H1B ACTIONS (7-24-11 to 7-30-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 334 | 23 | 109 | 466 |
| CAP PP FY12 | 342 | 21 | 75 | 438 |
| CAP FY11 | 46 | 54 | 7 | 107 |
| CAP PP FY11 | 8 | 20 | 4 | 32 |
| EOS FY10&11 | 669 | 66 | 131 | 866 |
| EOS PP FY10&11 | 893 | 58 | 178 | 1129 |
| Grand Total | 2292 | 242 | 504 | 3038 |

| VSC I129 H1B Pending as of 8/1/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 6/2/2011 | ALL PEND |
| **FY12 CAP** | Initial Receipts | 1,732 | 7,117 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 460 | 484 |
| | RFE/Intent Sent | 693 | 1,021 |
| | Transfers In* | 120 | 458 |
| | Total CAP12 Pending | 3,005 | 9,080 |
| **FY11 CAP** | Initial Receipts | 56 | 56 |
| Apr-1-2010 to | Response | 234 | 234 |

| | | | |
|---|---|---|---|
| | Received | | |
| Mar-30-2011 | RFE/Intent Sent | 43 | 43 |
| | Total CAP11 Pending | 333 | 333 |
| **FY10 &11 EOS** | Initial Receipts | 3,335 | 13,364 |
| Oct-1-2009 to | Response Received | 528 | 602 |
| Present | RFE/Intent Sent | 659 | 1,158 |
| | Transfers In* | 18 | 78 |
| | EOS 10&11 Pending | 4,540 | 15,202 |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 06, 2012 6:56 AM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC H-1B report

Let's discuss briefly after my mgt meeting.

---

**From:** Canney, Keith J
**Sent:** Monday, March 05, 2012 12:51 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly,

VSC has distributed all of its FY12 cap cases to officers, who continue to step up and work the overtime to reduce our backlog. We will now turn our focus to distributing H-1B extensions, while continuing to work the cap RFE's as they come in. We are in line with our cap plan that we had provided to SCOPS.

Keith

| VSC I129 H1B Pending as of 3/5/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 1/5/2012 | ALL PEND |
| FY12 CAP | Initial Receipts | 2,806 | 2,807 |
| Apr-1-2011 to | Response Received | 382 | 382 |
| Mar-30-2012 | RFE/Intent Sent | 2,343 | 2,343 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 5,531 | 5,532 |

| VSC H1B ACTIONS (02-26-12 to 03-3-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 1,482 | 33 | 647 | 2,162 |
| CAP PP FY12 | 131 | 52 | 38 | 221 |
| CAP FY11 | 6 | 27 | 65 | 98 |
| CAP PP FY11 | 4 | 28 | 32 | 64 |
| EOS FY10&11 | 148 | 94 | 59 | 301 |
| EOS PP FY10&11 | 764 | 88 | 203 | 1,055 |
| Grand Total | 2,535 | 322 | 1,044 | 3,901 |

Keith

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Thursday, July 21, 2011 1:18 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: VSC Initial H-1B report

Claudia/Shelly,

I am not sure if you need this information....

The number of H1B CAP cases pending outside the 60 day processing goal has been increasing at the VSC. See below:

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 5/19/2011 | ALL PEND |
| FY12 CAP | Initial Receipts | 1563 | 6787 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| FY11 CAP | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

| VSC I129 H1B Pending as of 6/20/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 4/21/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 968 | 6,139 |
| Apr-1-2011 to | Response Received | 165 | 205 |
| Mar-30-2012 | RFE/Intent Sent | 548 | 905 |
| | Transfers In* | 29 | 297 |
| | Total CAP12 Pending | 1,710 | 7,546 |
| FY11 CAP | Initial Receipts | 68 | 68 |
| Apr-1-2010 to | Response Received | 584 | 584 |
| Mar-30-2011 | RFE/Intent Sent | 170 | 170 |
| | Total CAP11 Pending | 822 | 822 |

| VSC I129 H1B Pending as of 5/31/2011 |
|---|

| | STATUS | 60-day Aging Filed before 4/1/11 | ALL PEND |
|---|---|---|---|
| **FY12 CAP** | Initial Receipts | 0 | 5669 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 0 | 115 |
| | RFE/Intent Sent | 0 | 738 |
| | Transfers In* | 0 | 296 |
| 1190 | Total CAP12 Pending | 0 | 6818 |
| **FY11 CAP** | Initial Receipts | 90 | 90 |
| Apr-1-2010 to Mar-30-2011 | Response Received | 705 | 705 |
| | RFE/Intent Sent | 395 | 395 |
| | Total CAP11 Pending | 1190 | |

In addition, the number of H1B EOS cases pending outside the 60-day processing goal is also increasing.

| VSC I129 H1B Pending as of 7/5/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 5/6/2011 | ALL PEND |
| **FY10 &11 EOS** | Initial Receipts | 1,694 | 11,717 |
| Oct-1-2009 to Present | Response Received | 847 | 915 |
| | RFE/Intent Sent | 483 | 914 |
| | Transfers In* | 5 | 59 |
| | EOS 10&11 Pending | 3,029 | 13,605 |

| VSC I129 H1B Pending as of 6/6/2011 | | | |
|---|---|---|---|
| **FY10 &11 EOS** | Initial Receipts | 358 | 8534 |
| Oct-1-2009 to Present | Response Received | 1153 | 1262 |
| | RFE/Intent Sent | 763 | 1358 |
| | Transfers In* | 7 | 55 |

| FY10/11 EOS NON PP | |
|---|---|
| **Report date** | **16-May-11** |
| Filed between 1-Oct-09 and: | 16-Mar-11 |
| **Initial Pending EOS > 60 days** | **321** |
| **With Officer** | 218 |
| **With Contractor** | 16 |
| **ADJ Staged** | 5 |

| Other | 82 |
|---|---|

I do not have all of CSC's data as of yet.

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

**From:** Canney, Keith J
**Sent:** Thursday, July 21, 2011 12:58 PM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Lauver, Tinnina M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC Initial H-1B report

Shelly –

Here is the VSC report on initial H-1B's...we are currently distributing to officers cap cases that were received on May 12, 2011.

Keith

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/19/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 1563 | 6787 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| **FY11 CAP** | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

| VSC H1B ACTIONS (7-10-11 to 7-16-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 381 | 25 | 88 | 494 |
| CAP PP FY12 | 317 | 19 | 74 | 410 |
| CAP FY11 | 31 | 68 | 8 | 107 |
| CAP PP FY11 | 3 | 58 | 6 | 67 |

## Shirk, Georgette L

**From:** Johnson, Bobbie L
**Sent:** Wednesday, October 05, 2011 8:48 AM
**To:** Perkins, Robert M
**Cc:** Young, Claudia F; Sweeney, Shelly A; Luna, Corinna A.
**Subject:** FW: VSC Initial H-1B report

Rob,

Did VSC train and move I-539 folks or individuals from other product lines to H1Bs? If not, is that something that will occur? I know you and I had discussions in the past on training progression, as well as shifting resources to address Ls and H1Bs.

Could you please give us the latest on what the plan is to get caught up on H1Bs? Please keep Claudia copied on any messages related to this, as I will be on leave beginning Friday.

Thanks!

Bobbie

---

**From:** Canney, Keith J
**Sent:** Friday, September 30, 2011 10:29 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Johnson, Bobbie L; Young, Claudia F; Sweeney, Mark M; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M
**Subject:** VSC Initial H-1B report

Shelly -

Below is the VSC report for cap cases. We are currently distributing cap cases received on June 27. It is noted that premium receipts are still very high, most likely resulting from a combination of the approaching 10/1 start date and our current processing times. As discussed in prior messages, this diverts resources away from the non-PP H-1B cases. Now that we have worked though most all cap gap cases, we expect to be able to start working into our backlog on non-PP H-1B cases. However, our weekly output will now be reduced due to the end of the fiscal year and our no longer having an overtime funding stream.

The data below is the result of a query run on 9/26. Due to technical issues, we were unable to run that query again today, but plan to run it early next week. As you'll see, the vast majority of pending cap gap cases (that were received before 8/1) are either with the CFDO or await a response to an RFE. At the beginning of this week, we had a little over 200 actionable cap gap cases. Throughout this week, we have taken steps to ensure as many of these cases as possible were completed.

Keith

| VSC I129 H1B Pending as of 9/26/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 7/28/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 2,330 | 9,264 |
| Apr-1-2011 to | Response Received | 438 | 497 |

| | | | |
|---|---|---|---|
| Mar-30-2012 | RFE/Intent Sent | 1,093 | 1,718 |
| | Transfers In* | 258 | 343 |
| | Total CAP12 Pending | 4,119 | 11,822 |

| VSC H1B ACTIONS (9-18-11 to 9-24-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 402 | 34 | 135 | 571 |
| CAP PP FY12 | 641 | 28 | 186 | 855 |
| CAP FY11 | 3 | 44 | 1 | 48 |
| CAP PP FY11 | 1 | 38 | 0 | 39 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 164 |
| RFE/NOID Issued | 582 |
| RFE/NOID Response Received | 120 |
| Grand Total | 866 |

*51 of remaining untouched are in or were referred to CFDO

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, July 21, 2011 1:42 PM
**To:** Johnson, Bobbie L; Young, Claudia F
**Subject:** FW: VSC Initial H-1B report

As an FYI since you guys will be meeting tomorrow on this.

---

**From:** Lauver, Tinnina M
**Sent:** Thursday, July 21, 2011 2:18 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: VSC Initial H-1B report

Claudia/Shelly,

I am not sure if you need this information....

The number of H1B CAP cases pending outside the 60 day processing goal has been increasing at the VSC. See below:

| VSC I129 H1B Pending as of 7/18/2011 | | | |
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| FY12 CAP | Initial Receipts | 1563 | 6787 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
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| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
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| | STATUS | 60-day Aging Filed before 4/21/11 | ALL PEND |
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| | Total CAP12 Pending | 1,710 | 7,546 |

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| VSC I129 H1B Pending as of 5/31/2011 | | | |
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| | **STATUS** | **60-day Aging Filed before 4/1/11** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 0 | 5669 |
| Apr-1-2011 to | Response Received | 0 | 115 |
| Mar-30-2012 | RFE/Intent Sent | 0 | 738 |
| | Transfers In* | 0 | 296 |
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| **FY11 CAP** | Initial Receipts | 90 | 90 |
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| VSC I129 H1B Pending as of 6/6/2011 | | | |
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| **FY10 &11 EOS** | Initial Receipts | 358 | 8534 |
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| Present | RFE/Intent Sent | 763 | 1358 |
| | Transfers In* | 7 | 55 |

| FY10/11 EOS NON PP | |
|---|---|
| **Report date** | **16-May-** |

| | |
|---|---|
| | 11 |
| Filed between 1-Oct-09 and: | 16-Mar-11 |
| **Initial Pending EOS > 60 days** | **321** |
| **With Officer** | 218 |
| **With Contractor** | 16 |
| **ADJ Staged** | 5 |
| **Other** | 82 |

I do not have all of CSC's data as of yet.

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] | ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Canney, Keith J
**Sent:** Thursday, July 21, 2011 12:58 PM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Lauver, Tinnina M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC Initial H-1B report

Shelly –

Here is the VSC report on initial H-1B's...we are currently distributing to officers cap cases that were received on May 12, 2011.

Keith

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/19/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 1563 | 6787 |
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| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| **FY11 CAP** | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

| VSC H1B ACTIONS (7-10-11 to 7-16-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |

| | | | | |
|---|---|---|---|---|
| CAP FY12 | 381 | 25 | 88 | 494 |
| CAP PP FY12 | 317 | 19 | 74 | 410 |
| CAP FY11 | 31 | 68 | 8 | 107 |
| CAP PP FY11 | 3 | 58 | 6 | 67 |

**Shirk, Georgette L**

**From:** Fitzsimmons, James
**Sent:** Thursday, October 06, 2011 7:01 AM
**To:** Sweeney, Shelly A
**Subject:** FY 2012 H-1B Cap Count

Hi Shelly,
The cap numbers on USCIS website are out of date. I thought webmaster was supposed to post them every other week.
Jim

# FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 30, 2011 8:54 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** FY12 H-1B Cap Processing Report

Corinna,

Below is a summary of the centers' FY12 H-1B cap processing report.

**VSC**:

The VSC reported that it is distributing cap cases that were received on 7/20. Last month at this time, the VSC was distributing cap cases that were received on 7/14. The VSC currently has 7,971 pending cap cases that are over the two-month processing goal (6,019 are untouched). The total number of pending cap cases at the VSC is 20,517 (17,192 of these are untouched). Last month at this time, the VSC had 3,990 pending cap cases that were outside of the two-month processing goal (5,870 were untouched). At that time, the total number of pending cap cases at the VSC was 13,733 (10,928 of which were untouched).

**CSC**:

The CSC reported that it is distributing regular cap cases that were received on 9/7, master's cap cases that were received on 9/8, and cap exempt petitions that were received on 9/12. Last month at this time, the CSC was distributing regular cap cases that were received on 8/26, master's cap cases that were received on 8/27, and cap exempt cases that were received on 8/27. The CSC currently has 4,019 pending initial filings that are over the two-month processing goal (1,569 are untouched on a shelf and 800 with an officer, which includes RFE/NOID responses). The total number of pending initial cases at the CSC is 11,630 (8,105 are untouched on a shelf and 820 with an officer, which includes RFE/NOID responses). Last month at this time, the CSC had 3,128 pending initial cases that were outside of the two-month processing goal (197 were untouched on a shelf and 952 with an officer, which included RFE/NOID responses). At that time, the total number of pending initial cases at the CSC was 8,320 (5,351 were untouched on a shelf and 973 with an officer, which included RFE/NOID responses).

I have saved this summary on the shared drive under the following pathway for future reference.

P:\SHARE\SCOPS 2010\C. Business Employment Services\H1B\H1B Reports\FY12 H1B CAP Reports

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 28, 2011 9:23 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** FY12 H-1B Cap Processing Report

Corinna,

Below is a summary of the centers' FY12 H-1B cap processing report.

**VSC**:

The VSC reported that it is distributing cap cases that were received on 8/16. Last month at this time, the VSC was distributing cap cases that were received on 7/20. The VSC currently has 8,933 pending cap cases that are over the two-month processing goal (7,298 are untouched). The total number of pending cap cases at the VSC is 16,217 (13,562 of these are untouched). Last month at this time, the VSC had 7,971 pending cap cases that were outside of the two-month processing goal (6,019 were untouched). At that time, the total number of pending cap cases at the VSC was 20,517 (17,192 of which were untouched).

**CSC**:

The CSC reported that it is distributing regular cap cases that were received on 9/20, master's cap cases that were received on 9/28, and cap exempt petitions that were received on 9/22. Last month at this time, the CSC was distributing regular cap cases that were received on 9/7, master's cap cases that were received on 9/8, and cap exempt cases that were received on 9/12. The CSC currently has 4,672 pending initial filings that are over the two-month processing goal (2,673 are untouched on a shelf and 694 with an officer, which includes RFE/NOID responses). The total number of pending initial cases at the CSC is 10,150 (8,078 are untouched on a shelf and 713 with an officer, which includes RFE/NOID responses). Last month at this time, the CSC had 4,019 pending initial cases that were outside of the two-month processing goal (1,569 were untouched on a shelf and 800 with an officer, which included RFE/NOID responses). At that time, the total number of pending initial cases at the CSC was 11,630 (8,105 were untouched on a shelf and 820 with an officer, which included RFE/NOID responses).

I have saved this summary on the shared drive under the following pathway for future reference.

P:\SHARE\SCOPS 2010\C. Business Employment Services\H1B\H1B Reports\FY12 H1B CAP Reports

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 15, 2011 9:19 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Bell, Lisa M; Martin, Heather A
**Subject:** H-1B Cap Numbers for Web
**Attachments:** FY12 H-1B Update 15Nov11.doc

Good morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 560,3800 | 11/142/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/142/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, November 04, 2011 2:27 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Numbers for Web
**Attachments:** FY12 H-1B Update 4Nov11.doc

Good morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 5049,8200 | 110/28/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 110/28/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 31, 2011 9:10 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Numbers for Web
**Attachments:** FY12 H-1B Update 31Oct11.doc

Good morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
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20 Massachusetts Ave N.W., Ste 2000
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# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 496,200 | 10/281/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/281/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 18, 2011 7:05 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Luna, Corinna A.; Wright, William G; Lauver, Tinnina M
**Subject:** H-1B Cap Numbers for Web
**Attachments:** FY12 H-1B 18Oct11.doc

Good morning.

We are getting close to hitting the master's cap. Once the master's cap is met, all other master's petitions will rollover into the regular cap pool. SCOPS is currently projecting that we should hit the regular cap sometime in December. As such, we would like to once again begin issuing cap count updates on a weekly basis. Attached is the update for this week.

I will be working with OCC to clear language to this webpage to remind the public that master's petitions will roll into the regular cap pool once the master's exemption is met.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 431,3000 | 10/147/2011 |
| H-1B Master's Exemption | 20,000 | 19,6100 | 10/147/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 22, 2011 8:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Bell, Lisa M; Martin, Heather A
**Subject:** H-1B Cap Numbers for Web
**Attachments:** FY12 Update 15Nov11.doc

Good morning,

Attached is the updated FY12 H-1B cap count webpage. Can you please advise when this is up?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ~~56,300~~61,800 | 11/1~~8~~4/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/1~~8~~4/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 7:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, January 23, 2012 8:30 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 1-23-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **9/15**.
- Two weeks ago, they were working 8/25.
- Currently:
  - 11,371 pending cap cases over 2 month processing goal (9,383 untouched including those cases with an officer)
  - 13,028 total pending cap cases (10,843 untouched including those cases with an officer)
- Two Weeks ago:
  - 9,775 pending cap cases over 2 month processing goal (8,049 untouched including those cases with an officer)
  - 15,036 total pending cap cases (12,683 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **10/6**, master's received on **10/18** and exempt cases that were received on **10/7**.
- Two weeks ago, they were working regulars from 9/26, master's from 10/4 and exempt from 9/27.
- Currently:
  - 6,500 pending cap cases over 2 month processing goal (4,474 untouched, 691 with an officer)
  - 8,293 total pending cap cases (6,228 untouched, 695 with an officer)
- Two weeks ago:
  - 5,533 pending cap cases over 2 month processing goal (3,581 untouched, 660 with an officer)
  - 9,666 total pending cap cases (7,626 untouched, 686 with an officer)

**ANALYSIS**--

- Potential contributing factors:
  - There was a spike in cap filings right before the cap closed in November. Once we push through that spike we will be in good shape.
- Please note that while the number of cases outside the two month processing goal has gone up at both centers, the number of total pending has gone down.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, February 06, 2012 8:53 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 2-6-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **9/30**.
- Two weeks ago, they were working 9/15.
- Currently:
  - 11,055 pending cap cases over 2 month processing goal (8,956 untouched including those cases with an officer)
  - 11,056 total pending cap cases (8,957 untouched including those cases with an officer)
- Two Weeks ago:
  - 11,371 pending cap cases over 2 month processing goal (9,383 untouched including those cases with an officer)
  - 13,028 total pending cap cases (10,843 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **10/26**, master's received on **10/19** and exempt cases that were received on **10/18**.
- Two weeks ago, they were working regulars from 10/6, master's from 10/18 and exempt from 10/7.
- Currently:
  - 7,228 pending cap cases over 2 month processing goal (5,028 untouched, 814 with an officer)
  - 7,509 total pending cap cases (5,223 untouched, 849 with an officer)
- Two weeks ago:
  - 6,500 pending cap cases over 2 month processing goal (4,474 untouched, 691 with an officer)
  - 8,293 total pending cap cases (6,228 untouched, 695 with an officer)

**ANALYSIS**--

- Please note that while the number of cases outside the two month processing goal has gone up at the CSC, the number of total pending has gone down.
- Both the number of cases over the two month processing goal and total pending cases have decreased at the VSC since two weeks ago.
- The over two month report and the total pending at the VSC is nearly identical. This is because we hit the cap over two months ago and no new filings were accepted after that point (the one case is most likely a cap case that was accidentally rejected initially and was later accepted for processing).
- The cases in the total pending report at the CSC that is in excess of the over two month cases are probably all cap-exempt filings.

Thanks!

Shelly

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, February 24, 2012 8:19 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 2-24-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **10/31**.
- Two weeks ago, they were working 9/30.
- Currently:
  - 9,054 pending cap cases over 2 month processing goal (7,045 untouched including those cases with an officer)
  - 9,055 total pending cap cases (7,046 untouched including those cases with an officer)
- Two Weeks ago:
  - 11,055 pending cap cases over 2 month processing goal (8,956 untouched including those cases with an officer)
  - 11,056 total pending cap cases (8,957 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **11/17**, master's received on **11/3** and exempt cases that were received on **11/2**.
- Two weeks ago, they were working regulars from 10/26, master's from 10/19 and exempt from 10/18.
- Currently:
  - 5,605 pending cap cases over 2 month processing goal (2,860 untouched, 930 with an officer)
  - 5,807 total pending cap cases (3,048 untouched, 931 with an officer)
- Two weeks ago:
  - 7,228 pending cap cases over 2 month processing goal (5,028 untouched, 814 with an officer)
  - 7,509 total pending cap cases (5,223 untouched, 849 with an officer)

**ANALYSIS**--

- Both the number of cases over the two month processing goal and total pending cases have decreased by about 2K at each center since the last report two weeks ago.
- The VSC's work distribution date went from a little over 4 months to about 3.5 months. The CSC's work distribution date went from almost 3.5 months to around 3 months for regular cap. Master's and cap exempt work being distributed to the floor remains at about 3.5 months.
- The over two month report and the total pending at the VSC is nearly identical. This is because we hit the cap over two months ago and no new filings were accepted after that point (the one case is most likely a cap case that was accidentally rejected initially and was later accepted for processing).
- The cases in the total pending report at the CSC that is in excess of the over two month cases are probably all cap-exempt filings.

Thanks!

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 06, 2012 7:32 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 3-5-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC has distributed all FY12 cap cases to officers (cap closed on 11/22).
- Two weeks ago, they were working 10/31.
- Currently:
  - 5,531 pending cap cases over 2 month processing goal (2,806 untouched including those cases with an officer)
  - 5,532 total pending cap cases (2,807 untouched including those cases with an officer)
- Two Weeks ago:
  - 9,054 pending cap cases over 2 month processing goal (7,045 untouched including those cases with an officer)
  - 9,055 total pending cap cases (7,046 untouched including those cases with an officer)

CSC

- CSC has distributed all FY12 cap cases (both regular and master's) to officers. They are distributing cap exempt petitions with a receipt date of 11/29.
- Two weeks ago, they were working regulars from 11/17, master's from 11/3 and exempt from 11/2.
- Currently:
  - 4,164 pending cap cases over 2 month processing goal (1,718 untouched, 1,004 with an officer)
  - 4,351 total pending cap cases (1,718 untouched, 1,006 with an officer)
- Two weeks ago:
  - 5,605 pending cap cases over 2 month processing goal (2,860 untouched, 930 with an officer)
  - 5,807 total pending cap cases (3,048 untouched, 931 with an officer)

**ANALYSIS**--

- The VSC appears to have made a major dent in their FY12 cap backlog. Pending over two months decreased by a little over 3.5K since two weeks ago.
- All cap cases have been distributed to officers at both centers. The CSC's cap exempt petitions remain at about a little over 90 days out.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 20, 2012 7:12 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 3-19-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC has distributed all FY12 cap cases to officers (cap closed on 11/22).
- Cap cases were all distributed two weeks ago. They continue to work through the remaining cases.
- Currently:
  - 4,275 pending cap cases over 2 month processing goal (**956** untouched including those cases with an officer)
  - 4,275 total pending cap cases (**956** untouched including those cases with an officer)
- Two Weeks ago:
  - 5,531 pending cap cases over 2 month processing goal (2,806 untouched including those cases with an officer)
  - 5,532 total pending cap cases (2,807 untouched including those cases with an officer)

CSC

- CSC has distributed all FY12 cap cases (both regular and master's) to officers. There are **only 20 untouched cap cases**. They intend to have those taken care of by the **end of today**. They are distributing cap exempt petitions with a receipt date of **1/15**. They anticipate being **within the two-month processing goal** for cap exempt cases at the **end of this week**.
- Two weeks ago, the CSC had already distributed all regular and master's cap cases and were distributing cap exempt petitions filed on 11/29.
- Currently:
  - 3,292 pending cap cases over 2 month processing goal (152 untouched, 627 with an officer)
  - 3,518 total pending cap cases (330 untouched, 636 with an officer)
- Two weeks ago:
  - 4,164 pending cap cases over 2 month processing goal (1,718 untouched, 1,004 with an officer)
  - 4,351 total pending cap cases (1,718 untouched, 1,006 with an officer)

**ANALYSIS**--

- Based on recent production, both centers are on target to touch all FY12 cases before the end of March.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, August 29, 2011 9:48 AM
**To:** Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** H1B Cap Report - Web Posting
**Attachments:** H-1B cap update

Claudia,

This is just a quick message to determine if we should consider posting the H1B cap numbers on a bi-weekly basis? According to the most recent report, the number of H-1B regular cap eligible petitions is 29,000 and the number of H1B master cap eligible petitions is 15,800. As we get closer to the deadline, we can always go back to producing/posting the report weekly.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
[redacted]: Tinnina.Lauver@dhs.gov (b)(6)

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Consider the environment before printing this email

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 29, 2011 7:56 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

**Shirk, Georgette L**

**From:** Cummings, Kevin J
**Sent:** Friday, April 22, 2011 9:59 AM
**To:** Richardson, Gregory A; Tamanaha, Emisa T; Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E
**Subject:** H-1B Cap Season Petitions Received

**Hello SCOPS:**

**Do we have updated H-1B receipt numbers compiled yet through this week? Thanks.**

**--Kevin**

# FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,100 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,100 | 4/15/2011 |

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,
I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 15, 2011 8:50 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/14/2011 |

Masters are rolling over into regular cap

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 11:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 31, 2011 9:02 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/28/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 24, 2011 10:24 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 10/21/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 9:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, October 11, 2011 9:14 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, October 03, 2011 9:47 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 26, 2011 8:52 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 19, 2011 9:28 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, September 12, 2011 7:40 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, September 06, 2011 1:17 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 29, 2011 7:56 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 29,000 | 8/26/2011 |
| H-1B Master's Exemption | 20,000 | 15,800 | 8/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 1:29 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 15, 2011 9:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,300 | 8/12/2011 |
| H-1B Master's Exemption | 20,000 | 14,700 | 8/12/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, August 05, 2011 8:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,
The counts are being sent today because I am on annual leave next week.
Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, August 01, 2011 9:26 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 25, 2011 9:22 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, July 18, 2011 7:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, July 08, 2011 10:27 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 8:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 27, 2011 12:00 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 7:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, June 14, 2011 6:41 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

I am back! I brought this weather with me.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Thursday, June 02, 2011 7:54 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Friday, May 27, 2011 9:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 23, 2011 7:17 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 12,300 | 5/20/2011 |
| H-1B Master's Exemption | 20,000 | 8,500 | 5/20/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 09, 2011 9:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, May 02, 2011 12:11 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 26, 2011 9:46 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 8,000 | 4/22/2011 |
| H-1B Master's Exemption | 20,000 | 5,900 | 4/22/2011 |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, November 28, 2011 10:43 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry (CTR); Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,
In case you have not heard, the H-1B cap season closed on November 22. A surge occurred early last week. Almost 3,000 petitions were received on Monday and another 2,000 on Tuesday.

Below is a table showing the latest cap counts. In the table below, the approval rates shown are based on April filings since nearly all of them have been adjudicated. As the far right column shows, if the approval rate on 34,400 petitions pending adjudication matches the approval rate on petitions filed in April, then the number of approvals for FY 2012 will be 65,100 for regular cap.
Jim

| | Approvals | Pending | Approval rate[1] | Future Approvals[2] | Cap Count[3] | Adjusted Cap Count[4] |
|---|---|---|---|---|---|---|
| Regular | 35,800 | 29,600 | 92% | 27,100 | 62,900 | **65,100** |
| Masters | 17,600 | 4,800 | 97% | 4,600 | 22,200 | **20,000** |
| Combined | 53,400 | 34,400 | 92% | 31,700 | 85,100 | **85,100** |

**Data available as of close of business, November 25**

Counts may not add due to rounding

[1] Percentage of petitions filed in April that have been approved

[2] Pending multiplied by approval rate

[3] Approvals plus estimated future approvals

[4] Adjusted for 22,200 masters rolling over into regular cap

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, November 29, 2011 2:53 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Luna, Corinna A.
**Subject:** H-1B Initial Report

Shelly:

Sorry, this is a little let due to the holidays. We are distributing H-1B Initials as follows:

H-1B Non PP Cap – 9/7/11
H-1B Master Cap – 9/8/11
H-1B Cap Exempt – 9/12/11

**CSC I-129 H1Bs Pending with NFTS location as of 11/25/2011**

**Data Source: C3**

| | | Status | Counts filed before 09/25/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 6 | 8 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 1,569 | 8,105 |
| | | On RFE Shelf/Rule 103 | 1,296 | 1,299 |
| | | Other Location | 172 | 1,222 |
| | | W/Clerical/Incl Resubmits | 159 | 159 |
| | | W/Officer/Incl Resubmits | 800 | 820 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **4,019** | **11,630** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (1**

**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, January 06, 2012 5:21 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Schoening, Donald; Canney, Keith J
**Subject:** H-1B Initials Report

CSC is distributing initial H-1Bs as follows:

Regular Cap – 9/26/12
Master Cap – 10/04/12
Cap Exempt – 9/27/12

**CSC I-129 H1Bs Pending with NFTS location as of 01/03/2012**

**Data Source: C3**

| | | Status | Counts filed before 11/03/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 0 | 0 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 3,581 | 7,626 |
| | | On RFE Shelf/Rule 103 | 877 | 909 |
| | | Other Location | 121 | 151 |
| | | W/Clerical/Incl Resubmits | 277 | 277 |
| | | W/Officer/Incl Resubmits | 660 | 686 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,533** | **9,666** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (1**

**Data S**

| | | |
|---|---|---|
| Div I | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | | |
| | I-129 PP H1B | |
| | | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 12, 2012 11:17 AM
**To:** Luna, Corinna A.
**Subject:** H-1B Processing Summary

Corinna,

As we discussed here is a summary of H-1B processing at the centers. Please note that we track processing information on a biweekly basis for the cap cases and a monthly basis for the EOS cases:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **8/25**.
- Two weeks ago, they were working 8/16.
- Currently:
  - 9,775 pending cap cases over 2 month processing goal (8,049 untouched including those cases with an officer)
  - 15,036 total pending cap cases (12,683 untouched including those cases with an officer)
- Two weeks ago:
  - 8,933 pending over 2 months processing goal (7,298 untouched including those cases with an officer).
  - 16,217 total pending cap cases (13,562 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **9/26**, master's received on **10/4** and exempt cases that were received on **9/27**.
- Two weeks ago, they were working regulars from 9/20, master's from 9/28 and exempt from 9/22.
- Currently:
  - 5,533 pending cap cases over 2 month processing goal (3,581 untouched, 660 with an officer)
  - 9,666 total pending cap cases (7,626 untouched, 686 with an officer)
- Two weeks ago:
  - 4,672 pending over 2 months processing goal (2,673 untouched, 694 with an officer).
  - 10,150 total pending cap cases (8,078 untouched, 713 with an officer)

**EOS PROCESSING**--

VSC

- VSC is working EOS cases received on **8/25**.
- One month ago, they were working 8/3.
- Currently:
  - 9,811 pending EOS cases over 2 month processing goal (8,340 untouched including those cases with an officer)
  - 15,126 total pending EOS cases (13,155 untouched including those cases with an officer)
- One month ago:
  - 10,945 pending over 2 months processing goal (9,458 untouched including those cases with an officer).
  - 16,577 total pending EOS cases (14,493 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **10/8**.
- One month ago, they were working 9/16.
- Currently:
  - 5,290 pending EOS cases over 2 month processing goal (3,611 untouched, 1,079 with an officer)
  - 9,993 total pending EOS cases (8,242 untouched, 1,083 with an officer)
- One month ago:
  - 4,677 pending over 2 months processing goal (3,100 untouched, 805 with an officer).
  - 9,662 total pending cap cases (7,962 untouched, 822 with an officer)

**ANALYSIS**--

- Potential contributing factors:
  - Last month (and more specifically, the last two weeks) included two holidays and high leave usage at both centers.
  - There was a spike in cap filings right before the cap closed in November. Once we push through that spike we will be in good shape.
  - There was likely a spike in EOS filings in the months of August, September and/or October since many beneficiaries who received an FY09 cap number (the last time we hit the cap right away in April) would need their employers to file an extension before October 1, 2011 since their status would be set to expire around that time
  - Premiums filings and upgrades were relatively high in 2011 and continue to come in.
- While the CSC appears to be in better shape than the VSC currently re: processing times, the CSC appears to be falling further behind while the VSC has been making further strides in reducing their processing times.
- The CSC was within two months through much of the summer (while VSC was not). However, CSC was using officers from other units with excess capacity (Ls, Os, Ps). Excess capacity is no longer there as processing times in those categories (which are mandated by statute or regs) fell behind.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, June 17, 2011 11:24 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Canney, Keith J; Louis, Jennifer E; Melville, Rosemary
**Subject:** H-1B Report CSC

Tina/Shelly,

CSC is distributing at the following dates:

Regular CAP – 5/4
Master CAP – 5/4
CAP Exempt – 4/20
EOS – 5/1

Pending and Production:

**CSC I-129 H1Bs Pending with NFTS location as of 06/13/2011**

**Data Source: C3**

| | | Status | Counts filed before 04/13/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 1 |
| | | At CFDO | 20 | 24 |
| | | In File Room/Jit Shelf | 33 | 3,393 |
| | | On RFE Shelf/Rule 103 | 605 | 795 |
| | | Other Location | 64 | 107 |
| | | W/Clerical/Incl Resubmits | 91 | 234 |
| | | W/Officer/Incl Resubmits | 564 | 913 |
| | EOS | At BCU | 8 | 13 |
| | | At CFDO | 16 | 20 |
| | | In File Room/Jit Shelf | 34 | 9,096 |
| | | On RFE Shelf/Rule 103 | 348 | 356 |
| | | Other Location | 45 | 98 |
| | | W/Clerical/Incl Resubmits | 129 | 486 |
| | | W/Officer/Incl Resubmits | 562 | 1,418 |
| **Total:** | | | **2,520** | **16,954** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

**CSC I-129 H1Bs (0**

**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |

| Report date | 16-May-11 |
|---|---|
| Filed between 1-Oct-09 and: | 16-Mar-11 |
| **Initial Pending EOS > 60 days** | **321** |
| **With Officer** | 218 |
| **With Contractor** | 16 |
| **ADJ Staged** | 5 |
| **Other** | 82 |
| **Weekly FY10/11 Non PP EOS actions** | **5/8-5/14** |
| APPROVED | 790 |
| DENIED | 99 |
| RELOC | 19 |
| RFE/ ITD | 172 |
| **TOTAL** | **1080** |

| Weekly FY10/11 PP EOS actions | 5/8-5/14 |
|---|---|
| APPROVED | 690 |
| DENIED | 82 |
| RELOC | |
| RFE/ ITD | 123 |
| TOTAL | **895** |

## FY12 CAP SUMMARY

| STATUS_TEXT | MAS | STD | Grand Total |
|---|---|---|---|
| Approval - Notice Ordered | 2095 | 2288 | 4383 |
| Denied Others - Notice Ordered | 7 | 6 | 13 |
| Initial Receipts | 2021 | 3288 | 5309 |
| Invent/Audit Adjust | 1 | 2 | 3 |
| No Status | | 1 | 1 |
| RejectedReceipts | 4 | 2 | 6 |
| Response Received | 21 | 19 | 40 |
| RFE/Intent Sent | 248 | 355 | 603 |
| Service Center Processing Complete | | 1 | 1 |
| Transfers In | 18 | 161 | 179 |
| **Grand Total** | **4415** | **6123** | **10538** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Tuesday, May 17, 2011 9:56 AM
**To:** Sweeney, Shelly A
**Cc:** Lauver, Tinnina M; Sweeney, Mark M; Young, Claudia F; Fierro, Joseph
**Subject:** H-1B report

Shelley,

As you know, we are in the process of revamping our H-1B report to include FY11 cap, FY12 cap, and EOS data in categories Claudia had previously requested. It may be a couple weeks before that report is available. For now, there is information below that details where we currently stand with each of these caseloads. As soon as the revised report is available, we'll forward the information in that format.

Current dates being distributed to officers:

EOS – 4/18
Cap - 4/7

Keith

| FY11 CAP NON PP | |
|---|---|
| **Report date** | **16-May-11** |
| Filed between 1-April-10 and: | 16-Mar-11 |
| **Initial Pending Cap > 60 days** | **87** |
| **With Officer** | 33 |
| **With Contractor** | 11 |
| **ADJ Staged** | 1 |
| **Other** | 42 |

| **Weekly FY11 Non PP CAP actions** | **5/8-5/14** |
|---|---|
| APPROVED | **129** |
| DENIED | **71** |
| RELOC | **8** |
| RFE/ ITD | 10 |
| **TOTAL** | **218** |

| **Weekly FY11 PP CAP actions** | **5/8-5/14** |
|---|---|
| APPROVED | 17 |
| DENIED | 23 |
| RELOC | |
| RFE/ ITD | 11 |
| **TOTAL** | **51** |

| FY10/11 EOS NON PP |
|---|

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, July 22, 2011 1:43 PM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Melville, Rosemary; Richardson, Gregory A; Louis, Jennifer E; Canney, Keith J
**Subject:** Initial H-1B Report

Tina/Shelly:

CSC is distributing initial H-1Bs as follows:

Regular Cap – 6/6/11
Master Cap - 6/7/11
Cap Exempt - 6/7/11

Joe

[redacted] (b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 07/18/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 05/18/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 1 | 6 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 29 | 3,699 |
| | | On RFE Shelf/Rule 103 | 664 | 669 |
| | | Other Location | 59 | 161 |
| | | W/Clerical/Incl Resubmits | 395 | 779 |
| | | W/Officer/Incl Resubmits | 679 | 1,072 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **1,844** | **6,403** |
| **Notes:** | | | | |

| CSC I-129 H1Bs (0<br>Data S | |
|---|---|
| | |
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, November 22, 2011 2:27 PM
**To:** Luna, Corinna A.; Peck, Denis R
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

I seriously doubt it, because we need about 4,400 including 1,800 yesterday.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 3:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

So we may have hit the cap today?

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

| Data Collection Operations | | | | | |
|---|---|---|---|---|---|
| I-129 (All Other) | 1,221 | 479 | 225 | | **1,4** |
| I-129 (H1B CAP) | | 654 | **654** | | |
| I-129 (H1B Master CAP) | | 39 | **39** | | |
| I-907/I-129 (Premium) | 601 | 158 | 188 | | **5** |
| I-907/I-129 (Premium H1B CAP) | | 407 | **407** | | |
| I-907/I-129 (Premium Master H1B CAP) | | 57 | **57** | | |
| I-129CW | | | | | |
| I-129F | | | | | |
| I-129S | 323 | | | | 3 |
| **I-129 SubTotal** | **2,145** | **1,794** | **1,570** | | **2,3** |

638 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far – 300 filings.

CSC

| | | | | | |
|---|---|---|---|---|---|
| I-129 (All Other) | | 1,014 | 180 | | 8 |
| I-129 (H1B CAP) | | 158 | **158** | | |
| I-129 (H1B Master CAP) | | 11 | **11** | | |
| I-907/I-129 (Premium) | | 244 | 244 | | |
| I-907/I-129 (Premium H1B CAP) | | 436 | **436** | | |
| I-907/I-129 (Premium Master H1B CAP) | | 33 | **33** | | |
| I-129CW | | 300 | 152 | | 1 |
| I-129F | | | | | |
| I-129S | | 24 | 24 | | |
| **I-129 SubTotal** | | **2,220** | **1,238** | | **9** |

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell Phone:* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 2:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

So we may have hit the cap today?

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

| Data Collection Operations | | | | | |
|---|---|---|---|---|---|
| I-129 (All Other) | 1,221 | 479 | 225 | | **1,4** |
| I-129 (H1B CAP) | | 654 | **654** | | |
| I-129 (H1B Master CAP) | | 39 | **39** | | |
| I-907/I-129 (Premium) | 601 | 158 | 188 | | **5** |
| I-907/I-129 (Premium H1B CAP) | | 407 | **407** | | |
| I-907/I-129 (Premium Master H1B CAP) | | 57 | **57** | | |
| I-129CW | | | | | |
| I-129F | | | | | |
| I-129S | 323 | | | | 3 |
| **I-129 SubTotal** | **2,145** | **1,794** | **1,570** | | **2,3** |

638 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far – 300 filings.

CSC

| | | | | | |
|---|---|---|---|---|---|
| I-129 (All Other) | | 1,014 | 180 | | **8** |
| I-129 (H1B CAP) | | 158 | **158** | | |
| I-129 (H1B Master CAP) | | 11 | **11** | | |
| I-907/I-129 (Premium) | | 244 | 244 | | |
| I-907/I-129 (Premium H1B CAP) | | 436 | **436** | | |
| I-907/I-129 (Premium Master H1B CAP) | | 33 | **33** | | |

| | | | | | |
|---|---|---|---|---|---|
| I-129CW | | 300 | 152 | | 1 |
| I-129F | | | | | |
| I-129S | | 24 | 24 | | |
| **I-129 SubTotal** | | **2,220** | **1,238** | | **9** |

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.
Regards,
Ann

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone: 703 779 1809*
*Business Cell Phone: 703 984 9002*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

LongView-FedConsulting JV

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Monday, April 04, 2011 10:20 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: 1st day CAP petitions = 7,342

All,
The total cap count after the first five days of FY 2012 cap season will be 9,400 if last year's pattern of receipts holds true.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,315 | 298 | 137 | 93 | 106 | **2,948** |
| H1B CAP - Premium | 2,050 | 381 | 116 | 118 | 133 | **2,798** |
| H1B Masters | 1,715 | 193 | 92 | 75 | 64 | **2,139** |
| H1B Masters - Premium | 1,262 | 110 | 63 | 33 | 37 | **1,506** |
| Total | 7,342 | 982 | 408 | 320 | 339 | **9,390** |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

## Shirk, Georgette L

**From:** Bolog, Marguerite M <Marguerite.M.Bolog@uscis.dhs.gov>
**Sent:** Tuesday, May 03, 2011 9:47 AM
**To:** Johnson, Bobbie L; Sweeney, Shelly A
**Cc:** Tamanaha, Emisa T
**Subject:** RE: Cap #s

**Importance:** High

Here you go...

FY 2012 H-1B Cap Count as of 4/29/11

H-1B Regular Cap
9,200

H-1B Master's Exemption
6,600

-----Original Message-----
From: Johnson, Bobbie L
Sent: Tuesday, May 03, 2011 10:40 AM
To: Sweeney, Shelly A; Bolog, Marguerite M
Cc: Tamanaha, Emisa T
Subject: Cap #s

Where are we with cap filings for fy12 (public consumption)?

Thx!!

## Shirk, Georgette L

**From:** Johnson, Bobbie L <Bobbie.L.Johnson@uscis.dhs.gov>
**Sent:** Tuesday, May 03, 2011 10:03 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** Tamanaha, Emisa T
**Subject:** Re: Cap #s

Fabulous! Thanks!

----- Original Message -----
From: Bolog, Marguerite M
Sent: Tuesday, May 03, 2011 10:46 AM
To: Johnson, Bobbie L; Sweeney, Shelly A
Cc: Tamanaha, Emisa T
Subject: RE: Cap #s

Here you go...

FY 2012 H-1B Cap Count as of 4/29/11

H-1B Regular Cap
9,200

H-1B Master's Exemption
6,600

-----Original Message-----
From: Johnson, Bobbie L
Sent: Tuesday, May 03, 2011 10:40 AM
To: Sweeney, Shelly A; Bolog, Marguerite M
Cc: Tamanaha, Emisa T
Subject: Cap #s

Where are we with cap filings for fy12 (public consumption)?

Thx!!

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Friday, April 01, 2011 2:53 PM
**To:** Peck, Denis R; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** RE: CAP count CSC = approx 4300

Wow… and a few years ago we hit the cap on day one. Amazing

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Peck, Denis R
**Sent:** Friday, April 01, 2011 3:45 PM
**To:** Velarde, Barbara Q; Harton, Frank A; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** FW: CAP count CSC = approx 4300

I think she means the petition count is about 4300 which would fit with my guess for Vermont at 6,000. So maybe we hit the 10,000 mark today.

In 2010 April petition count once finalized was VSC 8,356, CSC 6,623, total 14,978.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Tailor, Anisa M [mailto:Anisa.M.Tailor@uscis.dhs.gov]
**Sent:** Friday, April 01, 2011 3:34 PM
**To:** Peck, Denis R
**Subject:** Fw: CAP count

Hi Denis,

Please see below e-mail.

Anisa

---

**From**: Tailor, Anisa M
**Sent**: Friday, April 01, 2011 01:56 PM
**To**: Melville, Rosemary; Louis, Jennifer E; Johnson, Bobbie L

**Cc**: Nicholson, Richard E
**Subject**: CAP count

Good Morning Rosemary,

I wanted to give to you a rough estimate of our count for CAP so far. We estimate we have received 4,300 totals so far from the various methods of delivery including FedEx, UPS and Express Mail. We will provide another update later today.

Anisa

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, August 15, 2011 10:56 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 12August11.doc

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] (b)(6) ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, August 08, 2011 6:45 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 25,300 | 8/12/2011 |
| H-1B Master's Exemption | 20,000 | 14,700 | 8/12/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Tuesday, August 02, 2011 5:25 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 29July11.doc

Hello,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov

(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 25, 2011 10:25 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 18, 2011 8:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

(b)(6)

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 11, 2011 7:34 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services (b)(6)
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] : Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 05, 2011 9:08 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, June 27, 2011 1:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer

United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services (b)(6)
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 22,700 | 7/29/2011 |
| H-1B Master's Exemption | 20,000 | 13,800 | 7/29/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** USCIS Web Publishing
**Sent:** Monday, July 25, 2011 2:52 PM
**To:** Lauver, Tinnina M; USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Hi Tina,

Just updated these.

**Kathryn Catania**
Web Content Editor
USCIS Plain Language Coordinator
Office of Communications
US Citizenship and Immigration Services
Department of Homeland Security
Phone: [redacted]
http://www.uscis.gov/portal/site/uscis

(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 25, 2011 10:25 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 18, 2011 8:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer

United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team (b)(6)
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M
**Sent:** Monday, July 11, 2011 7:34 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov
(b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 05, 2011 9:08 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov
(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, June 27, 2011 1:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate

Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, July 18, 2011 7:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 15July11.doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, July 11, 2011 7:34 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Tuesday, July 05, 2011 9:08 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** FW: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***

Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M (b)(6)
**Sent:** Monday, June 27, 2011 1:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov
(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

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Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

(b)(6)
**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,500 | 7/15/2011 |
| H-1B Master's Exemption | 20,000 | 12,800 | 7/15/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 27, 2011 12:09 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 24June11 (2) (3).doc

Good Afternoon,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Lauver, Tinnina M (b)(6)
**Sent:** Monday, June 20, 2011 9:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM (b)(6)
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

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We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 176,4300 | 6/2417/2011 |
| H-1B Master's Exemption | 20,000 | 110,3800 | 6/2417/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 8:12 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: Cap Numbers for Web
**Attachments:** FY12 H-1B Update 17June11 (2).doc

Good Morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) | ✉: Tinnina.Lauver@dhs.gov

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 14, 2011 9:39 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Lauver, Tinnina M
**Subject:** Cap Numbers for Web

Good morning.

Attached is the updated FY12 H-1B cap count webpage. The only changes are to the numbers in the chart.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

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We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 1653,32600 | 6/1731/2011 |
| H-1B Master's Exemption | 20,000 | 109,82300 | 6/1731/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Cap Amounts

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Wednesday, November 23, 2011 1:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Fitzsimmons, James; Sweeney, Shelly A
**Cc:** Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: CAP summary numbers, Monday and Tuesday

We were at 61,800. So that left us with 3,200. Denis/Jim indicated we added 1000 for a cushion so that would leave us with 4200 filings still. If 5503 was filed then you are correct.

---

**From:** Velarde, Barbara Q
**Sent:** Wednesday, November 23, 2011 2:44 PM
**To:** Peck, Denis R; Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: CAP summary numbers, Monday and Tuesday

So for now it is about 1300 over?

---

**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 2:42 PM
**To:** Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Young, Claudia F
**Subject:** CAP summary numbers, Monday and Tuesday

CSC just came in. Here's what I count for these two days:

| Center | Monday DE | Tuesday DE | Tuesday pending | Totals |
|---|---|---|---|---|
| CSC | 638 | 975 | 0 * | 1613 |
| VSC | 1157 | 954 | 1779 ** | 3890 |
| | | | | |
| | 1795 | 1929 | 1779 | 5503 |

Their DAAG lists 828 nonCAP 129s pending, some of which may re-categorized as CAP during data entry

VSC gross CAP pending, some of which will be found unacceptable and not be receipted. All of these will be DE today or at a minimum reviewed and determined acceptable or not acceptable.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 2:22 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Wednesday, November 23, 2011 1:44 PM
**To:** Peck, Denis R; Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: CAP summary numbers, Monday and Tuesday

So for now it is about 1300 over?

---

**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 2:42 PM
**To:** Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Young, Claudia F
**Subject:** CAP summary numbers, Monday and Tuesday

CSC just came in. Here's what I count for these two days:

| Center | Monday DE | Tuesday DE | Tuesday pending | Totals |
|---|---|---|---|---|
| CSC | 638 | 975 | 0 * | 1613 |
| VSC | 1157 | 954 | 1779 ** | 3890 |
| | | | | |
| | 1795 | 1929 | 1779 | 5503 |

Their DAAG lists 828 nonCAP 129s pending, some of which may re-categorized as CAP during data entry

VSC gross CAP pending, some of which will be found unacceptable and not be receipted. All of these will be DE today or at a minimum reviewed and determined acceptable or not acceptable.

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[redacted]
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(b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 2:22 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
Regards,
Ann

*Ann R. Lees, PMP*

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Wednesday, November 23, 2011 2:06 PM
**To:** Luna, Corinna A.; Velarde, Barbara Q; Peck, Denis R; Sweeney, Shelly A
**Cc:** Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: CAP summary numbers, Monday and Tuesday

The math is correct. However, a higher cushion of 2,400 can be justified. On 35,000 pending adjudications, a 7 percent non-approval rate is 2,450 non-approvals (rejects, denials, revocations, double counting of beneficiaries ). Historically, revocations and denials begin to rise sharply after cap season closes. Unfortunately, these trends are difficult to project. I also suspect several hundreds of those 5,503 receipts are not cap-eligible.

---

**From:** Luna, Corinna A.
**Sent:** Wednesday, November 23, 2011 2:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Fitzsimmons, James; Sweeney, Shelly A
**Cc:** Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: CAP summary numbers, Monday and Tuesday

We were at 61,800. So that left us with 3,200. Denis/Jim indicated we added 1000 for a cushion so that would leave us with 4200 filings still. If 5503 was filed then you are correct.

---

**From:** Velarde, Barbara Q
**Sent:** Wednesday, November 23, 2011 2:44 PM
**To:** Peck, Denis R; Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Young, Claudia F
**Subject:** RE: CAP summary numbers, Monday and Tuesday

So for now it is about 1300 over?

---

**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 2:42 PM
**To:** Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Young, Claudia F
**Subject:** CAP summary numbers, Monday and Tuesday

CSC just came in. Here's what I count for these two days:

| Center | Monday DE | Tuesday DE | Tuesday pending | Totals |
|---|---|---|---|---|
| CSC | 638 | 975 | 0 * | 1613 |
| VSC | 1157 | 954 | 1779 ** | 3890 |
| | | | | |
| | 1795 | 1929 | 1779 | 5503 |

Their DAAG lists 828 nonCAP 129s pending, some of which may re-categorized as CAP during data entry

VSC gross CAP pending, some of which will be found unacceptable and not be receipted. All of these will be DE today or at a minimum reviewed and determined acceptable or not acceptable.

Denis Peck

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---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 2:22 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
Regards,
Ann


***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175* (b)(6)
*Office Phone:* [redacted]
*Business Cell Phone:* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 8:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

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---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 14, 2011 9:31 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Bolog, Marguerite M
**Subject:** RE: Cap update through April 13

Denis,

Maybe we've already discussed this and I've just forgotten the answer (if so, my apologies)...do we know when the VSC project to have the frontlog eliminated?

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Thursday, April 14, 2011 10:28 AM
**To:** Young, Claudia F; Bolog, Marguerite M; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Lundquist, Mark E; Stephens, Karen
**Cc:** Velarde, Barbara Q; Arroyo, Susan K; Richardson, Gregory A
**Subject:** FW: Cap update through April 13

CSC is now completely current as of cob last night. Vermont's oldest of their 900 frontlog are those from this past Monday. All the initial week's 10,454 have been data entered or are being prepared for rejecting.

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---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 14, 2011 10:01 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Cap updates

Morning,

Please find attached the 4-13-11 CAP updates for VSC and CSC.

Thank you, Walter

Walter Peacock
Director, Consulting

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 14, 2011 9:37 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Bolog, Marguerite M
**Subject:** RE: Cap update through April 13

We never gave them a solid required date but they committed to processing a minimum of 1,000 FY12s a day and they're averaging about 1,150. Given that rate and the daily intake, I believe they will be fully current at the end of tonight, as in all mail received through today will be data entered or identified for rejection, or routed to the CRU for review. At worst it will be tomorrow; tomorrow they will work a half day and begin shutting down at 2 pm for contract closeout. The new contractor will be moving in on Saturday.

I think we can also get all the manual rejects mailed out and it would be better for the current contractor to be responsible for that if possible. Should we give the order to do that?

Jim Fitz should be able to run a completely current query on Monday for the weekly website update.

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---

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 14, 2011 10:31 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Bolog, Marguerite M
**Subject:** RE: Cap update through April 13

Denis,

Maybe we've already discussed this and I've just forgotten the answer (if so, my apologies)...do we know when the VSC project to have the frontlog eliminated?

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Thursday, April 14, 2011 10:28 AM
**To:** Young, Claudia F; Bolog, Marguerite M; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E; Shiflett, Julie M; Lundquist, Mark E; Stephens, Karen
**Cc:** Velarde, Barbara Q; Arroyo, Susan K; Richardson, Gregory A
**Subject:** FW: Cap update through April 13

CSC is now completely current as of cob last night. Vermont's oldest of their 900 frontlog are those from this past Monday. All the initial week's 10,454 have been data entered or are being prepared for rejecting.

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---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 14, 2011 10:01 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** Cap updates

Morning,

Please find attached the 4-13-11 CAP updates for VSC and CSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG (b)(6)
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## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 10:24 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP update through Day 5 = 10,456

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

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---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

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---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

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---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)

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## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Monday, March 05, 2012 9:36 AM
**To:** Fierro, Joseph; Sweeney, Shelly A
**Cc:** Schoening, Donald; Canney, Keith J; Bell, Lisa M; Luna, Corinna A.
**Subject:** RE: CSC H-1B CAP Report

Thanks Joe for the update. Continue to keep us posted.

---

**From:** Fierro, Joseph
**Sent:** Friday, March 02, 2012 7:32 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Schoening, Donald; Canney, Keith J; Bell, Lisa M
**Subject:** CSC H-1B CAP Report

Hi:

CSC has distributed all FY12 cap cases. All FY12 Cap cases will be touched by end of next week.

Cap Exempt cases are being distributed at 11/29/12. We have put additional resources on Cap exempt cases and expect to be current in about a week.

**CSC I-129 H1Bs Pending with NFTS location as of 02/29/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/29/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 2 | 3 |
| | | At CFDO | 17 | 17 |
| | | In File Room/Jit Shelf | 914 | 1,079 |
| | | On RFE Shelf/Rule 103 | 1,718 | 1,718 |
| | | Other Location | 95 | 114 |
| | | W/Clerical/Incl Resubmits | 414 | 414 |
| | | W/Officer/Incl Resubmits | 1,004 | 1,006 |
| | Others | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **4,164** | **4,351** |

Notes:

- Resubmits are cases that have already been RFEd.

| CSC I-129 H1Bs (02-19-2012 to 02-25-2012) Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 647 | 36 | 338 | 1,021 |
| | | | | | 0 |
| | I-129 PP H1B | 193 | 31 | 35 | 259 |
| | | | | | 0 |
| | **Total:** | **840** | **67** | **373** | **1,280** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 1 | 1 |
| | I-129 PP H1B | 0 | 0 | 1 | 1 |
| | I-129 PP H1B EOS | 0 | 0 | 1 | 1 |
| | **Total:** | **0** | **0** | **3** | **3** |
| **Grand Total:** | | **840** | **67** | **376** | **1,283** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, October 31, 2011 8:52 AM
**To:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Intials Report

Sure. Let me know when you're available to meet on this.

---

**From:** Luna, Corinna A.
**Sent:** Monday, October 31, 2011 9:31 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CSC H-1B Intials Report

Can you come by to brief me on this so I can get a handle for future emails as such.

---

**From:** Fierro, Joseph
**Sent:** Friday, October 28, 2011 6:14 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Lauver, Tinnina M; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Intials Report

Hi:

CSC is distributing cases as follows:

Regular Cap - 08/26/11
Master Cap - 08/27/11
Cap Exempt - 08/27/11

**CSC I-129 H1Bs Pending with NFTS location as of 10/21/2011**
**Data Source: C3**

| | | Status | Counts filed before 08/21/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 17 | 18 |
| | | In File Room/Jit Shelf | 197 | 5,351 |
| | | On RFE Shelf/Rule 103 | 977 | 977 |
| | | Other Location | 97 | 107 |
| | | W/Clerical/Incl Resubmits | 885 | 890 |
| | | W/Officer/Incl Resubmits | 952 | 973 |
| | Others | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |

**CSC I-129 H1Bs (1**
**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | Total: |
| Div V | I-129 H1B |
| | I-129 H1B EOS |

| | | | | |
|---|---|---|---|---|
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **3,128** | **8,320** |

**Notes:**

- **Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, September 02, 2011 4:44 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Schoening, Donald; Canney, Keith J
**Subject:** RE: CSC H-1B Initials Report

Hi:

Here is an update on the F-1 Cap Gap cases.

Thanks,

Joe

| All Pending I-129 H1B CAP w/ Ben change from F1 to H1B that were filed on or before August 1, 2011<br>Data Source: C3<br>As of 09/01/2011 | | | |
|---|---|---|---|
| | | Status | Counts |
| I-129 H1B | CAP | Untouched | 209 |
| | | RFE/NOID issued (awaiting response) | 913 |
| | | RFE/NOID response received | 13 |
| | | Supervisory Review | 3 |
| **Total:** | | | **1,138** |

---

**From:** Fierro, Joseph
**Sent:** Friday, September 02, 2011 7:56 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Initials Report

Hi:

H-1B initials are being distributed at the following dates:

H-1B Regular Cap – 7/13
H-1B Master Cap – 7/27
H-1B Cap Exempt – 7/15

I will be following up with an F-1 cap gap update later today.

- Joe

(b)(6)

| CSC I-129 H1Bs Pending with NFTS location as of 08/29/2011<br>Data Source: C3 | | | |
|---|---|---|---|
| | Status | Counts filed | Everything filed |

| CSC I-129 H1Bs<br>Data |
|---|
| |

| | | | before 06/29/2011 | up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 4 | 8 |
| | | At CFDO | 20 | 25 |
| | | In File Room/Jit Shelf | 23 | 3,492 |
| | | On RFE Shelf/Rule 103 | 711 | 734 |
| | | Other Location | 118 | 126 |
| | | W/Clerical/Incl Resubmits | 240 | 604 |
| | | W/Officer/Incl Resubmits | 769 | 1,191 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **1,885** | **6,180** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | |
|---|---|
| **Div I** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Div II** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Div V** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Div VI** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Grand Total:** | |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Monday, October 31, 2011 9:45 AM
**To:** Sweeney, Shelly A
**Subject:** RE: CSC H-1B Intials Report

Now?

---

**From:** Sweeney, Shelly A
**Sent:** Monday, October 31, 2011 9:52 AM
**To:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Intials Report

Sure. Let me know when you're available to meet on this.

---

**From:** Luna, Corinna A.
**Sent:** Monday, October 31, 2011 9:31 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CSC H-1B Intials Report

Can you come by to brief me on this so I can get a handle for future emails as such.

---

**From:** Fierro, Joseph
**Sent:** Friday, October 28, 2011 6:14 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Lauver, Tinnina M; Schoening, Donald; Canney, Keith J
**Subject:** CSC H-1B Intials Report

Hi:

CSC is distributing cases as follows:

Regular Cap - 08/26/11
Master Cap - 08/27/11
Cap Exempt - 08/27/11

| CSC I-129 H1Bs Pending with NFTS location as of 10/21/2011<br>Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 08/21/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 17 | 18 |
| | | In File Room/Jit Shelf | 197 | 5,351 |
| | | On RFE Shelf/Rule 103 | 977 | 977 |

| CSC I-129 H1Bs (1<br>Data S | | |
|---|---|---|
| | | |
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | Total: | |
| Div II | I-129 | |

| | | | | |
|---|---|---|---|---|
| | | | | |
| | | Other Location | 97 | 107 |
| | | W/Clerical/Incl Resubmits | 885 | 890 |
| | | W/Officer/Incl Resubmits | 952 | 973 |
| | Others | At BCU | | |
| | | At CFDO | | |
| | | In File Room/Jit Shelf | | |
| | | On RFE Shelf/Rule 103 | | |
| | | Other Location | | |
| | | W/Clerical/Incl Resubmits | | |
| | | W/Officer/Incl Resubmits | | |
| **Total:** | | | **3,128** | **8,320** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | |
|---|---|
| | H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Div V** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Div VI** | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Grand Total:** | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, February 29, 2012 9:35 AM
**To:** Luna, Corinna A.
**Cc:** Sweeney, Shelly A
**Subject:** RE: CSC H-1B Report

Good one.

---

**From:** Luna, Corinna A.
**Sent:** Wednesday, February 29, 2012 7:34 AM
**To:** Fierro, Joseph
**Cc:** Sweeney, Shelly A
**Subject:** RE: CSC H-1B Report

Tack...ouch

---

**From:** Fierro, Joseph
**Sent:** Wednesday, February 29, 2012 10:32 AM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Yes, CSC is on tack.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 4:19 AM
**To:** Fierro, Joseph
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Thanks for the update, Joe. Does it look like the CSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Fierro, Joseph
**Sent:** Friday, February 17, 2012 6:15 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Schoening, Donald; Canney, Keith J; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

CSC is distributing cases as follows:

Regular Cap – 11/17/11
Master Cap – 11/03/11
Cap Exempt – 11/02/11

**CSC I-129 H1Bs Pending with NFTS location as of 02/15/2012**

| Data Source: C3, NFTS.<br>The raw data based on data recorded in the CSC OIT ad hoc database. | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 12/15/2011 | Everything filed up today |
| H-1Bs | Initials | At BCU | 7 | 7 |
| | | At CFDO | 19 | 19 |
| | | In File Room/Jit Shelf | 2,860 | 3,048 |
| | | On RFE Shelf/Rule 103 | 1,188 | 1,191 |
| | | Other Location | 158 | 168 |
| | | W/Clerical/Incl Resubmits | 443 | 443 |
| | | W/Officer/Incl Resubmits | 930 | 931 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,605** | **5,807** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| CSC I-129 H1Bs (02-05-2012 to 02-11-2012)<br>Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 884 | 65 | 491 | 1,440 |
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 383 | 39 | 76 | 498 |
| | I-129 PP H1B EOS | | | | 0 |
| | **Total:** | **1,267** | **104** | **567** | **1,938** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Div X** | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,267** | **104** | **567** | **1,938** |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Wednesday, February 29, 2012 9:34 AM
**To:** Fierro, Joseph
**Cc:** Sweeney, Shelly A
**Subject:** RE: CSC H-1B Report

Tack...ouch

---

**From:** Fierro, Joseph
**Sent:** Wednesday, February 29, 2012 10:32 AM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Yes, CSC is on tack.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 4:19 AM
**To:** Fierro, Joseph
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Thanks for the update, Joe. Does it look like the CSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Fierro, Joseph
**Sent:** Friday, February 17, 2012 6:15 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Schoening, Donald; Canney, Keith J; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

CSC is distributing cases as follows:

Regular Cap – 11/17/11
Master Cap – 11/03/11
Cap Exempt – 11/02/11

**CSC I-129 H1Bs Pending with NFTS location as of 02/15/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/15/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 7 | 7 |
| | | At CFDO | 19 | 19 |

| | | | | |
|---|---|---|---|---|
| | | In File Room/Jit Shelf | 2,860 | 3,048 |
| | | On RFE Shelf/Rule 103 | 1,188 | 1,191 |
| | | Other Location | 158 | 168 |
| | | W/Clerical/Incl Resubmits | 443 | 443 |
| | | W/Officer/Incl Resubmits | 930 | 931 |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,605** | **5,807** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

## CSC I-129 H1Bs (02-05-2012 to 02-11-2012)

## Data Source: CATs

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 884 | 65 | 491 | 1,440 |
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 383 | 39 | 76 | 498 |
| | I-129 PP H1B EOS | | | | 0 |
| | **Total:** | **1,267** | **104** | **567** | **1,938** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,267** | **104** | **567** | **1,938** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Wednesday, February 29, 2012 9:32 AM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Yes, CSC is on tack.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 4:19 AM
**To:** Fierro, Joseph
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Thanks for the update, Joe. Does it look like the CSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Fierro, Joseph
**Sent:** Friday, February 17, 2012 6:15 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Schoening, Donald; Canney, Keith J; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

CSC is distributing cases as follows:

Regular Cap – 11/17/11
Master Cap – 11/03/11
Cap Exempt – 11/02/11

**CSC I-129 H1Bs Pending with NFTS location as of 02/15/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/15/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 7 | 7 |
| | | At CFDO | 19 | 19 |
| | | In File Room/Jit Shelf | 2,860 | 3,048 |
| | | On RFE Shelf/Rule 103 | 1,188 | 1,191 |
| | | Other Location | 158 | 168 |
| | | W/Clerical/Incl Resubmits | 443 | 443 |
| | | W/Officer/Incl Resubmits | 930 | 931 |
| | | | | |

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|---|---|---|---|---|
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| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,605** | **5,807** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

## CSC I-129 H1Bs (02-05-2012 to 02-11-2012)

## Data Source: CATs

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 884 | 65 | 491 | 1,440 |
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 383 | 39 | 76 | 498 |
| | I-129 PP H1B EOS | | | | 0 |
| | **Total:** | **1,267** | **104** | **567** | **1,938** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,267** | **104** | **567** | **1,938** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 6:23 AM
**To:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Not exactly. Some number of those cases are cap exempt. They are not separated out, but I would expect that number to be in the few hundred range.

---

**From:** Luna, Corinna A.
**Sent:** Wednesday, February 29, 2012 7:21 AM
**To:** Sweeney, Shelly A
**Subject:** RE: CSC H-1B Report

So they have 5800 cap cases?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 7:19 AM
**To:** Fierro, Joseph
**Cc:** Luna, Corinna A.
**Subject:** RE: CSC H-1B Report

Thanks for the update, Joe. Does it look like the CSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Fierro, Joseph
**Sent:** Friday, February 17, 2012 6:15 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Schoening, Donald; Canney, Keith J; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

CSC is distributing cases as follows:

Regular Cap – 11/17/11
Master Cap – 11/03/11
Cap Exempt – 11/02/11

**CSC I-129 H1Bs Pending with NFTS location as of 02/15/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 12/15/2011 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 7 | 7 |
| | | At CFDO | 19 | 19 |
| | | In File Room/Jit Shelf | 2,860 | 3,048 |

| | | | | |
|---|---|---|---|---|
| | | On RFE Shelf/Rule 103 | 1,188 | 1,191 |
| | | Other Location | 158 | 168 |
| | | W/Clerical/Incl Resubmits | 443 | 443 |
| | | W/Officer/Incl Resubmits | 930 | 931 |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **5,605** | **5,807** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

## CSC I-129 H1Bs (02-05-2012 to 02-11-2012)

## Data Source: CATs

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 884 | 65 | 491 | 1,440 |
| | I-129 H1B EOS | | | | 0 |
| | I-129 PP H1B | 383 | 39 | 76 | 498 |
| | I-129 PP H1B EOS | | | | 0 |
| | **Total:** | **1,267** | **104** | **567** | **1,938** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| **Grand Total:** | | **1,267** | **104** | **567** | **1,938** |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 10:43 AM
**To:** Fierro, Joseph
**Cc:** Schoening, Donald; Bell, Lisa M; Sweeney, Shelly A
**Subject:** RE: CSC H-1B Report

Wonderful Joe and CSC!

---

**From:** Fierro, Joseph
**Sent:** Monday, March 19, 2012 9:26 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Schoening, Donald; Bell, Lisa M; Luna, Corinna A.
**Subject:** CSC H-1B Report

Shelly:

There are about 20 outstanding cap cases left and we hope to have them all touched by tomorrow.

Cap exempt cases are being distributed at 1/15/12 - We should be under 60 days by the end of the week.

**CSC I-129 H1Bs Pending with NFTS location as of 03/14/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 01/14/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 3 | 4 |
| | | At CFDO | 14 | 14 |
| | | In File Room/Jit Shelf | 152 | 330 |
| | | On RFE Shelf/Rule 103 | 2,212 | 2,213 |
| | | Other Location | 38 | 74 |
| | | W/Clerical/Incl Resubmits | 246 | 247 |
| | | W/Officer/Incl Resubmits | 627 | 636 |
| | Others | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **3,292** | **3,518** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

- The counts are excluded PP cases and files located between UO1529-UO1675 range.

| CSC I-129 H1Bs (03-04-2012 to 03-10-2012) Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 443 | 81 | 248 | 772 |
| | | | | | 0 |
| | I-129 PP H1B | 271 | 29 | 74 | 374 |
| | | | | | 0 |
| | **Total:** | **714** | **110** | **322** | **1,146** |
| Div II | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div X | I-129 H1B | 0 | 0 | 0 | 0 |
| | | 0 | 1 | 0 | 1 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | | 1 | 0 | 0 | 1 |
| | **Total:** | **1** | **1** | **0** | **2** |
| **Grand Total:** | | **715** | **111** | **322** | **1,148** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, September 19, 2011 8:44 AM
**To:** Canney, Keith J
**Subject:** RE: F-1 COS to H-1B Petitions

My understanding is by design...Js aren't covered under cap gap unless we specifically publish a Federal Register Notice that year to provide them with coverage. As such, Fs are the only ones covered by cap gap this year.

---

**From:** Canney, Keith J
**Sent:** Monday, September 19, 2011 8:59 AM
**To:** Sweeney, Shelly A
**Subject:** FW: F-1 COS to H-1B Petitions

Shelly –

There was no mention of moving J COS cap cases to the front of the line in our processing the cap gap cases. Was this by design or an oversight?

Keith

---

**From:** Sweeney, Shelly A
**Sent:** Friday, August 12, 2011 10:34 AM
**To:** Canney, Keith J; Fierro, Joseph
**Cc:** Velarde, Barbara Q; Richardson, Gregory A; Young, Claudia F; Johnson, Bobbie L; Perkins, Robert M; Schoening, Donald
**Subject:** RE: F-1 COS to H-1B Petitions

Keith and Joe,

Thank you for providing the below inventory list. Although a two-month processing time for all H-1B petitions remains our ultimate goal, BEST understands that this processing time may not be possible as of October 1 of this year due to competing priorities. To mitigate potential harm to cap gap students, BEST proposes both centers prioritize completion of all F-1 COS cap cases filed before 8/1/11 for non-premium work. In this context completion means issuance of an RFE/NOID, approval notice, denial notice, etc. If an RFE/NOID response is received, it should be worked to completion if at all possible.

Once these pre 8/1/11 F-1 COS cap cases are completed, the centers should revert to date order processing for non-premium work. This instruction does not apply to premium cases. Premium cases should be worked as usual. BEST believes that a month and a half lead time will be sufficient to complete this prioritization. Please advise ASAP if you do not believe that this will be feasible for your center.

Thanks!

Shelly

---

**From:** Canney, Keith J
**Sent:** Thursday, August 11, 2011 6:14 AM
**To:** Fierro, Joseph; Sweeney, Shelly A

**Cc:** Young, Claudia F; Johnson, Bobbie L; Perkins, Robert M
**Subject:** RE: F-1 COS to H-1B Petitions

And here is VSC's data... We did not break out those case that are currently under supervisory review.

Keith

| PENDING F1 COS FILED BEFORE 8-1-11 |
|---|

| STATUS | Total |
|---|---|
| UNTOUCHED | 2,506 |
| RFE/NOID Issued | 385 |
| RFE/NOID Response Received | 176 |
| Total | 3,163 |

---

**From:** Fierro, Joseph
**Sent:** Wednesday, August 10, 2011 9:47 PM
**To:** Sweeney, Shelly A
**Cc:** Canney, Keith J; Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Shelly:

Here is the report you requested.

Thanks,

(b)(6)

Joe

[redacted]

| All Pending I-129 H1B CAP w/ Ben change from F1 to H1B that were filed on or before August 1, 2011<br>Data Source: C3<br>As of 08/10/2011 | | | |
|---|---|---|---|
| I-129 H1B | CAP | Untouched | 1,315 |
| | | RFE/NOID issued (awaiting response) | 312 |
| | | RFE/NOID response received | 398 |
| | | Supervisory Review | 48 |
| **Total:** | | | **2,073** |

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, August 10, 2011 6:26 AM
**To:** Canney, Keith J; Fierro, Joseph
**Cc:** Young, Claudia F; Johnson, Bobbie L
**Subject:** F-1 COS to H-1B Petitions

Keith and Joe,

Since we're approaching the new fiscal year, SCOPS would like each center to provide the number of F-1 COS H-1B FY12 cap petitions you have that were filed on or before August 1, 2011 that are still pending? In addition, can you break

these petitions into following categories: untouched, pending supervisory review, RFE/NOID issued (awaiting response), and RFE/NOID response received?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 10:18 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Fitzsimmons, James
**Subject:** RE: Final H-1B Counts through day 5 = 10,456
**Attachments:** 4-7-11 CSC FY12 CAP report.xls; 4-7-11 VSC FY12 CAP Report.xls

You must have better sources than me; their PM just sent it to me 5 minutes ago.

Yes that's what I've got. Go with it.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Bolog, Marguerite M [mailto:Marguerite.M.Bolog@uscis.dhs.gov]
**Sent:** Friday, April 08, 2011 11:13 AM
**To:** Peck, Denis R; Sweeney, Shelly A
**Cc:** Young, Claudia F; Fitzsimmons, James
**Subject:** RE: Final H-1B Counts
**Importance:** High

Denis—

This is what I am showing for total cap numbers (VSC & CSC):

Regular Cap 5,915
Masters Cap 4,541

Total 10,456

Do you agree?

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, April 08, 2011 8:19 AM
**To:** Sweeney, Shelly A

**Cc:** Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
**Subject:** RE: Final H-1B Counts

I asked to get it early; yesterday they sent it at 845. stand by

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Friday, April 08, 2011 8:11 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
**Subject:** Final H-1B Counts

Denis,

Any word on when we can expect to have a final count of the filings through yesterday?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Thursday, October 06, 2011 7:24 AM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Young, Claudia F; Luna, Corinna A.
**Subject:** RE: FY 2012 H-1B Cap Count
**Attachments:** FW: reporting of Cap numbers

James,

Please see attached message indicating that we will be posting H1B cap numbers bi-weekly.

With that being said, I did sent the 9/23 count to be posted. I will check to determine why the 9/23 count was not posted on the web as of yet.

Thanks!!!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Fitzsimmons, James (b)(6)
**Sent:** Thursday, October 06, 2011 8:20 AM
**To:** Lauver, Tinnina M
**Subject:** FW: FY 2012 H-1B Cap Count

Hi Tina,
Perhaps you can help.
Jim

---

**From:** Fitzsimmons, James
**Sent:** Thursday, October 06, 2011 8:01 AM
**To:** Sweeney, Shelly A
**Subject:** FY 2012 H-1B Cap Count

Hi Shelly,
The cap numbers on USCIS website are out of date. I thought webmaster was supposed to post them every other week.
Jim

# FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Wednesday, November 30, 2011 10:33 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M
**Subject:** RE: FY12 H-1B Cap Processing Report

So VSC had a large increase in PP filings prior to reaching the cap. Their pending cap untouched beyond 60 days has doubled. The CSC has about 1000 more outside of the 60 day window than the previous month.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 30, 2011 9:54 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** FY12 H-1B Cap Processing Report

Corinna,

Below is a summary of the centers' FY12 H-1B cap processing report.

**VSC**:

The VSC reported that it is distributing cap cases that were received on 7/20. Last month at this time, the VSC was distributing cap cases that were received on 7/14. The VSC currently has 7,971 pending cap cases that are over the two-month processing goal (6,019 are untouched). The total number of pending cap cases at the VSC is 20,517 (17,192 of these are untouched). Last month at this time, the VSC had 3,990 pending cap cases that were outside of the two-month processing goal (5,870 were untouched). At that time, the total number of pending cap cases at the VSC was 13,733 (10,928 of which were untouched).

**CSC**:

The CSC reported that it is distributing regular cap cases that were received on 9/7, master's cap cases that were received on 9/8, and cap exempt petitions that were received on 9/12. Last month at this time, the CSC was distributing regular cap cases that were received on 8/26, master's cap cases that were received on 8/27, and cap exempt cases that were received on 8/27. The CSC currently has 4,019 pending initial filings that are over the two-month processing goal (1,569 are untouched on a shelf and 800 with an officer, which includes RFE/NOID responses). The total number of pending initial cases at the CSC is 11,630 (8,105 are untouched on a shelf and 820 with an officer, which includes RFE/NOID responses). Last month at this time, the CSC had 3,128 pending initial cases that were outside of the two-month processing goal (197 were untouched on a shelf and 952 with an officer, which included RFE/NOID responses). At that time, the total number of pending initial cases at the CSC was 8,320 (5,351 were untouched on a shelf and 973 with an officer, which included RFE/NOID responses).

I have saved this summary on the shared drive under the following pathway for future reference.

P:\SHARE\SCOPS 2010\C. Business Employment Services\H1B\H1B Reports\FY12 H1B CAP Reports

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, April 18, 2011 8:32 AM
**To:** Fitzsimmons, James
**Cc:** Bolog, Marguerite M
**Subject:** RE: H-1B cap numbers

Jim,

Can you add Marguerite (Mack) Bolog to your mailing list for the H-1B cap count? She is handling the cap while she's on detail.

Thanks!

Shelly

---

**From:** Fitzsimmons, James
**Sent:** Monday, April 18, 2011 8:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,066 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,123 | 4/15/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, January 18, 2011 1:52 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Harton, Frank A
**Subject:** RE: H-1B cap numbers

Good question. Before I can respond, I'd like to ask you a few additional questions. How far behind are they on letters? Does the contractor separate out the withdrawal requests from the regular RFE responses? If so, are they behind in RFE responses as well? Theoretically, any response to an RFE/ITD could ultimately result in a denial. It really comes down to what is contained in the response.

And this leads for a question for Jim...have you already factored potential withdrawals into your calculations for the target?

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 18, 2011 2:44 PM
**To:** Sweeney, Shelly A
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B cap numbers

Shelly as we approach the cap limit is it important for the incoming withdrawal letter requests to be processed as denials or revocations the same day? Our contractor at VSC is not keeping entirely current with the incoming letters but if it's vital, we can prioritize that they get them completely up to the same day as received. But are the officers keeping up with them as fast? Does it matter, in the bigger picture?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX
(b)(6)

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, January 18, 2011 10:07 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q
**Subject:** H-1B cap numbers

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 59,424 | 1/14/2011 |
| H-1B Master's | 20,000 | 21,310 | 1/14/2011 |

| | | | |
|---|---|---|---|
| Exemption* | | | |

* Cap-eligible petitions in Master's Exemption category above 20,000 roll into Regular Cap category.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 22, 2011 12:41 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Bell, Lisa M; Martin, Heather A
**Subject:** RE: H-1B Cap Numbers for Web
**Attachments:** FY12 Update 15Nov11.doc

Any word on when this update might be posted? I hate to be a pain, but it is rather critical that this goes up as soon as possible since we are getting so close to hitting the cap.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 22, 2011 9:51 AM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Bell, Lisa M; Martin, Heather A
**Subject:** H-1B Cap Numbers for Web

Good morning,

Attached is the updated FY12 H-1B cap count webpage. Can you please advise when this is up?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

# H-1B Fiscal Year (FY) 2012 Cap Season

## The H-1B Program

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information about the H-1B program, see the link to the left under temporary workers for H-1B Specialty Occupations and Fashion Models.

## How USCIS Determines if an H-1B Petition is Subject to the FY 2012 Cap

We use the information provided in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, pages 17 through 19) to determine whether a petition is subject to the 65,000 H-1B numerical limitation (the "cap"). Some petitions are exempt from the cap under the advanced degree exemption provided to the first 20,000 petitions filed for a beneficiary who has obtained a U.S. master's degree or higher. Unless otherwise exempt from the cap, petitions filed on behalf of beneficiaries who have obtained a U.S. master's degree or higher will be counted against the regular cap once USCIS has received sufficient petitions to reach the advanced degree exemption.

## FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | ~~56,300~~61,800 | 11/1~~8~~4/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/1~~8~~4/2011 |

## Cap Eligible Petitions

This is the number of petitions that USCIS has accepted for this particular type of cap. It includes cases that have been approved or are still pending. It does not include petitions that have been denied.

## Shirk, Georgette L

**From:** Clark, Matthew J
**Sent:** Friday, November 04, 2011 2:47 PM
**To:** Sweeney, Shelly A
**Cc:** Martin, Heather A
**Subject:** RE: H-1B Cap Numbers for Web

Hi Shelly,

Can you include Heather Martin in my place on these emails, I have changed divisions in OCOMM and Heather will be your POC for Strategic Communications.

Thanks,

Matt

*Matthew J. Clark*
Communications Strategist
Office of Communications
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
(202)272-1319 office
(202)487-5577 Blackberry
www.uscis.gov

---

**From:** Sweeney, Shelly A
**Sent:** Friday, November 04, 2011 3:27 PM
**To:** USCIS Web Publishing
**Cc:** McKenzie, Trish H; Clark, Matthew J; Parisi, Thomas M; Young, Claudia F; Luna, Corinna A.; Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Numbers for Web

Good morning,

Attached is the updated FY12 H-1B cap count webpage.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Thursday, January 26, 2012 6:47 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Processing Summary 1-23-12

tx

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**From:** Sweeney, Shelly A
**Sent:** Monday, January 23, 2012 9:30 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 1-23-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **9/15**.
- Two weeks ago, they were working 8/25.
- Currently:
  - 11,371 pending cap cases over 2 month processing goal (9,383 untouched including those cases with an officer)
  - 13,028 total pending cap cases (10,843 untouched including those cases with an officer)
- Two Weeks ago:
  - 9,775 pending cap cases over 2 month processing goal (8,049 untouched including those cases with an officer)
  - 15,036 total pending cap cases (12,683 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **10/6**, master's received on **10/18** and exempt cases that were received on **10/7**.
- Two weeks ago, they were working regulars from 9/26, master's from 10/4 and exempt from 9/27.
- Currently:
  - 6,500 pending cap cases over 2 month processing goal (4,474 untouched, 691 with an officer)
  - 8,293 total pending cap cases (6,228 untouched, 695 with an officer)
- Two weeks ago:
  - 5,533 pending cap cases over 2 month processing goal (3,581 untouched, 660 with an officer)
  - 9,666 total pending cap cases (7,626 untouched, 686 with an officer)

**ANALYSIS**--

- Potential contributing factors:
  - There was a spike in cap filings right before the cap closed in November. Once we push through that spike we will be in good shape.
- Please note that while the number of cases outside the two month processing goal has gone up at both centers, the number of total pending has gone down.

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 06, 2012 8:30 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Processing Summary 3-5-12

Thank you Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 06, 2012 8:32 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 3-5-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC has distributed all FY12 cap cases to officers (cap closed on 11/22).
- Two weeks ago, they were working 10/31.
- Currently:
  - 5,531 pending cap cases over 2 month processing goal (2,806 untouched including those cases with an officer)
  - 5,532 total pending cap cases (2,807 untouched including those cases with an officer)
- Two Weeks ago:
  - 9,054 pending cap cases over 2 month processing goal (7,045 untouched including those cases with an officer)
  - 9,055 total pending cap cases (7,046 untouched including those cases with an officer)

CSC

- CSC has distributed all FY12 cap cases (both regular and master's) to officers. They are distributing cap exempt petitions with a receipt date of 11/29.
- Two weeks ago, they were working regulars from 11/17, master's from 11/3 and exempt from 11/2.
- Currently:
  - 4,164 pending cap cases over 2 month processing goal (1,718 untouched, 1,004 with an officer)
  - 4,351 total pending cap cases (1,718 untouched, 1,006 with an officer)
- Two weeks ago:
  - 5,605 pending cap cases over 2 month processing goal (2,860 untouched, 930 with an officer)
  - 5,807 total pending cap cases (3,048 untouched, 931 with an officer)

**ANALYSIS**--

- The VSC appears to have made a major dent in their FY12 cap backlog. Pending over two months decreased by a little over 3.5K since two weeks ago.
- All cap cases have been distributed to officers at both centers. The CSC's cap exempt petitions remain at about a little over 90 days out.

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 10:07 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M
**Subject:** RE: H-1B Cap Processing Summary 3-19-12

Thank you Shelly. CSC and VSC are on target for the H1B Cap cases. Wonderful.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 20, 2012 8:12 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 3-19-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC has distributed all FY12 cap cases to officers (cap closed on 11/22).
- Cap cases were all distributed two weeks ago. They continue to work through the remaining cases.
- Currently:
  - 4,275 pending cap cases over 2 month processing goal (**956** untouched including those cases with an officer)
  - 4,275 total pending cap cases (**956** untouched including those cases with an officer)
- Two Weeks ago:
  - 5,531 pending cap cases over 2 month processing goal (2,806 untouched including those cases with an officer)
  - 5,532 total pending cap cases (2,807 untouched including those cases with an officer)

CSC

- CSC has distributed all FY12 cap cases (both regular and master's) to officers. There are **only 20 untouched cap cases**. They intend to have those taken care of by the **end of today**. They are distributing cap exempt petitions with a receipt date of **1/15**. They anticipate being **within the two-month processing goal** for cap exempt cases at the **end of this week**.
- Two weeks ago, the CSC had already distributed all regular and master's cap cases and were distributing cap exempt petitions filed on 11/29.
- Currently:
  - 3,292 pending cap cases over 2 month processing goal (152 untouched, 627 with an officer)
  - 3,518 total pending cap cases (330 untouched, 636 with an officer)
- Two weeks ago:
  - 4,164 pending cap cases over 2 month processing goal (1,718 untouched, 1,004 with an officer)
  - 4,351 total pending cap cases (1,718 untouched, 1,006 with an officer)

**ANALYSIS**--

- Based on recent production, both centers are on target to touch all FY12 cases before the end of March.

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Friday, April 22, 2011 10:18 AM
**To:** Cummings, Kevin J; Richardson, Gregory A; Tamanaha, Emisa T; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E
**Subject:** RE: H-1B Cap Season Petitions Received

We do the numbers on Monday.
Thanks,
Claudia

---

**From:** Cummings, Kevin J
**Sent:** Friday, April 22, 2011 10:59 AM
**To:** Richardson, Gregory A; Tamanaha, Emisa T; Young, Claudia F; Sweeney, Shelly A; Fitzsimmons, James; McConnell, James E
**Subject:** H-1B Cap Season Petitions Received

**Hello SCOPS:**

**Do we have updated H-1B receipt numbers compiled yet through this week? Thanks.**

**--Kevin**

# FY 2012 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 7,100 | 4/15/2011 |
| H-1B Master's Exemption | 20,000 | 5,100 | 4/15/2011 |

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Monday, October 17, 2011 9:45 AM
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** RE: H-1B cap update

Shelly should return tomorrow and will work with OCOMM.

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 10:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | 19,600 | 10/14/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, August 22, 2011 2:27 PM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update

Thanks, Jim!

P.S. I definitely don't know what we'd do without you! The sheer volume of numbers below makes my head spin.

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 2:50 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B cap update

Shelly,
Since you asked and I know you enjoy numbers, I will share with you the following table that shows 20K cap being reached on November 10 and regular cap on February 19.
Jim

| Date | FY 2012 20k | 30-days Receipts 20K | FY 2012 65k | 30-days Receipts 65K | FY 2012 85k | 30-days Receipts 85K | Caps Left Under 21K | Days Left | 20K Cap Reached | C Unc |
|---|---|---|---|---|---|---|---|---|---|---|
| 6/20/11 | 10,841 | 2,361 | 16,478 | 4,130 | 27,319 | 6,491 | 10,159 | 129 | 10/27/11 | |
| 6/21/11 | 10,953 | 2,473 | 16,694 | 4,346 | 27,647 | 6,819 | 10,047 | 122 | 10/20/11 | |
| 6/23/11 | 11,201 | 2,624 | 17,167 | 4,673 | 28,368 | 7,297 | 9,799 | 112 | 10/13/11 | |
| 6/24/11 | 11,338 | 2,621 | 17,389 | 4,640 | 28,727 | 7,261 | 9,662 | 111 | 10/12/11 | |
| 6/27/11 | 11,408 | 2,289 | 17,602 | 4,232 | 29,010 | 6,521 | 9,592 | 126 | 10/30/11 | |
| 7/1/11 | 11,878 | 2,561 | 18,436 | 4,816 | 30,314 | 7,377 | 9,122 | 107 | 10/15/11 | |
| 7/12/11 | 12,511 | 2,260 | 19,742 | 4,496 | 32,253 | 6,756 | 8,489 | 113 | 11/1/11 | |
| 7/13/11 | 12,615 | 2,364 | 19,942 | 4,696 | 32,557 | 7,060 | 8,385 | 106 | 10/27/11 | |
| 7/15/11 | 12,846 | 2,473 | 20,494 | 5,006 | 33,340 | 7,479 | 8,154 | 99 | 10/21/11 | |
| 7/18/11 | 12,925 | 2,164 | 20,723 | 4,405 | 33,648 | 6,569 | 8,075 | 112 | 11/6/11 | |
| 7/19/11 | 13,005 | 2,164 | 20,910 | 4,432 | 33,915 | 6,596 | 7,995 | 111 | 11/6/11 | |
| 7/20/11 | 13,069 | 2,228 | 21,138 | 4,660 | 34,207 | 6,888 | 7,931 | 107 | 11/3/11 | |
| 7/21/11 | 13,164 | 2,211 | 21,361 | 4,667 | 34,525 | 6,878 | 7,836 | 106 | 11/4/11 | |
| 7/24/11 | 13,285 | 1,947 | 21,632 | 4,243 | 34,917 | 6,190 | 7,715 | 119 | 11/19/11 | |
| 7/26/11 | 13,495 | 2,087 | 22,056 | 4,454 | 35,551 | 6,541 | 7,505 | 108 | 11/10/11 | |
| 7/27/11 | 13,532 | 2,124 | 22,139 | 4,537 | 35,671 | 6,661 | 7,468 | 105 | 11/9/11 | |
| 7/31/11 | 13,768 | 1,890 | 22,682 | 4,246 | 36,450 | 6,136 | 7,232 | 115 | 11/22/11 | |
| 8/2/11 | 13,945 | 2,067 | 23,035 | 4,599 | 36,980 | 6,666 | 7,055 | 102 | 11/12/11 | |
| 8/3/11 | 14,020 | 2,020 | 23,268 | 4,641 | 37,288 | 6,661 | 6,980 | 104 | 11/14/11 | |
| 8/4/11 | 14,117 | 2,117 | 23,483 | 4,856 | 37,600 | 6,973 | 6,883 | 98 | 11/9/11 | |
| 8/14/11 | 14,698 | 1,852 | 25,277 | 4,783 | 39,975 | 6,635 | 6,302 | 102 | 11/24/11 | |
| 8/15/11 | 14,788 | 1,942 | 25,560 | 5,066 | 40,348 | 7,008 | 6,212 | 96 | 11/18/11 | |
| 8/16/11 | 14,882 | 2,036 | 25,972 | 5,478 | 40,854 | 7,514 | 6,118 | 90 | 11/14/11 | |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 8/17/11 | **14,965** | **2,040** | **26,462** | **5,739** | **41,427** | **7,779** | 6,035 | 89 | 11/13/11 |
| 8/18/11 | **15,048** | **2,123** | **26,727** | **6,004** | **41,775** | **8,127** | 5,952 | 84 | **11/10/11** |

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**From:** Sweeney, Shelly A
**Sent:** Monday, August 22, 2011 2:41 PM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update

What's your prediction for the cap closing? Are we gonna have two caps open at the same time?

---

**From:** Fitzsimmons, James
**Sent:** Monday, August 22, 2011 2:29 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 26,700 | 8/18/2011 |
| H-1B Master's Exemption | 20,000 | 15,000 | 8/18/2011 |

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, June 20, 2011 8:09 AM
**To:** Lauver, Tinnina M
**Cc:** Sweeney, Shelly A
**Subject:** RE: H-1B cap update

She is. That would be great!
Thanks!

---

**From:** Lauver, Tinnina M
**Sent:** Monday, June 20, 2011 8:42 AM
**To:** Young, Claudia F
**Cc:** Sweeney, Shelly A
**Subject:** FW: H-1B cap update

Is Shelly out today? If so, I can forward…

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] (b)(6) ✉: Tinnina.Lauver@dhs.gov

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**From:** Fitzsimmons, James
**Sent:** Monday, June 20, 2011 8:35 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, May 23, 2011 7:26 AM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Cc:** Tamanaha, Emisa T
**Subject:** RE: H-1B cap update

Go for it! Also, do we need to think about switching to bi-weekly updates? Just something to think about.

---

**From:** Lauver, Tinnina M
**Sent:** Monday, May 23, 2011 8:24 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Tamanaha, Emisa T
**Subject:** FW: H-1B cap update

Claudia,

I can send to USCIS Web Publishing if you would like. I believe Shelly is out today. I have what was sent last week…I can simply update and send☺

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

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**From:** Fitzsimmons, James (b)(6)
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

### *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 10, 2011 7:07 AM
**To:** Fitzsimmons, James
**Cc:** Young, Claudia F
**Subject:** RE: H-1B cap update

Jim,

You can remove Mack Bolog from the mailing list. Her detail at HQ has ended. You can also take Shannon off as she is no longer the backup for H-1Bs. Starting next Monday, can you include Tina Lauver?

Thanks!

Shelly

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**From:** Fitzsimmons, James
**Sent:** Monday, May 09, 2011 10:57 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

# Documents received from Shelly Sweeney

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Thursday, November 03, 2011 2:26 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B cap update

k

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**From:** Sweeney, Shelly A
**Sent:** Thursday, November 03, 2011 3:25 PM
**To:** Luna, Corinna A.
**Cc:** Lauver, Tinnina M
**Subject:** FW: H-1B cap update

Corinna,

I will send the webpage update to OCOMM tomorrow and request posting on Monday. We have maintained our regular updating schedule in the past when Jim gave updates ahead of time because he was going on vacation. This was done to prevent giving stakeholders who are monitoring the webpage the erroneous impression that we have started updating the numbers more than once a week.

Thanks!

Shelly

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**From:** Fitzsimmons, James
**Sent:** Thursday, November 03, 2011 12:47 PM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Thursday, January 12, 2012 11:24 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Processing Summary

Excellent job Shelly.

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 12, 2012 12:17 PM
**To:** Luna, Corinna A.
**Subject:** H-1B Processing Summary

Corinna,

As we discussed here is a summary of H-1B processing at the centers. Please note that we track processing information on a biweekly basis for the cap cases and a monthly basis for the EOS cases:

**CAP PROCESSING**--

VSC

- VSC is working cap cases received on **8/25**.
- Two weeks ago, they were working 8/16.
- Currently:
  - 9,775 pending cap cases over 2 month processing goal (8,049 untouched including those cases with an officer)
  - 15,036 total pending cap cases (12,683 untouched including those cases with an officer)
- Two weeks ago:
  - 8,933 pending over 2 months processing goal (7,298 untouched including those cases with an officer).
  - 16,217 total pending cap cases (13,562 untouched including those cases with an officer)

CSC

- CSC is working regular cap cases received on **9/26**, master's received on **10/4** and exempt cases that were received on **9/27**.
- Two weeks ago, they were working regulars from 9/20, master's from 9/28 and exempt from 9/22.
- Currently:
  - 5,533 pending cap cases over 2 month processing goal (3,581 untouched, 660 with an officer)
  - 9,666 total pending cap cases (7,626 untouched, 686 with an officer)
- Two weeks ago:
  - 4,672 pending over 2 months processing goal (2,673 untouched, 694 with an officer).
  - 10,150 total pending cap cases (8,078 untouched, 713 with an officer)

**EOS PROCESSING**--

VSC

- VSC is working EOS cases received on **8/25**.
- One month ago, they were working 8/3.
- Currently:

- 9,811 pending EOS cases over 2 month processing goal (8,340 untouched including those cases with an officer)
- 15,126 total pending EOS cases (13,155 untouched including those cases with an officer)

- One month ago:
  - 10,945 pending over 2 months processing goal (9,458 untouched including those cases with an officer).
  - 16,577 total pending EOS cases (14,493 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **10/8**.
- One month ago, they were working 9/16.
- Currently:
  - 5,290 pending EOS cases over 2 month processing goal (3,611 untouched, 1,079 with an officer)
  - 9,993 total pending EOS cases (8,242 untouched, 1,083 with an officer)
- One month ago:
  - 4,677 pending over 2 months processing goal (3,100 untouched, 805 with an officer).
  - 9,662 total pending cap cases (7,962 untouched, 822 with an officer)

**ANALYSIS**--

- Potential contributing factors:
  - Last month (and more specifically, the last two weeks) included two holidays and high leave usage at both centers.
  - There was a spike in cap filings right before the cap closed in November. Once we push through that spike we will be in good shape.
  - There was likely a spike in EOS filings in the months of August, September and/or October since many beneficiaries who received an FY09 cap number (the last time we hit the cap right away in April) would need their employers to file an extension before October 1, 2011 since their status would be set to expire around that time
  - Premiums filings and upgrades were relatively high in 2011 and continue to come in.
- While the CSC appears to be in better shape than the VSC currently re: processing times, the CSC appears to be falling further behind while the VSC has been making further strides in reducing their processing times.
- The CSC was within two months through much of the summer (while VSC was not). However, CSC was using officers from other units with excess capacity (Ls, Os, Ps). Excess capacity is no longer there as processing times in those categories (which are mandated by statute or regs) fell behind.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Young, Claudia F
**Sent:** Monday, June 20, 2011 6:22 AM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Subject:** Re: H-1B Report CSC

You are way to productive this early in the morning!!!! Shelly will do the reports, so don't worry about them. I am going to send out a message today about when they are due.

Claudia

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**From**: Lauver, Tinnina M
**Sent**: Monday, June 20, 2011 07:18 AM
**To**: Sweeney, Shelly A; Young, Claudia F
**Subject**: FW: H-1B Report CSC

Did we happen to get VSC's report? Did we send a message indicating when the reports are due to HQ?

Thanks for your help!!!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov
(b)(6)

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**From:** Fierro, Joseph
**Sent:** Friday, June 17, 2011 12:24 PM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Canney, Keith J; Louis, Jennifer E; Melville, Rosemary
**Subject:** H-1B Report CSC

Tina/Shelly,

CSC is distributing at the following dates:

Regular CAP – 5/4
Master CAP – 5/4
CAP Exempt – 4/20
EOS – 5/1

Pending and Production:

| CSC I-129 H1Bs Pending with NFTS location as of 06/13/2011<br>Data Source: C3 | | | |
|---|---|---|---|
| | Status | Counts filed before 04/13/2011 | Everything filed up today |

| CSC I-129 H1Bs (0<br>Data S | | |
|---|---|---|
| Div I | I-129 H1B | |
| | I-129 H1B EOS | |

| | | | | |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 1 | 1 |
| | | At CFDO | 20 | 24 |
| | | In File Room/Jit Shelf | 33 | 3,393 |
| | | On RFE Shelf/Rule 103 | 605 | 795 |
| | | Other Location | 64 | 107 |
| | | W/Clerical/Incl Resubmits | 91 | 234 |
| | | W/Officer/Incl Resubmits | 564 | 913 |
| | EOS | At BCU | 8 | 13 |
| | | At CFDO | 16 | 20 |
| | | In File Room/Jit Shelf | 34 | 9,096 |
| | | On RFE Shelf/Rule 103 | 348 | 356 |
| | | Other Location | 45 | 98 |
| | | W/Clerical/Incl Resubmits | 129 | 486 |
| | | W/Officer/Incl Resubmits | 562 | 1,418 |
| **Total:** | | | **2,520** | **16,954** |

**Notes:**

**- Resubmits are cases that have already been RFEd.**

| | | |
|---|---|---|
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div II | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div V | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| Div VI | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, May 27, 2011 11:57 AM
**To:** Lauver, Tinnina M; Young, Claudia F
**Subject:** RE: H-1B reporting

We generally consolidate certain information from these reports from each of the centers for onward transmission to Barbara, Greg, and Bobbie.

Claudia, can we talk about this a little on Tuesday? I want to get a little more info on how we've been reporting recently as I don't know if there were any format changes to the report while Mark and Mack were consolidating.

---

**From:** Lauver, Tinnina M
**Sent:** Friday, May 27, 2011 12:52 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: H-1B reporting

Am I suppose to do anything special with these reports from the VSC and CSC?

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ (b)(6) ✉: Tinnina.Lauver@dhs.gov

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**From:** Canney, Keith J
**Sent:** Friday, May 27, 2011 12:10 PM
**To:** Sweeney, Shelly A; Young, Claudia F; Lauver, Tinnina M
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; FitzGerald, Karen L
**Subject:** RE: H-1B reporting

SCOPS –

Here is our revised report on cap cases. The date that we are currently distributing to officers is April 13, 2011. Let me know if this new reporting format meets your needs.

Keith

| VSC I129 H1B Pending as of 5/23/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 3/24/11** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 0 | 5544 |
| | Response Received | 0 | 70 |
| | RFE/Intent Sent | 0 | 698 |
| | Transfers In | 0 | 206 |
| | Total CAP12 Pending | 0 | 6518 |

| FY11 CAP<br><br>Apr-1-2010 to Mar-30-2011 | Initial Receipts | 93 | 93 |
|---|---|---|---|
| | Response Received | 635 | 635 |
| | RFE/Intent Sent | 596 | 596 |
| | Transfers In | 2 | 2 |
| | Total CAP11 Pending | 1327 | 1327 |

| VSC H1B ACTIONS (05-15-11 to 05-21-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 468 | 3 | 116 | 587 |
| CAP PP FY12 | 265 | 6 | 67 | 338 |
| CAP FY11 | 90 | 51 | 6 | 147 |
| CAP PP FY11 | 10 | 20 | 0 | 30 |

---

**From:** Young, Claudia F [mailto:cfyoung1@fins3.dhs.gov]
**Sent:** Friday, April 29, 2011 1:25 PM
**To:** Canney, Keith J; Fierro, Joseph; Louis, Jennifer E; FitzGerald, Karen L
**Cc:** Richardson, Gregory A; Sweeney, Shelly A; Lauver, Tinnina M
**Subject:** H-1B reporting

Keith and Joe—

Thank you for your hard work in ensuring that VSC and CSC are current on H-1B cap and EOS cases. Now that numbers are current, SCOPS would like to reduce the frequency of the Centers' H-1B reporting to SCOPS, keeping in mind that if we fall behind in processing times, then SCOPS may ask you to report more often.

- For H-1B EOS cases, please send a monthly report by the 10th of each month.
- For H-1B Cap cases, please send a bi-weekly report by the Friday in the middle of the pay period.

The reports can be sent to me, Shelly Sweeney and Tinnina Lauver.

As for the data to include in the reports, please continue to provide the information you have been giving us. In addition, for cases that are outside the 60-day processing time, could VSC also include the number of cases that have been issued an RFE/NOID?

Please let me know if you have any questions. Thanks and have a great weekend.

Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
[redacted]
(b)(6)

**From:** Canney, Keith J
**Sent:** Thursday, April 28, 2011 7:19 AM
**To:** Bolog, Marguerite M
**Cc:** Harton, Frank A; Fierro, Joseph
**Subject:** RE: VSC H-1B report

Mack/Frank –

As we are now accounting for a new fiscal years' worth of cap cases, let me know what information SCOPS finds useful from the reports below, and if there are any changes that you need as we start reporting/accounting for FY12 H-1B cases. It would also be good to know if this reports need to continue now that we are so current with H-1B's.

If SCOPS is primarily concerned with the high level pending numbers, is it possible to have SCOPS (i.e. Jim Fitzsimmons) run these numbers when needed and rely on the Centers to report distribution dates? Just trying to streamline/minimize the reporting of data (if possible) since there are so many different reports issued by the Centers on a regular basis.

Lastly, if these reports are to continue, please let me know of there are any modifications that need to be made to the list of recipients. Not sure if Claudia wants to be copied, Frank wants to be removed, others added/removed, etc...

Keith

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Tuesday, May 31, 2011 8:03 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Tamanaha, Emisa T
**Subject:** RE: H-1B reporting
**Attachments:** H-1B Report CSC

This is what I was able to compile based upon what both centers submitted:

| CSC/VSC FY12 H1B CAP Completed Actions (5-15-11 to 5-21-11) | | | | |
|---|---|---|---|---|
| | Approved | Denied | RFE | Total |
| **I-129 H1B** | | | | |
| CSC | 790 | 82 | 221 | 1093 |
| VSC | 468 | 3 | 116 | 587 |
| **Total** | **1258** | **85** | **337** | **1680** |
| | | | | |
| **I-129 PP H1B** | | | | |
| CSC | 601 | 20 | 141 | 762 |
| VSC | 265 | 6 | 67 | 338 |
| **Total** | **866** | **26** | **208** | **1100** |

Unfortunately, the CSC and VSC submitted different types of reports in regards pending FY12 CAP cases. That is, CSC provided NFTS locations; whereas, the VSC provided initial receipts, response received, etc. I am unable to convert one of the center's chart into the other based upon the information provided. Therefore, what type of format do we want to provide to SCOPS management? Something like this???

| CSC/VSC FY12 H1B CAP Pending Cases as of 5/23/11 | | | | | |
|---|---|---|---|---|---|
| | Initial Receipts | RFE/NOID Issued | Response to RFE/NOID Received | Other | Total |
| **I-129 H1B** | | | | | |
| **CSC** | | | | | |
| Filed before 3/23/11 | | | | | |
| Pending as of 5/23/11 | | | | | |
| **VSC** | | | | | |
| Filed before 3/23/11 | | | | | |
| Pending as of 5/23/11 | | | | | |
| **Total FY12 Cap Pending** | | | | | |

Thanks.

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] | ✉: Tinnina.Lauver@dhs.gov

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, May 27, 2011 9:56 AM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Cc:** Young, Claudia F; Canney, Keith J; Louis, Jennifer E; Melville, Rosemary
**Subject:** H-1B Report CSC

Tinnina/Shelly,

CSC is distributing at the following dates:

Regular CAP - 4/28
Master CAP – 4/23
CAP Exempt – 4/8
EOS – 4/15

Pending and Production:

| CSC I-129 H1Bs Pending with NFTS location as of 05/23/2011 Data Source: C3 | | | | |
|---|---|---|---|---|
| | | Status | Counts filed before 03/23/2011 | Everything filed up to 5/23 |
| H-1Bs | Initials | At BCU | 2 | 3 |
| | | At CFDO | 29 | 41 |
| | | In File Room/Jit Shelf | 26 | 2,879 |
| | | On RFE Shelf/Rule 103 | 159 | 677 |
| | | Other Location | 34 | 217 |
| | | W/Clerical/Incl Resubmits | 20 | 201 |
| | | W/Officer/Incl Resubmits | 544 | 960 |
| | EOS | At BCU | 7 | 12 |
| | | At CFDO | 16 | 26 |
| | | In File Room/Jit Shelf | 31 | 8,269 |
| | | On RFE Shelf/Rule 103 | 265 | 289 |
| | | Other Location | 102 | 427 |
| | | W/Clerical/Incl Resubmits | 55 | 345 |
| | | W/Officer/Incl Resubmits | 479 | 1,183 |
| **Total:** | | | **1,769** | **15,529** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**

| CSC I-129 H1Bs ( Data | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| **Grand Total:** | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 07, 2011 7:21 AM
**To:** Lauver, Tinnina M; Young, Claudia F
**Subject:** RE: IBMI Response With Third Party Validation

I usually sent with a cc to the branch chief, but that was pre-Claudia. I'll defer to her on this one.

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, June 07, 2011 8:07 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** RE: IBMI Response With Third Party Validation

Got it...so the latest report is below with the attached spreadsheet. I am not sure if this has already been submitted to Greg, Barbara and Bobbie. If not should I send or is this something that should be sent from Claudia??

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**
The CSC reported that they are distributing cases based upon the following receipt dates:
Regular FY 12 CAP = 4/28/2011
Master FY12 CAP = 4/23/2011
CAP Exempt = 4/08/2011
EOS = 4/15/2011

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. *The CSC reported a total of 1,855 completed actions during the time period.*

**VSC:**
The VSC indicated that they are distributing cases based upon the following receipt dates:
FY12 CAP = 4/13/2011
EOS = 4/18/2011

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 321 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6 cases and issued an RFE on 67 cases. *The VSC reported a total of 925 completed actions during the time period.*

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov



(b)(6)

| Processing Dates & #s >60 days | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| CSC | Reg. cap | Master's cap | Cap exempt | | EOS | EOS >60 days | Initial >60 days | | RFE on EOS >60 days | RFE on Initial >60 days |
| 1/18/11 | 11/16/10 | 11/15/10 | 11/21/10 | | 12/15/10 | 3,942 | 4,468 | | 1,184 | 1,834 |
| 1/24/11 | 11/22/10 | 11/22/10 | 11/22/10 | | 1/1/11 | 3,345 | 4,279 | | 1,145 | 1,719 |
| 1/31/11 | 12/5/10 | 12/5/10 | 12/5/10 | | 1/1/11 | 2,520 | 3,840 | | 3,840 | 1,811 |
| 2/7/11 | 12/14/10 | 12/14/10 | 12/15/10 | | 1/5/11 | 2,017 | 3,511 | | 996 | 1,849 |
| 2/14/11 | 12/22/10 | 12/19/10 | 12/18/10 | | 1/11/11 | 1,183 | 2,129 | | 467 | 700 |
| 2/22/11 | 1/1/11 | 1/3/11 | 1/2/11 | | 1/14/11 | 847 | 1,507 | | 460 | 899 |
| 2/28/11 | 1/14/11 | Current | 1/17/11 | | 1/24/11 | 697 | 1,672 | | 390 | 1,183 |
| 3/7/11 | Current | Current | 1/26/11 | | 2/1/11 | 667 | 1,732 | | 339 | 1,218 |
| 3/14/11 | Current | Current | 1/26/11 | | 2/14/11 | 573 | 1,619 | | 291 | 1,225 |
| 3/21/11 | Current | Current | 1/28/11 | | 2/28/11 | 562 | 1,649 | | 274 | 1,172 |
| 3/28/11 | Current | Current | 2/6/11 | | 3/3/11 | 647 | 1,702 | | 264 | 1,064 |
| 4/4/11 | Current | Current | 2/6/11 | | 3/12/11 | 608 | 1,574 | | 243 | 982 |
| 4/11/11 | Current | Current | 2/18/11 | | 3/18/11 | 615 | 1,397 | | 234 | 696 |
| 4/18/11 | Current | Current | 2/18/11 | | 3/21/11 | 632 | 1,163 | | 306 | 578 |
| 4/25/11 | 4/12/11 (FY12) | 4/11/11 (FY12) | 2/22/11 | | 3/22/11 | 758 | 1,083 | | 302 | 393 |
| 5/23/11 | 4/28/11 (FY12) | 4/23/11 (FY12) | 4//8/11 | | 4/15/11 | 955 | 814 | | 534 | 564 |

| Processing Dates & #s >60 days | | | | | | | |
|---|---|---|---|---|---|---|---|
| VSC | Reg. cap | | | | EOS | EOS >60 Days | Cap >60 Days |
| 1/18/11 | 11/3/10 | | | | 9/22/10 | 9,134 | 1,857 |
| 1/24/11 | 11/22/10 | | | | 9/30/10 | 8,553 | 2,137 |
| 1/31/11 | 12/1/10 | | | | 10/19/10 | 7,132 | 1,952 |
| 2/7/11 | 12/20/10 | | | | 11/10/10 | 6,448 | 2,276 |
| 2/14/11 | 12/30/10 | | | | 11/29/10 | 5,678 | 1,769 |
| 2/21/11 | 12/30/10 | | | | 11/29/10 | 5,368 | 1,791 |
| 2/28/11 | 12/30/10 | | | | 12/7/10 | 4,883 | 1,740 |
| 3/7/11 | 1/3/11 | | | | 12/21/10 | 4,063 | 1,651 |
| 3/14/11 | 1/6/11 | | | | 2/7/11 | 3,443 | 1,783 |
| 3/21/11 | 1/6/11 | | | | 1/13/11 | 2,796 | 1,985 |
| 3/28/11 | Current | | | | 1/28/11 | 2,233 | 2,165 |
| 4/4/11 | Current | | | | 3/5/11 | 1,494 | 1,256 |
| 4/11/11 | Current | | | | 3/22/11 | 560 | 607 |
| 4/18/11 | Current | | | | 4/1/11 | 511 | 418 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 4/25/11 | 4/1/11 (FY12) | | | | 4/14/11 | 428 | 359 |
| 5/23/11 | 4/13/11 (FY12) | | | | 4/18/11 | 321 (repored as of 5/16/11) | 0 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| CSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | | Approvals (PP) | Denials (PP) | RFEs (PP) | | Total Actions |
| 1/9/11 - 1/15/11 | 2,235 | 181 | 235 | | 1,347 | 95 | 295 | | 4,388 |
| 1/16/11 - 1/22/11 | 1,596 | 119 | 217 | | 1,222 | 83 | 291 | | 3,528 |
| 1/23/11 - 1/29/11 | 2,193 | 153 | 490 | | 1,192 | 101 | 273 | | 4,402 |
| 1/30/11 - 2/5/11 | 1,762 | 231 | 487 | | 1,109 | 89 | 266 | | 3,944 |
| 2/6/11 - 2/12/11 | 1,093 | 170 | 365 | | 867 | 74 | 149 | | 2,718 |
| 2/13/11 - 2/19/11 | 1,047 | 130 | 326 | | 896 | 59 | 148 | | 2,606 |
| 2/20/11 - 2/26/11 | 996 | 68 | 312 | | 788 | 81 | 141 | | 2,386 |
| 2/27/11 - 3/5/11 | 1,111 | 108 | 304 | | 707 | 84 | 171 | | 2,485 |
| 3/6/11 - 3/12/11 | 1,145 | 78 | 356 | | 862 | 71 | 146 | | 2,658 |
| 3/13/11 - 3/19/11 | 1,291 | 123 | 223 | | 740 | 65 | 126 | | 2,568 |
| 3/20/11 - 3/26/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 3/27/11 - 4/2/11 | 1,228 | 113 | 246 | | 830 | 60 | 183 | | 2,660 |
| 4/3/11 - 4/9/11 | 935 | 138 | 185 | | 945 | 45 | 148 | | 2,396 |
| 4/10/11 - 4/16/11 | 289 | 99 | 70 | | 1,997 | 50 | 337 | | 2,842 |
| 4/17/11 - 4/23/11 | 937 | 86 | 118 | | 1,084 | 49 | 200 | | 2,474 |
| 5/15/11 - 5/21/11 | 790 | 82 | 221 | | 601 | 20 | 141 | | 1,855 |

| Total #s | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| VSC | Approvals (non-PP) | Denials (non-PP) | RFEs (non-PP) | Relocates (non-PP) | Approvals (PP) | Denials (PP) | RFEs (PP) | Relocates (PP) | Total Actions |
| 1/9/11 - 1/15/11 | 1,399 | 165 | 289 | | 1,546 | 105 | 244 | | 3,748 |
| 1/17/11 - 1/22/11 | 1,281 | 136 | 276 | | 1,103 | 76 | 293 | | 3,165 |
| 1/23/11 - 1/29/11 | 1,602 | 317 | 835 | | 1,384 | 208 | 309 | | 4,655 |
| 1/30/11 - 2/5/11 | 1,324 | 148 | 303 | | 1,297 | 104 | 482 | | 3,658 |
| 2/6/11 - 2/12/11 | 1,598 | 187 | 341 | | 783 | 92 | 176 | | 3,177 |
| 2/13/11 - 2/19/11 | 1,216 | 185 | 590 | | 887 | 119 | 352 | | 3,349 |
| 2/20/11 - 2/26/11 | 814 | 81 | 218 | | 846 | 77 | 225 | | 2,261 |
| 2/27/11 - 3/5/11 | 1,320 | 173 | 390 | 2 | 862 | 143 | 214 | | 3,104 |
| 3/6/11 - 3/12/11 | 1,200 | 149 | 350 | | 825 | 107 | 179 | | 2,810 |
| 3/13/11 - 3/19/11 | 1,291 | 164 | 418 | | 792 | 116 | 186 | | 2,967 |
| 3/20/11 - 3/26/11 | 1,295 | 151 | 417 | | 748 | 106 | 150 | | 2,867 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 3/27/11 - 4/2/11 | 2,050 | 162 | 539 | | 907 | 122 | 131 | | 3,911 |
| 4/3/11 - 4/9/11 | 2,131 | 157 | 749 | 6 | 787 | 88 | 145 | 1 | 4,064 |
| 4/10/11 - 4/16/11 | 1,159 | 129 | 369 | 36 | 835 | 106 | 186 | | 2,820 |
| 4/17/11 - 4/23/11 | 1,571 | 224 | 473 | | 686 | 141 | 133 | | 3,228 |
| 5/15/11 - 5/21/11 | 468 | 3 | 116 | | 265 | 6 | 67 | | 925 |

| Total Pending as of Date |
|---|
| 15,496 |
| 14,583 |
| 13,294 |
| 11,993 |
| 9,186 |
| 8,671 |
| 7,931 |
| 7,781 |
| 7,314 |
| 7,319 |
| 7,722 |
| 7,538 |
| 9,843 |
| 12,167 |
| 12,852 |
| 15,529 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, June 03, 2011 8:29 AM
**To:** Lauver, Tinnina M; Young, Claudia F
**Subject:** RE: Sample Cap Report

Looks good to me.

---

**From:** Lauver, Tinnina M
**Sent:** Wednesday, June 01, 2011 9:45 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Tamanaha, Emisa T
**Subject:** FW: Sample Cap Report

Yep, it is me again. Sorry. I have updated the report Mack attached to her last update. So, the report to Greg, Barbara and Bobbie will be as follows with the attached. Please let me know if you concur or see any glaring errors……thanks☺

---

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**

The CSC reported that they are distributing cases based upon the following receipt dates:
Regular FY 12 CAP = 4/28/2011
Master FY12 CAP = 4/23/2011
CAP Exempt = 4/08/2011
EOS = 4/15/2011

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. *The CSC reported a total of 1,855 completed actions during the time period.*

**VSC:**

The VSC indicated that they are distributing cases based upon the following receipt dates:
FY12 CAP = 4/13/2011
EOS = 4/18/2011

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 321 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6 cases and issued an RFE on 67 cases. *The VSC reported a total of 925 completed actions during the time period.*

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

---

**From:** Lauver, Tinnina M
**Sent:** Wednesday, June 01, 2011 7:35 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Tamanaha, Emisa T
**Subject:** FW: Sample Cap Report

I received the following from Mack. She indicated that she submitted the report in text format. Therefore, based upon the data reported by each center, the updated report can be found below. Please let me know what you think or if you would like me to change the format....

---

Below please find a summary of the May 23, 2001 H1B Cap Reports from the CSC and VSC:

**CSC:**

The CSC reported that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| Regular FY 12 CAP | 4/28/2011 |
| Master FY12 CAP | 4/23/2011 |
| CAP Exempt | 4/08/2011 |
| EOS | 4/15/2011 |

As of 5/23/2011, the CSC had 814 initial H1B petitions pending outside the 60 day processing goal. 564 of the 814 cases have had an RFE/NOID issued and are awaiting a response or awaiting final adjudication. In addition, the CSC reported that as of 5/23/2011, they had 955 H1B EOS cases outside the 60 day processing goal, of which 534 cases have had an RFE/NOID already issued.

From 5/15/2011 to 5/21/2011, the CSC approved 790 non-premium FY12 CAP cases, denied 82 and issued an RFE on 221 cases. For premium FY12 CAP cases, CSC approved 601 cases, denied 20 cases and issued an RFE on 141 cases. The CSC reported a total of 1, 855 completed actions during the time period.

**VSC:**

The VSC indicated that they are distributing cases based upon the following receipt dates:

| | |
|---|---|
| FY12 Cap | 4/13/2011 |
| EOS | 4/18/2011 |

As of 5/23/2011, the VSC did not have any initial H1B petitions pending outside the 60 day processing goal. The VSC also reported that as of 5/16/2011, they had 321 H1B EOS cases that are outside the processing goal.

From 5/15/2011 to 5/21/2011, the VSC approved 468 non-premium FY12 CAP cases, denied 3 and issued an RFE on 116 cases. For premium FY12 CAP cases, VSC approved 265 cases, denied 6 cases and issued an RFE on 67 cases. The VSC reported a total of 925 completed actions during the time period.

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov



(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 29, 2011 2:20 PM
**To:** Luna, Corinna A.
**Subject:** RE: VSC cap case report

Yep.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 29, 2011 3:00 PM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC cap case report

VSC has 17,192 cap cases pending? 6,010 are over 60 days old?

---

**From:** Canney, Keith J
**Sent:** Monday, November 28, 2011 3:18 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC cap case report

Shelly –

We are currently distributing H-1B cap cases received on 7/20. With the overtime SCOPS has made available and the expected decrease in PP Cases due to our recently hitting the cap, we expect to make some progress on decreasing the number of cases over 60 days old in the weeks to come.

Keith

| VSC I129 H1B Pending as of 11/28/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 9/29/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 6,019 | 17,192 |
| Apr-1-2011 to | Response Received | 654 | 783 |
| Mar-30-2012 | RFE/Intent Sent | 1,141 | 2,385 |
| | Transfers In* | 157 | 157 |
| | Total CAP12 Pending | 7,971 | 20,517 |
| **FY11 CAP** | Initial Receipts | 46 | 46 |
| Apr-1-2010 to | Response Received | 74 | 74 |
| Mar-30-2011 | RFE/Intent Sent | 9 | 9 |
| | Total CAP11 Pending | 129 | 129 |

| VSC H1B ACTIONS (11-20-11 to 11-26-11) |
|---|

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY12 | 87 | 18 | 53 | 158 |
| CAP PP FY12 | 1,075 | 26 | 315 | 1,416 |
| CAP FY11 | | 39 | | 39 |
| CAP PP FY11 | | 16 | | 16 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 29, 2011 2:21 PM
**To:** Luna, Corinna A.
**Subject:** RE: VSC cap case report

I take that back. Those are pending that are completely untouched. Total pending is 20,517 and total pending over 60 days is 7,971.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 29, 2011 3:20 PM
**To:** Luna, Corinna A.
**Subject:** RE: VSC cap case report

Yep.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 29, 2011 3:00 PM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC cap case report

VSC has 17,192 cap cases pending? 6,010 are over 60 days old?

---

**From:** Canney, Keith J
**Sent:** Monday, November 28, 2011 3:18 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC cap case report

Shelly –

We are currently distributing H-1B cap cases received on 7/20. With the overtime SCOPS has made available and the expected decrease in PP Cases due to our recently hitting the cap, we expect to make some progress on decreasing the number of cases over 60 days old in the weeks to come.

Keith

| VSC I129 H1B Pending as of 11/28/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 9/29/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 6,019 | 17,192 |
| Apr-1-2011 to | Response Received | 654 | 783 |
| Mar-30-2012 | RFE/Intent Sent | 1,141 | 2,385 |
| | Transfers In* | 157 | 157 |
| | Total CAP12 | 7,971 | 20,517 |

| | | | |
|---|---|---|---|
| | Pending | | |
| **FY11 CAP** | Initial Receipts | 46 | 46 |
| Apr-1-2010 to | Response Received | 74 | 74 |
| Mar-30-2011 | RFE/Intent Sent | 9 | 9 |
| | Total CAP11 Pending | 129 | 129 |

| VSC H1B ACTIONS (11-20-11 to 11-26-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 87 | 18 | 53 | 158 |
| CAP PP FY12 | 1,075 | 26 | 315 | 1,416 |
| CAP FY11 | | 39 | | 39 |
| CAP PP FY11 | | 16 | | 16 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, November 23, 2011 11:17 AM
**To:** Luna, Corinna A.
**Subject:** RE: VSC CAP numbers for Tuesday - 954 receipted & 1,779 UNDONE AT COB TUESDAY

I'm reading this to say that the VSC alone received 2,733 H-1B regular and master's cap petitions (both premium and non-premium filings). The contractors have receipted 954 of these cases and haven't yet finished the remaining 1,779. It sounds like we don't know what CSC got yesterday.

---

**From:** Luna, Corinna A.
**Sent:** Wednesday, November 23, 2011 12:06 PM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC CAP numbers for Tuesday - 954 receipted & 1,779 UNDONE AT COB TUESDAY

1762 came in yesterday?

---

**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 12:04 PM
**To:** Fitzsimmons, James; Luna, Corinna A.; Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Young, Claudia F; Cox, Sophia; Roman-Riefkohl, Guillermo
**Subject:** VSC CAP numbers for Tuesday - 954 receipted & 1,779 UNDONE AT COB TUESDAY

Jim

There was a big surge yesterday; the contractor is prioritizing processing all of the undone CAP cases from yesterday. Hopefully they will all be in by tonight. California said they also did not finish last night but I don't have their final numbers. We may have hit the limit yesterday. Will get you CSC numbers when they come in.

Everything today is just being counted and racked.

The contractor did a good job getting this report out before noon today.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 11:52 AM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Tuesday, 11-22-2011.
Regards,

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, March 05, 2012 7:30 AM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: VSC H-1B cap report

Yes it does...there will be no problems meeting this as all cap cases have been distributed to officers. Our cap report will be sent out later today...I'm awaiting an updated report from my folks that perform scrapes.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, February 29, 2012 7:18 AM
**To:** Canney, Keith J
**Cc:** Luna, Corinna A.
**Subject:** RE: VSC H-1B cap report

Thanks for the update, Keith. Does it look like the VSC is on track to touch all of the FY12 cap cases by the end of March?

---

**From:** Canney, Keith J
**Sent:** Friday, February 17, 2012 10:48 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B cap report

Shelly –

VSC is currently distributing FY12 cap cases received on October 31.

Keith

| VSC I129 H1B Pending as of 2/16/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 12/18/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 7,045 | 7,046 |
| Apr-1-2011 to | Response Received | 369 | 369 |
| Mar-30-2012 | RFE/Intent Sent | 1,640 | 1,640 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 9,054 | 9,055 |

| VSC H1B ACTIONS (02-05-12 to 02-11-12) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 680 | 50 | 130 | 860 |
| CAP PP FY12 | 234 | 67 | 48 | 349 |

| | | | | |
|---|---|---|---|---|
| CAP FY11 | 9 | 47 | 1 | 57 |
| CAP PP FY11 | 4 | 64 | | 68 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 06, 2012 7:33 AM
**To:** Luna, Corinna A.
**Subject:** RE: VSC H-1B report

Ok.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 06, 2012 7:56 AM
**To:** Sweeney, Shelly A
**Subject:** FW: VSC H-1B report

Let's discuss briefly after my mgt meeting.

---

**From:** Canney, Keith J
**Sent:** Monday, March 05, 2012 12:51 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly,

VSC has distributed all of its FY12 cap cases to officers, who continue to step up and work the overtime to reduce our backlog. We will now turn our focus to distributing H-1B extensions, while continuing to work the cap RFE's as they come in. We are in line with our cap plan that we had provided to SCOPS.

Keith

| VSC I129 H1B Pending as of 3/5/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 1/5/2012** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 2,806 | 2,807 |
| Apr-1-2011 to | Response Received | 382 | 382 |
| Mar-30-2012 | RFE/Intent Sent | 2,343 | 2,343 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 5,531 | 5,532 |

| VSC H1B ACTIONS (02-26-12 to 03-3-12) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 1,482 | 33 | 647 | 2,162 |
| CAP PP FY12 | 131 | 52 | 38 | 221 |
| CAP FY11 | 6 | 27 | 65 | 98 |
| CAP PP FY11 | 4 | 28 | 32 | 64 |
| EOS FY10&11 | 148 | 94 | 59 | 301 |

| | | | | |
|---|---|---|---|---|
| EOS PP FY10&11 | 764 | 88 | 203 | 1,055 |
| Grand Total | 2,535 | 322 | 1,044 | 3,901 |

Keith

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, February 14, 2012 10:13 AM
**To:** Canney, Keith J; Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: VSC H-1B report

Keith,

Noticed that the VSC has cut down processing times for EOS cases in the last month to about a 4 month processing time. Great job.

---

**From:** Canney, Keith J
**Sent:** Friday, February 10, 2012 10:10 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly –

VSC is currently distributing EOS cases that were received on October 11. We have recently put forth a significant effort to reduce our consular returns that had built up due to our focus on Cap and EOS backlogs for the past many months. We are now concentrating largely on the FY12 cap cases.

Keith

| VSC H1B ACTIONS (01-29-12 to 02-04-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| EOS FY10&11 | 740 | 74 | 177 | 991 |
| EOS PP FY10&11 | 842 | 61 | 141 | 1,044 |
| Grand Total | 1,582 | 135 | 318 | 2,035 |

| VSC I129 H1B Pending as of 2/9/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 12/11/2011 | ALL PEND |
| FY11&12 EOS | Initial Receipts | 5,974 | 10,637 |
| Oct-1-2010 to | Response Received | 293 | 337 |
| Present | RFE/Intent Sent | 1,288 | 1,771 |
| | Transfers In* | 0 | 0 |
| | EOS 11&12 Pending | 7,555 | 12,745 |

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, October 17, 2011 5:37 AM
**To:** Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Bushey, Sandra T; Perkins, Robert M; Howrigan, Tanya L; Young, Claudia F; Fierro, Joseph; Canney, Keith J
**Subject:** RE: VSC H-1B report

Thanks, Mark!

Do you happen to have the H1B FY12 Cap Report?

Thanks!!

*Tinnina (Tina) Lauver*
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎: [redacted] ✉: Tinnina.Lauver@dhs.gov
(b)(6)

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**From:** Sweeney, Mark M
**Sent:** Friday, October 14, 2011 3:04 PM
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.; Bushey, Sandra T; Perkins, Robert M; Howrigan, Tanya L; Sweeney, Mark M; Lauver, Tinnina M; Young, Claudia F; Fierro, Joseph; Canney, Keith J
**Subject:** FW: VSC H-1B report
**Importance:** High

Shelly –

Below you will find this week's H-1B report for EOS cases. We are currently distributing cases received on 7/6. Now that we have worked through the cap gap cases that were received prior to 8/1, we will focus our attention on PP cases as a first priority, and then working non-PP cases in date order. We still continue to see a very high level of PP receipts daily. We are working on a plan to address/reduce H-1B processing times.

It is noted that although we are distributing cases received on 7/6, many cases that were received after 7/6 have been pulled and completed as a result of PP requests and the cap gap initiative.

Lastly, with the arrival of the new fiscal year, overtime is no longer available. This has lead to a decrease in the number of actions. If you compare this email to last weeks, it shows a much greater drop than actual because the Grand Total row included CAP actions and this one only includes the EOS actions where are shown here.

Mark

| VSC I129 H1B Pending as of 10/13/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 8/14/2011** | **ALL PEND** |
| **FY10,11&12 EOS** | Initial Receipts | 7,081 | 14,942 |
| Oct-1-2009 to Present | Response Received | 496 | 581 |
| | RFE/Intent Sent | 957 | 1,670 |

| | | | |
|---|---|---|---|
| | Transfers In* | 29 | 32 |
| | EOS 10&11 Pending | 8,563 | 17,225 |

| VSC H1B ACTIONS (10-2-11 to 10-8-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| EOS FY10&11 | 550 | 82 | 86 | 718 |
| EOS PP FY10&11 | 956 | 74 | 202 | 1235 |
| Grand Total | 1,506 | 156 | 288 | 1,953 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 33 |
| RFE/NOID Issued | 487 |
| RFE/NOID Response Received | 63 |
| Grand Total | 583 |

*24 of remaining untouched are in or were referred to CFDO

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Friday, October 14, 2011 8:15 AM
**To:** Lockerby, Beth A; Canney, Keith J
**Cc:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Thank you Beth.

Corinna

---

**From:** Lockerby, Beth A
**Sent:** Friday, October 14, 2011 9:12 AM
**To:** Luna, Corinna A.; Canney, Keith J
**Cc:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Hello Luna,

I am attaching the response I received from a supervisor in our CFDO. I hope that this will provide you with information you are looking for:

Hi Beth,

Apologies for the delay...yesterday was crazy busy.

Here is what I've got for you: (b)(5) (b)(7)(e)

[redacted]

Please let me know if you have any questions or concerns.

Thanks,
Buddy

**Bernard "Buddy" Schwabe**| Supervisory Immigration Officer | DHS | USCIS | Fraud Detection & National Security (FDNS) | Center Fraud Detection Operations- VT (CFDO-VT) ☎: [redacted] 🖷: 802.527.4837 ✉: Bernard.Schwabe@dhs.gov

(b)(6)

**Beth Lockerby**

**Supervisory Immigration Services Officer**

**USCIS/Vermont Service Center**

[redacted] (b)(6)

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**From:** Luna, Corinna A.
**Sent:** Friday, October 14, 2011 9:01 AM
**To:** Lockerby, Beth A; Canney, Keith J
**Cc:** Luna, Corinna A.; Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Beth,

Can you provide a little more information such as what is the ICE involvement and what you mean by VSC IO Investigation? Is there potential movement in one way or another in any of these from ICE? IO Investigation?

Thank you

*Corinna A. Luna*
*Branch Chief*
*Service Center Operations Directorate*
*Department of Homeland Security/USCIS Headquarters*
*20 Massachusetts Ave., NW*
*Washington DC 20529*

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**From:** Lockerby, Beth A
**Sent:** Friday, October 14, 2011 8:29 AM
**To:** Sweeney, Shelly A; Canney, Keith J
**Cc:** Luna, Corinna A.
**Subject:** RE: VSC H-1B report

Good Morning Shelley,

Our CFDO was able to provide me with some insight into why we are holding these cases. None of the files being held are related to either UNVA or Tri Valley. They are being held for a combination of ICE involvement and VSC IO investigation. If you need any further information or assistance, please do not hesitate to contact me.

Thank you,

**Beth Lockerby**

**Supervisory Immigration Services Officer**

**USCIS/Vermont Service Center**

[redacted] (b)(6)

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 8:36 AM
**To:** Canney, Keith J; Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** RE: VSC H-1B report

Great Job Keith and VSC!

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**From:** Canney, Keith J
**Sent:** Thursday, March 15, 2012 3:47 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** VSC H-1B report

Shelly –

Here is the status of VSC's cap cases. We continue to work through the remaining FY12 initial receipt cap cases.

Keith

| VSC I129 H1B Pending as of 3/15/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 1/15/2012 | ALL PEND |
| FY12 CAP | Initial Receipts | 956 | 956 |
| Apr-1-2011 to | Response Received | 421 | 421 |
| Mar-30-2012 | RFE/Intent Sent | 2,898 | 2,898 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 4,275 | 4,275 |

**From:** Johnson, Bobbie L
**Sent:** Wednesday, October 05, 2011 9:48 AM
**To:** Perkins, Robert M
**Cc:** Young, Claudia F; Sweeney, Shelly A; Luna, Corinna A.
**Subject:** FW: VSC Initial H-1B report

Rob,

Did VSC train and move I-539 folks or individuals from other product lines to H1Bs? If not, is that something that will occur? I know you and I had discussions in the past on training progression, as well as shifting resources to address Ls and H1Bs.

Could you please give us the latest on what the plan is to get caught up on H1Bs? Please keep Claudia copied on any messages related to this, as I will be on leave beginning Friday.

Thanks!

Bobbie

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**From:** Canney, Keith J
**Sent:** Friday, September 30, 2011 10:29 AM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Johnson, Bobbie L; Young, Claudia F; Sweeney, Mark M; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M
**Subject:** VSC Initial H-1B report

Shelly -

Below is the VSC report for cap cases. We are currently distributing cap cases received on June 27. It is noted that premium receipts are still very high, most likely resulting from a combination of the approaching 10/1 start date and our current processing times. As discussed in prior messages, this diverts resources away from the non-PP H-1B cases. Now that we have worked though most all cap gap cases, we expect to be able to start working into our backlog on non-PP H-1B cases. However, our weekly output will now be reduced due to the end of the fiscal year and our no longer having an overtime funding stream.

The data below is the result of a query run on 9/26. Due to technical issues, we were unable to run that query again today, but plan to run it early next week. As you'll see, the vast majority of pending cap gap cases (that were received before 8/1) are either with the CFDO or await a response to an RFE. At the beginning of this week, we had a little over 200 actionable cap gap cases. Throughout this week, we have taken steps to ensure as many of these cases as possible were completed.

Keith

| VSC I129 H1B Pending as of 9/26/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 7/28/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 2,330 | 9,264 |
| Apr-1-2011 to | Response Received | 438 | 497 |
| Mar-30-2012 | RFE/Intent Sent | 1,093 | 1,718 |
| | Transfers In* | 258 | 343 |
| | Total CAP12 Pending | 4,119 | 11,822 |

| VSC H1B ACTIONS (9-18-11 to 9-24-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 402 | 34 | 135 | 571 |
| CAP PP FY12 | 641 | 28 | 186 | 855 |
| CAP FY11 | 3 | 44 | 1 | 48 |
| CAP PP FY11 | 1 | 38 | 0 | 39 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 164 |
| RFE/NOID Issued | 582 |
| RFE/NOID Response Received | 120 |
| Grand Total | 866 |

*51 of remaining untouched are in or were referred to CFDO

## Shirk, Georgette L

**From:** Lauver, Tinnina M
**Sent:** Monday, July 25, 2011 6:17 AM
**To:** Sweeney, Shelly A; Young, Claudia F; Johnson, Bobbie L
**Subject:** RE: VSC Initial H-1B report

I have included CSC's numbers in red in the charts below in case you would like to compare.

In addition, the latest FY12 H1B Cap Report can be found on the share drive. Here is the hyperlink to the report: 7/18/11 H1B Report. I prepared a written report and updated the H1B weekly processing spreadsheet.

Thanks!!!

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

(b)(6)

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**From:** Lauver, Tinnina M
**Sent:** Thursday, July 21, 2011 2:18 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: VSC Initial H-1B report

Claudia/Shelly,

I am not sure if you need this information....

The number of H1B CAP cases pending outside the 60 day processing goal has been increasing at the VSC. See below:

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/19/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 1563 | 6787 |
| | CSC Initial Receipts | 1844 **filed before 05/18/2011** | 6403 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| **FY11 CAP** | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

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| VSC I129 H1B Pending as of 6/20/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 4/21/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 968 | 6139 |
| | CSC Initial Receipts | 1454 filed before 04/20/2011 | 5521 |
| Apr-1-2011 to | Response Received | 165 | 205 |
| Mar-30-2012 | RFE/Intent Sent | 548 | 905 |
| | Transfers In* | 29 | 297 |
| | Total CAP12 Pending | 1,710 | 7,546 |
| FY11 CAP | Initial Receipts | 68 | 68 |
| Apr-1-2010 to | Response Received | 584 | 584 |
| Mar-30-2011 | RFE/Intent Sent | 170 | 170 |
| | Total CAP11 Pending | 822 | 822 |

| VSC I129 H1B Pending as of 5/23/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 3/24/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 0 | 5544 |
| | CSC Initial Receipts | 814 filed before 03/23/2011 | 4978 |
| Apr-1-2011 to | Response Received | 0 | 70 |
| Mar-30-2012 | RFE/Intent Sent | 0 | 698 |
| | Transfers In | 0 | 206 |
| | Total CAP12 Pending | 0 | 6518 |
| FY11 CAP | Initial Receipts | 93 | 93 |
| Apr-1-2010 to | Response Received | 635 | 635 |
| Mar-30-2011 | RFE/Intent Sent | 596 | 596 |
| | Transfers In | 2 | 2 |
| | Total CAP11 Pending | 1327 | 1327 |

In addition, the number of H1B EOS cases pending outside the 60-day processing goal is also increasing.

| VSC I129 H1B Pending as of 7/5/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 5/6/2011 | ALL PEND |
| FY10 &11 | Initial Receipts | 1,694 | 11,717 |

| | | | |
|---|---|---|---|
| **EOS** | | | |
| | CSC Initial Receipts Reported on 7/11/11 | 1,731 **filed before 05/11/2011** | 12,294 |
| Oct-1-2009 to Present | Response Received | 847 | 915 |
| | RFE/Intent Sent | 483 | 914 |
| | Transfers In* | 5 | 59 |
| | EOS 10&11 Pending | 3,029 | 13,605 |

| **VSC I129 H1B Pending as of 6/6/2011** | | | |
|---|---|---|---|
| **FY10 &11 EOS** | Initial Receipts | 358 | 8534 |
| | CSC Initial Receipts Reported on 6/13/11 | 1,141 | 5467 |
| Oct-1-2009 to Present | Response Received | 1153 | 1262 |
| | RFE/Intent Sent | 763 | 1358 |
| | Transfers In* | 7 | 55 |

| **FY10/11 EOS NON PP** | |
|---|---|
| **Report date** | **16-May-11** |
| Filed between 1-Oct-09 and: | 16-Mar-11 |
| **Initial Pending EOS > 60 days** | **321** |
| CSC Initial Receipt (reported on 5/23/11) | 955 |
| **With Officer** | 218 |
| **With Contractor** | 16 |
| **ADJ Staged** | 5 |
| **Other** | 82 |

I do not have all of CSC's data as of yet.

***Tinnina (Tina) Lauver***
Adjudication Officer
United States Citizenship and Immigration Services
Service Center Operations Directorate
Business Employment Services Team
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov (b)(6)

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**From:** Canney, Keith J
**Sent:** Thursday, July 21, 2011 12:58 PM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Lauver, Tinnina M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC Initial H-1B report

Shelly –

Here is the VSC report on initial H-1B's...we are currently distributing to officers cap cases that were received on May 12, 2011.

Keith

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 5/19/2011 | ALL PEND |
| **FY12 CAP** | Initial Receipts | 1563 | 6787 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| **FY11 CAP** | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

| VSC H1B ACTIONS (7-10-11 to 7-16-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 381 | 25 | 88 | 494 |
| CAP PP FY12 | 317 | 19 | 74 | 410 |
| CAP FY11 | 31 | 68 | 8 | 107 |
| CAP PP FY11 | 3 | 58 | 6 | 67 |

# Vermont Service Center I-129 Status Report

## FY11 I-129 Projected Receipts vs. Actual Receipts

According to IMAPS, the projected number of I-129 receipts at the VSC for fiscal year 2011 was 172,584 (14,382 per month X 12 months). Although September data has not been loaded into IMAPS at this point, I-129 receipts for the month totaled 18,278, bringing our yearly total to 178,430. This figure represents a total of 5,846 more receipts then what was projected.

For comparison purposes, it appears that the actual number of I-129 receipts at the CSC will be at or below projected receipts (14,784 per month X 12 months = 177,408).

**I-129 Forms Filed (VSC)**

| | FY 2011 | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | FY11 Totals |
| Receipts | 13,318 | 12,812 | 13,161 | 12,912 | 8,913 | 11,691 | 18,053 | 17,037 | 17,755 | 15,654 | 18,846 | 14,382 | |
| Completions | 17,474 | 16,608 | 20,147 | 18,691 | 14,605 | 17,162 | 19,927 | 15,733 | 16,263 | 15,865 | 19,109 | 12,597 | |
| Inventory/Audit Adj. | 4,474 | 4,272 | 4,443 | 3,831 | 3,584 | 4,428 | 4,831 | 3,337 | 3,781 | 3,709 | 4,836 | - | 45,526 |
| Pending | 37,421 | 34,911 | 31,707 | 28,562 | 25,110 | 22,043 | 22,906 | 26,531 | 30,416 | 33,229 | 35,847 | 38,291 | 38,291 |
| Target Pending | 29,418 | 26,130 | 25,973 | 26,073 | 21,825 | 20,604 | 29,744 | 35,090 | 34,792 | 33,409 | 34,500 | 33,228 | 33,228 |
| Deductions | 4,685 | 4,647 | 4,785 | 4,491 | 4,675 | 4,902 | 5,973 | 4,299 | 3,916 | 4,291 | 5,063 | 5,063 | 5,063 |
| Backlog | 3,318 | 4,134 | 949 | - | - | - | - | - | - | - | - | - | - |
| In Cycle Cases | 34,103 | 30,777 | 30,758 | 28,562 | 25,110 | 22,043 | 22,906 | 26,531 | 30,416 | 33,229 | 35,847 | 38,291 | 38,291 |

**Comment [S1]:** Actual I-129 receipts for September were 18,278.

**I-129 Forms Filed (CSC)**

| | FY 2011 | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | OCT | NOV | DEC | JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | FY11 Totals |
| Receipts | 12,022 | 11,787 | 11,969 | 11,736 | 10,166 | 13,095 | 20,187 | 17,751 | 17,400 | 15,072 | 17,613 | 14,784 | |
| Completions | 15,481 | 17,001 | 22,122 | 19,696 | 16,011 | 15,532 | 14,737 | 17,932 | 18,828 | 16,133 | 22,018 | 12,659 | |
| Inventory/Audit Adj. | 4,418 | 4,778 | 4,315 | 3,472 | 4,957 | 6,239 | 6,099 | 5,644 | 7,228 | 5,244 | 4,993 | - | |
| Pending | 41,738 | 38,685 | 30,899 | 24,891 | 19,830 | 19,418 | 27,046 | 29,688 | 30,350 | 32,309 | 31,463 | 35,684 | 35,684 |
| Target Pending | 26,453 | 23,809 | 23,756 | 23,705 | 21,902 | 23,261 | 33,282 | 37,938 | 35,151 | 32,472 | 32,685 | 32,397 | 32,397 |
| Deductions | 3,167 | 3,712 | 3,751 | 3,066 | 2,404 | 3,153 | 3,040 | 2,844 | 3,117 | 3,304 | 3,287 | 3,287 | 3,287 |
| Backlog | 12,118 | 11,164 | 3,392 | - | - | - | - | - | - | - | - | - | - |
| In Cycle Cases | 29,620 | 27,521 | 27,507 | 24,891 | 19,830 | 19,418 | 27,046 | 29,688 | 30,350 | 32,309 | 31,463 | 35,684 | 35,684 |

**Comment [S2]:** Current I-129 receipts total 158,798 through August. A total of 18,610 will need to be filed in September in order for CSC to reach their projected total of 177,408.

## Increase in overall Premium Filings from 2010 to 2011

The overall number of I-129 Premium receipts increased from 47,897 during the period April 1, 2010 – September 30, 2010 to 51,329 during the period April 1, 2011 – September 30, 2011. This is an increase of 3,432 filings, representing a 7.2% change.

| PREMIUM FILINGS 2010 | |
|---|---|
| | Grand Total |
| LOCALTYPE | |
| I129 CAP H1B,1B1,3 | 10166 |
| I129 EXT H1B,1B1,3 | 22561 |
| I129 H2B | 875 |
| I129 H3 | 379 |
| I129 HSC | 2 |
| I129 L | 8699 |
| I129 O,P | 4574 |
| I129 OTHER | 6 |
| I129 Q,R | 76 |
| I129 TN | 559 |
| Grand Total | 47897 |

| PREMIUM FILINGS 2011 | |
|---|---|
| | Grand Total |
| LOCALTYPE | |
| I129 CAP H1B,1B1,3 | 13754 |
| I129 EXT H1B,1B1,3 | 22361 |
| I129 H2B | 697 |
| I129 H3 | 586 |
| I129 HSC | 1 |
| I129 L | 8974 |
| I129 O,P | 4191 |
| I129 OTHER | 1 |
| I129 Q,R | 77 |
| I129 TN | 687 |
| Grand Total | 51329 |

## Increase in H1B Premium Filings

H1B cap premium receipts in the 4th quarter of FY11 increased by 49.26% when compared to FY10 figures.

**PREMIUM FILINGS 2010**

| | QUARTER 4 | | | Q4 |
|---|---|---|---|---|
| LOCALTYPE | JULY 2010 | AUG 2010 | SEPT 2010 | TOTAL PREMIUM |
| I129 CAP H1B,1B1,3 | 1008 | 1611 | 2353 | 4972 |

**PREMIUM FILINGS 2011**

| | QUARTER 4 | | | Q4 |
|---|---|---|---|---|
| LOCALTYPE | JULY 2011 | AUG 2011 | SEPT 2011 | TOTAL PREMIUM |
| I129 CAP H1B,1B1,3 | 1491 | 2418 | 3512 | 7421 |

**CHANGE IN PREMIUM 2010 TO 2011**

| | QUARTER 4 | | | |
|---|---|---|---|---|
| LOCALTYPE | JULY | AUG | SEPT | **Q4 CHANGE** |
| I129 CAP H1B,1B1,3 | 483 | 807 | 1159 | **2449** |

**% CHANGE IN PREMIUM 2010 TO 2011**

| | QUARTER 4 | | | **Q4** |
|---|---|---|---|---|
| LOCALTYPE | JULY | AUG | SEPT | **CHANGE** |
| I129 CAP H1B,1B1,3 | 47.92% | 50.09% | 49.26% | **49.26%** |

The chart below reveals that 49% of the H1Bs filed between July – September 2011 were filed requesting premium processing (39,747 total H1Bs of which 19,448 were premium filings).

**H1B FILINGS AUGUST - SEPT 2011**

| STATUS_TEXT | (All) |
|---|---|

| Count of RECEIPT_NUMBER | | | | |
|---|---|---|---|---|
| LOCALTYPE | PREMIUM | 201107 | 201108 | 201109 |
| I129 CAP H1B,1B1,3 | N | 2142 | 3150 | 3024 |
| | Y | 1491 | 2418 | 3512 |
| I129 CAP H1B,1B1,3 Total | | 3633 | 5568 | 6536 |
| I129 EXT H1B,1B1,3 | N | 3934 | 4084 | 3965 |
| | Y | 3760 | 4570 | 3697 |
| I129 EXT H1B,1B1,3 Total | | 7694 | 8654 | 7662 |
| Grand Total | | 11327 | 14222 | 14198 |

5/12/2016

## Cap Gap Filings

On 8/12/2011 BEST instructed both VSC and CSC to prioritize completion of all non-premium F-1 COS cap cases filed before 8/1/11. In order to comply with this directive and keep up with the increase in premium processing receipts, resources were diverted away from working "older" H1B non-premium cap and EOS filings.

**PENDING F1 COS FILED BEFORE 8-1-11**

| STATUS | Total |
|---|---|
| UNTOUCHED | 2,506 |
| RFE/NOID Issued | 385 |
| RFE/NOID Response Received | 176 |
| Total | 3,163 |

## SAM 11 Staffing Levels vs. On-board

- Total SAM11 authorized staff for the VSC was 694
- Total on-board staff on 9/26/2010 (PP#20) was 624
- Total on-board staff on 9/25/2011 (PP#20) was 613
- 50+ selections have been made and are in the acceptance and clearance process
- Additional vacant positions have been announced and are in different stages of the hiring process
- 51 FTEs left the employ of VSC during FY11

| Reason | FY10 | FY11 | Grand Total |
|---|---|---|---|
| Death | 1 | 2 | 3 |
| Resignation | 3 | 1 | 4 |
| Retirement | 10 | 23 | 33 |
| Termination | 1 | | 1 |
| Transfer | 8 | 25 | 33 |
| Grand Total | 23 | 51 | 74 |

| | | |
|---|---|---|
| PP20 Perm On-Board | 624 | 613 |

## Other Factors

In addition to the above, other factors that played a role in the ability of VSC to keep H1B filings within the 60-day target processing time window:

- VIBE implementation and efficiency impact
- Details to Office of Transformation and Policy Review

U.S. Citizenship and Immigration Services

*Office of Communications*

# USCIS Update

March 18, 2011

## USCIS to Start Accepting H-1B Petitions for FY 2012 on April 1, 2011

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today it will start accepting H-1B petitions subject to the fiscal year (FY) 2012 cap on April 1, 2011. Cases will be considered accepted on the date USCIS receives a properly filed petition for which the correct fee has been submitted; not the date that the petition is postmarked.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise. Such workers include scientists, engineers, and computer programmers, among others.

The cap (the numerical limit on H-1B petitions) for FY 2012 is 65,000. The first 20,000 H-1B petitions filed on behalf of individuals with U.S. master's degrees or higher are exempt.

USCIS will monitor the number of H-1B petitions received and will notify the public of the date when the numerical limit of the H-1B cap has been met. This date is known as the final receipt date. If USCIS receives more petitions than it can accept, it may on the final receipt date randomly select the number of petitions that will be considered for final inclusion within the cap. USCIS will reject petitions that are subject to the cap and are not selected, as well as petitions received after it has the necessary number of petitions needed to meet the cap.

In addition to petitions filed on behalf of people with U.S. master's degrees or higher, certain other petitions are exempt from the congressionally mandated cap.

Petitions for new H-1B employment are exempt from the annual cap if the beneficiaries will work at:

- Institutions of higher education or related or affiliated nonprofit entities;
- Nonprofit research organizations; or
- Governmental research organizations.

Petitions filed on behalf of beneficiaries who will work only in Guam or the Commonwealth of the Northern Marianas Islands are exempt from the cap until Dec. 31, 2014. Employers may continue to file petitions for these cap-exempt H-1B categories for beneficiaries who will start work during FY 2011 or 2012.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap do not count towards the H-1B cap. USCIS will continue to process petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States;
- Change the terms of employment for current H-1B workers;
- Allow current H-1B workers to change employers; and
- Allow current H-1B workers to work concurrently in a second H-1B position.

H-1B petitioners should follow all statutory and regulatory requirements as they prepare petitions, to avoid delays in processing and possible requests for evidence. USCIS has posted on its website detailed

information, including a processing worksheet, to assist in the completion and submission of a FY2012 H-1B petition.

For more information on the H-1B nonimmigrant visa program and current Form I-129 processing times, visit www.uscis.gov or call the National Customer Service Center at 1-800-375-5283.

- USCIS -

U.S. Citizenship and Immigration Services
*Office of Communications*

# USCIS Update

April 8, 2011

## USCIS Continues to Accept FY 2012 H-1B Petitions

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B nonimmigrant petitions that are subject to the fiscal year (FY) 2012 cap. The agency began accepting these petitions on April 1, 2011.

USCIS is monitoring the number of petitions received that count toward the congressionally mandated annual H-1B cap of 65,000 and the 20,000 U.S. master's degree or higher cap exemption.

USCIS has received approximately 5,900 H-1B petitions counting toward the 65,000 cap, and approximately 4,500 petitions toward the 20,000 cap exemption for individuals with advanced degrees.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise. Such workers include scientists, engineers and computer programmers, among others.

USCIS will provide regular updates on the processing of FY 2012 H-1B petitions. These updates and helpful filing information can be found at USCIS's website highlighting the H-1B program. Should USCIS receive the number of petitions needed to meet the cap, it will issue an update advising the public that the FY 2012 H-1B cap has been met as of a certain date, known as the "final receipt date."

The date USCIS informs the public that the cap has been reached may differ from the actual final receipt date.

To ensure a fair system, USCIS may, on the final receipt date, randomly select the number of petitions that will be considered for final inclusion within the cap. The agency will reject petitions subject to the cap that are not selected, as well as those received after the final receipt date. Whether a petition is received by the final receipt date will be based on the date USCIS physically receives the petition, not the date that the petition has been postmarked.

Cases for premium processing (faster processing of certain employment-based petitions and applications) of H-1B petitions filed during an initial five-day filing window are undergoing a 15-day processing period that began April 7. For all other H-1B petitions filed for premium processing, the processing period begins on the date that the petition is physically received at the correct USCIS Service Center.

Meanwhile, petitions filed by employers who are exempt from the cap, as well as petitions filed on behalf of current H-1B workers who have been counted previously against the cap within the past six years, will not count toward the cap.

For more information on USCIS and its programs, please visit www.uscis.gov or follow us on Twitter (@uscis), YouTube (/uscis) and the USCIS blog *The Beacon*.

- USCIS -

U.S. Citizenship and Immigration Services
*Office of Communications*

# USCIS Update

Nov. 23, 2011

## USCIS Reaches Fiscal Year 2012 H-1B Cap

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) announced today that it has received a sufficient number of H-1B petitions to reach the statutory cap of 65,000 for fiscal year (FY) 2012. USCIS is notifying the public that yesterday, Nov. 22, 2011, was the final receipt date for new H-1B specialty occupation petitions requesting an employment start date in FY 2012.

Properly filed cases will be considered received on the date that USCIS physically receives the petition; not the date that the petition was postmarked. USCIS will reject cap-subject petitions for new H-1B specialty occupation workers seeking an employment start date in FY 2012 that arrive after Nov. 22, 2011.

As of Oct. 19, 2011, USCIS had also received more than 20,000 H-1B petitions filed on behalf of persons exempt from the cap under the 'advanced degree' exemption. USCIS will continue to accept and process petitions that are otherwise exempt from the cap. In addition, petitions filed on behalf of current H-1B workers who have been counted previously against the cap will not be counted toward the FY 2012 H-1B cap. Accordingly, USCIS will continue to accept and process petitions filed to:

- extend the amount of time a current H-1B worker may remain in the U.S.;
- change the terms of employment for current H-1B workers;
- allow current H-1B workers to change employers; and
- allow current H-1B workers to work concurrently in a second H-1B position.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields such as scientists, engineers or computer programmers.

For more information on USCIS and its programs, please visit www.uscis.gov or follow us on Twitter (@uscis), YouTube (/uscis) and the USCIS blog *The Beacon*.

- USCIS -

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, November 28, 2011 2:18 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC cap case report

Shelly –

We are currently distributing H-1B cap cases received on 7/20. With the overtime SCOPS has made available and the expected decrease in PP Cases due to our recently hitting the cap, we expect to make some progress on decreasing the number of cases over 60 days old in the weeks to come.

Keith

| VSC I129 H1B Pending as of 11/28/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 9/29/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 6,019 | 17,192 |
| Apr-1-2011 to | Response Received | 654 | 783 |
| Mar-30-2012 | RFE/Intent Sent | 1,141 | 2,385 |
| | Transfers In* | 157 | 157 |
| | Total CAP12 Pending | 7,971 | 20,517 |
| **FY11 CAP** | Initial Receipts | 46 | 46 |
| Apr-1-2010 to | Response Received | 74 | 74 |
| Mar-30-2011 | RFE/Intent Sent | 9 | 9 |
| | Total CAP11 Pending | 129 | 129 |

| VSC H1B ACTIONS (11-20-11 to 11-26-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 87 | 18 | 53 | 158 |
| CAP PP FY12 | 1,075 | 26 | 315 | 1,416 |
| CAP FY11 | | 39 | | 39 |
| CAP PP FY11 | | 16 | | 16 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, January 20, 2012 9:50 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC Cap H-1B report

Shelly -

VSC is currently distributing H-1B cap cases that were received on Sept 15.

| VSC I129 H1B Pending as of 1/19/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 11/20/2011** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 9,383 | 10,843 |
| | Response Received | 487 | 502 |
| | RFE/Intent Sent | 1,500 | 1,682 |
| | Transfers In* | 1 | 1 |

| VSC H1B ACTIONS (01-08-12 to 01-14-12) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 694 | 58 | 193 | 945 |
| CAP PP FY12 | 434 | 55 | 41 | 530 |
| CAP FY11 | 2 | 66 | | 68 |
| CAP PP FY11 | | 54 | | 54 |
| Grand Total | 1,130 | 233 | 234 | 1,597 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, January 06, 2012 6:24 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B Cap report

Shelly –

Here is the VSC cap report. We are currently distributing cases that were received on August 25. Low production numbers last week reflect the limited capacity we had available due to leave over the holidays. With the holidays over and the bills coming due, we expect increased capacity into the foreseeable future as a result of the anticipated use of overtime funds.

Keith

| VSC I129 H1B Pending as of 1/5/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 11/4/2011** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 8,049 | 12,683 |
| | Response Received | 487 | 532 |
| | RFE/Intent Sent | 1,231 | 1,813 |
| | Transfers In* | 8 | 8 |

| VSC H1B ACTIONS (12-25-11 to 12-31-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 242 | 6 | 57 | 305 |
| CAP PP FY12 | 271 | 25 | 46 | 342 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, December 23, 2011 5:16 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B cap report

Shelly,

VSC is currently distributing H-1B cap cases that were received on August 16th.

Keith

| VSC I129 H1B Pending as of 12/22/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 10/23/2011 | ALL PEND |
| FY12 CAP | Initial Receipts | 7,298 | 13,562 |
| Apr-1-2011 to | Response Received | 479 | 559 |
| Mar-30-2012 | RFE/Intent Sent | 1,141 | 2,081 |
| | Transfers In* | 15 | 15 |
| | Total CAP12 Pending | 8,933 | 16,217 |

| VSC H1B ACTIONS (12-11-11 to 12-17-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 399 | 64 | 91 | 554 |
| CAP PP FY12 | 453 | 44 | 51 | 548 |
| CAP FY11 | 4 | 33 | 1 | 38 |
| CAP PP FY11 | 2 | 14 | 1 | 17 |
| EOS FY10&11 | 807 | 67 | 142 | 1,016 |
| EOS PP FY10&11 | 768 | 41 | 124 | 933 |
| Grand Total | 2,433 | 263 | 410 | 3,106 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, October 28, 2011 1:25 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A; Young, Claudia F
**Subject:** VSC H-1B Cap Report

Shelly –

Here is the VSC H-1B cap report. We are currently distributing non-PP cases that were received on July 14. We began the use of the overtime that was made available on Sunday and expect to see the increase in actions starting this week. The OT has allowed us to maintain the PP cases and continue to work though many of the in-process cases (i.e. responses to RFE's). PP receipts remain high and steady...

Keith

| VSC I129 H1B Pending as of 10/27/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 8/28/2011** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 3,990 | 10,928 |
| | Response Received | 436 | 484 |
| | RFE/Intent Sent | 1,196 | 2,071 |
| | Transfers In* | 248 | 250 |
| | Total CAP12 Pending | 5,870 | 13,733 |

| VSC H1B ACTIONS (10-16-11 to 10-22-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 147 | 17 | 73 | 237 |
| CAP PP FY12 | 945 | 40 | 197 | 1,182 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, June 03, 2011 5:58 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M; Young, Claudia F
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A
**Subject:** VSC H-1B Cap report

Here is VSC Cap information:

Current distribution date: 4/25/2011

| VSC I129 H1B Pending as of 5/31/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 4/1/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 0 | 5669 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 0 | 115 |
| | RFE/Intent Sent | 0 | 738 |
| | Transfers In* | 0 | 296 |
| 1190 | Total CAP12 Pending | 0 | 6818 |
| FY11 CAP | Initial Receipts | 90 | 90 |
| Apr-1-2010 to Mar-30-2011 | Response Received | 705 | 705 |
| | RFE/Intent Sent | 395 | 395 |
| | Total CAP11 Pending | 1190 | |

| VSC H1B ACTIONS (05-22-11 to 05-28-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 383 | 2 | 89 | 474 |
| CAP PP FY12 | 335 | 7 | 84 | 426 |
| CAP FY11 | 75 | 53 | 6 | 134 |
| CAP PP FY11 | 21 | 29 | 1 | 51 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, February 17, 2012 9:48 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B cap report

Shelly –

VSC is currently distributing FY12 cap cases received on October 31.

Keith

| VSC I129 H1B Pending as of 2/16/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 12/18/2011 | ALL PEND |
| FY12 CAP | Initial Receipts | 7,045 | 7,046 |
| Apr-1-2011 to | Response Received | 369 | 369 |
| Mar-30-2012 | RFE/Intent Sent | 1,640 | 1,640 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 9,054 | 9,055 |

| VSC H1B ACTIONS (02-05-12 to 02-11-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 680 | 50 | 130 | 860 |
| CAP PP FY12 | 234 | 67 | 48 | 349 |
| CAP FY11 | 9 | 47 | 1 | 57 |
| CAP PP FY11 | 4 | 64 | | 68 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, September 09, 2011 5:45 AM
**To:** Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Young, Claudia F; Sweeney, Mark M; Fierro, Joseph; Johnson, Bobbie L; Perkins, Robert M; Lockerby, Beth A
**Subject:** VSC H-1B EOS report

Shelly –

Below is the VSC report on H-1B EOS cases. We are currently distributing initial H-1B's that were received on June 10. As mentioned last week (in the Cap report), our focus is currently on maintaining PP and completing cap-gap cases by 10/1. As a result of this focus, we are moving very little other H-1B work.

Although not EOS cases, I am also including a chart outlining the status of cap-gap cases filed prior to 8/1 as an FYI... Despite the 937 cases listed as "untouched", these cases have been distributed to officers and are being worked as I type.

Keith

| VSC I129 H1B Pending as of 9/8/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 7/10/2011** | **ALL PEND** |
| **FY10 &11 EOS** | Initial Receipts | 5,792 | 14,870 |
| Oct-1-2009 to | Response Received | 534 | 609 |
| Present | RFE/Intent Sent | 671 | 1,404 |
| | Transfers In* | 19 | 45 |
| | EOS 10&11 Pending | 7,016 | 16,928 |

| VSC H1B ACTIONS (8-28-11 to 9-3-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| EOS PP FY10&11 | 968 | 67 | 210 | 1245 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED | 937 |
| RFE/NOID Issued | 518 |
| RFE/NOID Response Received | 155 |
| Grand Total | 1610 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, June 20, 2011 1:38 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Fierro, Joseph; Sweeney, Mark M; Lauver, Tinnina M
**Subject:** VSC H-1B report - Initials

Current Distribution date to ISOs: 5/2/11

| VSC I129 H1B Pending as of 6/20/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 4/21/11 | ALL PEND |
| FY12 CAP | Initial Receipts | 968 | 6,139 |
| Apr-1-2011 to | Response Received | 165 | 205 |
| Mar-30-2012 | RFE/Intent Sent | 548 | 905 |
| | Transfers In* | 29 | 297 |
| | Total CAP12 Pending | 1,710 | 7,546 |
| FY11 CAP | Initial Receipts | 68 | 68 |
| Apr-1-2010 to | Response Received | 584 | 584 |
| Mar-30-2011 | RFE/Intent Sent | 170 | 170 |
| | Total CAP11 Pending | 822 | 822 |

| VSC H1B ACTIONS (6-12-11 to 6-18-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 407 | 3 | 173 | 583 |
| CAP PP FY12 | 328 | 13 | 81 | 422 |
| CAP FY11 | 61 | 22 | 16 | 99 |
| CAP PP FY11 | 11 | 20 | 11 | 42 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, March 05, 2012 11:51 AM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly,

VSC has distributed all of its FY12 cap cases to officers, who continue to step up and work the overtime to reduce our backlog. We will now turn our focus to distributing H-1B extensions, while continuing to work the cap RFE's as they come in. We are in line with our cap plan that we had provided to SCOPS.

Keith

| VSC I129 H1B Pending as of 3/5/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 1/5/2012** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 2,806 | 2,807 |
| Apr-1-2011 to | Response Received | 382 | 382 |
| Mar-30-2012 | RFE/Intent Sent | 2,343 | 2,343 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 5,531 | 5,532 |

| VSC H1B ACTIONS (02-26-12 to 03-3-12) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 1,482 | 33 | 647 | 2,162 |
| CAP PP FY12 | 131 | 52 | 38 | 221 |
| CAP FY11 | 6 | 27 | 65 | 98 |
| CAP PP FY11 | 4 | 28 | 32 | 64 |
| EOS FY10&11 | 148 | 94 | 59 | 301 |
| EOS PP FY10&11 | 764 | 88 | 203 | 1,055 |
| Grand Total | 2,535 | 322 | 1,044 | 3,901 |

Keith

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, February 10, 2012 9:10 AM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly –

VSC is currently distributing EOS cases that were received on October 11. We have recently put forth a significant effort to reduce our consular returns that had built up due to our focus on Cap and EOS backlogs for the past many months. We are now concentrating largely on the FY12 cap cases.

Keith

| VSC H1B ACTIONS (01-29-12 to 02-04-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| EOS FY10&11 | 740 | 74 | 177 | 991 |
| EOS PP FY10&11 | 842 | 61 | 141 | 1,044 |
| Grand Total | 1,582 | 135 | 318 | 2,035 |

| VSC I129 H1B Pending as of 2/9/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 12/11/2011 | ALL PEND |
| FY11&12 EOS | Initial Receipts | 5,974 | 10,637 |
| Oct-1-2010 to | Response Received | 293 | 337 |
| Present | RFE/Intent Sent | 1,288 | 1,771 |
| | Transfers In* | 0 | 0 |
| | EOS 11&12 Pending | 7,555 | 12,745 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, February 02, 2012 2:21 PM
**To:** Bushey, Sandra T; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Subject:** VSC H-1B report

Shelly –

VSC is currently distributing cap cases received on 9/30/11.

| VSC I129 H1B Pending as of 2/2/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 12/4/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 8,956 | 8,957 |
| Apr-1-2011 to | Response Received | 401 | 401 |
| Mar-30-2012 | RFE/Intent Sent | 1,698 | 1,698 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 11,055 | 11,056 |

| VSC H1B ACTIONS (01-22-12 to 01-28-12) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 531 | 39 | 176 | 746 |
| CAP PP FY12 | 324 | 52 | 58 | 434 |
| CAP FY11 | 4 | 35 | 2 | 41 |
| CAP PP FY11 | 2 | 66 | | 68 |
| EOS FY10&11 | 773 | 77 | 179 | 1,029 |
| EOS PP FY10&11 | 776 | 90 | 145 | 1,011 |
| Grand Total | 2,410 | 359 | 560 | 3,329 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, September 01, 2011 6:10 AM
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Fierro, Joseph; Sweeney, Mark M; Lockerby, Beth A; Perkins, Robert M
**Subject:** VSC H-1B report

Shelly –

Below is VSC's report on initial H-1B's. I have also included a table that lists out the status of cap-gap cases. We are currently distributing initial H-1B's that were received on June 8. Please note that our focus is currently on maintaining PP and completing cap-gap cases by 10/1. As a result of this focus, we are moving very little other H-1B work.

Keith

| VSC I129 H1B Pending as of 8/30/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 7/1/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 2,611 | 8,481 |
| Apr-1-2011 to | Response Received | 533 | 575 |
| Mar-30-2012 | RFE/Intent Sent | 689 | 1,143 |
| | Transfers In* | 144 | 410 |
| | Total CAP12 Pending | 3,977 | 10,609 |
| **FY11 CAP** | Initial Receipts | 52 | 52 |
| Apr-1-2010 to | Response Received | 143 | 143 |
| Mar-30-2011 | RFE/Intent Sent | 22 | 22 |
| | Total CAP11 Pending | 217 | 217 |

| VSC H1B ACTIONS (8-21-11 to 8-27-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 464 | 20 | 139 | 623 |
| CAP PP FY12 | 469 | 11 | 126 | 606 |
| CAP FY11 | 8 | 25 | | 33 |
| CAP PP FY11 | 1 | 28 | 1 | 30 |
| Grand Total | 2460 | 261 | 515 | 3236 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED | 1690 |

| | |
|---|---|
| RFE/NOID Issued | 412 |
| RFE/NOID Response Received | 191 |
| Grand Total | 2293 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, August 19, 2011 12:07 PM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Young, Claudia F; Perkins, Robert M; Murphy, George H
**Subject:** VSC H-1B report

Shelly -

Here is the information regarding the H-1B cap cases at the VSC. We were distributing cap cases received on 6/1 as of the date we prioritized F-1 COS cap-gap cases. Please note that with our current priorities being Premium Processing and cap-gap cases (as well as a commitment of resources to L/O/P priorities), we do not envision movement of non-PP or non-cap-gap H-1B cases in the immediate future. This includes responses to RFEs, motions, appeals, etc. We will continue to monitor the levels of priority work and will complete the non-priority work as resources allow.

Keith

| VSC I129 H1B Pending as of 8/15/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 6/16/2011** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 2,284 | 7,713 |
| | Response Received | 519 | 565 |
| | RFE/Intent Sent | 581 | 912 |
| | Transfers In* | 119 | 474 |
| | Total CAP12 Pending | 3,503 | 9,664 |
| **FY11 CAP** Apr-1-2010 to Mar-30-2011 | Initial Receipts | 55 | 55 |
| | Response Received | 168 | 168 |
| | RFE/Intent Sent | 29 | 29 |
| | Total CAP11 Pending | 252 | 252 |

| VSC H1B ACTIONS (8-7-11 to 8-13-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 385 | 24 | 69 | 478 |
| CAP PP FY12 | 329 | 23 | 78 | 430 |
| CAP FY11 | 25 | 70 | 8 | 103 |
| CAP PP FY11 | 5 | 51 | 7 | 63 |
| EOS FY10&11 | 553 | 130 | 128 | 811 |
| EOS PP FY10&11 | 795 | 158 | 176 | 1129 |
| Grand Total | 2092 | 456 | 466 | 3014 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Monday, August 08, 2011 5:17 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Fierro, Joseph; Lockerby, Beth A; Perkins, Robert M; Murphy, George H
**Subject:** VSC H-1B report

Shelly -

Here is VSC's report, to include both initials and extensions. For both groups of cases, we are currently distributing petitions received on 5/20. We are set to train additional ISOs this week, as well as add additional resources to this workload. As VSC's primary focus is on the L's at present, we may temporarily divert a few of our H-1B ISOs to ensure we continue to reduce the L backlog to come within regulatory processing times in the near future.

Keith

| VSC H1B ACTIONS (7-24-11 to 7-30-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 334 | 23 | 109 | 466 |
| CAP PP FY12 | 342 | 21 | 75 | 438 |
| CAP FY11 | 46 | 54 | 7 | 107 |
| CAP PP FY11 | 8 | 20 | 4 | 32 |
| EOS FY10&11 | 669 | 66 | 131 | 866 |
| EOS PP FY10&11 | 893 | 58 | 178 | 1129 |
| Grand Total | 2292 | 242 | 504 | 3038 |

| VSC I129 H1B Pending as of 8/1/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 6/2/2011 | ALL PEND |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 1,732 | 7,117 |
| | Response Received | 460 | 484 |
| | RFE/Intent Sent | 693 | 1,021 |
| | Transfers In* | 120 | 458 |
| | Total CAP12 Pending | 3,005 | 9,080 |
| **FY11 CAP** Apr-1-2010 to Mar-30-2011 | Initial Receipts | 56 | 56 |
| | Response Received | 234 | 234 |
| | RFE/Intent Sent | 43 | 43 |
| | Total CAP11 Pending | 333 | 333 |
| **FY10 &11 EOS** Oct-1-2009 to | Initial Receipts | 3,335 | 13,364 |
| | Response | 528 | 602 |

| | | | |
|---|---|---|---|
| | Received | | |
| Present | RFE/Intent Sent | 659 | 1,158 |
| | Transfers In* | 18 | 78 |
| | EOS 10&11 Pending | 4,540 | 15,202 |

## Shirk, Georgette L

**From:** Canney, Keith J <Keith.J.Canney@uscis.dhs.gov>
**Sent:** Thursday, April 14, 2011 7:32 AM
**To:** Bolog, Marguerite M
**Cc:** Fierro, Joseph; Sweeney, Shelly A; Sweeney, Mark M; Lockerby, Beth A; Harton, Frank A
**Subject:** VSC H-1B report

Mack -

VSC's H-1B processing dates (dates distributed to officers) are as follows:

**Cap: All FY11 cap cases have been distributed to officers; 4/1 is oldest date for FY12**
**EOS: 3/22**

| FY10/11 EOS NON PP | | |
|---|---|---|
| **Report date** | **4-Apr-11** | **11-Apr-11** |
| Filed between 1-Oct-09 and: | 2-Feb-11 | 9-Feb-11 |
| **Initial Pending EOS > 60 days** | **1494** | **560** |
| **With Officer** | 1191 | 367 |
| **With Contractor** | 119 | 71 |
| **ADJ Staged** | 68 | 30 |
| **Other** | 116 | 92 |

| **Weekly FY10/11 Non PP EOS actions** | **3/27-4/2** | **4/3-4/9** |
|---|---|---|
| APPROVED | 1343 | 1686 |
| DENIED | 93 | 104 |
| RELOC | | 5 |
| RFE/ ITD | 244 | 424 |
| **TOTAL** | **1680** | **2219** |

| **Weekly FY10/11 PP EOS actions** | **3/27-4/2** | **4/3-4/9** |
|---|---|---|
| APPROVED | 820 | 698 |
| DENIED | 70 | 60 |
| RELOC | | 1 |
| RFE/ ITD | 119 | 130 |
| **TOTAL** | **1009** | **889** |

| FY11 CAP NON PP | | |
|---|---|---|
| **Report date** | **4-Apr-11** | **11-Apr-11** |
| Filed between 1-April-10 and: | 2-Feb-11 | 9-Feb-11 |
| **Initial Pending Cap > 60 days** | **1256** | **607** |

| | | |
|---|---|---|
| **With Officer** | 1068 | 462 |
| **With Contractor** | 107 | 62 |
| **ADJ Staged** | 26 | 32 |
| **Other** | 55 | 51 |

| **Weekly FY11 Non PP CAP actions** | **3/27-4/2** | **4/3-4/9** |
|---|---|---|
| APPROVED | **707** | **445** |
| DENIED | **69** | **53** |
| RELOC | | **1** |
| RFE/ ITD | 295 | 325 |
| **TOTAL** | 1071 | 824 |

| **Weekly FY11 PP CAP actions** | **3/27-4/2** | **4/3-4/9** |
|---|---|---|
| APPROVED | 87 | 89 |
| DENIED | 52 | 28 |
| RELOC | | |
| RFE/ ITD | 12 | 15 |
| **TOTAL** | **151** | **132** |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, March 15, 2012 2:47 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** VSC H-1B report

Shelly –

Here is the status of VSC's cap cases. We continue to work through the remaining FY12 initial receipt cap cases.

Keith

| VSC I129 H1B Pending as of 3/15/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 1/15/2012 | ALL PEND |
| FY12 CAP | Initial Receipts | 956 | 956 |
| Apr-1-2011 to | Response Received | 421 | 421 |
| Mar-30-2012 | RFE/Intent Sent | 2,898 | 2,898 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 4,275 | 4,275 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Friday, September 16, 2011 6:52 AM
**To:** Lauver, Tinnina M; Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Lockerby, Beth A; Fierro, Joseph; Perkins, Robert M
**Subject:** VSC Initial H-1B report

Shelly/Tina –

Here is VSC H-1B report for initial filings. We are currently distributing cap cases that were received on June 16, 2011. We continue to see significant increases in PP filings, most likely as a result of the approaching 10/1 date and our processing times. We continue to work at eliminating cap-gap cases received prior to 8/1.

Keith

| VSC I129 H1B Pending as of 9/12/2011 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 7/14/2011 | ALL PEND |
| FY12 CAP | Initial Receipts | 2,487 | 8,555 |
| Apr-1-2011 to Mar-30-2012 | Response Received | 449 | 488 |
| | RFE/Intent Sent | 841 | 1,466 |
| | Transfers In* | 210 | 384 |
| | Total CAP12 Pending | 3,987 | 10,893 |

| VSC H1B ACTIONS (9-4-11 to 9-10-11) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY12 | 568 | 17 | 164 | 749 |
| CAP PP FY12 | 322 | 10 | 127 | 459 |
| CAP FY11 | 5 | 27 | | 32 |
| CAP PP FY11 | 2 | 11 | | 13 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED | 704 |
| RFE/NOID Issued | 557 |
| RFE/NOID Response Received | 143 |
| Grand Total | 1404 |

## Shirk, Georgette L

**From:** Canney, Keith J
**Sent:** Thursday, July 21, 2011 11:58 AM
**To:** Sweeney, Shelly A
**Cc:** Sweeney, Mark M; Young, Claudia F; Lauver, Tinnina M; Lockerby, Beth A; Fierro, Joseph
**Subject:** VSC Initial H-1B report

Shelly –

Here is the VSC report on initial H-1B's...we are currently distributing to officers cap cases that were received on May 12, 2011.

Keith

| VSC I129 H1B Pending as of 7/18/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 5/19/2011** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 1563 | 6787 |
| Apr-1-2011 to | Response Received | 332 | 356 |
| Mar-30-2012 | RFE/Intent Sent | 717 | 1043 |
| | Transfers In* | 62 | 395 |
| | Total CAP12 Pending | 2,674 | 8,581 |
| **FY11 CAP** | Initial Receipts | 58 | 58 |
| Apr-1-2010 to | Response Received | 354 | 354 |
| Mar-30-2011 | RFE/Intent Sent | 61 | 61 |
| | Total CAP11 Pending | 473 | 473 |

| VSC H1B ACTIONS (7-10-11 to 7-16-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 381 | 25 | 88 | 494 |
| CAP PP FY12 | 317 | 19 | 74 | 410 |
| CAP FY11 | 31 | 68 | 8 | 107 |
| CAP PP FY11 | 3 | 58 | 6 | 67 |

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Monday, October 17, 2011 12:01 PM
**To:** Sweeney, Shelly A
**Cc:** Perkins, Robert M; Johnson, Bobbie L; Young, Claudia F; Sweeney, Mark M; Fierro, Joseph; Howrigan, Tanya L; Lauver, Tinnina M; Bell, Lisa M; Luna, Corinna A.; Canney, Keith J; Lockerby, Beth A
**Subject:** VSC Initial H-1B report

Shelly -

Below is the VSC report for cap cases. We are currently distributing cap cases received on July 6. It is noted that premium receipts are still very high, most likely resulting from our current processing times. We recently started working premium in both St. Albans and Essex sites to ensure enough resources toward the climbing workload. As discussed in prior messages, this diverts resources away from the non-PP H-1B cases. We have worked though most all cap gap cases but due to the extremely high premium receipts will not be able to start digging out of our backlog on non-PP H-1B cases. However, our weekly output will now be reduced due to the end of the fiscal year and our no longer having an overtime funding stream.

The data below is the result of a query run on 10/12. As you'll see, the vast majority of pending cap gap cases (that were received before 8/1) are either with the CFDO or await a response to an RFE. Throughout this week, we have taken steps to ensure as many of these cases as possible were completed.

Mark

| VSC I129 H1B Pending as of 10/13/2011 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 8/14/2011** | **ALL PEND** |
| **FY12 CAP** Apr-1-2011 to Mar-30-2012 | Initial Receipts | 2733 | 10,120 |
| | Response Received | 418 | 497 |
| | RFE/Intent Sent | 1182 | 2,019 |
| | Transfers In* | 280 | 282 |
| | Total CAP12 Pending | 4,613 | 12,918 |

| VSC H1B ACTIONS (10-2-11 to 10-8-11) | | | | |
|---|---|---|---|---|
| | **APP** | **DEN** | **RFE** | **Total** |
| CAP FY12 | 143 | 20 | 46 | 209 |
| CAP PP FY12 | 862 | 18 | 289 | 1,169 |
| CAP FY11 | 1 | 29 | | 30 |
| CAP PP FY11 | 1 | 25 | | 26 |

| FY12 PENDING F1 COS FILED BEFORE 8-1-11 | |
|---|---|
| F1COS_STATUS | Total |
| UNTOUCHED* | 33 |
| RFE/NOID Issued | 487 |

| | |
|---|---|
| RFE/NOID Response Received | 63 |
| Grand Total | 583 |

*24 of remaining untouched are in or were referred to CFDO

| VSC H1B ACTIONS (9-23-12 to 9-29-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY13 | 2166 | 73 | 883 | 3122 |
| CAP PP FY13 | 311 | 30 | 120 | 461 |
| **CAP 13 TOTAL** | **2477** | **103** | **1003** | **3583** |
| CAP FY12 | 12 | 40 | 1 | 53 |
| CAP PP FY12 | 2 | 39 | 1 | 42 |
| **CAP 12 TOTAL** | **14** | **79** | **2** | **95** |
| CAP FY11 | | 30 | | 30 |
| CAP PP FY11 | | 36 | | 36 |
| **CAP 11 TOTAL** | **0** | **66** | **0** | **66** |
| **CAP Total** | **2,491** | **248** | **1,005** | **3,744** |
| EOS FY10-Current | 75 | 69 | 10 | 154 |
| EOS PP FY10-Current | 1,692 | 128 | 217 | 2,037 |
| **EOS TOTAL** | **1,767** | **197** | **227** | **2,191** |
| **GRAND TOTAL** | **4,258** | **445** | **1,232** | **5,935** |

| PENDING F1 COS | FY13 | FY12 |
|---|---|---|
| F1COS_STATUS | Total | Total |
| UNTOUCHED* | 24 | 0 |
| RFE/NOID Ordered | 834 | 0 |
| RFE/NOID Response Re | 225 | 1 |
| Continued | 7 | 0 |
| Grand Total | 1,090 | 1 |

* None of the remaining FY12 untouched is in or was referred to CFDO

*17 of the FY13 untouched are in or were referred to CFDO

| ALL VSC H1B STATUS SUMMARIES as of 10/1/2012 | | | | |
|---|---|---|---|---|
| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 11&12 |
| Approval - Notice Ordered | 38,804 | 45,437 | 42,513 | 121,166 |
| Denied Fraud - Notice Ordered | | | 3 | 3 |
| Denied Others - Notice Ordered | 830 | 5,173 | 9,348 | 11,694 |
| Initial Receipts | 6,127 | 15 | 32 | 22,505 |
| Invent/Audit Adjust | 21 | 39 | 101 | 65 |
| No Status | | | | |
| RejectedReceipts | 42 | 22 | 49 | 144 |
| Reopened | 3 | 2 | | 4 |
| Response Received | 957 | 103 | 41 | 411 |
| RFE Ordered | 5,292 | 36 | 3 | 1,088 |
| RFE/Intent Undeliverable | 13 | 1 | 1 | 1 |
| SCPC | 1 | 7 | 14 | 102 |
| Transfers In | 3 | 259 | 232 | 333 |
| Transfers Out | | 12 | 35 | 26 |
| Intent Ordered | 5 | 6 | 21 | 17 |
| Continued | 25 | | | 27 |
| **Grand Total** | **52,123** | **51,112** | **52,393** | **157,586** |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 1:32 PM
**To:** Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Bell, Lisa M; Velarde, Barbara Q
**Subject:** And now its posted at the AILA website

This is great because it stops a lot of mail going out even today.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 2:20 PM
**To:** Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Bell, Lisa M; Velarde, Barbara Q
**Subject:** RE: H-1B Cap Met

The update is already posted online!

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 12, 2012 12:01 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E; Putnam, Anne F; Benavente, Jessy J
**Cc:** Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; Fries, Juliet M; McConnell, James E; Bacote, Robert R; Liang, Gwen; Canney, Keith J; Shuttle, Peter J; Fierro, Joseph; Schoening, Donald; FitzGerald, Karen L
**Subject:** H-1B Cap Met
**Importance:** High

All,

Based upon our calculations here at HQ, we hit the cap yesterday. We will NOT need to run a random selection process on yesterday's receipts. You may begin data entry on yesterday's receipts. Since yesterday was the final receipt date, H-1B cap petitions received today will be rejected.

Thanks!

Shelly

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, June 12, 2012 9:15 AM

**To:** Peck, Denis R; Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Fries, Juliet M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

Yes they are for CSC.

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** Re: We have 3,510 CAP petitions from Monday's mail

VSC - 2104 is correct

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 6:13 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

While we wait to discuss this here after the seeing today's query update from CISCOR, would you both verify that ALL the mail from yesterday has been opened and counted and that these are the true numbers waiting in the queues -- 2,104 CAPS at VSC and 1,406 at CSC?

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
[redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 8:25 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M; Liang, Gwen
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; McConnell, James E
**Subject:** We have 3,510 CAP petitions from Monday's mail

Shelly,

This is the contractor's hand count. They will hold until further word from us.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
[redacted]

**From:** Tamara Owens [mailto:Tamara.Owens@fcifederal.com]
**Sent:** Tuesday, June 12, 2012 1:10 AM
**To:** Peck, Denis R; John Coleman; Loughlin, Stephen J; Ann Lees
**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
**Subject:** Final Numbers 6-11-12

All,

As you can see, the mail numbers continued to increase throughout the day. We received an additional 3,104 pieces of mail after 12:30 today, totaling 7,755 pieces; thus causing a delay in processing numbers.

CAP final numbers today are as follows:

| | CAP 6/11/12 | Prem vs Non-Prem Totals |
|---|---|---|
| VMP | 98 | |
| VRP | 282 | 380 |
| VMN | 215 | |
| VRN | 1,509 | 1,724 |
| TOTAL | 2,104 | 2,104 |

Denis:
The following table contains the 06-11-12 CAP count for the California Service Center:

| | CMP | CRP | CMN | CRN |
|---|---|---|---|---|
| | 59 | 163 | 145 | 1039 |
| TOTAL | 222 | | 1184 | |

Final Mail Received 6-11-12

| | Monday | Monday | Average Monday |
|---|---|---|---|
| | 6-11-12 | 6-4-12 | |
| | | | |
| USPS | 5,194 | 4,002 | 4,121 |
| | | | |
| DHL | 4 | 5 | 1 |

| | | | |
|---|---|---|---|
| | | | |
| UPS | 429 | 452 | 251 |
| | | | |
| FED EX | 2,128 | 2,060 | 801 |
| | | | |
| TOTAL | **7,755** | **6,519** | **5,174** |

*Tamara*

***Tamara Owens***
***FCi Federal, Site Manager SCOSS VSC***
*75 Lower Welden*
*St Albans / Essex, Vermont*
*offi* [redacted] (b)(6)
*cell* [redacted]
*Tamara.L.Owens@uscis.dhs.gov*
*tamara.owens@fcifederal.com*

7/16/2012 5/17/2012

| VSC I129 H1B Pending as of 7/16/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 5/17/2012 | ALL PEND |
| FY13 CAP | Initial Rec | 17,049 | 33,748 |
| Apr-1-2012 t | Response | 118 | 179 |
| Mar-30-2013 | Transfer In | 4 | 5 |
| | RFE Order | 1,191 | 1,967 |
| | Continued | 3 | 35 |
| | Intent Ord | 2 | 2 |
| | Total CAP | 18,367 | 35,936 |
| FY12 CAP | Initial Rec | 40 | 40 |
| Apr-1-2011 t | Response | 357 | 357 |
| Mar-30-2012 | Continued | 1 | 1 |
| | RFE Order | 101 | 101 |
| | Transfers I | 0 | 0 |
| | Total CAP | 499 | 499 |
| FY11 CAP | Initial Rec | 32 | 32 |
| Apr-1-2010 t | Response | 5 | 5 |
| Mar-30-2011 | RFE/Intent | 0 | 0 |
| | Total CAP | 37 | 37 |
| Y11&12 EC | Initial Rec | 3,062 | 12,800 |
| Oct-1-2010 t | Response | 569 | 618 |
| Present | Transfers I | 1 | 9 |
| | Continued | 14 | 33 |
| | RFE Order | 798 | 1,319 |
| | Intent Ord | 10 | 11 |
| | EOS 11&1 | 4,454 | 14,790 |
| , 09, & 10 | Initial Rec | 39 | 39 |
| Oct-1-2007 t | Response | 13 | 13 |
| | Transfers I | 0 | 0 |
| | Continued | 0 | 0 |
| | RFE Order | 5 | 5 |
| Sept-30-2010 | Intent Ord | 0 | 0 |
| | EOS 8&9& | 57 | 57 |
| ALL EOS | Initial Rec | 3,101 | 12,839 |
| | Response | 582 | 631 |
| | Transfers I | 1 | 9 |
| | Continued | 14 | 33 |
| | RFE Order | 803 | 1,324 |
| | Intent Ord | 10 | 11 |
| | Total EOS | 4,511 | 14,847 |
| Grand Total | | 23,414 | 51,319 |

* These Transfers Ins are the result of FRE not consular return.

| VSC H1B ACTIONS (7-8-12 to 7-14-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY13 | 1210 | 16 | 284 | 1510 |
| CAP PP F | 248 | 23 | 23 | 294 |
| CAP FY12 | 75 | 95 | 2 | 172 |
| CAP PP F | 4 | 63 | 2 | 69 |
| CAP FY11 | 4 | 69 | | 73 |
| CAP PP F | 1 | 50 | | 51 |
| EOS FY10 | 588 | 148 | 86 | 822 |
| EOS PP F | 974 | 187 | 135 | 1,296 |
| Grand Tot | 3,104 | 651 | 532 | 4,287 |

| PENDING | FY13 | FY12 |
|---|---|---|
| F1COS_S | Total | Total |
| UNTOUCH | 5,892 | 1 |
| RFE/NOID | 836 | 0 |
| RFE/NOID | 76 | 5 |
| Continued | 10 | 0 |
| Grand Tot | 6,814 | 6 |

* None of the remaining FY12 untouched are in or were
* 272 of the FY13 untouched are in or were referred to

| ALL VSC H1B STATUS SUMMARIES as of 7/16/2012 | | | | |
|---|---|---|---|---|
| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 11&12 |
| Approval | 15,943 | 46,037 | 43,335 | 109,936 |
| Denied Fraud - Notice Ordered | | | 3 | 3 |
| Denied Ot | 185 | 4,294 | 8,526 | 9,298 |
| Initial Rec | 33,748 | 40 | 32 | 12,800 |
| Invent/Au | 17 | 38 | 88 | 43 |
| No Status | | | | |
| RejectedR | 41 | 22 | 49 | 117 |
| Reopened | | 2 | | 6 |
| Response | 179 | 370 | 61 | 638 |
| RFE Orde | 1,970 | 104 | 2 | 1,320 |
| RFE/Intent Undelive | | 2 | 1 | 3 |
| SCPC | | 7 | 14 | 92 |
| Transfers | 5 | 176 | 172 | 242 |
| Transfers Out | | 12 | 35 | 26 |
| Intent Ord | 2 | 10 | 75 | 43 |
| Continued | 35 | 1 | | 34 |
| Grand Tot | **52,125** | **51,115** | **52,393** | **134,601** |

e referred to CFDO
CFDO

## Shirk, Georgette L

**From:** Howrigan, Tanya L
**Sent:** Tuesday, November 13, 2012 2:59 PM
**To:** Tynan, Natalie S; Aucoin, Lauren; Sweeney, Shelly A
**Cc:** Canney, Keith J; Shuttle, Peter J
**Subject:** Cap/EOS report
**Attachments:** EOS CAP WEEKLY SUMMARY_20121113_sbt.xls

**Tanya L. Howrigan**|Section Chief, Business Division| Vermont Service Center |USCIS | ☎ [redacted]
[redacted] ✉: tanya.howrigan@dhs.gov

(b)(6)

11/13/2012 5/17/2012 9/14/2012

**VSC I129 H1B Pending as of 11/13/2012**

| | STATUS | 180-day Aging Filed before 5/17/2012 | 60-day Aging Filed before 9/14/2012 | ALL PEND |
|---|---|---|---|---|
| **FY13 CAP** | Initial Receipts | 15 | 51 | 51 |
| Apr-1-2012 to | Response Received | 547 | 1,301 | 1,301 |
| Mar-30-2013 | Transfer In* | 1 | 1 | 1 |
| | RFE Ordered | 1424 | 4,178 | 4,178 |
| | Continued | 6 | 76 | 76 |
| | Intent Ordered | 2 | 9 | 9 |
| | Total CAP13 Pending | 1,995 | 5,616 | 5,616 |
| **FY12 CAP** | Initial Receipts | 6 | 6 | 6 |
| Apr-1-2011 to | Response Received | 49 | 49 | 49 |
| Mar-30-2012 | Continued | 0 | 0 | 0 |
| | RFE Ordered | 14 | 14 | 14 |
| | Total CAP12 Pending | 69 | 69 | 69 |
| **FY11 CAP** | Initial Receipts | 32 | 32 | 32 |
| Apr-1-2010 to | Response Received | 1 | 1 | 1 |
| Mar-30-2011 | RFE/Intent Sent | 0 | 0 | 0 |
| | Total CAP11 Pending | 33 | 33 | 33 |
| **FY12&13 EOS** | Initial Receipts | 76 | 7,286 | 14,900 |
| Oct-1-2011 to | Response Received | 117 | 225 | 278 |
| Sept-30-2013 | Transfers In | 0 | 4 | 6 |
| | Continued | 7 | 21 | 29 |
| | RFE Ordered | 210 | 1,424 | 1,959 |
| | Intent Ordered | 2 | 8 | 9 |
| | EOS 11&12 Pending | 412 | 8,968 | 17,181 |
| **FY08,09,10, & 11 EOS** | Initial Receipts | 62 | 62 | 62 |
| Oct-1-2007 to | Response Received | 37 | 37 | 37 |
| Sept-30-2011 | Transfers In | 0 | 0 | 0 |
| | Continued | 4 | 4 | 4 |
| | RFE Ordered | 5 | 5 | 5 |
| | Intent Ordered | 1 | 1 | 1 |
| | EOS 8&9&10 Pending | 109 | 109 | 109 |
| **ALL EOS** | Initial Receipts | 138 | 7,348 | 14,962 |
| | Response Received | 154 | 262 | 315 |
| | Transfers In | 0 | 4 | 6 |
| | Continued | 11 | 25 | 33 |
| | RFE Ordered | 215 | 1,429 | 1,964 |
| | Intent Ordered | 3 | 9 | 10 |
| | Total EOS Pending | 521 | 9,077 | 17,290 |
| **Grand Total** | | 2,618 | 14,795 | 23,008 |

* These Transfers Ins are the result of FRE not consular return.

**VSC H1B ACTIONS (11-4-12 to 11-10-12)**

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY13 | 379 | 96 | 3 | 478 |
| CAP PP FY13 | 74 | 29 | 1 | 104 |
| **CAP 13 TOTAL** | **453** | **125** | **4** | **582** |
| CAP FY12 | 1 | 47 | | 48 |
| CAP PP FY12 | | 73 | | 73 |
| **CAP 12 TOTAL** | **1** | **120** | **0** | **121** |
| CAP FY11 | | 36 | | 36 |
| CAP PP FY11 | | 59 | | 59 |
| **CAP 11 TOTAL** | **0** | **95** | **0** | **95** |
| **CAP Total** | **454** | **340** | **4** | **798** |
| EOS FY10-Current | 2,323 | 150 | 270 | 2,743 |
| EOS PP FY10-Current | 734 | 238 | 125 | 1,097 |
| **EOS TOTAL** | **3,057** | **388** | **395** | **3,840** |
| **GRAND TOTAL** | **3,511** | **728** | **399** | **4,638** |

| PENDING F1 COS | FY13 | FY12 |
|---|---|---|
| F1COS_STATUS | Total | Total |
| UNTOUCHED* | 4 | 0 |
| RFE/NOID Ordered | 177 | 0 |
| RFE/NOID Response Received | 263 | 2 |
| Continued | 3 | 0 |
| Grand Total | 447 | 2 |

* none of the remaining FY12 untouched is in or was referred to CFDO

*3 of the FY13 untouched are in or were referred to CFDO

**ALL VSC H1B STATUS SUMMARIES as of 11/13/2012**

| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 12&13 |
|---|---|---|---|---|
| Approval - Notice Ordered | 45,021 | 44,948 | 42,079 | 69,262 |
| Denied Fraud - Notice Ordered | | | 3 | |
| Denied Others - Notice Ordered | 1,377 | 5,710 | 9,780 | 3,542 |
| Initial Receipts | 51 | 6 | 32 | 14,900 |
| Invent/Audit Adjust | 26 | 39 | 102 | 20 |
| No Status | | 1 | | |
| RejectedReceipts | 27 | 22 | 49 | 80 |
| Reopened | 2 | 1 | | 3 |
| Response Received | 1,301 | 57 | 36 | 279 |
| RFE Ordered | 4,183 | 18 | 4 | 1,960 |
| RFE/Intent Undeliverable | 17 | | 1 | |
| SCPC | 11 | 7 | 14 | 12 |
| Transfers In | 4 | 287 | 241 | 91 |
| Transfers Out | | 12 | 34 | 10 |
| Intent Ordered | 9 | 2 | 17 | 10 |
| Continued | 77 | | | 29 |
| Grand Total | 52,106 | 51,110 | 52,392 | 90,198 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 3:21 PM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Wilcox, Julia D; McConnell, James E; Liang, Gwen; Velarde, Barbara Q; Neufeld, Donald
**Subject:** CAP filings on Wednesday: 3500 = VSC 1924, CSC 1577
**Attachments:** CSC DAAG 06-06-2012.xls; VSC DAAG 06-06-2012.xls

Shelly

Based on Gwen's count this morning that we were still 15,000 under our target, and even counting that there were about 900 CAPS in the data entry queue last night, we would need to receive more than 14,000 filings today and Friday to exceed our target. Neither center COTR has reported any abnormal surge today. The CSC acting COTR did not think there was a need for Friday. I'll wait to hear from VSC but I do not think tomorrow will be necessary to rack and stack.

There is a certain loss of productivity involved when we go to rack and stack and we are already in a frontlog situation. I don't want to do it if there really doesn't appear to be a danger.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 05, 2012 12:34 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Sweeney, Shelly A; Roman-Riefkohl, Guillermo
**Subject:** CAP on friday

Would both of you see to it that the contractor confirms we have all the mail picked up by cob on Friday – 5 pm local time or later – whether they go physically (preferred) or by contacting the postmaster. If there are even 10 pieces of mail there I want them picked up and included in the week's count. This is something we pledged to do and we must follow through.

Thank you for seeing to it,

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 05, 2012 11:19 AM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; #HQSCO - Service Center Records Management; Liang, Gwen
**Subject:** CAP cumulative through Wednesday April 4 - 22,323

Vermont daily totals have been slightly adjusted since yesterday. Wednesday is normally the lightest volume day of the week.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative |
|---|---|---|---|---|---|---|
| VSC | 9,586 | 1,260 | 644 | | | 11,490 |
| CSC | 9,390 | 950 | 493 | | | 10,833 |
| TOTALS | 18,976 | 2,210 | 1,137 | | | 22,323 |
| PREMIUMS | | | | | | 5,744 |
| MASTERS | | | | | | 7,143 |

Premium percentage thus far is 25.73% (5,744/22,323)

Denis Peck
Chief, Records Management Branch
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---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Thursday, April 05, 2012 11:03 AM

**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** CSC and VSC CAP Reports for 04-04-12

Denis:
Please find attached the CSC and the VSC H1B CAP Reports for 04-04-2012.
Regards,
Ann

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, June 08, 2012 3:48 PM
**To:** Liang, Gwen
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Lauver, Tinnina M
**Subject:** Cap rejection statistics

Gwen,

Here's a fun and probably useless statistic for you. CSC rejects a smaller percentage than VSC.

Through Thursday June 7

| Center | Data entered | Rejected | Total processed | Reject % |
|---|---|---|---|---|
| Vermont | 47,728 | 1,529 | 49,257 | 3.10% |
| California | 39,284 | 960 | 40,244 | 2.39% |

Denis Peck
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[redacted] (b)(6)

---

**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 2:52 PM
**To:** Peck, Denis R
**Subject:** RE: FY 2013 H-1B Cap - updated

Thank you Denis for the additional count information, which is helpful!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, June 08, 2012 2:18 PM
**To:** Liang, Gwen; Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** RE: FY 2013 H-1B Cap - updated

Thanks Gwen, and to that we can add 700 that were in the VSC data entry queue. That gives us about 84,400. Today vsc said their count was 2300. CSC is usually a little less so they may be somewhere between 1700-2000. That gets us up to 88,000-89,000.

Denis Peck
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[redacted]
(b)(6)

**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 1:06 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 63,672 | 6/7/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/7/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Howrigan, Tanya L
**Sent:** Monday, December 03, 2012 3:44 PM
**To:** Tynan, Natalie S; Aucoin, Lauren; Sweeney, Shelly A
**Cc:** Canney, Keith J; Shuttle, Peter J
**Subject:** cap report
**Attachments:** EOS CAP WEEKLY SUMMARY_20121203_sbt.xls

**Tanya L. Howrigan**|Section Chief, Business Division| Vermont Service Center |USCIS | ☎: 802-527-4700 ext 5060|✉: tanya.howrigan@dhs.gov

12/3/2012 6/6/ 17 4/2012

**VSC I12 H1B Pending as of 12/3/**

| | | TATUS | 180-day A Filed bef 6/6/201 | g 60 F | Aging before '2012 | ALL PEND |
|---|---|---|---|---|---|---|
| **FY13 CAP** | Initial | ceipts | | | 43 | 43 |
| Apr-1-2012 to | Respo | se Received | | | 1,299 | 1,299 |
| Mar-30-2013 | Trans | In* | | | 1 | 1 |
| | RFE ( | dered | | | 2,750 | 2,750 |
| | Contir | ed | | | 22 | 22 |
| | Intent | rdered | | | 3 | 3 |
| | Total | P13 Pending | | | 4,118 | 4,118 |
| **FY12 CAP** | Initial | ceipts | | | 6 | 6 |
| Apr-1-2011 to | Respo | se Received | | | 43 | 43 |
| Mar-30-2012 | Contir | ed | | | 0 | 0 |
| | RFE ( | dered | | | 11 | 11 |
| | Total | P12 Pending | | | 60 | 60 |
| **FY11 CAP** | Initial | ceipts | | | 32 | 32 |
| Apr-1-2010 to | Respo | se Received | | | 1 | 1 |
| Mar-30-2011 | RFE/I | ent Sent | | | 0 | 0 |
| | Total | P11 Pending | | | 33 | 33 |
| **FY12&13 EOS** | Initial | ceipts | | | 4,878 | 11,156 |
| Oct-1-2011 to | Respo | se Received | | | 291 | 348 |
| Sept-30-2013 | Trans | s In | | | 1 | 3 |
| | Contir | ed | | | 27 | 34 |
| | RFE ( | dered | | | 1,718 | 2,219 |
| | Intent | rdered | | | 5 | 6 |
| | EOS | &12 Pending | | | 6,920 | 13,766 |
| **FY08,09,10, & 11 EOS** | Initial | ceipts | | | 57 | 57 |
| Oct-1-2007 to | Respo | se Received | | | 27 | 27 |
| Sept-30-2011 | Trans | s In | | | 0 | 0 |
| | Contir | ed | | | 4 | 4 |
| | RFE ( | dered | | | 7 | 7 |
| | Intent | rdered | | | 2 | 2 |
| | EOS | 9&10 Pending | | | 97 | 97 |
| **ALL EOS** | Initial | ceipts | | | 4,935 | 11,213 |
| | Respo | se Received | | | 318 | 375 |
| | Trans | s In | | | 1 | 3 |
| | Contir | ed | | | 31 | 38 |
| | RFE ( | dered | | | 1,725 | 2,226 |
| | Intent | rdered | | | 7 | 8 |
| | Total | S Pending | | | 7,017 | 13,863 |
| **Grand Total** | | | | | 11,228 | 18,074 |

* These Transfers Ins are the resu f FRE not consular return

**VSC H1B ACTIONS (11-25-12 to 12-1-12)**

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY13 | 386 | 108 | 10 | 504 |
| CAP PP FY13 | 62 | 48 | 1 | 111 |
| **CAP 13 TOTAL** | **448** | **156** | **11** | **615** |
| CAP FY12 | 1 | 47 | 2 | 50 |
| CAP PP FY12 | 3 | 48 | | 51 |
| **CAP 12 TOTAL** | **4** | **95** | **2** | **101** |
| CAP FY11 | | 86 | | 86 |
| CAP PP FY11 | | 22 | | 22 |
| **CAP 11 TOTAL** | **0** | **108** | **0** | **108** |
| **CAP Total** | **452** | **359** | **13** | **824** |
| EOS FY10-Current | 1,934 | 156 | 256 | 2,346 |
| EOS PP FY10-Current | 1,108 | 184 | 167 | 1,459 |
| **EOS TOTAL** | **3,042** | **340** | **423** | **3,805** |
| **GRAND TOTAL** | **3,494** | **699** | **436** | **4,629** |

| PENDING F1 COS | FY13 | FY12 |
|---|---|---|
| F1COS_STATUS | Total | Total |
| UNTOUCHED* | 4 | 0 |
| RFE/NOID Ordered | 105 | 2 |
| RFE/NOID Response Received | 155 | 0 |
| Continued | 0 | 0 |
| Grand Total | 264 | 2 |

*3 of the FY13 untouched are in or were referred to CFDO

**ALL VSC H1B STATUS SUMMARIES as of 12/3/2012**

| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 12&13 |
|---|---|---|---|---|
| Approval - Notice Ordered | 46,192 | 44,708 | 41,774 | 76,090 |
| Denied Fraud - Notice Ordered | | | 3 | |
| Denied Others - Notice Ordered | 1,703 | 5,951 | 10,086 | 3,995 |
| Initial Receipts | 43 | 6 | 32 | 11,156 |
| Invent/Audit Adjust | 26 | 39 | 102 | 22 |
| No Status | | 1 | | |
| RejectedReceipts | 27 | 22 | 49 | 73 |
| Reopened | 5 | 2 | | 3 |
| Response Received | 1,299 | 53 | 34 | 350 |
| RFE Ordered | 2,754 | 14 | 4 | 2,223 |
| RFE/Intent Undeliverable | 14 | | 1 | 3 |
| SCPC | 11 | 7 | 14 | 12 |
| Transfers In | 6 | 293 | 241 | 89 |
| Transfers Out | | 12 | 34 | 10 |
| Intent Ordered | 3 | 2 | 18 | 6 |
| Continued | 23 | | | 34 |
| Grand Total | 52,106 | 51,110 | 52,392 | 94,066 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 2:19 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** CSC revised upward

It turns out CSC did not finish their count yesterday. It appeared to me they did, but they will likely end with about 6,000 when they finish. This would make 15,500 for Monday vs. the original 13,000 estimate.

So it looks a little better but still unlikely we will reach our original guestimate of 30,000 for the week.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 2:59 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** FW: 2:30 Pending for CAP. Day one total is 12,923

On day one day Vermont received over 73% of the filings - Unusual

| Center | Monday | Tuesday |
|---|---|---|
| Vermont | 9,548 | maybe 1200--1500 |
| California | 6,000 approximate | ? 1000 |

Denis Peck
Chief, Records Management Branch
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[redacted]

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 2:49 PM
**To:** Renaud, Daniel M; Peck, Denis R
**Cc:** FitzGerald, Karen L; Bushey, Sandra T; Nicholson, Richard E; VSC Assistant Center Directors; VSC CPAU
**Subject:** FW: 2:30 Pending for CAP

All,

See our numbers below.

Total for 4/2 – 9,548; Premium – 2,392

Update 4/3 – 1042 packages yet to be opened; 242 cases already identified as Premium, with at least 26 of the 1042 packages labeled as Premium.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]
(b)(6)

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**From:** Briggs, Shawn (CTR)
**Sent:** Tuesday, April 03, 2012 2:41 PM
**To:** Owens, Tamara (CTR); Loughlin, Stephen J; Stoddard, Becky M
**Subject:** 2:30 Pending for CAP

| ITEM | 2-Apr | 3-Apr | 4-Apr | 5-Apr | 6- |
|---|---|---|---|---|---|
| | | PACKAGES LEFT TO PROCESS | | | |
| Count / Estimate of Packages left to process | 0 | 1042 | | | |
| | | IDENTIFIED AS CAP | | | |
| I-129 (H1B CAP) - VRN | 5330 | 14 | | | |
| I-129 (H1B Master CAP) - VMN | 1826 | 9 | | | |
| I-129 (PP H1B CAP) - VRP | 1374 | 120 | | | |
| I-129 (PP Master H1B CAP) - VMP | 1018 | 122 | | | |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 4:26 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** Final (I think) revised Monday number is 18,938 petitions

I used some incomplete data from CSC earlier today and they only completed their count within the hour. The final split was close to 50-50 between them. CSC actually got more Premiums.
These numbers come much closer to what we anticipated for day one. The 30,000 estimate for the week now looks very good.

| Center | Total petitions | Premium petitions | Premium percentage |
|---|---|---|---|
| VSC | 9,548 | 2,392 | |
| CSC | 9,390 | 2,673 | |
| TOTAL | 18,938 | 5,065 | 26.75% |

Denis Peck
Chief, Records Management Branch
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20 Massachusetts Avenue, NW Room 2126
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(b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, April 03, 2012 5:23 PM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** RE: CSC H1B CAP Report for 04-02-12 REVISED

Denis:
Please find attached the revised CSC H1B CAP report for 04-02-2012. I apologize for any confusion that the original report may have created.
Regards,
Ann

---

**From:** Ann Lees
**Sent:** Tuesday, April 03, 2012 11:04 AM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** CSC and VSC CAP Reports for 04-02-12

Denis:
Please find attached the CSC and the VSC H1B CAP Reports for 04-02-2012. Be advised that these reports reflect estimated receipts. The actual receipt numbers for 04-02-2012 are expected to be finalized this afternoon.
Regards,
Ann

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 1:59 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** FW: 2:30 Pending for CAP. Day one total is 12,923

On day one day Vermont received over 73% of the filings - Unusual

| Center | Monday | Tuesday |
|---|---|---|
| Vermont | 9,548 | maybe 1200--1500 |
| California | 3,375 | ? |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 2:49 PM
**To:** Renaud, Daniel M; Peck, Denis R
**Cc:** FitzGerald, Karen L; Bushey, Sandra T; Nicholson, Richard E; VSC Assistant Center Directors; VSC CPAU
**Subject:** FW: 2:30 Pending for CAP

All,

See our numbers below.

Total for 4/2 – 9,548; Premium – 2,392

Update 4/3 – 1042 packages yet to be opened; 242 cases already identified as Premium, with at least 26 of the 1042 packages labeled as Premium.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6)
[redacted]

---

**From:** Briggs, Shawn (CTR)
**Sent:** Tuesday, April 03, 2012 2:41 PM
**To:** Owens, Tamara (CTR); Loughlin, Stephen J; Stoddard, Becky M
**Subject:** 2:30 Pending for CAP

| ITEM | 2-Apr | 3-Apr | 4-Apr | 5-Apr | 6- |
|---|---|---|---|---|---|
| **PACKAGES LEFT TO PROCESS** | | | | | |
| Count / Estimate of Packages left to process | ***0*** | ***1042*** | | | |
| **IDENTIFIED AS CAP** | | | | | |
| I-129 (H1B CAP) - VRN | 5330 | 14 | | | |
| I-129 (H1B Master CAP) - VMN | 1826 | 9 | | | |
| I-129 (PP H1B CAP) - VRP | 1374 | 120 | | | |
| I-129 (PP Master H1B CAP) - VMP | 1018 | 122 | | | |

## Shirk, Georgette L

**From:** Pearl, Thomas F
**Sent:** Tuesday, April 03, 2012 1:52 PM
**To:** Sweeney, Shelly A
**Subject:** FW: 2:30 Pending for CAP

FYI

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office
Cell - [redacted]
(b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 2:49 PM
**To:** Renaud, Daniel M; Peck, Denis R
**Cc:** FitzGerald, Karen L; Bushey, Sandra T; Nicholson, Richard E; VSC Assistant Center Directors; VSC CPAU
**Subject:** FW: 2:30 Pending for CAP

All,

See our numbers below.

Total for 4/2 – 9,548; Premium – 2,392

Update 4/3 – 1042 packages yet to be opened; 242 cases already identified as Premium, with at least 26 of the 1042 packages labeled as Premium.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]
(b)(6)

---

**From:** Briggs, Shawn (CTR)
**Sent:** Tuesday, April 03, 2012 2:41 PM
**To:** Owens, Tamara (CTR); Loughlin, Stephen J; Stoddard, Becky M
**Subject:** 2:30 Pending for CAP

| ITEM | 2-Apr | 3-Apr | 4-Apr | 5-Apr | 6- |
|---|---|---|---|---|---|
| | | PACKAGES LEFT TO PROCESS | | | |
| Count / Estimate of Packages left to process | 0 | 1042 | | | |
| | | IDENTIFIED AS CAP | | | |

| | | | | | |
|---|---|---|---|---|---|
| I-129 (H1B CAP) - VRN | 5330 | 14 | | | |
| I-129 (H1B Master CAP) - VMN | 1826 | 9 | | | |
| I-129 (PP H1B CAP) - VRP | 1374 | 120 | | | |
| I-129 (PP Master H1B CAP) - VMP | 1018 | 122 | | | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, October 02, 2012 12:53 PM
**To:** Tynan, Natalie S
**Cc:** Bell, Lisa M
**Subject:** FW: 10/1 Cap Report

Update for both centers on cap processing:

- VSC is at 5519 untouched and 11885 total pending. A week and a half ago, they were at 10416 untouched and 16138 total pending.
- CSC is at 5235 untouched and 15144 total pending. A week and a half ago, they were at 9235 untouched and 17239 total pending.

CSC retains a slight edge in untouched but has about 2,300 more total pending than VSC.

---

**From:** Howrigan, Tanya L
**Sent:** Tuesday, October 02, 2012 1:18 PM
**To:** Shuttle, Peter J; Sweeney, Shelly A; Bell, Lisa M
**Cc:** Canney, Keith J; Skerrett, William S
**Subject:** RE: 10/1 Cap Report

Today's report is attached.

We are making great progress. As you can see there has been some movement of CAP GAP filings out of our BCU and CFDO units. As these are released to adjudications we are working them as a priority.

**Tanya L. Howrigan**|Supervisory Immigration Services Officer (SISO)| Vermont Service Center |USCIS | ☎: [redacted]
[redacted] 802.527.4843|✉: tanya.howrigan@dhs.gov

(b)(6)

## Shirk, Georgette L

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 10:28 AM
**To:** Sweeney, Shelly A
**Subject:** FW: C3 Screen Shot - H1B Cap test run

Lets discuss. Are you available in 5?

---

**From:** Liang, Gwen
**Sent:** Tuesday, March 20, 2012 10:53 AM
**To:** Luna, Corinna A.; Sweeney, Shelly A; Young, Claudia F; Bell, Lisa M; Velarde, Barbara Q
**Cc:** McConnell, James E
**Subject:** RE: C3 Screen Shot - H1B Cap test run

I have done a test run based on FY12 H1B Cap data up to current date. Please see the test output and the real numbers in the Number Details section below. Please let me know of any corrections to be made in the reasoning process. The Chile/Singapore numbers are listed for your reference only.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 68,124 | 3/17/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 3/17/2012 |

Number Details

| Cap Type | Approved | Pending |
|---|---|---|
| H1B Master's | 21,389 | 541 |
| H1B Regular | 59,107 | 7,087 |
| Reserved (Chile/Singapore) (USCIS) | 5 | 1 |
| Reserved (Chile/Singapore) (DOS) | 164 | N/A |

Since approved Master's number is over the limit of 20,000, the over-limit 1,389 is counted against Regular Cap.
Since approved Master's number is over the limit of 20,000, the pending number of 541 is counted against Regular Cap.
Regular approved = 59107 + 1389 = 60496
Regular pending = 7087 + 541 = 7628
Regular Cap-Eligible Petitions count = 60496 + 7628 = 68124

Thank you!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 9:34 AM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo; Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: CAP Count at VSC - estimate for Monday is 9,500 petitions

It is not firm yet but they've projected this estimate. Today may also have a significant number based on Fedex's msg below.

Steve, thanks. I'll look forward to the FCi spreadsheet later in the day.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 10:27 AM
**To:** Peck, Denis R
**Cc:** Pearl, Thomas F; Bushey, Sandra T; Nicholson, Richard E; FitzGerald, Karen L
**Subject:** CAP Count

Denis,

-FedEx gave an update that "a lot" of today's CAP addressed pieces are large boxes. They are sending the big FedEx truck to deliver them because of the size of the boxes. So, even though the piece count is low we may end up having a large amount of petitions

-The FedEx truck should arrive at around 11:30 today.

-FCI is hoping to have a total piece count of yesterday's mail between noon and 2:30 today.

Preliminary numbers from earlier this morning (0745):

| Count / Estimate of Packages left to process | ***2636*** | | | | |
|---|---|---|---|---|---|
| | | | ***IDENTIFIED AS CAP*** | | |
| I-129 (H1B CAP) - VRN | 3272 | | | | |
| I-129 (H1B Master CAP) - VMN | 992 | | | | |
| I-129 (PP H1B CAP) - VRP | 1366 | | | | |
| I-129 (PP Master H1B CAP) - VMP | 1014 | | | | |

Here are the pending numbers for 4/2 Mail.

9280 total based on "sum" of above

9500 estimated when we finish identifying the packages.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Saturday, April 07, 2012 8:32 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** McConnell, James E; Liang, Gwen
**Subject:** FW: CAP cumulative through end of week = 25,633
**Attachments:** FY13 VSC H1B CAP Report 04-06-2012.xls; FY13 CSC H1B CAP Report 04-06-2012.xls

Don, Barbara

The final count is in for Monday's news release. FCi picked up everything the post office had on hand at the end of Friday at both centers and these were opened, counted and included below. Our original estimate of 30,000 turned out to be pretty accurate. The main surprise this year was how close the volume was between the two.

Unless we tell them otherwise the contractor will begin data entry Monday morning, using April 9 as the received date for all this week's filings until finished.
Their first goal is to have all the premiums completed no later than cob Wednesday. These files are mostly set up and ready to go.

If there's any reason for them to hold off starting let me know.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative | Percentages |
|---|---|---|---|---|---|---|---|
| VSC | 9,513 | 1,244 | 707 | 874 | 1,030 | 13,368 | 52.15% |
| CSC | 9,435 | 952 | 500 | 480 | 886 | 12,265 | 47.85% |
| TOTALS | 18,948 | 2,196 | 1,207 | 1,354 | 1,916 | 25,633 | 100.00% |
| PREMIUMS | | | | | | 6,486 | 25.30% |
| MASTERS | | | | | | 8,185 | 31.93% |

Not included: 12 filings at CSC to be CRU reviewed Monday for eligibility.

CSC Premiums: 3,255
VSC Premiums: 3,231

CSC Masters: 3,974
VSC Masters: 4,211

---

**From:** Peck, Denis R
**Sent:** Friday, April 06, 2012 12:36 PM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; Liang, Gwen; #HQSCO - Service Center Records Management
**Subject:** FW: CAP cumulative through Thursday April 5 - 23,705

Both California and Vermont daily totals have been slightly adjusted since yesterday.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative | Percentages |
|---|---|---|---|---|---|---|---|
| VSC | 9,513 | 1,244 | 707 | 874 | | 12,338 | 52.05% |
| CSC | 9,435 | 952 | 500 | 480 | | 11,367 | 47.95% |
| TOTALS | 18,948 | 2,196 | 1,207 | 1,354 | | 23,705 | 100.00% |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| PREMIUMS | | | | | | 5,980 | 25.23% |
| MASTERS | | | | | | 7,732 | 32.62% |

Premium percentage thus far is 25.23% (5,980/23,705)

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 05, 2012 11:19 AM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; #HQSCO - Service Center Records Management; Liang, Gwen
**Subject:** CAP cumulative through Wednesday April 4 - 22,323

Vermont daily totals have been slightly adjusted since yesterday. Wednesday is normally the lightest volume day of the week.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative |
|---|---|---|---|---|---|---|
| VSC | 9,586 | 1,260 | 644 | | | 11,490 |
| CSC | 9,390 | 950 | 493 | | | 10,833 |
| TOTALS | 18,976 | 2,210 | 1,137 | | | 22,323 |
| PREMIUMS | | | | | | 5,744 |
| MASTERS | | | | | | 7,143 |

Premium percentage thus far is 25.73% (5,744/22,323)

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, April 05, 2012 10:35 AM
**To:** Sweeney, Shelly A; Bell, Lisa M; Bolog, Marguerite M
**Subject:** FW: CAP cumulative through Wednesday April 4 - 22,323
**Attachments:** FY13 CSC H1B CAP Report 04-04-2012.xls; FY13 VSC H1B CAP Report 04-04-2012.xls

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 05, 2012 8:29 AM
**To:** Schoening, Donald; Melville, Rosemary; Louis, Jennifer E
**Cc:** Fierro, Joseph
**Subject:** FW: CAP cumulative through Wednesday April 4 - 22,323

FYI

Rich Nicholson
Assistant Center Director
California Service Center
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 05, 2012 8:19 AM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; #HQSCO - Service Center Records Management; Liang, Gwen
**Subject:** CAP cumulative through Wednesday April 4 - 22,323

Vermont daily totals have been slightly adjusted since yesterday. Wednesday is normally the lightest volume day of the week.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative |
|---|---|---|---|---|---|---|
| VSC | 9,586 | 1,260 | 644 | | | 11,490 |
| CSC | 9,390 | 950 | 493 | | | 10,833 |
| TOTALS | 18,976 | 2,210 | 1,137 | | | 22,323 |
| PREMIUMS | | | | | | 5,744 |
| MASTERS | | | | | | 7,143 |

Premium percentage thus far is 25.73% (5,744/22,323)

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Thursday, April 05, 2012 11:03 AM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** CSC and VSC CAP Reports for 04-04-12

Denis:
Please find attached the CSC and the VSC H1B CAP Reports for 04-04-2012.
Regards,
Ann

## Shirk, Georgette L

**From:** Pearl, Thomas F
**Sent:** Thursday, April 05, 2012 9:42 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CAP Numbers

FYI

Thomas F. Pearl
Assistant Center Director (b)(6)
Vermont Service Center
USCIS/DHS

---

**From:** Loughlin, Stephen J
**Sent:** Thursday, April 05, 2012 10:38 AM
**To:** Pearl, Thomas F; 'daniel.renaud@dhs.gov'; Bucher, Steve P; 'Karen.Fitzgerald@dhs.gov'
**Subject:** Fw: CAP Numbers

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From**: Briggs, Shawn (CTR)
**Sent**: Thursday, April 05, 2012 10:10 AM
**To**: Loughlin, Stephen J; Stoddard, Becky M
**Subject**: CAP Numbers

| *ITEM* | *2-Apr* | *3-Apr* | *4-Apr* | *5-Apr* | *6-Apr* |
|---|---|---|---|---|---|
| | ***PACKAGES LEFT TO PROCESS*** | | | | |
| Count / Estimate of Packages left to process | | | | | |
| | ***IDENTIFIED AS CAP*** | | | | |
| I-129 (H1B CAP) - VRN | 5345 | 653 | 337 | | |
| I-129 (H1B Master CAP) - VMN | 1846 | 333 | 209 | | |
| I-129 (PP H1B CAP) - VRP | 487 | 147 | | | |
| I-129 (PP Master H1B CAP) - VMP | | 126 | | | |
| | ***CAP SETUP COMPLETE*** | | | | |
| I-129 (H1B CAP) - VRN | 2 | | 10 | | |
| I-129 (H1B Master CAP) - VMN | 2 | | 8 | | |
| I-129 (PP H1B CAP) - VRP | 944 | 1 | 4 | | |
| I-129 (PP Master H1B CAP) - VMP | 960 | | 76 | | |

| | | | | | |
|---|---|---|---|---|---|
| | ***REJECTS*** | | | | |
| I-129 (H1B CAP) - VRN | 12 | | | | |
| I-129 (H1B Master CAP) - VMN | 1 | | 1 | | |
| I-129 (PP H1B CAP) - VRP | 8 | 2 | 11 | | |
| I-129 (PP Master H1B CAP) - VMP | 3 | | 3 | | |
| | ***TOTALS*** | | | | |
| I-129 (H1B CAP) - VRN | 5347 | 653 | 347 | | |
| I-129 (H1B Master CAP) - VMN | 1848 | 333 | 217 | | |
| I-129 (PP H1B CAP) - VRP | 1431 | 148 | 4 | | |
| I-129 (PP Master H1B CAP) - VMP | 960 | 126 | 76 | | |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, April 05, 2012 10:15 AM
**To:** Young, Claudia F; Bolog, Marguerite M
**Subject:** FW: CAP Numbers

FYI on VSC totals through three days:

| | | | |
|---|---|---|---|
| 5347 | 653 | 347 | 6347 |
| 1848 | 333 | 217 | 2398 |
| 1431 | 148 | 4 | 1583 |
| 960 | 126 | 76 | 1162 |
| | | Total | 11490 |

| | |
|---|---|
| Premium | 2745 |
| regular | 7930 |
| masters | 3560 |

---

**From:** Pearl, Thomas F
**Sent:** Thursday, April 05, 2012 10:42 AM
**To:** Sweeney, Shelly A
**Subject:** FW: CAP Numbers

FYI

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
[redacted] (b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Thursday, April 05, 2012 10:38 AM
**To:** Pearl, Thomas F; 'daniel.renaud@dhs.gov'; Bucher, Steve P; 'Karen.Fitzgerald@dhs.gov'
**Subject:** Fw: CAP Numbers

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From**: Briggs, Shawn (CTR)
**Sent**: Thursday, April 05, 2012 10:10 AM
**To**: Loughlin, Stephen J; Stoddard, Becky M
**Subject**: CAP Numbers

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 03, 2012 2:20 PM
**To:** Bolog, Marguerite M
**Subject:** FW: CSC revised upward

FYI

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 3:19 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** CSC revised upward

It turns out CSC did not finish their count yesterday. It appeared to me they did, but they will likely end with about 6,000 when they finish. This would make 15,500 for Monday vs. the original 13,000 estimate.

So it looks a little better but still unlikely we will reach our original guestimate of 30,000 for the week.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 2:59 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** FW: 2:30 Pending for CAP. Day one total is 12,923

On day one day Vermont received over 73% of the filings - Unusual

| Center | Monday | Tuesday |
|---|---|---|
| Vermont | 9,548 | maybe 1200--1500 |
| California | 6,000 approximate | ? 1000 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 2:49 PM
**To:** Renaud, Daniel M; Peck, Denis R

**Cc:** FitzGerald, Karen L; Bushey, Sandra T; Nicholson, Richard E; VSC Assistant Center Directors; VSC CPAU
**Subject:** FW: 2:30 Pending for CAP

All,

See our numbers below.

Total for 4/2 – 9,548; Premium – 2,392

Update 4/3 – 1042 packages yet to be opened; 242 cases already identified as Premium, with at least 26 of the 1042 packages labeled as Premium.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]
(b)(6)

---

**From:** Briggs, Shawn (CTR)
**Sent:** Tuesday, April 03, 2012 2:41 PM
**To:** Owens, Tamara (CTR); Loughlin, Stephen J; Stoddard, Becky M
**Subject:** 2:30 Pending for CAP

| ITEM | 2-Apr | 3-Apr | 4-Apr | 5-Apr | 6- |
|---|---|---|---|---|---|
| | | | PACKAGES LEFT TO PROCESS | | |
| Count / Estimate of Packages left to process | 0 | 1042 | | | |
| | | | IDENTIFIED AS CAP | | |
| I-129 (H1B CAP) - VRN | 5330 | 14 | | | |
| I-129 (H1B Master CAP) - VMN | 1826 | 9 | | | |
| I-129 (PP H1B CAP) - VRP | 1374 | 120 | | | |
| I-129 (PP Master H1B CAP) - VMP | 1018 | 122 | | | |

Regards,
Ann

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone: 703 779 1809*
*Business Cell Phone: 703 984 9002*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

**From:** Aucoin, Lauren
**Sent:** Wednesday, November 07, 2012 7:07 AM
**To:** Sweeney, Shelly A
**Subject:** FW: EOS and Cap report
**Attachments:** EOS CAP WEEKLY SUMMARY_20121105_sbt.xls

Can we briefly chat about the 180 day EOS stats when you have a moment?

---

**From:** Howrigan, Tanya L
**Sent:** Wednesday, November 07, 2012 7:58 AM
**To:** Sweeney, Shelly A; Bell, Lisa M; Tynan, Natalie S; Aucoin, Lauren
**Cc:** Canney, Keith J; Shuttle, Peter J
**Subject:** EOS and Cap report

Here is the EOS can Cap report for yesterday. Sorry for the delay, I have been in interviews for the last several days.

**Tanya L. Howrigan**|Section Chief, Business Division| Vermont Service Center |USCIS | ☎ [redacted]
[redacted] ✉: tanya.howrigan@dhs.gov

(b)(6)

11/5/2012 5/9/2012 9/6/2012

## VSC I129 H1B Pending as of 11/5/2012

| | STATUS | 180-day Aging Filed before 5/9/2012 | 60-day Aging Filed before 9/6/2012 | ALL PEND |
|---|---|---|---|---|
| **FY13 CAP** | Initial Receipts | 12 | 54 | 54 |
| Apr-1-2012 to | Response Received | 434 | 1,161 | 1,161 |
| Mar-30-2013 | Transfer In* | 0 | 1 | 1 |
| | RFE Ordered | 1326 | 4,851 | 4,851 |
| | Continued | 6 | 80 | 80 |
| | Intent Ordered | 2 | 11 | 11 |
| | Total CAP13 Pending | 1,780 | 6,158 | 6,158 |
| **FY12 CAP** | Initial Receipts | 6 | 6 | 6 |
| Apr-1-2011 to | Response Received | 55 | 55 | 55 |
| Mar-30-2012 | Continued | 0 | 0 | 0 |
| | RFE Ordered | 18 | 18 | 18 |
| | Total CAP12 Pending | 79 | 79 | 79 |
| **FY11 CAP** | Initial Receipts | 32 | 32 | 32 |
| Apr-1-2010 to | Response Received | 1 | 1 | 1 |
| Mar-30-2011 | RFE/Intent Sent | 0 | 0 | 0 |
| | Total CAP11 Pending | 33 | 33 | 33 |
| **FY12&13 EOS** | Initial Receipts | 60 | 8,964 | 17,081 |
| Oct-1-2011 to | Response Received | 119 | 195 | 238 |
| Sept-30-2013 | Transfers In | 0 | 3 | 5 |
| | Continued | 4 | 18 | 27 |
| | RFE Ordered | 132 | 1,180 | 1,772 |
| | Intent Ordered | 3 | 7 | 9 |
| | EOS 11&12 Pending | 318 | 10,367 | 19,132 |
| **FY08,09,10, & 11 EOS** | Initial Receipts | 62 | 62 | 62 |
| Oct-1-2007 to | Response Received | 40 | 40 | 40 |
| Sept-30-2011 | Transfers In | 0 | 0 | 0 |
| | Continued | 4 | 4 | 4 |
| | RFE Ordered | 5 | 5 | 5 |
| | Intent Ordered | 1 | 1 | 1 |
| | EOS 8&9&10 Pending | 112 | 112 | 112 |
| **ALL EOS** | Initial Receipts | 122 | 9,026 | 17,143 |
| | Response Received | 159 | 235 | 278 |
| | Transfers In | 0 | 3 | 5 |
| | Continued | 8 | 22 | 31 |
| | RFE Ordered | 137 | 1,185 | 1,777 |
| | Intent Ordered | 4 | 8 | 10 |
| | Total EOS Pending | 430 | 10,479 | 19,244 |
| **Grand Total** | | 2,322 | 16,749 | 25,514 |

* These Transfers Ins are the result of FRE not consular return.

## VSC H1B ACTIONS (10-28-12 to 11-3-12)

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY13 | 445 | 72 | 11 | 528 |
| CAP PP FY13 | 77 | 29 | 6 | 112 |
| **CAP 13 TOTAL** | **522** | **101** | **17** | **640** |
| CAP FY12 | 8 | 50 | 1 | 59 |
| CAP PP FY12 | 1 | 69 | | 70 |
| **CAP 12 TOTAL** | **9** | **119** | **1** | **129** |
| CAP FY11 | | 32 | | 32 |
| CAP PP FY11 | | 46 | | 46 |
| **CAP 11 TOTAL** | **0** | **78** | **0** | **78** |
| **CAP Total** | **531** | **298** | **18** | **847** |
| EOS FY10-Current | 2,444 | 137 | 333 | 2,914 |
| EOS PP FY10-Current | 968 | 161 | 129 | 1,258 |
| **EOS TOTAL** | **3,412** | **298** | **462** | **4,172** |
| **GRAND TOTAL** | **3,943** | **596** | **480** | **5,019** |

| PENDING F1 COS | FY13 | FY12 |
|---|---|---|
| F1COS_STATUS | Total | Total |
| UNTOUCHED* | 4 | 0 |
| RFE/NOID Ordered | 231 | 0 |
| RFE/NOID Response Received | 292 | 2 |
| Continued | 3 | 0 |
| Grand Total | 530 | 2 |

* none of the remaining FY12 untouched is in or was referred to CFDO

*3 of the FY13 untouched are in or were referred to CFDO

## ALL VSC H1B STATUS SUMMARIES as of 11/5/2012

| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 12&13 |
|---|---|---|---|---|
| Approval - Notice Ordered | 44,615 | 45,054 | 42,172 | 66,192 |
| Denied Fraud - Notice Ordered | | | 3 | |
| Denied Others - Notice Ordered | 1,243 | 5,590 | 9,685 | 3,303 |
| Initial Receipts | 54 | 6 | 32 | 17,081 |
| Invent/Audit Adjust | 26 | 39 | 102 | 21 |
| No Status | | | | 1 |
| RejectedReceipts | 27 | 22 | 49 | 80 |
| Reopened | 2 | 2 | 1 | 3 |
| Response Received | 1,161 | 63 | 36 | 239 |
| RFE Ordered | 4,855 | 22 | 4 | 1,763 |
| RFE/Intent Undeliverable | 16 | | 1 | |
| SCPC | 11 | 7 | 14 | 12 |
| Transfers In | 4 | 289 | 242 | 90 |
| Transfers Out | | 12 | 34 | 10 |
| Intent Ordered | 11 | 3 | 17 | 11 |
| Continued | 81 | | | 27 |
| Grand Total | 52,106 | 51,109 | 52,392 | 88,833 |

## Shirk, Georgette L

**From:** Aucoin, Lauren
**Sent:** Monday, December 31, 2012 11:24 AM
**To:** Tynan, Natalie S; Sweeney, Shelly A
**Subject:** FW: EOS and Cap report
**Attachments:** EOS CAP WEEKLY SUMMARY_20121231_sbt.xls

I just spoke with Tanya, and the VSC is processing EOS cases filed on 11/13/12. They have 123 petitions pending over 180 days, but 70 of those are with the CFDO. The remaining 53 are with officers or the contractors and they have been told to make those cases a priority.

I also asked her to include an accounting of the initial receipts that are sitting with the CFDO so that we can have a more accurate understanding of how many cases are in the regular pipeline. She will start doing this in future reports (located under a different tab) in the excel attachment.

---

**From:** Howrigan, Tanya L
**Sent:** Monday, December 31, 2012 10:57 AM
**To:** Aucoin, Lauren; Westra, Michelle M; Tynan, Natalie S; Sweeney, Shelly A
**Cc:** Canney, Keith J; Shuttle, Peter J
**Subject:** EOS and Cap report

**Tanya L. Howrigan**|Section Chief, Business Division| Vermont Service Center |USCIS | ☎ [redacted]
[redacted]: tanya.howrigan@dhs.gov

(b)(6)

12/31/2012 7/4/2012 11/1/2012

## VSC I129 H1B Pending as of 12/31/2012

| | STATUS | 180-day Aging Filed before 7/4/2012 | 60-day Aging Filed before 11/1/2012 | ALL PEND |
|---|---|---|---|---|
| **FY13 CAP** | Initial Receipts | 31 | 31 | 31 |
| Apr-1-2012 to | Response Received | 1,246 | 1,246 | 1,246 |
| Mar-30-2013 | Transfer In* | 1 | 1 | 1 |
| | RFE Ordered | 906 | 907 | 907 |
| | Continued | 16 | 16 | 16 |
| | Intent Ordered | 0 | 0 | 0 |
| | Total CAP13 Pending | 2,200 | 2,201 | 2,201 |
| **FY12 CAP** | Initial Receipts | 6 | 6 | 6 |
| Apr-1-2011 to | Response Received | 41 | 41 | 41 |
| Mar-30-2012 | Continued | 0 | 0 | 0 |
| | RFE Ordered | 3 | 3 | 3 |
| | Total CAP12 Pending | 50 | 50 | 50 |
| **FY11 CAP** | Initial Receipts | 32 | 32 | 32 |
| Apr-1-2010 to | Response Received | 0 | 0 | 0 |
| Mar-30-2011 | RFE/Intent Sent | 0 | 0 | 0 |
| | Total CAP11 Pending | 32 | 32 | 32 |
| **FY12&13 EOS** | Initial Receipts | 66 | 1,649 | 7,186 |
| Oct-1-2011 to | Response Received | 190 | 455 | 499 |
| Sept-30-2013 | Transfers In | 0 | 0 | 7 |
| | Continued | 4 | 24 | 31 |
| | RFE Ordered | 422 | 1,910 | 2,402 |
| | Intent Ordered | 0 | 2 | 2 |
| | EOS 11&12 Pending | 682 | 4,040 | 10,127 |
| **FY08,09,10, & 11 EOS** | Initial Receipts | 57 | 57 | 57 |
| Oct-1-2007 to | Response Received | 24 | 24 | 24 |
| Sept-30-2011 | Transfers In | 0 | 0 | 0 |
| | Continued | 4 | 4 | 4 |
| | RFE Ordered | 6 | 6 | 6 |
| | Intent Ordered | 1 | 1 | 1 |
| | EOS 8&9&10 Pending | 92 | 92 | 92 |
| **ALL EOS** | Initial Receipts | 123 | 1,706 | 7,243 |
| | Response Received | 214 | 479 | 523 |
| | Transfers In | 0 | 0 | 7 |
| | Continued | 8 | 28 | 35 |
| | RFE Ordered | 428 | 1,916 | 2,408 |
| | Intent Ordered | 1 | 3 | 3 |
| | Total EOS Pending | 774 | 4,132 | 10,219 |
| **Grand Total** | | 3,056 | 6,415 | 12,502 |

* These Transfers Ins are the result of FRE not consular return.

## VSC H1B ACTIONS (12-23-12 to 12-29-12)

| | APP | DEN | RFE | Total |
|---|---|---|---|---|
| CAP FY13 | 99 | 41 | 1 | 141 |
| CAP PP FY13 | 26 | 15 | 1 | 42 |
| **CAP 13 TOTAL** | **125** | **56** | **2** | **183** |
| CAP FY12 | 1 | 15 | | 16 |
| CAP PP FY12 | | 22 | | 22 |
| **CAP 12 TOTAL** | **1** | **37** | **0** | **38** |
| CAP FY11 | | 13 | | 13 |
| CAP PP FY11 | | 18 | | 18 |
| **CAP 11 TOTAL** | **0** | **31** | **0** | **31** |
| **CAP Total** | **126** | **124** | **2** | **252** |
| EOS FY10-Current | 531 | 38 | 93 | 662 |
| EOS PP FY10-Current | 400 | 65 | 59 | 524 |
| **EOS TOTAL** | **931** | **103** | **152** | **1,186** |
| **GRAND TOTAL** | **1,057** | **227** | **154** | **1,438** |

| PENDING F1 COS | FY13 | FY12 |
|---|---|---|
| F1COS_STATUS | Total | Total |
| UNTOUCHED* | 4 | 0 |
| RFE/NOID Ordered | 41 | 0 |
| RFE/NOID Response Received | 74 | 1 |
| Continued | 0 | 0 |
| Grand Total | 119 | 1 |

*2 of the FY13 untouched are in or were referred to CFDO

## ALL VSC H1B STATUS SUMMARIES as of 12/31/2012

| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 12&13 |
|---|---|---|---|---|
| Approval - Notice Ordered | 47,561 | 44,446 | 41,598 | 84,140 |
| Denied Fraud - Notice Ordered | | | 3 | 1 |
| Denied Others - Notice Ordered | 2,261 | 6,222 | 10,271 | 4,538 |
| Initial Receipts | 31 | 6 | 32 | 7,186 |
| Invent/Audit Adjust | 27 | 38 | 102 | 24 |
| No Status | | 1 | | |
| RejectedReceipts | 26 | 22 | 49 | 67 |
| Reopened | 4 | 3 | | 5 |
| Response Received | 1,246 | 49 | 28 | 501 |
| RFE Ordered | 908 | 7 | 2 | 2,405 |
| RFE/Intent Undeliverable | 6 | | 1 | 6 |
| SCPC | 14 | 7 | 14 | 13 |
| Transfers In | 7 | 296 | 241 | 94 |
| Transfers Out | | 12 | 34 | 10 |
| Intent Ordered | | 3 | 17 | 3 |
| Continued | 17 | | | 32 |
| Grand Total | 52,108 | 51,112 | 52,392 | 99,025 |

## Shirk, Georgette L

**From:** Bell, Lisa M
**Sent:** Monday, August 13, 2012 12:45 PM
**To:** Shuttle, Peter J
**Cc:** Doherty, Shannon P; Laroe, Lisa A; Sweeney, Shelly A
**Subject:** FW: EOS report
**Attachments:** 8.2012 EOS report.xls

**Importance:** High

Thank you Pete!

Copying Shelly.

*Lisa*

---

**From:** Shuttle, Peter J
**Sent:** Monday, August 13, 2012 1:27 PM
**To:** Shuttle, Peter J; Bell, Lisa M
**Cc:** Doherty, Shannon P; Laroe, Lisa A
**Subject:** RE: EOS report
**Importance:** High

Lisa,

Since this is the August report I thought I'd send you the must up to date version (as of today).

**Peter Shuttle**
Acting Section Chief Business Metro
USCIS - Vermont Service Center
[redacted] (b)(6)

---

**From:** Shuttle, Peter J
**Sent:** Monday, August 13, 2012 9:01 AM
**To:** Bell, Lisa M
**Cc:** Doherty, Shannon P; Laroe, Lisa A
**Subject:** EOS report

Lisa,

Here is our H-1B EOS report. It also includes the Cap Gap information for this years Cap – most of the "untouched" Cap Gap cases are distributed to officers and in the process of being handled (approved or RFE'd).

**Peter Shuttle**
Acting Section Chief Business Metro
USCIS - Vermont Service Center
[redacted] (b)(6)

| VSC I129 H1B Pending as of 8/13/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 6/14/2012 | ALL PEND |
| FY13 CAP | Initial Rec | 24,863 | 24,864 |
| Apr-1-2012 t | Response | 296 | 296 |
| Mar-30-2013 | Transfer In | 6 | 6 |
| | RFE Orde | 3,315 | 3,322 |
| | Continued | 11 | 19 |
| | Intent Ord | 1 | 1 |
| | Total CAP | 28,492 | 28,508 |
| FY12 CAP | Initial Rec | 34 | 34 |
| Apr-1-2011 t | Response | 206 | 206 |
| Mar-30-2012 | Continued | 2 | 2 |
| | RFE Orde | 37 | 37 |
| | Total CAP | 279 | 279 |
| FY11 CAP | Initial Rec | 32 | 32 |
| Apr-1-2010 t | Response | 3 | 3 |
| Mar-30-2011 | RFE/Intent | 0 | 0 |
| | Total CAP | 35 | 35 |
| Y11&12 EC | Initial Rec | 6,286 | 17,037 |
| Oct-1-2010 t | Response | 473 | 526 |
| Present | Transfers | 3 | 9 |
| | Continued | 19 | 33 |
| | RFE Orde | 592 | 1,120 |
| | Intent Ord | 1 | 1 |
| | EOS 11&1 | 7,374 | 18,726 |
| , 09, & 10 | Initial Rec | 39 | 39 |
| Oct-1-2007 t | Response | 12 | 12 |
| | Transfers | 0 | 0 |
| | Continued | 2 | 2 |
| | RFE Orde | 5 | 5 |
| Sept-30-2010 | Intent Ord | 0 | 0 |
| | EOS 8&9& | 58 | 58 |
| ALL EOS | Initial Rec | 6,325 | 17,076 |
| | Response | 485 | 538 |
| | Transfers | 3 | 9 |
| | Continued | 21 | 35 |
| | RFE Orde | 597 | 1,125 |
| | Intent Ord | 1 | 1 |
| | Total EOS | 7,432 | 18,784 |
| Grand Total | | 36,238 | 47,606 |

* These Transfers Ins are the result of FRE not consular return.

* These Transfers Ins are the result of FRE not consular return.

| VSC H1B ACTIONS (8-5-12 to 8-11-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY13 | 1822 | 15 | 726 | 2563 |
| CAP PP F | 187 | 32 | 29 | 248 |
| CAP FY12 | 13 | 38 | | 51 |
| CAP PP F | 1 | 41 | | 42 |
| CAP FY11 | | 25 | | 25 |
| CAP PP FY11 | | 37 | | 37 |
| EOS FY10 | 128 | 99 | 25 | 252 |
| EOS PP F | 884 | 99 | 157 | 1,140 |
| Grand Tot | 3,035 | 386 | 937 | 4,358 |

| PENDING | FY13 | FY12 |
|---|---|---|
| F1COS_S | Total | Total |
| UNTOUCH | 657 | 0 |
| RFE/NOID | 1627 | 0 |
| RFE/NOID | 138 | 3 |
| Continued | 9 | 0 |
| Grand Tot | 2,431 | 3 |

* None of the remaining FY12 untouched is in or was r
* 121 of the FY13 untouched are in or were referred to

| ALL VSC H1B STATUS SUMMARIES as of 8/13/2012 | | | | |
|---|---|---|---|---|
| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 11&12 |
| Approval - Notice Ordered | 23,153 | 45,807 | 42,941 | 113,453 |
| Denied Fraud - Notice Ordered | | | 3 | 3 |
| Denied Others - Notice Ordered | 391 | 4,703 | 8,940 | 10,275 |
| Initial Receipts | 24,864 | 34 | 32 | 17,037 |
| Invent/Audit Adjust | 17 | 38 | 90 | 48 |
| No Status | | | | |
| RejectedReceipts | 50 | 22 | 49 | 133 |
| Reopened | 2 | 1 | | 3 |
| Response Received | 296 | 217 | 53 | 541 |
| RFE Ordered | | 1 | 1 | 1,123 |
| RFE/Intent Undeliverable | 2 | 7 | | 4 |
| SCPC | | 224 | 14 | 92 |
| Transfers In | 6 | 12 | 197 | 296 |
| Transfers Out | 3,327 | 40 | 35 | 26 |
| Intent Ordered | 1 | 5 | 37 | 25 |
| Continued | 19 | 2 | 1 | 33 |
| Grand Total | **52,128** | **51,113** | **52,393** | **143,092** |

eferred to CFDO
CFDO

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 04, 2012 7:11 AM
**To:** Bolog, Marguerite M
**Subject:** FW: Final (I think) revised Monday number is 18,938 petitions

FYI

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 5:26 PM
**To:** Arroyo, Susan K; Sweeney, Shelly A; Lauver, Tinnina M
**Cc:** Roman-Riefkohl, Guillermo
**Subject:** Final (I think) revised Monday number is 18,938 petitions

I used some incomplete data from CSC earlier today and they only completed their count within the hour. The final split was close to 50-50 between them. CSC actually got more Premiums.
These numbers come much closer to what we anticipated for day one. The 30,000 estimate for the week now looks very good.

| Center | Total petitions | Premium petitions | Premium percentage |
|---|---|---|---|
| VSC | 9,548 | 2,392 | |
| CSC | 9,390 | 2,673 | |
| TOTAL | 18,938 | 5,065 | 26.75% |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, April 03, 2012 5:23 PM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** RE: CSC H1B CAP Report for 04-02-12 REVISED

Denis:
Please find attached the revised CSC H1B CAP report for 04-02-2012. I apologize for any confusion that the original report may have created.
Regards,
Ann

---

**From:** Ann Lees
**Sent:** Tuesday, April 03, 2012 11:04 AM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'

**Cc:** Dick Braun; Thomas Leupp
**Subject:** CSC and VSC CAP Reports for 04-02-12

Denis:
Please find attached the CSC and the VSC H1B CAP Reports for 04-02-2012. Be advised that these reports reflect estimated receipts. The actual receipt numbers for 04-02-2012 are expected to be finalized this afternoon.
Regards,
Ann

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, June 08, 2012 1:00 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D
**Subject:** FW: FY 2013 H-1B Cap - updated

Note that master's is now at 20K. All remaining master's will roll into the regular pot.

---

**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 1:06 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 63,672 | 6/7/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/7/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, June 07, 2012 3:10 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D
**Subject:** FW: FY 2013 H-1B Cap - updated

We're getting closer...

---

**From:** Liang, Gwen
**Sent:** Thursday, June 07, 2012 2:44 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, June 06, 2012 9:46 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D
**Subject:** FW: FY 2013 H-1B Cap - updated

Less than 900 away from hitting 20K on master's.

---

**From:** Liang, Gwen
**Sent:** Wednesday, June 06, 2012 10:43 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,526 | 6/5/2012 |
| H-1B Master's Exemption | 20,000 | 19,111 | 6/5/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, June 11, 2012 12:57 PM
**To:** Peck, Denis R
**Subject:** FW: FY 2013 H-1B Cap - updated

With that number below and the preliminary high volume I was hearing about anecdotally, what are the chances we hit today?

---

**From:** Liang, Gwen
**Sent:** Monday, June 11, 2012 1:55 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 69,985 | 6/8/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/8/2012 |

** Note: The counts are based on CSC data load up to 6/8/2012 and VSC data load up to 6/10/2012. According to the IT Specialist at Vermont, C3 was down in CSC during this past weekend. Therefore CSC data load was cut off after Friday.

*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Tuesday, April 10, 2012 12:44 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** FW: FY 2013 H-1B Cap

**Categories:** Green Category

fyi

---

**From:** McConnell, James E
**Sent:** Tuesday, April 10, 2012 1:40 PM
**To:** Velarde, Barbara Q
**Cc:** Peck, Denis R
**Subject:** RE: FY 2013 H-1B Cap

These are the ones that hit the ciscor database from yesterday. There is a lag from the C3Lan to updates in ciscors. I'll have Gwen hold off on issuing this report until there is a better update.


==========
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted] - Voice (b)(6)
202-272-1543 - FAX
==========


---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, April 10, 2012 1:37 PM
**To:** McConnell, James E
**Subject:** FW: FY 2013 H-1B Cap

I am confused... are these the numbers data entered or what?

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 08, 2012 6:57 AM
**To:** Velarde, Barbara Q; Young, Claudia F; McConnell, James E; Peck, Denis R; Lauver, Tinnina M
**Subject:** FW: FY13 H-1B Cap Count Update

Halfway point!

---

**From:** Bolog, Marguerite M
**Sent:** Monday, May 07, 2012 2:14 PM
**To:** USCIS Exec Sec; Contaldi, Kerry T
**Cc:** Velarde, Barbara Q; Young, Claudia F; Lauver, Tinnina M; McConnell, James E; Sweeney, Shelly A; Peck, Denis R; Bell, Lisa M
**Subject:** RE: FY13 H-1B Cap Count Update

All—

Here are the latest figures for FY13 H-1B cap filings.

### *FY 2013 H-1B Cap Count*

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,500 | 05/04/2012 |
| H-1B Master's Degree Exemption | 20,000 | 13,700 | 05/04/2012 |

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted] (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 9:21 AM
**To:** Bolog, Marguerite M
**Subject:** FW: H-1B Cap Processing Summary 3-19-12

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 11:07 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M
**Subject:** RE: H-1B Cap Processing Summary 3-19-12

Thank you Shelly. CSC and VSC are on target for the H1B Cap cases. Wonderful.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 20, 2012 8:12 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 3-19-12

Corinna,

Here is an updated summary of H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- VSC has distributed all FY12 cap cases to officers (cap closed on 11/22).
- Cap cases were all distributed two weeks ago. They continue to work through the remaining cases.
- Currently:
  - 4,275 pending cap cases over 2 month processing goal (**956** untouched including those cases with an officer)
  - 4,275 total pending cap cases (**956** untouched including those cases with an officer)
- Two Weeks ago:
  - 5,531 pending cap cases over 2 month processing goal (2,806 untouched including those cases with an officer)
  - 5,532 total pending cap cases (2,807 untouched including those cases with an officer)

CSC

- CSC has distributed all FY12 cap cases (both regular and master's) to officers. There are **only 20 untouched cap cases**. They intend to have those taken care of by the **end of today**. They are distributing cap exempt petitions with a receipt date of **1/15**. They anticipate being **within the two-month processing goal** for cap exempt cases at the **end of this week**.
- Two weeks ago, the CSC had already distributed all regular and master's cap cases and were distributing cap exempt petitions filed on 11/29.
- Currently:
  - 3,292 pending cap cases over 2 month processing goal (152 untouched, 627 with an officer)
  - 3,518 total pending cap cases (330 untouched, 636 with an officer)

- Two weeks ago:
  - 4,164 pending cap cases over 2 month processing goal (1,718 untouched, 1,004 with an officer)
  - 4,351 total pending cap cases (1,718 untouched, 1,006 with an officer)

**ANALYSIS**--

- Based on recent production, both centers are on target to touch all FY12 cases before the end of March.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Thursday, April 19, 2012 10:29 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** FW: H-1B Cap Processing Summary 4-13-12

Shelly—

Here is a summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - 3,539 total pending cap cases (3,526 untouched including those cases with an officer) as of 4/13/12.

CSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - The FY13 cap cases have not been put on the shelf as of 4/13/12.

**ANALYSIS**--

- Both centers are currently on target to touch all FY13 cases within 60-day processing time.

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529

[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 9:26 AM
**To:** Bolog, Marguerite M
**Subject:** FW: H-1B EOS Processing Summary 3-13-12

If you don't have the regular EOS report by Tuesday or so, please touch base with Tom and Joe.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 13, 2012 8:16 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Luna, Corinna A.
**Subject:** RE: H-1B EOS Processing Summary 3-13-12

Thanks Shelly. Numbers look good for CSC. We do know that the VSC and CSC are working towards CAP cases so the VSC will move the EOS moreso thereafter. Let's just watch it.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, March 13, 2012 7:57 AM
**To:** Luna, Corinna A.
**Cc:** Bell, Lisa M
**Subject:** H-1B EOS Processing Summary 3-13-12

Corinna,

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **11/14**.
- One month ago, they were working 10/11.
- Currently:
  - 7,838 pending EOS cases over 2 month processing goal (6,294 untouched including those cases with an officer)
  - 13,722 total pending EOS cases (11,609 untouched including those cases with an officer)
- One month ago:
  - 7,555 pending EOS cases over 2 month processing goal (5,974 untouched including those cases with an officer)
  - 12,745 total pending EOS cases (10,637 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **1/12**.
- One month ago, they were working 11/23.
- Currently:
  - 2,737 pending EOS cases over 2 month processing goal (390 untouched, 1,277 with an officer)
  - 8,654 total pending EOS cases (6,095 untouched, 1,285 with an officer)
- One month ago:
  - 4,226 pending EOS cases over 2 month processing goal (2,089 untouched, 1,147 with an officer)
  - 9,381 total pending EOS cases (7,067 untouched, 1,155 with an officer)

ANALYSIS

- The VSC's backlog number increased slightly since last month. Processing times seemed to have increased, as well. This is due to the fact that VSC is focusing on touching all FY12 cap cases by the end of March.
- The CSC's number of EOS petitions over 2 months old has decreased by about 1.5K. They are now almost at a 2-month processing time.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

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This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 1:05 PM
**To:** Young, Claudia F; Cummings, Kevin J
**Cc:** Perkins, Robert M; Boudreau, Lynn A
**Subject:** FW: Masters Cap?

Sorry – forgot to copy you. Question remains....thanks

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 9:58 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| Totals | 27576 | 38261 | 65837 | |

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS

[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Tynan, Natalie S
**Sent:** Friday, October 26, 2012 1:48 PM
**To:** Sweeney, Shelly A
**Subject:** FW: September RFE Rate.

What does this mean? They are in trouble, right?

---

**From:** McConnell, James E
**Sent:** Friday, October 26, 2012 2:28 PM
**To:** Velarde, Barbara Q; Sweeney, Shelly A; Tynan, Natalie S
**Subject:** RE: September RFE Rate.

This makes sense, but the issue is a **loss of ≈10%** in processing time. They are spending more time RFE'ing than normal. Also, by not working the cases with returned RFE's the cycle time will increase, looks like CSC **issued 8,736** in Sept but also **received 8,900 returns** that are not being worked if they are only working untouched cases.

Let me know if I need to better explain, it is rather confusing.

Thanks,
Jim

==========
James E. McConnell
Chief, Business Analysis Branch
Service Center Operations
202-272-1073
==========

---

**From:** Velarde, Barbara Q
**Sent:** Friday, October 26, 2012 1:04 PM
**To:** Sweeney, Shelly A; Tynan, Natalie S
**Cc:** McConnell, James E
**Subject:** RE: September RFE Rate.

I am including Jim because this is sort of a statistical thing but I don't quite understand that

---

**From:** Sweeney, Shelly A
**Sent:** Friday, October 26, 2012 1:02 PM
**To:** Velarde, Barbara Q; Tynan, Natalie S
**Subject:** FW: September RFE Rate.

Does this make sense? The CSC RFE rate went up because they were only working untouched cases in the month of September which lead to the appearance of a higher RFE rate. Is there any way to validate this? Would it be appropriate to ask them for the RFE rates for each category of H-1B cases (cap initials, cap exempt initials, EOS) with a comparison to last year to help show that there really hasn't been a change? I'm just thinking if we'll be chewed up by the Front Office if we go in with this explanation and no data to back it up.

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 3:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 3:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 2,053 | 1,926 | 2,174 | 2,046 | 4,227 | 3,972 | 8,199 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
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Washington, DC 20529
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---

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec

**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
Chief, Records Management Branch
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, April 13, 2012 12:14 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 11,485 through Thursday TOTALS FILINGS ARE 29,068

Based on handcounts this week added to last week's , the total CAP filings through Thursday is 9,335 MASTERS and 19,733 NONMASTERS for 29,068 TOTAL

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | | | | | | | |
| TOTAL | 3,331 | 2,134 | 3,911 | 2,109 | 7,242 | 4,243 | 11,485 |

VERMONT TOTAL is 14,988
CSC TOTAL is 14,080

These numbers are manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 4:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

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Washington, DC 20529
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Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]

(b)(6)

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, April 16, 2012 11:11 AM
**To:** Bolog, Marguerite M
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335
**Attachments:** FY13 VSC H1B CAP Report 04-13-2012.xls; FY13 CSC H1B CAP Report 04-13-2012.xls

**Importance:** High

Mack,

The important numbers for purposes of the web page and the EXS email are in the sentence above the chart. As of 4/13, approximately 9,700 masters and 20,600 regular petitions.

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Monday, April 16, 2012 11:56 AM
**To:** Sweeney, Shelly A
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335

Shelly here is the complete data set.

Based on handcounts this week added to last week's , the total CAP filings RECEIVED through Friday April 13 is 9,732 MASTERS and 20,603 NONMASTERS for 30,335 TOTAL

DATA ENTRY VOLUMES

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | 73 | 1,284 | 310 | 876 | 383 | 2,160 | 2,543 |
| TOTAL | 3,404 | 3,418 | 4,221 | 2,985 | 7,625 | 7,403 | 15,028 |

VERMONT TOTAL RECEIVED is 15,650
CALIFORNIA TOTAL RECEIVED is 14,685

These numbers include manual counts and will change slightly

Denis Peck

Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, April 13, 2012 1:14 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 11,485 through Thursday TOTALS FILINGS ARE 29,068

Based on handcounts this week added to last week's , the total CAP filings through Thursday is 9,335 MASTERS and 19,733 NONMASTERS for 29,068 TOTAL

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
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| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | | | | | | | |
| TOTAL | 3,331 | 2,134 | 3,911 | 2,109 | 7,242 | 4,243 | 11,485 |

VERMONT TOTAL is 14,988
CSC TOTAL is 14,080

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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 4:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 3:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 2,053 | 1,926 | 2,174 | 2,046 | 4,227 | 3,972 | 8,199 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |
| April 11 | | | | | | |
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| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

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Chief, Records Management Branch
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[redacted] (b)(6)

**From:** Liang, Gwen
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**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
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| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted] (b)(6)

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Friday, April 20, 2012 1:31 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** H-1B EOS Processing Summary 4/20/12

Shelly—

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **2/26/12**.
- One month ago, they were working 11/14.
- Currently:
  - 1,186 pending EOS cases over 2 month processing goal (1,186 untouched including those cases with an officer)
  - 8,340 total pending EOS cases (5,570 untouched including those cases with an officer)
- One month ago:
  - 7,838 pending EOS cases over 2 month processing goal (6,294 untouched including those cases with an officer)
  - 13,722 total pending EOS cases (11,609 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **3/12/12**.
- One month ago, they were working 1/12.
- Currently:
  - 1,609 pending EOS cases over 2 month processing goal (101 untouched, 357 with an officer)
  - 7,351 total pending EOS cases (4,536 untouched, 1,304 with an officer)
- One month ago:
  - 2,737 pending EOS cases over 2 month processing goal (390 untouched, 1,277 with an officer)
  - 8,654 total pending EOS cases (6,095 untouched, 1,285 with an officer)

ANALYSIS

- The VSC's backlog of cases over 2 months old decreased by 6,652 cases, a significant drop from last month. This is due to the fact that VSC focused on EOS cases before the H-1B cap reopened and provided H-1B training in which EOS cases were handed out.
- The CSC's number of EOS petitions over 2 months old decreased by 1,128. Both centers are in good shape going into cap season.

Please let me know if you have any questions or concerns.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 16, 2012 10:56 AM
**To:** Sweeney, Shelly A
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335
**Attachments:** FY13 VSC H1B CAP Report 04-13-2012.xls; FY13 CSC H1B CAP Report 04-13-2012.xls

Shelly here is the complete data set.

Based on handcounts this week added to last week's , the total CAP filings RECEIVED through Friday April 13 is 9,732 MASTERS and 20,603 NONMASTERS for 30,335 TOTAL

DATA ENTRY VOLUMES

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| April 13 | 73 | 1,284 | 310 | 876 | 383 | 2,160 | 2,543 |
| TOTAL | 3,404 | 3,418 | 4,221 | 2,985 | 7,625 | 7,403 | 15,028 |

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CALIFORNIA TOTAL RECEIVED is 14,685

These numbers include manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, April 13, 2012 1:14 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 11,485 through Thursday TOTALS FILINGS ARE 29,068

Based on handcounts this week added to last week's , the total CAP filings through Thursday is 9,335 MASTERS and 19,733 NONMASTERS for 29,068 TOTAL

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| April 13 | | | | | | | |
| TOTAL | 3,331 | 2,134 | 3,911 | 2,109 | 7,242 | 4,243 | 11,485 |

VERMONT TOTAL is 14,988
CSC TOTAL is 14,080

These numbers are manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]

---

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 4:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 3:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 2,053 | 1,926 | 2,174 | 2,046 | 4,227 | 3,972 | 8,199 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
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Washington, DC 20529
[redacted]

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Monday, April 23, 2012 7:35 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335

**Importance:** High

Denis—

Do you have updated data from the Centers on total CAP filings received?

Thanks,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
(b)(6)
[redacted]

---

**From:** Peck, Denis R
**Sent:** Monday, April 16, 2012 11:56 AM
**To:** Sweeney, Shelly A
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335

Shelly here is the complete data set.

Based on handcounts this week added to last week's , the total CAP filings RECEIVED through Friday April 13 is 9,732 MASTERS and 20,603 NONMASTERS for 30,335 TOTAL

DATA ENTRY VOLUMES

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | 73 | 1,284 | 310 | 876 | 383 | 2,160 | 2,543 |
| TOTAL | 3,404 | 3,418 | 4,221 | 2,985 | 7,625 | 7,403 | 15,028 |

VERMONT TOTAL RECEIVED is 15,650
CALIFORNIA TOTAL RECEIVED is 14,685

These numbers include manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Friday, April 13, 2012 1:14 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 11,485 through Thursday TOTALS FILINGS ARE 29,068

Based on handcounts this week added to last week's , the total CAP filings through Thursday is 9,335 MASTERS and 19,733 NONMASTERS for 29,068 TOTAL

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | | | | | | | |
| TOTAL | 3,331 | 2,134 | 3,911 | 2,109 | 7,242 | 4,243 | 11,485 |

VERMONT TOTAL is 14,988
CSC TOTAL is 14,080

These numbers are manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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---

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 4:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

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Chief, Records Management Branch
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Washington, DC 20529
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**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 3:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 2,053 | 1,926 | 2,174 | 2,046 | 4,227 | 3,972 | 8,199 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 9:33 AM
**To:** Pearl, Thomas F
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** FW: VSC H-1B report

Tom,

Now that FY13 has opened, I'd like the centers to start providing the below report for FY13 cap cases (I understand that there won't be anything in the 60-day column for a while yet ☺).

For FY12 cap cases that are still pending, I no longer require a report since those cases were touched prior to the FY13 cases hitting the floor. However, I would ask that you let us know if you encounter any issues with finalizing the outstanding FY12 cap cases. We may also reach out at some point in the near future to check on the status.

Thanks!

Shelly

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 9:36 AM
**To:** Canney, Keith J; Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** RE: VSC H-1B report

Great Job Keith and VSC!

---

**From:** Canney, Keith J
**Sent:** Thursday, March 15, 2012 3:47 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** VSC H-1B report

Shelly –

Here is the status of VSC's cap cases. We continue to work through the remaining FY12 initial receipt cap cases.

Keith

| VSC I129 H1B Pending as of 3/15/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 1/15/2012 | ALL PEND |
| FY12 CAP | Initial Receipts | 956 | 956 |
| Apr-1-2011 to | Response Received | 421 | 421 |
| Mar-30-2012 | RFE/Intent Sent | 2,898 | 2,898 |
| | Transfers In* | 0 | 0 |

1

| | | | |
|---|---|---|---|
| | Total CAP12 Pending | 4,275 | 4,275 |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 12, 2012 8:58 AM
**To:** Bolog, Marguerite M
**Subject:** FW: We have 3,510 CAP petitions from Monday's mail

**Importance:** High

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 12, 2012 9:57 AM
**To:** Liang, Gwen
**Cc:** Velarde, Barbara Q; Wilcox, Julia D; Peck, Denis R; McConnell, James E; Bacote, Robert R
**Subject:** FW: We have 3,510 CAP petitions from Monday's mail
**Importance:** High

Gwen,

The VSC and CSC have both confirmed that all cap petitions from yesterday have been counted. The grand total is 3,510. Based on your query for this morning, do you think we can accept them all?

Thanks!

Shelly

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Fries, Juliet M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

Yes they are for CSC.

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** Re: We have 3,510 CAP petitions from Monday's mail

VSC - 2104 is correct

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 6:13 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

While we wait to discuss this here after the seeing today's query update from CISCOR, would you both verify that ALL the mail from yesterday has been opened and counted and that these are the true numbers waiting in the queues – 2,104 CAPS at VSC and 1,406 at CSC?

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 8:25 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M; Liang, Gwen
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; McConnell, James E
**Subject:** We have 3,510 CAP petitions from Monday's mail

Shelly,

This is the contractor's hand count. They will hold until further word from us.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Tamara Owens [mailto:Tamara.Owens@fcifederal.com]
**Sent:** Tuesday, June 12, 2012 1:10 AM
**To:** Peck, Denis R; John Coleman; Loughlin, Stephen J; Ann Lees
**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
**Subject:** Final Numbers 6-11-12

All,

As you can see, the mail numbers continued to increase throughout the day. We received an additional 3,104 pieces of mail after 12:30 today, totaling 7,755 pieces; thus causing a delay in processing numbers.

CAP final numbers today are as follows:

| | CAP 6/11/12 | Prem vs Non-Prem Totals |
|---|---|---|
| **VMP** | 98 | 380 |

| | | |
|---|---|---|
| VRP | 282 | |
| VMN | 215 | |
| VRN | 1,509 | 1,724 |
| TOTAL | 2,104 | 2,104 |

Denis:
The following table contains the 06-11-12 CAP count for the California Service Center:

| | CMP | CRP | CMN | CRN |
|---|---|---|---|---|
| | 59 | 163 | 145 | 1039 |
| TOTAL | 222 | | 1184 | |

Final Mail Received 6-11-12

| | Monday | Monday | Average Monday |
|---|---|---|---|
| | 6-11-12 | 6-4-12 | |
| USPS | 5,194 | 4,002 | 4,121 |
| DHL | 4 | 5 | 1 |
| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |

*Tamara*

*Tamara Owens*
*FCi Federal, Site Manager SCOSS VSC*
*75 Lower Welden*
*St Albans / Essex, Vermont*
*office*
*cell:* [redacted] (b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, June 11, 2012 12:55 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 69,985 | 6/8/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/8/2012 |

** Note: The counts are based on CSC data load up to 6/8/2012 and VSC data load up to 6/10/2012. According to the IT Specialist at Vermont, C3 was down in CSC during this past weekend. Therefore CSC data load was cut off after Friday.

*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 12:06 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 63,672 | 6/7/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/7/2012 |

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Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Thursday, June 07, 2012 1:44 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

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[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Wednesday, June 06, 2012 9:43 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,526 | 6/5/2012 |
| H-1B Master's Exemption | 20,000 | 19,111 | 6/5/2012 |

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Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, June 05, 2012 9:55 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 55,752 | 6/4/2012 |
| H-1B Master's Exemption | 20,000 | 18,662 | 6/4/2012 |

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Management and Program Analyst
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☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, June 04, 2012 8:59 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 55,606 | 6/1/2012 |
| H-1B Master's Exemption | 20,000 | 18,699 | 6/1/2012 |

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☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Thursday, May 31, 2012 8:49 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,874 | 5/30/2012 |
| H-1B Master's Exemption | 20,000 | 17,738 | 5/30/2012 |

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☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Wednesday, May 30, 2012 11:38 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 48,423 | 5/25/2012 |
| H-1B Master's Exemption | 20,000 | 17,457 | 5/25/2012 |

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☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Thursday, May 24, 2012 8:52 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 44,173 | 5/23/2012 |
| H-1B Master's Exemption | 20,000 | 16,536 | 5/23/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, May 22, 2012 10:13 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 42,060 | 5/18/2012 |
| H-1B Master's Exemption | 20,000 | 16,036 | 5/18/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
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(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, May 14, 2012 10:12 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,694 | 5/11/2012 |
| H-1B Master's Exemption | 20,000 | 14,815 | 5/11/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Monday, May 07, 2012 9:08 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 31,148 | 5/4/2012 |
| H-1B Master's Exemption | 20,000 | 13,380 | 5/4/2012 |

*Gwen Liang*
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☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, June 12, 2012 9:20 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 70,005 | 6/10/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/10/2012 |

Comment: It seems there are 20 additional Cap's after the complete load of the data entered during the past weekend.

*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 12:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

**Categories:** Green Category

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
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[redacted]
(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 26, 2012 9:23 AM
**To:** Luna, Corinna A
**Cc:** Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 6-15-12

Corinna,

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are 9,547 pending FY13 cap cases over the 2-month processing goal (8,788 untouched including those cases with an officer).
  - 40,291 total pending cap cases (38,361 untouched including those cases with an officer) as of 6/15/12.

- One Week Ago:
  - There were 8 pending FY13 cap cases over the 2-month processing goal.
  - 35,922 total pending cap cases (34,215 untouched including those cases with an officer) as of 6/8/12.

CSC

- Currently:
  - There are 10,915 pending FY13 cap cases over the 2-month processing goal (7,102 untouched, 1,594 with an officer). They are distributing cap exempt petitions with a receipt date of **3/30/12**.
  - 33,683 total pending cap cases (28,276 untouched, 2,400 with an officer) as of 6/15/12.
- One Week Ago:
  - There were no pending FY13 cap cases over the 2-month processing goal. They were distributing cap exempt petitions with a receipt date of **3/28/12**.
  - 27,843 total pending cap cases (24,226 untouched, 1,735 with an officer) as of 6/8/12.

**ANALYSIS**--

- While both centers have cases that are outside of the 2-month processing goal, it should be noted that the actual receipt date being distributed on the floor to officers is not that far outside of 2-months (e.g., CSC is distributing master's cap cases with a receipt date of 4/12 and regular cap cases with a receipt date of 4/19).
- CSC is aware that their cap exempt processing times have fallen behind. CSC has advised that they fell behind on working cap exempt cases when they put everyone on premium cap filings and that they have not fully recovered yet, but that they expect to be within the 2-month processing goal for cap exempt cases shortly.

Please let me know if you have any questions.

Thanks!

Shelly

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, August 06, 2012 7:37 AM
**To:** Doherty, Shannon P
**Cc:** Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 8-3-12

Shannon,

Here is an updated summary of FY13 H-1B cap processing at the centers. I cannot seem to locate my last cap report from the centers (I think I forgot to complete it, so I used the June update to fill in the below.

**CAP PROCESSING**--

VSC

- Currently:
  - There are 22,738 pending FY13 cap cases over the 2-month processing goal (20,562 untouched including those cases with an officer).
  - 30,954 total pending cap cases (28,036 untouched including those cases with an officer) as of 8/3/12.

- A month and a half ago:
  - There are 9,547 pending FY13 cap cases over the 2-month processing goal (8,788 untouched including those cases with an officer).
  - 40,291 total pending cap cases (38,361 untouched including those cases with an officer) as of 6/15/12.

CSC

- Currently:
  - There are 18,715 pending initial cases over the 2-month processing goal (13,764 untouched, 2,265 with an officer). They are distributing cap exempt petitions with a receipt date of **6/7/12**.
  - 28,771 total pending cap cases (23,264 untouched, 2,328 with an officer) as of 7/27/12.
- A month and a half ago:
  - There are 10,915 pending initial cases over the 2-month processing goal (7,102 untouched, 1,594 with an officer). They are distributing cap exempt petitions with a receipt date of **3/30/12**.
  - 33,683 total pending cap cases (28,276 untouched, 2,400 with an officer) as of 6/15/12.

**ANALYSIS**--

- Both the VSC and CSC are outside of the two-month processing goal for cap petitions, which is not entirely surprising considering the heavy volume of cap filings received at the end of the filing period. The goal for the centers is to touch all cap cases by October 1. The CSC is still aiming for this goal and I have sent a message to the VSC to confirm whether they still feel that they are on track. In the interim, I do know that both centers are prioritizing cap gap cases.
- CSC's cap exempt initial filings are within the two-month processing goal.

Please let me know if you have any questions.

Thanks!

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 04, 2012 7:25 AM
**To:** Doherty, Shannon P
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 9-4-12

Shannon,

Here is an updated summary of FY13 H-1B cap processing at the centers.

**CAP PROCESSING**--

VSC

- Currently:
  - There are 21,718 pending FY13 cap cases over the 2-month processing goal (17,059 untouched including those cases with an officer).
  - 21,723 total pending cap cases (17,059 untouched including those cases with an officer) as of 8/31/12.

- At the beginning of August:
  - There are 22,738 pending FY13 cap cases over the 2-month processing goal (20,562 untouched including those cases with an officer).
  - 30,954 total pending cap cases (28,036 untouched including those cases with an officer) as of 8/3/12.

CSC

- Currently:
  - There are 22,679 pending initial cases over the 2-month processing goal (15,764 untouched, 3,903 with an officer). They are distributing cap exempt petitions with a receipt date of **6/19/12**.
  - 23,059 total pending initial filings cases (16,111 untouched, 3,906 with an officer) as of 8/24/12.
- At the end of July:
  - There are 18,715 pending initial cases over the 2-month processing goal (13,764 untouched, 2,265 with an officer). They are distributing cap exempt petitions with a receipt date of 6/7/12.
  - 28,771 total pending cap cases (23,264 untouched, 2,328 with an officer) as of 7/27/12.

**ANALYSIS**--

- At this point, all pending cap filings are outside of the 2-month processing goal since the cap closed in mid-June. Cap exempt filings are about a week and a half outside of the 2-month processing goal.
- Both centers have been prioritizing initial H-1B petitions and utilizing OT. The CSC ran out of OT mid-month and only recently received additional OT funds. As such, they do not appear to have made as much progress as the VSC has in eliminating their backlog.
- The CSC noted in their processing report that they have added 12 more officers to regular production, which will help in the month of October; however, they also note that the decreased amount of OT funds could have a negative impact.
- *CSC stated that they are now working cases by petitioner as an effort to streamline adjudication practice. Is SCOPS management ok with this practice?* I know that there were concerns with a somewhat similar practice earlier this month by the VSC.

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, June 25, 2012 3:17 PM
**To:** Sweeney, Shelly A
**Cc:** Schoening, Donald; Luna, Corinna A
**Subject:** H-1B Cap Report

Shelly:

CSC is currently distributing cases as follows:

Regular Cap - 4/19/12
Master Cap - 4/12/12
Cap Exempt – 3/30/12

**CSC I-129 H1Bs Pending with NFTS location as of 06/20/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 04/20/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 9 | 18 |
| | | At CFDO | 13 | 25 |
| | | In File Room/Jit Shelf | 7,102 | 28,276 |
| | | On RFE Shelf/Rule 103 | 1,981 | 2,542 |
| | | Other Location | 11 | 212 |
| | | W/Clerical/Incl Resubmits | 205 | 210 |
| | | W/Officer/Incl Resubmits | 1,594 | 2,400 |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **10,915** | **33,683** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**

**CSC I-129 H1Bs (0**

**Data S**

| | |
|---|---|
| Div I | I-129 H1B |
| | |
| | I-129 PP H1B |
| | |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div V | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div VI | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div X | I-129 H1B |
| | I-129 H1B EOS |

| | | |
|---|---|---|
| | | |
| | | |

| | | |
|---|---|---|
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, August 03, 2012 6:23 PM
**To:** Sweeney, Shelly A
**Cc:** Schoening, Donald; Doherty, Shannon P
**Subject:** H-1B Cap Report

CSC is currently distributing at over 60 days. We are prioritizing the cap gap cases. Our goal remains to have a first touch on FY13 cap cases by Oct 1st.

Cap exempt cases are being distributed at 6/7/12.

**CSC I-129 H1Bs Pending with NFTS location as of 07/27/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 05/27/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 30 | 31 |
| | | At CFDO | 125 | 166 |
| | | At Div IX | 206 | 597 |
| | | In File Room/Jit Shelf | 13,764 | 23,264 |
| | | On RFE Shelf/Rule 103 | 1,381 | 1,382 |
| | | Other Location | 280 | 331 |
| | | W/Clerical/Incl Resubmits | 664 | 672 |
| | | W/Officer/Incl Resubmits | 2,265 | 2,328 |
| | | | | |
| | | | | |
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| | | | | |
| | | | | |
| | | | | |
| **Total:** | | | **18,715** | **28,771** |

**CSC I-129 H1Bs (07-22-2012 to 07-28-2012)**

| Data Source: CATs | | | | | |
|---|---|---|---|---|---|
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 827 | 67 | 318 | 1,212 |
| | I-129 H1B EOS | 41 | 40 | 8 | 89 |
| | I-129 PP H1B | 487 | 51 | 83 | 621 |
| | I-129 PP H1B EOS | 69 | 24 | 11 | 104 |
| | **Total:** | **1,424** | **182** | **420** | **2,026** |
| Div II | I-129 H1B | 77 | 0 | 8 | 85 |
| | I-129 H1B EOS | 304 | 3 | 21 | 328 |
| | I-129 PP H1B | 1 | 0 | 0 | 1 |
| | I-129 PP H1B EOS | 17 | 0 | 0 | 17 |
| | **Total:** | **399** | **3** | **29** | **431** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div IX | I-129 H1B | 1 | 0 | 0 | 1 |
| | I-129 H1B EOS | 241 | 2 | 22 | 265 |
| | I-129 PP H1B | 17 | 4 | 0 | 21 |
| | I-129 PP H1B EOS | 713 | 6 | 102 | 821 |
| | **Total:** | **972** | **12** | **124** | **1,108** |
| Div X | I-129 H1B | 0 | 0 | 1 | 1 |
| | I-129 H1B EOS | 9 | 0 | 1 | 10 |
| | I-129 PP H1B | 2 | 0 | 1 | 3 |
| | I-129 PP H1B EOS | 1 | 0 | 2 | 3 |
| | **Total:** | **12** | **0** | **5** | **17** |
| **Grand Total:** | | **2,807** | **197** | **578** | **3,582** |

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, September 20, 2012 11:24 AM
**To:** Sweeney, Shelly A
**Cc:** Doherty, Shannon P; Schoening, Donald
**Subject:** H-1B Cap

Shelly:

Here is an updated breakdown of what we have pending. We pulled more cases off the JIT this morning.

- Approximately 4,402 Untouched cases on the JIT
- Approximately 2,300 untouched cases on the floor

We may hit the October 1st date, but more likely than not, we will be through the first touch somewhere closer to the 5th.

**CSC I-129 H1Bs Pending with NFTS location as of 09/19/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 07/19/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 10 | 10 |
| | | At CFDO | 74 | 75 |
| | | In File Room/Jit Shelf | 6,935 | 4,402 |
| | | On RFE Shelf/Rule 103 | 5,558 | 5,558 |
| | | Other Location | 144 | 145 |
| | | W/Clerical/Incl Resubmits | 679 | 679 |
| | | W/Officer/Incl Resubmits | 3,839 | 3,841 |
| **Total:** | | | **17,239** | **14,710** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**
**- Initial cases: Part 2_2 un-marks as c or d.**

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Friday, April 20, 2012 1:31 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** H-1B EOS Processing Summary 4/20/12

Shelly—

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **2/26/12**.
- One month ago, they were working 11/14.
- Currently:
  - 1,186 pending EOS cases over 2 month processing goal (1,186 untouched including those cases with an officer)
  - 8,340 total pending EOS cases (5,570 untouched including those cases with an officer)
- One month ago:
  - 7,838 pending EOS cases over 2 month processing goal (6,294 untouched including those cases with an officer)
  - 13,722 total pending EOS cases (11,609 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **3/12/12**.
- One month ago, they were working 1/12.
- Currently:
  - 1,609 pending EOS cases over 2 month processing goal (101 untouched, 357 with an officer)
  - 7,351 total pending EOS cases (4,536 untouched, 1,304 with an officer)
- One month ago:
  - 2,737 pending EOS cases over 2 month processing goal (390 untouched, 1,277 with an officer)
  - 8,654 total pending EOS cases (6,095 untouched, 1,285 with an officer)

ANALYSIS

- The VSC's backlog of cases over 2 months old decreased by 6,652 cases, a significant drop from last month. This is due to the fact that VSC focused on EOS cases before the H-1B cap reopened and provided H-1B training in which EOS cases were handed out.
- The CSC's number of EOS petitions over 2 months old decreased by 1,128. Both centers are in good shape going into cap season.

Please let me know if you have any questions or concerns.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, July 17, 2012 1:04 PM
**To:** Doherty, Shannon P; Lauver, Tinnina M
**Cc:** Bell, Lisa M
**Subject:** H-1B EOS Processing Summary 7/13/12

Shannon and Tina,

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **4/30/12**.
- One month ago, they were working 4/15.
- Currently:
  - 4,511 pending EOS cases over 2 month processing goal (3,101 untouched including those cases with an officer)
  - 14,847 total pending EOS cases (12,839 untouched including those cases with an officer)
- One month ago:
  - 2,616 pending EOS cases over 2 month processing goal (748 untouched including those cases with an officer)
  - 10,558 total pending EOS cases (8,114 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **5/3/12**.
- One month ago, they were working 4/18.
- Currently:
  - 4,662 pending EOS cases over 2 month processing goal (2,307 untouched, 1,198 with an officer)
  - 17,181 total pending EOS cases (13,424 untouched, 1,642 with an officer)
- One month ago:
  - 1,813 pending EOS cases over 2 month processing goal (306 untouched, 678 with an officer)
  - 11,491 total pending EOS cases (9,790 untouched, 853 with an officer)

ANALYSIS

- Both the VSC's and CSC's EOS pending over 2 months has increased since last month. This was expected as the VSC and CSC have been focusing their resources on completing the cap cases prior to 10/1 and adjudicating their premium workload.

Please let me know if you have any questions or concerns.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team 1
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, August 15, 2012 1:56 PM
**To:** Doherty, Shannon P; Lauver, Tinnina M
**Cc:** Bell, Lisa M
**Subject:** H-1B EOS Processing Summary 8/10/12

Shannon and Tina,

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **4/30/12**.
- One month ago, they were working 4/30.
- Currently:
  - 7,374 pending EOS cases over 2 month processing goal (6,286 untouched including those cases with an officer)
  - 18,726 total pending EOS cases (17,037 untouched including those cases with an officer)
- One month ago:
  - 4,511 pending EOS cases over 2 month processing goal (3,101 untouched including those cases with an officer)
  - 14,847 total pending EOS cases (12,839 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **5/14/12**.
- One month ago, they were working 5/3.
- Currently:
  - 7,346 pending EOS cases over 2 month processing goal (5,535 untouched, 613 with an officer)
  - 19,077 total pending EOS cases (16,155 untouched, 720 with an officer)
- One month ago:
  - 4,662 pending EOS cases over 2 month processing goal (2,307 untouched, 1,198 with an officer)
  - 17,181 total pending EOS cases (13,424 untouched, 1,642 with an officer)

ANALYSIS

- Both the VSC's and CSC's EOS pending over 2 months has increased for two months in a row. In fact, the pending over 2 months at each center has come close to doubling each month. While an increase was expected as the VSC and CSC have been focusing their resources on completing the cap cases prior to 10/1 and adjudicating their premium workload, the numbers are quite high and will most likely lead to an increase in inquiries and premium upgrade requests.

Please let me know if you have any questions or concerns.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team 1

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 11, 2012 3:15 PM
**To:** Doherty, Shannon P
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** H-1B EOS Processing Summary 9/11/12

Shannon,

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **5/1/12**.
- One month ago, they were working 4/30.
- Currently:
  - 9,973 pending EOS cases over 2 month processing goal (9,034 untouched including those cases with an officer)
  - 21,029 total pending EOS cases (19,436 untouched including those cases with an officer)
- One month ago:
  - 7,374 pending EOS cases over 2 month processing goal (6,286 untouched including those cases with an officer)
  - 18,726 total pending EOS cases (17,037 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **5/18/12**.
- One month ago, they were working 5/14.
- Currently:
  - 10,185 pending EOS cases over 2 month processing goal (8,816 untouched, 830 with an officer)
  - 19,467 total pending EOS cases (17,819 untouched, 853 with an officer)
- One month ago:
  - 7,346 pending EOS cases over 2 month processing goal (5,535 untouched, 613 with an officer)
  - 19,077 total pending EOS cases (16,155 untouched, 720 with an officer)

ANALYSIS

- Both the VSC's and CSC's EOS pending over two months has increased for three months in a row. Although the processing date has not moved far in the last three months (as nearly all resources are focused on cap cases), the overall pending EOS has not increased as much in the last month as it did in each of the two previous months. The pending over two months at each center came close to doubling each month between June and August. It appears that perhaps EOS filing rates may have decreased slightly between August and September (or everyone is filing premium ☺).
- While an increase was expected as the VSC and CSC have been focusing their resources on completing the cap cases prior to 10/1 and adjudicating their premium workload, the numbers are quite high and will most likely lead to an increase in inquiries and premium upgrade requests.

Please let me know if you have any questions or concerns.

Thanks!

Shelly

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, August 31, 2012 5:17 PM
**To:** Sweeney, Shelly A
**Cc:** Clark, Wendy S; Schoening, Donald; Doherty, Shannon P
**Subject:** H-1B Initials Report

Shelly:

We are currently over the 60 day processing time for regular and master cap cases and have shifted our priority to getting a "first touch" on all I-129 H-1B FY13 cap cases. Cap gap cases have been prioritized and worked, and we are now working cases by petitioner to streamline the process. We have added 12 officers to regular time production and are working cases on OT again after a brief pause, but funds for OT have decreased.

Cap exempt cases are being distributed at 6/19.

**CSC I-129 H1Bs Pending with NFTS location as of 08/24/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 06/24/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 13 | 13 |
| | | At CFDO | 65 | 66 |
| | | In File Room/Jit Shelf | 15,764 | 16,111 |
| | | On RFE Shelf/Rule 103 | 2,307 | 2,307 |
| | | Other Location | 352 | 381 |
| | | W/Clerical/Incl Resubmits | 275 | 275 |
| | | W/Officer/Incl Resubmits | 3,903 | 3,906 |
| **Total:** | | | **22,679** | **23,059** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**

**CSC I-129 H1Bs (08-19-2012 to 08-25-2012)**

**Data Source: CATs**

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 738 | 14 | 604 | 1,356 |
| | I-129 H1B EOS | 8 | 13 | 1 | 22 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B | 768 | 47 | 145 | 960 |
| | I-129 PP H1B EOS | 29 | 10 | 3 | 42 |
| | **Total:** | **1,543** | **84** | **753** | **2,380** |
| Div II | I-129 H1B | 32 | 1 | 26 | 59 |
| | I-129 H1B EOS | 4 | 0 | 0 | 4 |
| | I-129 PP H1B | 2 | 0 | 0 | 2 |
| | I-129 PP H1B EOS | 3 | 1 | 0 | 4 |
| | **Total:** | **41** | **2** | **26** | **69** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div IX | I-129 H1B | 88 | 1 | 47 | 136 |
| | I-129 H1B EOS | 121 | 2 | 15 | 138 |
| | I-129 PP H1B | 21 | 3 | 3 | 27 |
| | I-129 PP H1B EOS | 685 | 7 | 103 | 795 |
| | **Total:** | **915** | **13** | **168** | **1,096** |
| Div X | I-129 H1B | 6 | 0 | 0 | 6 |
| | I-129 H1B EOS | 40 | 2 | 7 | 49 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **46** | **2** | **7** | **55** |
| **Grand Total:** | | **2,545** | **101** | **954** | **3,600** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 03, 2012 1:58 PM
**To:** Pearl, Thomas F
**Subject:** RE: 2:30 Pending for CAP

Cool. Thanks, Tom!

---

**From:** Pearl, Thomas F
**Sent:** Tuesday, April 03, 2012 2:52 PM
**To:** Sweeney, Shelly A
**Subject:** FW: 2:30 Pending for CAP

FYI

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office - [redacted]
Cell [redacted] (b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, April 03, 2012 2:49 PM
**To:** Renaud, Daniel M; Peck, Denis R
**Cc:** FitzGerald, Karen L; Bushey, Sandra T; Nicholson, Richard E; VSC Assistant Center Directors; VSC CPAU
**Subject:** FW: 2:30 Pending for CAP

All,

See our numbers below.

Total for 4/2 – 9,548; Premium – 2,392

Update 4/3 – 1042 packages yet to be opened; 242 cases already identified as Premium, with at least 26 of the 1042 packages labeled as Premium.

*Stephen J. Loughlin*
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security (b)(6)
[redacted]

---

**From:** Briggs, Shawn (CTR)
**Sent:** Tuesday, April 03, 2012 2:41 PM
**To:** Owens, Tamara (CTR); Loughlin, Stephen J; Stoddard, Becky M
**Subject:** 2:30 Pending for CAP

| ITEM | 2-Apr | 3-Apr | 4-Apr | 5-Apr | 6- |
|---|---|---|---|---|---|
| **PACKAGES LEFT TO PROCESS** | | | | | |
| Count / Estimate of Packages left to process | ***0*** | ***1042*** | | | |
| **IDENTIFIED AS CAP** | | | | | |
| I-129 (H1B CAP) - VRN | 5330 | 14 | | | |
| I-129 (H1B Master CAP) - VMN | 1826 | 9 | | | |
| I-129 (PP H1B CAP) - VRP | 1374 | 120 | | | |
| I-129 (PP Master H1B CAP) - VMP | 1018 | 122 | | | |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, June 05, 2012 11:32 AM
**To:** Velarde, Barbara Q; Arroyo, Susan K; McConnell, James E; Wilcox, Julia D; Sweeney, Shelly A
**Subject:** RE: 3,180 CAP filings on Monday

Absolutely. We'll pick up everything at the absolute latest the post offices are open.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, June 05, 2012 12:28 PM
**To:** Peck, Denis R; Arroyo, Susan K; McConnell, James E; Wilcox, Julia D; Sweeney, Shelly A
**Subject:** Re: 3,180 CAP filings on Monday

I agree but will defer to jim. We will ensure that we have sufficient pick ups at the post office right?

---

**From**: Peck, Denis R
**Sent**: Tuesday, June 05, 2012 12:21 PM
**To**: Velarde, Barbara Q; Arroyo, Susan K; McConnell, James E; Wilcox, Julia D; Sweeney, Shelly A
**Subject**: RE: 3,180 CAP filings on Monday

IMO they should begin rack & stack on Monday. Waiting on Gwen's query results before processing each day. We were still 20,000+ under target as of today. Although today's query numbers seemed to be about the same as yesterday's.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Velarde, Barbara Q
**Sent:** Tuesday, June 05, 2012 12:15 PM
**To:** Peck, Denis R; Arroyo, Susan K; McConnell, James E; Wilcox, Julia D; Sweeney, Shelly A
**Subject:** Re: 3,180 CAP filings on Monday

So what is our plan? I'd like a sense of how we will manage as far as holding picking up mail etc. Thanks

---

**From**: Peck, Denis R
**Sent**: Tuesday, June 05, 2012 12:12 PM
**To**: Arroyo, Susan K; McConnell, James E; Wilcox, Julia D
**Cc**: Velarde, Barbara Q

**Subject**: 3,180 CAP filings on Monday

By comparison last Tuesday's incoming after a three day weekend was 2,252. We are in the uptrend leading to the finale next week, I think. If I had to guess today I'd say next Wednesday will be CAP day.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
[redacted]: Tinnina.Lauver@dhs.gov

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 05, 2012 12:00 PM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** FW: CSC and VSC H1B CAP Reports for 06-04-2012

Big volume day , I count 3,180 as received. We should all form a lottery and pick the day we reach the cap. Winner gets a trip to St. Albans in January.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, June 05, 2012 11:53 AM
**To:** Peck, Denis R (denis.peck@dhs.gov); Shiflett, Julie M (julie.shiflett@dhs.gov)
**Cc:** Dick Braun; John Coleman
**Subject:** CSC and VSC H1B CAP Reports for 06-04-2012

Please find attached the CSC and VSC H1B CAP Reports for 06-04-2012.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell Phone* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

Bringing Solutions Through People and Processes
LongView-FedConsulting JV

# Documents received from Shelly Sweeney

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 3:50 PM
**To:** Neufeld, Donald; Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Wilcox, Julia D; McConnell, James E; Liang, Gwen; Velarde, Barbara Q
**Subject:** RE: CAP filings on Wednesday: 3500 = VSC 1924, CSC 1577

We are shooting for a higher target. Gwen's target for the regular CAP is 76,000 receipted petitions to provide for the denials and withdrawals, but we just spoke in the last half hour and she thinks it should perhaps be slightly lower than 76,000. She'll be in tomorrow. Shelly can we go over the target again in the morning so we are all in agreement?

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Neufeld, Donald
**Sent:** Thursday, June 07, 2012 4:46 PM
**To:** Peck, Denis R; Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Wilcox, Julia D; McConnell, James E; Liang, Gwen; Velarde, Barbara Q
**Subject:** RE: CAP filings on Wednesday: 3500 = VSC 1924, CSC 1577

I don't understand the 15,000. Aren't we just 4,000 away from our target? Or are we shooting for higher targets than 65/20 to cover denials?

---

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 4:21 PM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Wilcox, Julia D; McConnell, James E; Liang, Gwen; Velarde, Barbara Q; Neufeld, Donald
**Subject:** CAP filings on Wednesday: 3500 = VSC 1924, CSC 1577

Shelly

Based on Gwen's count this morning that we were still 15,000 under our target, and even counting that there were about 900 CAPS in the data entry queue last night, we would need to receive more than 14,000 filings today and Friday to exceed our target. Neither center COTR has reported any abnormal surge today. The CSC acting COTR did not think there was a need for Friday. I'll wait to hear from VSC but I do not think tomorrow will be necessary to rack and stack.

There is a certain loss of productivity involved when we go to rack and stack and we are already in a frontlog situation. I don't want to do it if there really doesn't appear to be a danger.

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |

| | | | |
|---|---|---|---|
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]
(b)(6)

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Thursday, June 07, 2012 3:18 PM
**To:** SCOSS Deliverables; 'Denis Peck (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; John Coleman; Vicky Mankin
**Subject:** CSC Daily Workload Activity Report for Wednesday, 06-06-2012

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Wednesday, 06-06-2012.
Regards,
Ann

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted]
*Business Cell Phone:* [redacted] (b)(6)
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 03, 2012 10:34 AM
**To:** Peck, Denis R
**Subject:** RE: CSC and VSC CAP Reports for 04-02-12

If I'm reading the report correctly, the CSC doesn't have any unopened mail at this juncture, right?

**From:** Peck, Denis R
**Sent:** Tuesday, April 03, 2012 11:10 AM
**To:** Nicholson, Richard F
**Cc:** Sweeney, Shelly A
**Subject:** FW: CSC and VSC CAP Reports for 04-02-12

3375 petitions? That's all?? This is less than last year's 3399

What happened with the 9000 packages?

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)

[redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, April 03, 2012 11:04 AM
**To:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Cc:** Dick Braun; Thomas Leupp
**Subject:** CSC and VSC CAP Reports for 04-02-12

Denis:
Please find attached the CSC and the VSC H1B CAP Reports for 04-02-2012. Be advised that these reports reflect estimated receipts. The actual receipt numbers for 04-02-2012 are expected to be finalized this afternoon.
Regards,
Ann

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, June 05, 2012 11:57 AM
**To:** Bolog, Marguerite M; Bell, Lisa M; Sweeney, Shelly A
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** RE: CSC and VSC H1B CAP Reports for 06-04-2012

You're both being optimistic; I think it will be next week.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Bolog, Marguerite M
**Sent:** Tuesday, June 05, 2012 12:41 PM
**To:** Bell, Lisa M; Peck, Denis R; Sweeney, Shelly A
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** RE: CSC and VSC H1B CAP Reports for 06-04-2012

Sorry, I was looking at May dates. I changed my guess.

---

**From:** Bell, Lisa M
**Sent:** Tuesday, June 05, 2012 12:40 PM
**To:** Bolog, Marguerite M; Peck, Denis R; Sweeney, Shelly A
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** RE: CSC and VSC H1B CAP Reports for 06-04-2012

I would love to go to Vermont any time of the year.

June 26.

*Lisa*

---

**From:** Bolog, Marguerite M
**Sent:** Tuesday, June 05, 2012 12:39 PM
**To:** Peck, Denis R; Sweeney, Shelly A; Bell, Lisa M
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** RE: CSC and VSC H1B CAP Reports for 06-04-2012

My guess is June 20TH. The winner could time the trip to coincide with Vermont's "January Thaw."

Marguerite (Mack) Bolog
Adjudications Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Tuesday, June 05, 2012 12:00 PM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** FW: CSC and VSC H1B CAP Reports for 06-04-2012

Big volume day , I count 3,180 as received. We should all form a lottery and pick the day we reach the cap. Winner gets a trip to St. Albans in January.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, June 05, 2012 11:53 AM
**To:** Peck, Denis R (denis.peck@dhs.gov); Shiflett, Julie M (julie.shiflett@dhs.gov)
**Cc:** Dick Braun; John Coleman
**Subject:** CSC and VSC H1B CAP Reports for 06-04-2012

Please find attached the CSC and VSC H1B CAP Reports for 06-04-2012.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted]
*Business Cell Phone:* [redacted] (b)(6)
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Monday, April 30, 2012 9:51 AM
**To:** Fierro, Joseph; Sweeney, Shelly A
**Subject:** RE: First Premium Bubble

Shelly:

I don't know if it matters, but I checked the number of initials again and it was more at 3723 for the first 5 days.

---

**From:** Fierro, Joseph
**Sent:** Wednesday, April 25, 2012 7:33 AM
**To:** Sweeney, Shelly A
**Subject:** RE: First Premium Bubble

Yes, 4137 initials, and 649 EOS

Total – 4786

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 25, 2012 7:28 AM
**To:** Fierro, Joseph
**Subject:** RE: First Premium Bubble

Thanks. I came up with 4,137 initials. Let me know if you think that's inaccurate.

---

**From:** Fierro, Joseph
**Sent:** Wednesday, April 25, 2012 10:23 AM
**To:** Sweeney, Shelly A
**Subject:** RE: First Premium Bubble

On this chart, the dates to add would be from April 10-17 for the first 5 days.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 25, 2012 7:07 AM
**To:** Fierro, Joseph
**Subject:** RE: First Premium Bubble

Help! I don't understand the chart. ☺

What are the number of premiums received in the first 5 business days for cap cases? Would I add together the numbers from April 2-9 (those seem really small) or the numbers from April 2-23 with the exclusion of yesterday's data?

---

**From:** Fierro, Joseph
**Sent:** Wednesday, April 25, 2012 9:57 AM
**To:** Sweeney, Shelly A; Pearl, Thomas F
**Cc:** Bolog, Marguerite M
**Subject:** RE: First Premium Bubble

Shelly:

Here are the numbers.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, April 25, 2012 6:41 AM
**To:** Pearl, Thomas F; Fierro, Joseph
**Cc:** Bolog, Marguerite M
**Subject:** RE: First Premium Bubble

Thanks, Tom and Joe.

One last question...how many premiums were in that bubble?

---

**From:** Pearl, Thomas F
**Sent:** Tuesday, April 24, 2012 11:38 AM
**To:** Sweeney, Shelly A; Fierro, Joseph
**Cc:** Bolog, Marguerite M
**Subject:** RE: First Premium Bubble

Shelley,

Attached please find the message that went out yesterday to the officers. No refunds, no customer complaints on rejects and all in all, smoother than last year.

Thanks, Tom

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office [redacted]
Cell [redacted]

(b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 24, 2012 9:50 AM
**To:** Pearl, Thomas F; Fierro, Joseph
**Cc:** Bolog, Marguerite M
**Subject:** First Premium Bubble

Tom and Joe,

I wanted to touch base with you to see how things went with the first premium bubble. Were we able to get to all of the cases? Did we have many refunds? How did this year compare to last for your center?

Thanks!

Shelly

Shelly Sweeney
Acting Branch Chief
Business Employment Services Team 1
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 12:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

**Categories:** Green Category

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
[redacted]

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, June 11, 2012 1:12 PM
**To:** Sweeney, Shelly A
**Subject:** Re: FY 2013 H-1B Cap - updated

If her count is 90000 and the target is 94000. I would say it is better than 2 out of 3.

---

**From**: Sweeney, Shelly A
**Sent**: Monday, June 11, 2012 01:57 PM
**To**: Peck, Denis R
**Subject**: FW: FY 2013 H-1B Cap - updated

With that number below and the preliminary high volume I was hearing about anecdotally, what are the chances we hit today?

---

**From:** Liang, Gwen
**Sent:** Monday, June 11, 2012 1:55 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 69,985 | 6/8/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/8/2012 |

** Note: The counts are based on CSC data load up to 6/8/2012 and VSC data load up to 6/10/2012. According to the IT Specialist at Vermont, C3 was down in CSC during this past weekend. Therefore CSC data load was cut off after Friday.

*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Friday, June 08, 2012 1:18 PM
**To:** Liang, Gwen; Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** RE: FY 2013 H-1B Cap - updated

Thanks Gwen, and to that we can add 700 that were in the VSC data entry queue. That gives us about 84,400. Today vsc said their count was 2300. CSC is usually a little less so they may be somewhere between 1700-2000. That gets us up to 88,000-89,000.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 1:06 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 63,672 | 6/7/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/7/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted] (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 3:24 PM
**To:** Benavente, Jessy J; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Sweeney, Shelly A
**Subject:** RE: FY 2013 H-1B Cap - updated

Thanks Jessy

We calculate we were about 14,000 CAP filings under out target as of this morning. We've been averaging about 3200 a day the first three days this week. Unless something abnormal came in today I don't think we need to rack and stack on Friday. But if either center thinks there is any danger, instruct the contractor not to begin data entry on Fridays CAP filings until they can do a rough count of the mail. They can work on non Cap filings and stay fully busy if you want to delay until mid-day, to be safe.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Benavente, Jessy J
**Sent:** Thursday, June 07, 2012 3:09 PM
**To:** Peck, Denis R; Loughlin, Stephen J
**Cc:** Nicholson, Richard E
**Subject:** RE: FY 2013 H-1B Cap - updated

Denis,
I do not think so, unless we get killed tomorrow.
We could tell SCOSS that if they get more than 2000 at each center, to then rack and stack.

Jessy Benavente
SISA

---

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 12:02 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A
**Subject:** FW: FY 2013 H-1B Cap - updated

Steve & Jessy,

Based on our target number of petitions being 76000 we were about 15000 under as of close of business yesterday. Given that, do you think there is any danger of us hitting the cap tomorrow? Would we be well advised to begin a rack and stack process tomorrow instead of Monday? Please respond today, thank you.

Denis Peck
Chief, Records Management Branch

SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]

(b)(6)

**From:** Sweeney, Shelly A
**Sent:** Thursday, June 07, 2012 2:57 PM
**To:** Liang, Gwen; Bolog, Marguerite M
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** RE: FY 2013 H-1B Cap - updated

If this is our stats through yesterday, do we need to start racking and stacking sooner than Monday?

---

**From:** Liang, Gwen
**Sent:** Thursday, June 07, 2012 2:44 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 2:01 PM
**To:** Sweeney, Shelly A; Liang, Gwen; Bolog, Marguerite M
**Cc:** McConnell, James E; Schmidt, Bruce H; Bacote, Robert R
**Subject:** RE: FY 2013 H-1B Cap - updated

The mail received volume was 3300 yesterday. That makes about 9500 through the first three days this week. Again if our target of petitions is 76,000 we were 15000 under as of cob yesterday. I do not think we will take in 15000 today and tomorrow. But I will check unofficially today to see if there is anything indicating we may get a surge beyond all expectation.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, June 07, 2012 2:57 PM
**To:** Liang, Gwen; Bolog, Marguerite M
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** RE: FY 2013 H-1B Cap - updated

If this is our stats through yesterday, do we need to start racking and stacking sooner than Monday?

---

**From:** Liang, Gwen
**Sent:** Thursday, June 07, 2012 2:44 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Bacote, Robert R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,075 | 6/6/2012 |
| H-1B Master's Exemption | 20,000 | 19,821 | 6/6/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
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[redacted] (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, June 06, 2012 2:49 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Peck, Denis R
**Subject:** RE: FY 2013 H-1B Cap - updated

Adding Denis. It sounds like we will begin racking and stacking each day's receipts starting Monday.

---

**From:** Neufeld, Donald
**Sent:** Wednesday, June 06, 2012 12:33 PM
**To:** Sweeney, Shelly A; Velarde, Barbara Q; Wilcox, Julia D
**Subject:** RE: FY 2013 H-1B Cap - updated

It's getting close for both. Still thinking next week on Monday to hold for possible lottery?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, June 06, 2012 10:46 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D
**Subject:** FW: FY 2013 H-1B Cap - updated

Less than 900 away from hitting 20K on master's.

---

**From:** Liang, Gwen
**Sent:** Wednesday, June 06, 2012 10:43 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 57,526 | 6/5/2012 |
| H-1B Master's Exemption | 20,000 | 19,111 | 6/5/2012 |

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(b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, May 31, 2012 10:23 AM
**To:** Liang, Gwen; Bolog, Marguerite M
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** RE: FY 2013 H-1B Cap - updated

Master's numbers seem to be increasing at a much lower level than the regular cap which is a little different from what we're used to. With current volumes is it likely that we will hit the regular cap before the master's exemption is filled?

---

**From:** Liang, Gwen
**Sent:** Thursday, May 31, 2012 9:49 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,874 | 5/30/2012 |
| H-1B Master's Exemption | 20,000 | 17,738 | 5/30/2012 |

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☏ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Schmidt, Bruce H
**Sent:** Monday, May 07, 2012 2:02 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A; Bell, Lisa M
**Cc:** Liang, Gwen; Peck, Denis R; McConnell, James E; Shiflett, Julie M
**Subject:** RE: FY 2013 H-1B Cap - updated

Hello Mack –

The number of Cap Eligible Petitions noted below (rounded) are accurate as of the reporting date 5-May 2012.

As we discussed – I spoke with FCi today and they provided the following as to why pending figures did not change from Fri, 4-May to Sat, 5-May:
Only CAP temp employees reported for work on Sat, 5-May and those individuals have not been trained in keying – at all. Therefore, they spent their time setting up for today's data entry.

Tomorrow's DAAG will show how beneficial that endeavor was.

Regards,

Bruce

Bruce H. Schmidt | USCIS | Service Center Operations (SCOPS) | Service Center Operations Support Services (SCOSS) | 20 Mass. Ave. | Washington, DC 20529-2060 | T: [redacted] Bruce.H.Schmidt@uscis.dhs.gov

**From:** Bolog, Marguerite M
**Sent:** Monday, May 07, 2012 2:29 PM
**To:** Schmidt, Bruce H
**Subject:** RE: FY 2013 H-1B Cap - updated

(b)(6)

Hi Bruce—

I also received the report from Ann and here is what I came up with for totals:

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,500 | 05/04/2012 |
| H-1B Master's Degree Exemption | 20,000 | 13,700 | 05/04/2012 |

Let me know if you agree.

Thanks,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529

[redacted] (b)(6)

**From:** Schmidt, Bruce H
**Sent:** Monday, May 07, 2012 2:21 PM
**To:** Liang, Gwen; Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Bell, Lisa M; Shiflett, Julie M
**Subject:** RE: FY 2013 H-1B Cap - updated

Hello Mack –

Attached are the latest reports for the CSC and VSC.

I'll take some time now to add the pending numbers from the attached reports to the totals noted below.

Bruce

Bruce H. Schmidt | USCIS | Service Center Operations (SCOPS) | Service Center Operations Support Services (SCOSS) | 20 Mass. Ave. | Washington, DC 20529-2060 | T: [redacted] Bruce.H.Schmidt@uscis.dhs.gov

**From:** Liang, Gwen (b)(6)
**Sent:** Monday, May 07, 2012 10:08 AM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 31,148 | 5/4/2012 |
| H-1B Master's Exemption | 20,000 | 13,380 | 5/4/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
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☎ [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Friday, April 27, 2012 7:55 AM
**To:** Peck, Denis R; Liang, Gwen
**Cc:** McConnell, James E; Sweeney, Shelly A
**Subject:** RE: FY 2013 H-1B Cap - updated

Very close! If I am correctly understanding the tables that Denis provided and if Data Entry and Adjudications stopped for a moment while Gwen ran her report, then the report is 84 over the contractor's count on Master's Cap (this could be because adjudicators identified master's cap cases and changed CLAIMS after the cases were data-entered) and the report is 733 under the contractor's count on Regular Cap (possibly because not all data entered cases, particularly at CSC, have had time to upload).

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 26, 2012 5:08 PM
**To:** Liang, Gwen; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** RE: FY 2013 H-1B Cap - updated

This looks to me like it is accurate in comparison to the contractor's figures.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted] (b)(6)

---

**From:** Liang, Gwen
**Sent:** Thursday, April 26, 2012 3:58 PM
**To:** Bolog, Marguerite M
**Cc:** McConnell, James E; Peck, Denis R
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,028 | 4/26/2012 |
| H-1B Master's Exemption | 20,000 | 10,827 | 4/26/2012 |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, June 11, 2012 1:22 PM
**To:** Liang, Gwen; Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Schmidt, Bruce H
**Subject:** RE: FY 2013 H-1B Cap - updated

You got them all Gen, CSC had no CAPS to data enter on Saturday. They used MFAS and RAPS for the work they did.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Liang, Gwen
**Sent:** Monday, June 11, 2012 1:55 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H
**Subject:** FY 2013 H-1B Cap - updated

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 69,985 | 6/8/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/8/2012 |

** Note: The counts are based on CSC data load up to 6/8/2012 and VSC data load up to 6/10/2012. According to the IT Specialist at Vermont, C3 was down in CSC during this past weekend. Therefore CSC data load was cut off after Friday.

*Gwen Liang*
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Service Center Operations/U.S. Citizenship and Immigration Services.
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[redacted] (b)(6)

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Tuesday, April 10, 2012 12:47 PM
**To:** Liang, Gwen; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap

**Categories:** Green Category

Folks: The below data merely reflect recent cases that have uploaded into CISCOR. It does not reflect all of the cap cases received. At this point, please disregard until we have completed data entry and allowed for CISCOR uploading which usually has a lag time.

Thanks

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

### *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
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[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Tuesday, June 12, 2012 11:58 AM
**To:** Sweeney, Shelly A
**Subject:** Re: H-1B Cap Met

Thanks.

---

**From**: Sweeney, Shelly A
**Sent**: Tuesday, June 12, 2012 12:01 PM
**To**: Peck, Denis R; Loughlin, Stephen J; Nicholson, Richard E; Putnam, Anne F; Benavente, Jessy J
**Cc**: Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; Fries, Juliet M; McConnell, James E; Bacote, Robert R; Liang, Gwen; Canney, Keith J; Shuttle, Peter J; Fierro, Joseph; Schoening, Donald; FitzGerald, Karen L
**Subject**: H-1B Cap Met

All,

Based upon our calculations here at HQ, we hit the cap yesterday. We will NOT need to run a random selection process on yesterday's receipts. You may begin data entry on yesterday's receipts. Since yesterday was the final receipt date, H-1B cap petitions received today will be rejected.

Thanks!

Shelly

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Fries, Juliet M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

Yes they are for CSC.

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** Re: We have 3,510 CAP petitions from Monday's mail

VSC - 2104 is correct

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 6:13 AM

**To:** Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

While we wait to discuss this here after the seeing today's query update from CISCOR, would you both verify that ALL the mail from yesterday has been opened and counted and that these are the true numbers waiting in the queues -- 2,104 CAPS at VSC and 1,406 at CSC?

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Chief, Records Management Branch
SCOPS/USCIS/DHS
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Washington, DC 20529
[redacted]

(b)(6)

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 8:25 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M; Liang, Gwen
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; McConnell, James E
**Subject:** We have 3,510 CAP petitions from Monday's mail

Shelly,

This is the contractor's hand count. They will hold until further word from us.

Denis Peck
Chief, Records Management Branch
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted](b)(6)

**From:** Tamara Owens [mailto:Tamara.Owens@fcifederal.com]
**Sent:** Tuesday, June 12, 2012 1:10 AM
**To:** Peck, Denis R; John Coleman; Loughlin, Stephen J; Ann Lees
**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
**Subject:** Final Numbers 6-11-12

All,

As you can see, the mail numbers continued to increase throughout the day. We received an additional 3,104 pieces of mail after 12:30 today, totaling 7,755 pieces; thus causing a delay in processing numbers.

CAP final numbers today are as follows:

| | CAP 6/11/12 | Prem vs Non-Prem Totals |
|---|---|---|
| VMP | 98 | |
| VRP | 282 | 380 |

| | | |
|---|---|---|
| **VMN** | 215 | |
| **VRN** | 1,509 | 1,724 |
| **TOTAL** | 2,104 | 2,104 |

Denis:
The following table contains the 06-11-12 CAP count for the California Service Center:

| | CMP | CRP | CMN | CRN |
|---|---|---|---|---|
| | **59** | **163** | **145** | **1039** |
| TOTAL | **222** | | **1184** | |

Final Mail Received 6-11-12

| | Monday | Monday | Average Monday |
|---|---|---|---|
| | **6-11-12** | **6-4-12** | |
| USPS | 5,194 | 4,002 | 4,121 |
| DHL | 4 | 5 | 1 |
| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |

*Tamara*

***Tamara Owens***
***FCi Federal, Site Manager SCOSS VSC***
*75 Lower Welden*
*St Albans / Essex, Vermont*
*office* [redacted]
*cell* [redacted] (b)(6)
*Tamara.L.Owens@uscis.dhs.gov*

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Friday, September 28, 2012 10:16 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan

We are still working on it this morning, but it appears that, other than a few anomalies, the oldest date is somewhere around 5/31/12, with only about 15-20 cases from June.

---

**From:** Sweeney, Shelly A
**Sent:** Friday, September 28, 2012 7:45 AM
**To:** Fierro, Joseph
**Subject:** RE: H-1B Cap Plan

Joe,

Have you heard back from PDA on the RFE responses?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Wednesday, September 26, 2012 3:11 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan

Sorry, this count was a manual count.

I think the PDA count picked up cases that we may not have counted in the manual count last Thursday, such as, cases that were "touched" by officers and only needed supervisory review.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 26, 2012 12:05 PM
**To:** Fierro, Joseph
**Subject:** RE: H-1B Cap Plan

Here you go. Would the 4402 be the JIT and the 2300 be WS?

---

**From:** Fierro, Joseph
**Sent:** Wednesday, September 26, 2012 3:02 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan

Which report are you referring to from Thursday?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 26, 2012 11:59 AM

**To:** Fierro, Joseph
**Subject:** RE: H-1B Cap Plan

The date that the RFE response was received.

I'm a little confused if the report does not include cap exempt. The cap closed over 2 months ago so all cap cases should be over 2 months old at this point. The report you sent on Thursday shows that there were a little under 7K untouched filings filed over 2 months ago. The reports are now showing 8-9K untouched cases. Am I missing something?

---

**From:** Fierro, Joseph
**Sent:** Wednesday, September 26, 2012 2:39 PM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan

It does not include cap exempt.

I am having PDA run a report on the RFEs. They may not have it until later this afternoon.

Also, for the RFEs, are you wondering the filings dates, or the dates the RFEs were sent out, or the dates responses were received?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, September 26, 2012 9:14 AM
**To:** Fierro, Joseph
**Subject:** FW: H-1B Cap Plan

Joe,

Just to make sure I'm understanding the data correctly, the below also includes cap exempt cases that have been filed within the last 2 months, right?

On another note, the plan below mentions distributing RFE responses once the caps have been touched. Approximately how old are the RFE responses?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Tuesday, September 25, 2012 11:54 AM
**To:** Doherty, Shannon P
**Cc:** Tynan, Natalie S; Velarde, Barbara Q; Sweeney, Shelly A; Schoening, Donald
**Subject:** RE: H-1B Cap Plan

Shannon:

Here is a preliminary report for yesterday. 'WS" includes everything on the floor, including, cases on hold (FDU, BCU), clerical updating, supervisory review, staging areas.

"Pending" cases have been RFEd or on hold, but are mainly with FDU.

**All Pending I-129 H1Bs Initials CAP Cases**
**Data Source: C3**

| Data as of 09/21/2012 | | | | |
|---|---|---|---|---|
| | | Status | | Counts |
| I-129 H1Bs | FY 13 Initials CAP | NEW CASE | JITs | 3,670 |
| | | | WS | 5,500 |
| | | PENDING | | 2,206 |
| | | REOPENED | | 2 |
| | | RULE 103 | | 5,754 |
| | | SUSPENSE | | 17 |
| | | TRANSFERRED IN | | 130 |
| **Total:** | | | | **17,279** |

**Notes:**

- "Cap Cases" counted cases flagged as STD/MAS/REG.
- "Initial Cases" Part 2_2 c or d un-checked.

| CSC I-129 H1Bs (09-21-2012 to 09-23-2012) | | | | | |
|---|---|---|---|---|---|
| Data Source: CATs | | | | | |
| | | APP | DEN | RFE | Total |
| Div I | I-129 H1B | 355 | 3 | 338 | 696 |
| | I-129 PP H1B | 87 | 15 | 36 | 138 |
| | **Total:** | **442** | **18** | **374** | **834** |
| Div II | I-129 H1B | 145 | 0 | 139 | 284 |
| | I-129 PP H1B | 2 | 0 | 2 | 4 |
| | **Total:** | **147** | **0** | **141** | **288** |
| Div V | I-129 H1B | 6 | 0 | 16 | 22 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | **Total:** | **6** | **0** | **16** | **22** |
| Div VI | I-129 H1B | 5 | 0 | 0 | 5 |
| | I-129 PP H1B | 1 | 0 | 0 | 1 |
| | **Total:** | **6** | **0** | **0** | **6** |
| Div IX | I-129 H1B | 78 | 1 | 69 | 148 |
| | I-129 PP H1B | 0 | 7 | 9 | 16 |
| | **Total:** | **78** | **8** | **78** | **164** |
| Div X | I-129 H1B | 9 | 0 | 17 | 26 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | **Total:** | **9** | **0** | **17** | **26** |
| **Grand Total:** | | **688** | **26** | **626** | **1,340** |

---

**From:** Fierro, Joseph
**Sent:** Tuesday, September 25, 2012 8:11 AM
**To:** Doherty, Shannon P; Schoening, Donald

**Cc:** Tynan, Natalie S; Velarde, Barbara Q; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan

Shannon:

Do you want to include cases located in:

- Clerical Staging (cases that have been reviewed and completed by officer and sup, but are awaiting clerical updating)
- CFDO (Fraud)
- BCU
- Supervisory Review

By the way we are having training today (4-6 hours). It had been planned several months ago. So we lose most of a day today.

Also, two sups called in sick and that delays supervisory reviews.

---

**From:** Doherty, Shannon P
**Sent:** Tuesday, September 25, 2012 7:24 AM
**To:** Fierro, Joseph; Schoening, Donald
**Cc:** Tynan, Natalie S; Velarde, Barbara Q; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan
**Importance:** High

Joe and Don,

We still have not received your H-1B Cap report. Can you please send us your numbers for yesterday (Mon) and today (Tues)? We need these asap. If there's a problem giving this information to us, we need to know.

Thanks,

Shannon Doherty
Branch Chief
Business Employment Services Team 1 (BEST 1)
USCIS HQ - Service Center Operations
Department of Homeland Security

---

**From:** Doherty, Shannon P
**Sent:** Monday, September 24, 2012 4:35 PM
**To:** Fierro, Joseph; Schoening, Donald
**Cc:** Tynan, Natalie S; Velarde, Barbara Q; Sweeney, Shelly A
**Subject:** RE: H-1B Cap Plan
**Importance:** High

Hi Joe and Don,

After reviewing your center's H-1B Cap Plan, we have a bit of a twist … Has CSC considered whether you would be able to get current if we were to stop PP for whatever period of time they would need to get current? Do you think that might help your center catch up more quickly than the current process?

Shannon Doherty

Branch Chief
Business Employment Services Team 1 (BEST 1)
USCIS HQ - Service Center Operations
Department of Homeland Security

---

**From:** Fierro, Joseph
**Sent:** Friday, September 21, 2012 4:55 PM
**To:** Sweeney, Shelly A
**Cc:** Schoening, Donald; Doherty, Shannon P
**Subject:** H-1B Cap Plan

Shelly:

Here is CSC's basic plan for the H-1B cap cases:

- Goal is to do an initial review by October 1st.
- "First touch" will most likely be completed sometime between the 5th and 10th of October. This includes the supervisory review and clerical updating.
- CSC will add 12 officers from Divisions 2,4,5,6, and 12 to assist on regular time and overtime. These are experienced officers who received a refresher and 100% supervisory/senior review until quality is assured.
- CSC overtime funds will primarily be used for H-1Bs, including clerical updating.
- Officers in Division 9 who work H-1B extensions will work H-1 B initials on OT. These are former Division 1 officers who recently moved to Division 9 and are current and trained on H-1Bs initials.
- Division 1 management will coordinate all adjudicative and H-1B work flow information to ensure all officers from the various divisions working on H-1Bs are notified, including training, roundtables, OT information, adjudicative, HQ, or fraud alerts, VIBE, etc.
- RFEs will be distributed to the officers in date order once the initials are completed.
- Daily updates will be provided to SCOPS beginning next week.

Let me know if you have any questions.

Thanks,

Joe

## Shirk, Georgette L

**From:** Fierro, Joseph
**Sent:** Thursday, September 20, 2012 11:24 AM
**To:** Sweeney, Shelly A
**Cc:** Doherty, Shannon P; Schoening, Donald
**Subject:** H-1B Cap

Shelly:

Here is an updated breakdown of what we have pending. We pulled more cases off the JIT this morning.

- Approximately 4,402 Untouched cases on the JIT
- Approximately 2,300 untouched cases on the floor

We may hit the October 1st date, but more likely than not, we will be through the first touch somewhere closer to the 5th.

**CSC I-129 H1Bs Pending with NFTS location as of 09/19/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 07/19/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 10 | 10 |
| | | At CFDO | 74 | 75 |
| | | In File Room/Jit Shelf | 6,935 | 4,402 |
| | | On RFE Shelf/Rule 103 | 5,558 | 5,558 |
| | | Other Location | 144 | 145 |
| | | W/Clerical/Incl Resubmits | 679 | 679 |
| | | W/Officer/Incl Resubmits | 3,839 | 3,841 |
| **Total:** | | | **17,239** | **14,710** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**
**- Initial cases: Part 2_2 un-marks as c or d.**

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Tuesday, May 01, 2012 8:25 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B Cap Processing Summary 4-27-12

Shelly—

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - 14,066 total pending cap cases (13,344 untouched including those cases with an officer) as of 4/27/12.
- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal. The FY13 cap had just opened.
  - 3,539 total pending cap cases (3,526 untouched including those cases with an officer).

CSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal. They are distributing cap exempt petitions with a receipt date of **2/26**, just over the 2 month processing goal.
  - 14,276 total pending cap cases (13,132 untouched, 883 with an officer) as of 4/27/12.
- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal.
  - The FY13 cap cases had not yet been put on the shelf. The FY13 cap had just opened.

**ANALYSIS**--

- Both centers are within 1 day of touching all FY13 cases within 60-day processing time.

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529
(b)(6)

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Thursday, May 17, 2012 9:10 AM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B Cap Processing Summary 5-11-12

Shelly—

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - 21,578 total pending cap cases (20,651 untouched including those cases with an officer) as of 5/11/12.
- Two Weeks Ago:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - 14,066 total pending cap cases (13,344 untouched including those cases with an officer) as of 4/27/12.

CSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal. They are distributing cap exempt petitions with a receipt date of **3/8**, just over the 2 month processing goal.
  - 18,195 total pending cap cases (15,363 untouched, 1,073 with an officer) as of 5/11/12.
- Two Weeks Ago:
  - There are no pending FY13 cap cases over 2 month processing goal. Cap exempt petitions were just over the 2 month processing goal.
  - 14,276 total pending cap cases (13,132 untouched, 883 with an officer) as of 4/27/12.

**ANALYSIS**--

- Both centers are within the 60 day processing time for touching all FY13 cap cases and within 3 days of the 60-day processing time for touching all cap exempt cases.

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Friday, June 01, 2012 2:20 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B Cap Processing Summary 5-25-12

Shelly—

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal.
  - 26,072 total pending cap cases (24,803 untouched including those cases with an officer) as of 5/25/12.

- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal.
  - 21,578 total pending cap cases (20,651 untouched including those cases with an officer) as of 5/11/12.

CSC

- Currently:
  - There are no pending FY13 cap cases over 2 month processing goal. They are distributing cap exempt petitions with a receipt date of **3/19**, which is 6 days over the 2 month processing goal.
  - 21,528 total pending cap cases (17,856 untouched, 1,751 with an officer) as of 5/25/12.
- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal. Cap exempt petitions were just over the 2 month processing goal.
  - 18,195 total pending cap cases (15,363 untouched, 1,073 with an officer) as of 5/11/12.

**ANALYSIS**--

- Both centers are within the 60 day processing time for touching all FY13 cap cases and CSC is now 6 days over the 60-day processing time for touching all cap exempt cases. The processing time for cap exempt cases could increase as we get closer to reaching the FY13 cap and will require closer monitoring.

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Wednesday, June 13, 2012 2:53 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B Cap Processing Summary 6-8-12

Shelly—

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are only 8 pending FY13 cap cases over the 2 month processing goal.
  - 35,922 total pending cap cases (34,215 untouched including those cases with an officer) as of 6/8/12.

- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal.
  - 26,072 total pending cap cases (24,803 untouched including those cases with an officer) as of 5/25/12.

CSC

- Currently:
  - There are no pending FY13 cap cases over the 2 month processing goal. They are distributing cap exempt petitions with a receipt date of **3/28/12**.
  - 27,843 total pending cap cases (24,226 untouched, 1,735 with an officer) as of 6/8/12.
- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal. They were distributing cap exempt petitions with a receipt date of **3/19**, which was just 6 days over the 2 month processing goal.
  - 21,528 total pending cap cases (17,856 untouched, 1,751 with an officer) as of 5/25/12.

**ANALYSIS**--

- Both centers are within the 60 day processing time for touching all FY13 cap cases, except for 8 cases that VSC has identified with the contractor and is pursuing.
- CSC is now 11 days over the 60-day processing time for touching all cap exempt cases. CSC has advised that they fell behind on working cap exempt cases when they put everyone on PP CAP and that they have not fully recovered yet, but that they expect to be within 60 days on cap exempt cases in a week or so.

Please let me know if you have any questions.

Thank you,

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, June 14, 2012 6:41 AM
**To:** Bolog, Marguerite M
**Subject:** RE: H-1B Cap Processing Summary 6-8-12

Thanks. I really appreciate you checking with the CSC on why their cap exempt processing times fell behind.

---

**From:** Bolog, Marguerite M
**Sent:** Wednesday, June 13, 2012 3:53 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B Cap Processing Summary 6-8-12

Shelly—

Here is an updated summary of FY13 H-1B cap processing at the centers:

**CAP PROCESSING**--

VSC

- Currently:
  - There are only 8 pending FY13 cap cases over the 2 month processing goal.
  - 35,922 total pending cap cases (34,215 untouched including those cases with an officer) as of 6/8/12.

- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal.
  - 26,072 total pending cap cases (24,803 untouched including those cases with an officer) as of 5/25/12.

CSC

- Currently:
  - There are no pending FY13 cap cases over the 2 month processing goal. They are distributing cap exempt petitions with a receipt date of **3/28/12**.
  - 27,843 total pending cap cases (24,226 untouched, 1,735 with an officer) as of 6/8/12.
- Two Weeks Ago:
  - There were no pending FY13 cap cases over 2 month processing goal. They were distributing cap exempt petitions with a receipt date of **3/19**, which was just 6 days over the 2 month processing goal.
  - 21,528 total pending cap cases (17,856 untouched, 1,751 with an officer) as of 5/25/12.

**ANALYSIS**--

- Both centers are within the 60 day processing time for touching all FY13 cap cases, except for 8 cases that VSC has identified with the contractor and is pursuing.

- CSC is now 11 days over the 60-day processing time for touching all cap exempt cases. CSC has advised that they fell behind on working cap exempt cases when they put everyone on PP CAP and that they have not fully recovered yet, but that they expect to be within 60 days on cap exempt cases in a week or so.

Please let me know if you have any questions.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
Washington DC 20529

[redacted]

(b)(6)

## Shirk, Georgette L

**From:** Luna, Corinna A
**Sent:** Thursday, June 28, 2012 1:23 PM
**To:** Sweeney, Shelly A
**Cc:** Lauver, Tinnina M; Bell, Lisa M
**Subject:** RE: H-1B Cap Processing Summary 6-15-12

Nice summation. Tough when they had no pending to thousands.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 26, 2012 10:23 AM
**To:** Luna, Corinna A
**Cc:** Lauver, Tinnina M; Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 6-15-12

Corinna,

Here is an updated summary of FY13 H-1B cap processing at the centers:

CAP PROCESSING--

VSC

- Currently:
  - There are 9,547 pending FY13 cap cases over the 2-month processing goal (8,788 untouched including those cases with an officer).
  - 40,291 total pending cap cases (38,361 untouched including those cases with an officer) as of 6/15/12.

- One Week Ago:
  - There were 8 pending FY13 cap cases over the 2-month processing goal.
  - 35,922 total pending cap cases (34,215 untouched including those cases with an officer) as of 6/8/12.

CSC

- Currently:
  - There are 10,915 pending FY13 cap cases over the 2-month processing goal (7,102 untouched, 1,594 with an officer). They are distributing cap exempt petitions with a receipt date of **3/30/12**.
  - 33,683 total pending cap cases (28,276 untouched, 2,400 with an officer) as of 6/15/12.
- One Week Ago:
  - There were no pending FY13 cap cases over the 2-month processing goal. They were distributing cap exempt petitions with a receipt date of **3/28/12**.
  - 27,843 total pending cap cases (24,226 untouched, 1,735 with an officer) as of 6/8/12.

ANALYSIS--

- While both centers have cases that are outside of the 2-month processing goal, it should be noted that the actual receipt date being distributed on the floor to officers is not that far outside of 2-months (e.g., CSC is distributing master's cap cases with a receipt date of 4/12 and regular cap cases with a receipt date of 4/19).

- CSC is aware that their cap exempt processing times have fallen behind. CSC has advised that they fell behind on working cap exempt cases when they put everyone on premium cap filings and that they have not fully recovered yet, but that they expect to be within the 2-month processing goal for cap exempt cases shortly.

Please let me know if you have any questions.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team 1
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Doherty, Shannon P
**Sent:** Tuesday, September 04, 2012 7:26 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Cap Processing Summary 9-4-12

Thanks, Shelly! I'm going to forward this info to Don and Barbara so they are aware of where we stand right now.

Shannon Doherty
Acting Branch Chief
Business Employment Services Team 1 (BEST 1)
USCIS HQ - Service Center Operations
Department of Homeland Security

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 04, 2012 8:25 AM
**To:** Doherty, Shannon P
**Cc:** Bell, Lisa M
**Subject:** H-1B Cap Processing Summary 9-4-12

Shannon,

Here is an updated summary of FY13 H-1B cap processing at the centers.

**CAP PROCESSING**--

VSC

- Currently:
  - There are 21,718 pending FY13 cap cases over the 2-month processing goal (17,059 untouched including those cases with an officer).
  - 21,723 total pending cap cases (17,059 untouched including those cases with an officer) as of 8/31/12.

- At the beginning of August:
  - There are 22,738 pending FY13 cap cases over the 2-month processing goal (20,562 untouched including those cases with an officer).
  - 30,954 total pending cap cases (28,036 untouched including those cases with an officer) as of 8/3/12.

CSC

- Currently:
  - There are 22,679 pending initial cases over the 2-month processing goal (15,764 untouched, 3,903 with an officer). They are distributing cap exempt petitions with a receipt date of **6/19/12**.
  - 23,059 total pending initial filings cases (16,111 untouched, 3,906 with an officer) as of 8/24/12.
- At the end of July:
  - There are 18,715 pending initial cases over the 2-month processing goal (13,764 untouched, 2,265 with an officer). They are distributing cap exempt petitions with a receipt date of 6/7/12.
  - 28,771 total pending cap cases (23,264 untouched, 2,328 with an officer) as of 7/27/12.

**ANALYSIS**--

- At this point, all pending cap filings are outside of the 2-month processing goal since the cap closed in mid-June. Cap exempt filings are about a week and a half outside of the 2-month processing goal.
- Both centers have been prioritizing initial H-1B petitions and utilizing OT. The CSC ran out of OT mid-month and only recently received additional OT funds. As such, they do not appear to have made as much progress as the VSC has in eliminating their backlog.
- The CSC noted in their processing report that they have added 12 more officers to regular production, which will help in the month of October; however, they also note that the decreased amount of OT funds could have a negative impact.
- *CSC stated that they are now working cases by petitioner as an effort to streamline adjudication practice. Is SCOPS management ok with this practice?* I know that there were concerns with a somewhat similar practice earlier this month by the VSC.

Please let me know if you have any questions.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team 1
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Thursday, May 17, 2012 12:26 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B EOS Processing Summary 5/17/12

Shelly—

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **4/1/12**.
- One month ago, they were working 2/26.
- Currently:
  - 2,729 pending EOS cases over 2 month processing goal (543 untouched including those cases with an officer)
  - 5,898 total pending EOS cases (3,049 untouched including those cases with an officer)
- One month ago:
  - 1,186 pending EOS cases over 2 month processing goal (1,186 untouched including those cases with an officer)
  - 8,340 total pending EOS cases (5,570 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **4/2/12**.
- One month ago, they were working 3/12.
- Currently:
  - 1,524 pending EOS cases over 2 month processing goal (174 untouched, 439 with an officer)
  - 8,085 total pending EOS cases (6,271 untouched, 769 with an officer)
- One month ago:
  - 1,609 pending EOS cases over 2 month processing goal (101 untouched, 357 with an officer)
  - 7,351 total pending EOS cases (4,536 untouched, 1,304 with an officer)

ANALYSIS

- The VSC's backlog of cases over 2 months old increased by 1,543 cases. This is likely due to the fact that the FY13 cap opened, which required most of VSC's H-1B resources.
- The CSC's number of EOS petitions over 2 months old decreased by 75. Both centers are currently in good shape.

Please let me know if you have any questions or concerns.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Thursday, June 14, 2012 12:38 PM
**To:** Sweeney, Shelly A
**Cc:** Bell, Lisa M; Lauver, Tinnina M
**Subject:** RE: H-1B EOS Processing Summary 6/14/12

Shelly—

Here is an updated summary of H-1B EOS processing at the centers:

VSC

- VSC is working EOS cases received on **4/15/12**.
- One month ago, they were working 4/1.
- Currently:
  - 2,616 pending EOS cases over 2 month processing goal (748 untouched including those cases with an officer)
  - 10,558 total pending EOS cases (8,114 untouched including those cases with an officer)
- One month ago:
  - 2,729 pending EOS cases over 2 month processing goal (543 untouched including those cases with an officer)
  - 5,898 total pending EOS cases (3,049 untouched including those cases with an officer)

CSC

- CSC is working EOS cases received on **4/18/12**.
- One month ago, they were working 4/2.
- Currently:
  - 1,813 pending EOS cases over 2 month processing goal (306 untouched, 678 with an officer)
  - 11,491 total pending EOS cases (9,790 untouched, 853 with an officer)
- One month ago:
  - 1,524 pending EOS cases over 2 month processing goal (174 untouched, 439 with an officer)
  - 8,085 total pending EOS cases (6,271 untouched, 769 with an officer)

ANALYSIS

- The VSC's backlog of EOS cases over 2 months old decreased by 113 cases since last month.
- The CSC's number of EOS petitions over 2 months old increased by 289. Both centers are currently in good shape; however, the number of EOS cases over the 2 month processing goal may increase as the centers work through the heavy load of cap cases that were recently filed.

Please let me know if you have any questions or concerns.

Thank you,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 04, 2012 11:16 AM
**To:** Fierro, Joseph; Schoening, Donald; Clark, Wendy S; Louis, Jennifer E; Chong, Jenny
**Cc:** Doherty, Shannon P
**Subject:** RE: H-1B Initials Report

**Importance:** High

Joe,

SCOPS Management had some concerns with prioritizing high volume filers out of filing order. It gives the appearance of preferential treatment to large companies over small entities. Barbara spoke with Dan about these concerns.

Is the CSC banding together filings for a petitioner for a particular number of days (say 3 days-worth of filings) or is the CSC moving all of the high filers to the front of the line, regardless of the date the petition was filed?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Tuesday, September 04, 2012 11:53 AM
**To:** Sweeney, Shelly A; Schoening, Donald; Clark, Wendy S; Louis, Jennifer E; Chong, Jenny
**Cc:** Doherty, Shannon P
**Subject:** Re: H-1B Initials Report

We are pulling all the large filers to streamline the process and get through the cases faster. VSC mentioned they were doing this. If this is an issue let us know.

---

**From**: Sweeney, Shelly A
**Sent**: Tuesday, September 04, 2012 09:05 AM
**To**: Schoening, Donald; Fierro, Joseph; Clark, Wendy S; Louis, Jennifer E; Chong, Jenny
**Cc**: Doherty, Shannon P
**Subject**: RE: H-1B Initials Report

Adding Jennifer Louis and Jenny Chong per Don and Joe's out-of-office messages.

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**From:** Sweeney, Shelly A
**Sent:** Tuesday, September 04, 2012 9:04 AM
**To:** Schoening, Donald; Fierro, Joseph; Clark, Wendy S
**Cc:** Doherty, Shannon P
**Subject:** RE: H-1B Initials Report

Don and Joe,

When you mention below that you are working cases by petitioner, what exactly does this entail? Could you please provide additional details?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Friday, August 31, 2012 6:17 PM
**To:** Sweeney, Shelly A
**Cc:** Clark, Wendy S; Schoening, Donald; Doherty, Shannon P
**Subject:** H-1B Initials Report

Shelly:

We are currently over the 60 day processing time for regular and master cap cases and have shifted our priority to getting a "first touch" on all I-129 H-1B FY13 cap cases. Cap gap cases have been prioritized and worked, and we are now working cases by petitioner to streamline the process. We have added 12 officers to regular time production and are working cases on OT again after a brief pause, but funds for OT have decreased.

Cap exempt cases are being distributed at 6/19.

**CSC I-129 H1Bs Pending with NFTS location as of 08/24/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 06/24/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 13 | 13 |
| | | At CFDO | 65 | 66 |
| | | In File Room/Jit Shelf | 15,764 | 16,111 |
| | | On RFE Shelf/Rule 103 | 2,307 | 2,307 |
| | | Other Location | 352 | 381 |
| | | W/Clerical/Incl Resubmits | 275 | 275 |
| | | W/Officer/Incl Resubmits | 3,903 | 3,906 |
| **Total:** | | | **22,679** | **23,059** |

**Notes:**
**- Resubmits are cases that have already been RFEd.**
**- The counts are excluded PP cases and files located between UO1529-UO1675 range.**

**CSC I-129 H1Bs (08-19-2012 to 08-25-2012)**

**Data Source: CATs**

| | | APP | DEN | RFE | Total |
|---|---|---|---|---|---|
| Div I | I-129 H1B | 738 | 14 | 604 | 1,356 |
| | I-129 H1B EOS | 8 | 13 | 1 | 22 |

| | | | | | |
|---|---|---|---|---|---|
| | I-129 PP H1B | 768 | 47 | 145 | 960 |
| | I-129 PP H1B EOS | 29 | 10 | 3 | 42 |
| | **Total:** | **1,543** | **84** | **753** | **2,380** |
| Div II | I-129 H1B | 32 | 1 | 26 | 59 |
| | I-129 H1B EOS | 4 | 0 | 0 | 4 |
| | I-129 PP H1B | 2 | 0 | 0 | 2 |
| | I-129 PP H1B EOS | 3 | 1 | 0 | 4 |
| | **Total:** | **41** | **2** | **26** | **69** |
| Div V | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div VI | I-129 H1B | 0 | 0 | 0 | 0 |
| | I-129 H1B EOS | 0 | 0 | 0 | 0 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **0** | **0** | **0** | **0** |
| Div IX | I-129 H1B | 88 | 1 | 47 | 136 |
| | I-129 H1B EOS | 121 | 2 | 15 | 138 |
| | I-129 PP H1B | 21 | 3 | 3 | 27 |
| | I-129 PP H1B EOS | 685 | 7 | 103 | 795 |
| | **Total:** | **915** | **13** | **168** | **1,096** |
| Div X | I-129 H1B | 6 | 0 | 0 | 6 |
| | I-129 H1B EOS | 40 | 2 | 7 | 49 |
| | I-129 PP H1B | 0 | 0 | 0 | 0 |
| | I-129 PP H1B EOS | 0 | 0 | 0 | 0 |
| | **Total:** | **46** | **2** | **7** | **55** |
| **Grand Total:** | | **2,545** | **101** | **954** | **3,600** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, June 13, 2012 6:34 AM
**To:** Bolog, Marguerite M
**Subject:** RE: H-1B Report Cap/EOS

Mack,

Do we know why the CSC is falling behind in cap exempt? Is it because of the number of premium in cap and EOS filings is so high that they can't make significant headway in cap exempt? Are there any other factors/challenges in the cap exempt arena?

Thanks!

Shelly

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**From:** Fierro, Joseph
**Sent:** Tuesday, June 12, 2012 8:15 PM
**To:** Bolog, Marguerite M
**Cc:** Schoening, Donald; Sweeney, Shelly A
**Subject:** H-1B Report Cap/EOS

Mack:

CSC is distributing H-1B cases as follows:

Regular Cap – 4/20/12
Master Cap – 4/12/12
Cap Exempt – 3/28/12
EOS - 4/18/12

**CSC I-129 H1Bs Pending with NFTS location as of 06/06/2012**
**Data Source: C3, NFTS.**
**The raw data based on data recorded in the CSC OIT ad hoc database.**

| | | Status | Counts filed before 04/06/2012 | Everything filed up today |
|---|---|---|---|---|
| H-1Bs | Initials | At BCU | 2 | 9 |
| | | At CFDO | 10 | 17 |
| | | In File Room/Jit Shelf | 109 | 21,371 |
| | | On RFE Shelf/Rule 103 | 423 | 1,673 |
| | | Other Location | 263 | 2,829 |
| | | W/Clerical/Incl Resubmits | 60 | 209 |

**CSC I-129 H1B**
**Da**

| | |
|---|---|
| Div I | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |
| | I-129 PP H1B EOS |
| | **Total:** |
| Div II | I-129 H1B |
| | I-129 H1B EOS |
| | I-129 PP H1B |

1

| | | | | |
|---|---|---|---|---|
| | | W/Officer/Incl Resubmits | 624 | 1,735 |
| | EOS | At BCU | 10 | 13 |
| | | At CFDO | 18 | 19 |
| | | In File Room/Jit Shelf | 144 | 8,803 |
| | | On RFE Shelf/Rule 103 | 647 | 649 |
| | | Other Location | 162 | 987 |
| | | W/Clerical/Incl Resubmits | 154 | 167 |
| | | W/Officer/Incl Resubmits | 678 | 853 |
| **Total:** | | | **3,304** | **39,334** |

| | | | |
|---|---|---|---|
| | | | |
| | | | |

| | | |
|---|---|---|
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div X** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

## Shirk, Georgette L

**From:** Bolog, Marguerite M
**Sent:** Wednesday, June 13, 2012 7:20 AM
**To:** Sweeney, Shelly A
**Subject:** RE: H-1B Report Cap/EOS

I'll find out.

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, June 13, 2012 7:34 AM
**To:** Bolog, Marguerite M
**Subject:** RE: H-1B Report Cap/EOS

Mack,

Do we know why the CSC is falling behind in cap exempt? Is it because of the number of premium in cap and EOS filings is so high that they can't make significant headway in cap exempt? Are there any other factors/challenges in the cap exempt arena?

Thanks!

Shelly

---

**From:** Fierro, Joseph
**Sent:** Tuesday, June 12, 2012 8:15 PM
**To:** Bolog, Marguerite M
**Cc:** Schoening, Donald; Sweeney, Shelly A
**Subject:** H-1B Report Cap/EOS

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Regular Cap – 4/20/12
Master Cap – 4/12/12
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| CSC I-129 H1Bs Pending with NFTS location as of 06/06/2012<br>Data Source: C3, NFTS.<br>The raw data based on data recorded in the CSC OIT ad hoc database. | | | |
|---|---|---|---|
| | Status | Counts filed before 04/06/2012 | Everything filed up today |

| CSC I-129 H1B<br>Da | |
|---|---|
| Div I | I-129 H1B |

| | | | | |
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| | | |
|---|---|---|
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div II** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div V** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div VI** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Div X** | I-129 H1B | |
| | I-129 H1B EOS | |
| | I-129 PP H1B | |
| | I-129 PP H1B EOS | |
| | **Total:** | |
| **Grand Total:** | | |

**Subject:** RE: LCA Volume
**Importance:** High

Sorry. That is a typo. It's supposed to say H-1B.

# H-1B Temporary Visa Program

*Timeframe: January 16 through March 11, 2012*

| | 8-week Ti | | | |
|---|---|---|---|---|
| | Week 16 | Week 17 | Week 18 | Week 19 |
| | *1/16-1/22* | *1/23-1/29* | *1/30-2/5* | *2/6-2/12* |
| **Applications Submitted for Processing** | **4,295** | **5,033** | **4,988** | **5,006** |
| **Total Number of Applications Resolved** | **4,229** | **4,908** | **4,984** | **4,767** |
| *Certifications* | *3,900* | *4,478* | *4,456* | *4,388* |
| *Denials* | *197* | *287* | *405* | *239* |
| *Withdrawn* | *132* | *143* | *123* | *140* |
| **Worker Positions Requested** | **9,721** | **10,804** | **13,228** | **7,905** |
| *Worker Positions Certified* | *9,147* | *9,885* | *12,581* | *7,042* |

---

**From:** Sweeney, Shelly A [mailto:Shelly.A.Sweeney@uscis.dhs.gov]
**Sent:** Thursday, March 15, 2012 2:39 PM
**To:** Pasternak, Brian - ETA
**Cc:** Young, Claudia F; Luna, Corinna A.
**Subject:** LCA Volume

Brian,

I hope you are enjoying the warm weather today!

We've been getting ready for H-1B cap season here at SCOPS and wanted to touch base with you to see what kind of volume you have been seeing with regards to LCA filing recently. How does it compare to last year at this time?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer

**From:** Robbins, Bonnie M
**Sent:** Tuesday, June 26, 2012 7:45 AM
**To:** Fierro, Joseph
**Subject:** RE: Research on Cap Cases

Hi Joe,

I checked all the files and they were marked as:

**Part 2**
#1 A
#2 A or B

**Page 18**
D – CAP Exemp

**Part C**
G

I have the files at my desk so please let me know if you need anything else.

Bonnie Robbins
Division VII: CSC - USCIS
949.389.3138
Bonnie.Robbins@dhs.gov

---

**From:** Fierro, Joseph
**Sent:** Tuesday, June 26, 2012 6:54 AM
**To:** Robbins, Bonnie M
**Subject:** FW: Research on Cap Cases

Bonnie:

Can you contact me to discuss these? We need to know if the cases were punted incorrectly as cap by the contractor or if the petitioner is marking the box wrong on these.

Can you pull some of these files so we can review and determine what is occurring?

Thanks,

Joe

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 26, 2012 4:48 AM
**To:** Fierro, Joseph
**Subject:** RE: Research on Cap Cases

Ok. Let me know what you find out. If it turns out that they were cap exempt but failed to notate the correct questions on the form, we need to discuss how the contractor/officer can properly update the case in CLAIMS to account for the cap exemption. Otherwise, these cases will throw off our cap count. If they were cap subject, we need to discuss with the contractor and officers how to ensure these aren't accepted and approved outside of the cap filing season.

---

**From:** Fierro, Joseph
**Sent:** Monday, June 25, 2012 4:38 PM

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Thursday, September 27, 2012 7:14 AM
**To:** Sweeney, Shelly A; Tynan, Natalie S
**Cc:** Doherty, Shannon P; Bell, Lisa M
**Subject:** RE: Update on H-1B Cap Counts and Plan Review

Thank you Shelly… I think we will have to meet tomorrow. Today has the potential for being pretty yucky for me. This is all very helpful.

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, September 27, 2012 8:12 AM
**To:** Velarde, Barbara Q; Tynan, Natalie S
**Cc:** Doherty, Shannon P; Bell, Lisa M
**Subject:** Update on H-1B Cap Counts and Plan Review

Barbara and Natalie,

Based on the data that I have received, I have created a chart to compare where each center is on a day to day basis.

| | 9/20/2012 | 9/20/2012 | 9/24/2012 | 9/24/2012 | 9/25/2012 | 9/25/2012 | 9/26/2012 |
|---|---|---|---|---|---|---|---|
| | **Untouched** | **Total Pending** | **Untouched** | **Total Pending** | **Untouched** | **Total Pending** | **Untouched** |
| **CSC** | 9235 | 17239 | 9170 | 17279 | 8737 | 17113 | 8059 |
| **VSC** | 10416 | 16138 | 9124 | 14881 | 8623 | 14349 | 8116 |

I asked the CSC to yesterday to clarify the discrepancy between their 7K from last week and the 17K this week. The original 7K from last week was a manual count estimate of the population of their untouched cap cases. They did not include the 10K that have been touched but are still pending final action in his first email. In addition, the manual estimate was off by about 2K. They had provided us with a manual estimate as they were having trouble reconciling the data they were pulling from their systems last week.

With that said, I believe the CSC might be in more of a pickle than I originally thought when looking at the big picture. Although over half of the CSC untouched is on the floor and ¾ of the VSC's untouched appears to still be with the contractor on the shelf, the total number of pending for the CSC is nearly 3K higher than the VSC.

I have also reviewed each center's plans. The CSC is adding 12 officers from other divisions to work H-1Bs on regular and OT and the will have officers in Division 9 (Kurt's division) that are currently working EOS H-1Bs work initial H-1B petitions on OT. That said, I have some concerns with one of the bullets mentioned by the CSC in their plan: "RFEs will be distributed to the officers in date order once the initials are completed." While there is only a week left under their plan before they would go back to working cases with RFE/ITD responses, I would like to know how old their RFE responses are. To that end, I asked Joe yesterday how old their RFE responses are. I am waiting on a response.

Meanwhile, the VSC's plan banks on OT in FY13 and no change in current staffing levels. The plan does not mention adding additional ISOs on the workload. (Side note: they specifically list an assumption that they don't lose any officers to "details" or other workloads "DACA.") Their plan accounts for making a final decision within 30 days of receiving an RFE response for cap gap cases and within 60 days of receiving an RFE response on all other cases. At this juncture, I

don't know that I see a benefit to treating the RFE responses on cap gap cases any differently than those for any other case, but wanted to check in with you to see if you disagree.

Would you like to meet to discuss further today or tomorrow?

Thanks!

Shelly

Shelly Sweeney
Branch Chief
Business Employment Services Team
Service Center Operations Directorate
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Velarde, Barbara Q
**Sent:** Wednesday, May 23, 2012 9:27 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Update on VSC receipting

I am inclined to stick to once a week... you?

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, May 23, 2012 10:25 AM
**To:** Velarde, Barbara Q
**Subject:** RE: Update on VSC receipting

It was different last year as we were doing biweekly updates because filings were so low for many months. We pumped it up to weekly as we got closer and volume picked up, but I don't see where we did updates more frequently than that. I think we were planning to do a mid week update but then got surprised by hitting the cap, so the update was moot.

---

**From:** Velarde, Barbara Q
**Sent:** Wednesday, May 23, 2012 10:16 AM
**To:** Sweeney, Shelly A
**Subject:** RE: Update on VSC receipting

For now we can stick to weekly web updates... I am afraid we will add to the urgency right now. Do you know what we did historically as we got closer to reaching the cap.. did we shorten our update time?

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Jim and I talked some more about this after the branch chief meeting and we've agreed to up the sweeps to twice a week starting this week. The next sweep will be tomorrow. As you noted, depending on volume in the next few weeks, we may want to them to be even more frequent than that. I was intending to stick with weekly website and front office updates for the time being, though. Are you ok with that or do you think we need to do twice weekly updates to them as well?

---

**From:** Velarde, Barbara Q
**Sent:** Wednesday, May 23, 2012 8:04 AM
**To:** McConnell, James E
**Cc:** Sweeney, Shelly A; Peck, Denis R
**Subject:** RE: Update on VSC receipting

Okay... I will leave it to you all to decide when to increase the sweeps but I am guessing we will see continued high receipts as folks get a bit anxious and want to beat the cap.

---

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**Sent:** Wednesday, May 23, 2012 7:27 AM
**To:** Velarde, Barbara Q

**Cc:** Sweeney, Shelly A; Peck, Denis R
**Subject:** Re: Update on VSC receipting

The sweeps can be run daily. The 58K below includes the masters. As of last Friday the cap was 42k regular and 16K for the masters.

James E. McConnell
Branch Chief, SCOPS
202-272-1073

---

**From**: Velarde, Barbara Q
**Sent**: Wednesday, May 23, 2012 07:18 AM
**To**: McConnell, James E
**Cc**: Sweeney, Shelly A; Peck, Denis R
**Subject**: FW: Update on VSC receipting

Any sense that we might need to do h1b sweeps more often if we are getting close to the cap?

---

**From:** Peck, Denis R
**Sent:** Tuesday, May 22, 2012 3:57 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Renaud, Daniel M; FitzGerald, Karen L
**Subject:** Update on VSC receipting

Monday incoming volume was heavy – 2200 I-129s is a lot – 766 I-751s is a lot – they are performing well considering but it is going to be a challenging June if the employers start a surge to get their H1Bs in for fear of being "capped out". We reached 58,000 CAPs through last Friday. Be assured it is on my radar scope every day and it will stay there until we're entirely caught up.

As a comparison in April 2011 VSC received 20,800 I-129s of all types and this year, 35,000. May 2011 129 volume was 17,000. This year we had 17,500 by last Friday.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, May 22, 2012 3:25 PM
**To:** Peck, Denis R
**Cc:** John Coleman
**Subject:** RE: VSC Daily Workload Activity Report for Monday 05-21-2012

Denis:
We understand the concern and we are implementing the following steps to help increase our daily production capacity:

- One of the two 751 teams is currently being trained to handle the I-129 non-CAP backlog. They will be deployed in that area when their training is completed later this week.
- One of the CAP temporary employees that we did not originally bring on board has already started and we are in the process of bringing on all of the remaining available temps.
- Several QC clerks will begin work augmenting production starting tomorrow, 05-23-12.
- Management and Supervisors worked production on Saturday, 05-20-12, and will be working again on Saturday 06-02-12.

- We a confirming the counts and hours that the regular employees plan to work as plus time during the week of 05-28-12 and on Saturday, 06-02-12 due to the Memorial Day Holiday.

Once these additional efforts have been fully implemented, we believe that they will have a positive impact on the overall daily production.

Let us know if you have any comments or suggestions.
Ann

---

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Tuesday, May 22, 2012 2:00 PM
**To:** Ann Lees; SCOSS Deliverables; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; John Coleman; Vicky Mankin
**Subject:** RE: VSC Daily Workload Activity Report for Monday 05-21-2012

Ann

Monday was pretty good production wise at VSC but with the volume continuing like this you can't ease up at all. If anything we need to keep thinking how you can expand capacity for a higher daily production rate.

Thanks,

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Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, May 22, 2012 12:50 PM
**To:** SCOSS Deliverables; 'Denis Peck (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; John Coleman; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday 05-21-2012

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 05-21-2012.
Regards,
Ann.

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone: 703 779 1809*
*Business Cell Phone: 703 984 9002*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

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Branch Chief, SCOPS

[redacted] (b)(6)

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SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
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[redacted] (b)(6)

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Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
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***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175* (b)(6)
*Office Phone:* [redacted]
*Business Cell Phone:* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

## Shirk, Georgette L

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Branch Chief, SCOPS
[redacted] (b)(6)

---

**From**: Velarde, Barbara Q
**Sent**: Wednesday, May 23, 2012 07:18 AM
**To**: McConnell, James E
**Cc**: Sweeney, Shelly A; Peck, Denis R
**Subject**: FW: Update on VSC receipting

Any sense that we might need to do h1b sweeps more often if we are getting close to the cap?

**From:** Peck, Denis R
**Sent:** Tuesday, May 22, 2012 3:57 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Renaud, Daniel M; FitzGerald, Karen L
**Subject:** Update on VSC receipting

Monday incoming volume was heavy – 2200 I-129s is a lot – 766 I-751s is a lot – they are performing well considering but it is going to be a challenging June if the employers start a surge to get their H1Bs in for fear of being "capped out". We reached 58,000 CAPs through last Friday. Be assured it is on my radar scope every day and it will stay there until we're entirely caught up.

As a comparison in April 2011 VSC received 20,800 I-129s of all types and this year, 35,000. May 2011 129 volume was 17,000. This year we had 17,500 by last Friday.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, May 22, 2012 3:25 PM
**To:** Peck, Denis R
**Cc:** John Coleman
**Subject:** RE: VSC Daily Workload Activity Report for Monday 05-21-2012

Denis:
We understand the concern and we are implementing the following steps to help increase our daily production capacity:

- One of the two 751 teams is currently being trained to handle the I-129 non-CAP backlog. They will be deployed in that area when their training is completed later this week.
- One of the CAP temporary employees that we did not originally bring on board has already started and we are in the process of bringing on all of the remaining available temps.
- Several QC clerks will begin work augmenting production starting tomorrow, 05-23-12.
- Management and Supervisors worked production on Saturday, 05-20-12, and will be working again on Saturday 06-02-12.
- We a confirming the counts and hours that the regular employees plan to work as plus time during the week of 05-28-12 and on Saturday, 06-02-12 due to the Memorial Day Holiday.

Once these additional efforts have been fully implemented, we believe that they will have a positive impact on the overall daily production.

Let us know if you have any comments or suggestions.
Ann

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Tuesday, May 22, 2012 2:00 PM
**To:** Ann Lees; SCOSS Deliverables; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; John Coleman; Vicky Mankin
**Subject:** RE: VSC Daily Workload Activity Report for Monday 05-21-2012

Ann

Monday was pretty good production wise at VSC but with the volume continuing like this you can't ease up at all. If anything we need to keep thinking how you can expand capacity for a higher daily production rate.

Thanks,

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, May 22, 2012 12:50 PM
**To:** SCOSS Deliverables; 'Denis Peck (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
**Cc:** Dick Braun; John Coleman; Vicky Mankin
**Subject:** VSC Daily Workload Activity Report for Monday 05-21-2012

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 05-21-2012.
Regards,
Ann.

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell Phone:* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

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LongView-FedConsulting JV

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 23, 2012 7:38 AM
**To:** Bolog, Marguerite M
**Cc:** Sweeney, Shelly A; Bell, Lisa M
**Subject:** RE: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335

Hi Mack

I just talked with Lisa about it. We should have the contractor's numbers before noon and I'll turn them around as soon as I check them over.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

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**From:** Bolog, Marguerite M
**Sent:** Monday, April 23, 2012 8:35 AM
**To:** Peck, Denis R
**Cc:** Sweeney, Shelly A
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335
**Importance:** High

Denis—

Do you have updated data from the Centers on total CAP filings received?

Thanks,

--Mack

Marguerite (Mack) Bolog
Adjudication Officer
Business Employment Services Team
USCIS Service Center Operations
20 Massachusetts Avenue NW Suite 2008
[redacted]

---

**From:** Peck, Denis R
**Sent:** Monday, April 16, 2012 11:56 AM
**To:** Sweeney, Shelly A
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: Updated CAP data entry - 15,028 through Friday TOTALS FILINGS ARE 30,335

Shelly here is the complete data set.

Based on handcounts this week added to last week's , the total CAP filings RECEIVED through Friday April 13 is 9,732 MASTERS and 20,603 NONMASTERS for 30,335 TOTAL

DATA ENTRY VOLUMES

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | 73 | 1,284 | 310 | 876 | 383 | 2,160 | 2,543 |
| TOTAL | 3,404 | 3,418 | 4,221 | 2,985 | 7,625 | 7,403 | 15,028 |

VERMONT TOTAL RECEIVED is 15,650
CALIFORNIA TOTAL RECEIVED is 14,685

These numbers include manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Friday, April 13, 2012 1:14 PM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 11,485 through Thursday TOTALS FILINGS ARE 29,068

Based on handcounts this week added to last week's , the total CAP filings through Thursday is 9,335 MASTERS and 19,733 NONMASTERS for 29,068 TOTAL

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | 1,278 | 208 | 1,737 | 63 | 3,015 | 271 | 3,286 |
| April 13 | | | | | | | |
| TOTAL | 3,331 | 2,134 | 3,911 | 2,109 | 7,242 | 4,243 | 11,485 |

VERMONT TOTAL is 14,988
CSC TOTAL is 14,080

These numbers are manual counts and will change slightly

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, April 12, 2012 4:29 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** FW: Updated CAP data entry - 8,199 Through Wednesday

All the identified premium filings from week one have been processed. A few more will be found miscategorized with the nonpremiums but we think they'll all be processed in time to be acted on in the 15 day window.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 3:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | 950 | 459 | 983 | 776 | 1,933 | 1,235 | 3,168 |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 2,053 | 1,926 | 2,174 | 2,046 | 4,227 | 3,972 | 8,199 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM

**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
(b)(6)

---

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 02, 2012 2:37 PM
**To:** Sweeney, Shelly A
**Subject:** RE: Updated Cap Numbers

Now I see they're using the term twice what it was last year. That'd *be less* than our estimate.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Pearl, Thomas F
**Sent:** Monday, April 02, 2012 2:43 PM
**To:** Renaud, Daniel M; FitzGerald, Karen L; Bushey, Sandra T
**Cc:** Loughlin, Stephen J; Peck, Denis R; Sweeney, Shelly A; Perkins, Robert M; Bouchard, Armanda M; Klinefelter, Carrie L; Chadwick, Donna; Howrigan, Tanya L; Janson, Nancy D; Lockerby, Beth A; Lussier, Marcy R; Reilly, Karen B; Rhodes-Gibney, Cathy S; Shuttle, Peter J; Sweeney, Mark M
**Subject:** Updated Cap Numbers

All,

The Contractor has about ¾ of the mail opened. It looks like the Cap, both Premium and Non-Premium is about twice what it was last year – about 4,000 Premium so far is the best estimate. We will have hard numbers for both Saturday and Monday at our 10:00a meeting tomorrow morning. I will publish as soon as received.

Thanks, Tom

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office - [redacted]
Cell - [redacted] (b)(6)

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 22, 2012 12:15 PM
**To:** Cummings, Kevin J; McConnell, James E
**Subject:** Re: Updated H-1B Cap Counts?

Kevin,

The regular cap is at 42K and master's is at 16K. The update should be on the website shortly (I hope).

Thanks!

Shelly

---

**From**: Cummings, Kevin J
**Sent**: Tuesday, May 22, 2012 01:02 PM
**To**: Sweeney, Shelly A; McConnell, James E
**Subject**: Updated H-1B Cap Counts?

Hi Shelley,

Do we have updated numbers yet? Thanks.

### FY 2013 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,700 | 05/11/2012 |
| H-1B Master's Degree Exemption | 20,000 | 14,800 | 05/11/2012 |

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, April 16, 2012 2:56 PM
**To:** Cummings, Kevin J; Young, Claudia F
**Subject:** RE: Updated H-1B Cap Counts

We sent the below to OCOMM for posting to the website earlier today. It should be up shortly:

### *FY 2013 H-1B Cap Count*

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,600 | 04/13/2012 |
| H-1B Master's Degree Exemption | 20,000 | 9,700 | 04/13/2012 |

---

**From:** Cummings, Kevin J
**Sent:** Monday, April 16, 2012 3:53 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** Updated H-1B Cap Counts

Good afternoon ladies,

Are updated H-1B cap counts available? Thanks.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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## Shirk, Georgette L

**From:** Cummings, Kevin J
**Sent:** Tuesday, May 22, 2012 12:17 PM
**To:** Sweeney, Shelly A; McConnell, James E
**Subject:** RE: Updated H-1B Cap Counts?

Thanks!

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, May 22, 2012 1:15 PM
**To:** Cummings, Kevin J; McConnell, James E
**Subject:** Re: Updated H-1B Cap Counts?

Kevin,

The regular cap is at 42K and master's is at 16K. The update should be on the website shortly (I hope).

Thanks!

Shelly

---

**From**: Cummings, Kevin J
**Sent**: Tuesday, May 22, 2012 01:02 PM
**To**: Sweeney, Shelly A; McConnell, James E
**Subject**: Updated H-1B Cap Counts?

Hi Shelley,

Do we have updated numbers yet? Thanks.

### FY 2013 H-1B Cap Count

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,700 | 05/11/2012 |

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Master's Degree Exemption | 20,000 | 14,800 | 05/11/2012 |

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

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## Shirk, Georgette L

**From:** Cummings, Kevin J
**Sent:** Monday, April 16, 2012 2:58 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** RE: Updated H-1B Cap Counts

Thanks so much, Shelly. Guess the economy isn't picking up too much. Appreciate it.

--Kevin

Kevin J. Cummings
Chief, Business & Foreign Workers Division
USCIS Office of Policy and Strategy
Department of Homeland Security

This email, along with any attachments, is intended solely for the use of the addressee(s) and may contain information that is sensitive or protected by applicable law. Unauthorized use or dissemination of this email and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender and delete or destroy all copies. Thank you.

---

**From:** Sweeney, Shelly A
**Sent:** Monday, April 16, 2012 3:56 PM
**To:** Cummings, Kevin J; Young, Claudia F
**Subject:** RE: Updated H-1B Cap Counts

We sent the below to OCOMM for posting to the website earlier today. It should be up shortly:

### *FY 2013 H-1B Cap Count*

| Cap Type | Cap Amount | Cap Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 20,600 | 04/13/2012 |
| H-1B Master's Degree Exemption | 20,000 | 9,700 | 04/13/2012 |

---

**From:** Cummings, Kevin J
**Sent:** Monday, April 16, 2012 3:53 PM
**To:** Sweeney, Shelly A; Young, Claudia F
**Subject:** Updated H-1B Cap Counts

Good afternoon ladies,

Are updated H-1B cap counts available? Thanks.

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Friday, April 20, 2012 12:28 PM
**To:** Bolog, Marguerite M; Pearl, Thomas F
**Cc:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Mack – sorry for the delay.

We are working hard to get our PP CAP cases completed by day 15 which is on Monday. We look like we are in good shape. Afterwards, we are planning to shift resources to get the EOS cases caught up.

| FY11/12 EOS NON PP | |
|---|---|
| **Report date** | **4/16/12** |
| 10/1/10 | 4/14/12 |
| **Initial Pending EOS > 60 days** | **1186** |
| **With Officer** | 939 |
| **With Contractor** | 37 |
| **ADJ Staged** | 152 |
| **Other** | 58 |

| **Weekly FY11/12 Non PP EOS actions** | **4/8/12 - 4/14/12** |
|---|---|
| APPROVED | 1397 |
| DENIED | 54 |
| RELOC | 0 |
| RFE/ ITD | 231 |
| **TOTAL** | **1682** |

| **Weekly FY10/11 PP EOS actions** | **4/8/12 - 4/14/12** |
|---|---|
| APPROVED | 761 |
| DENIED | 63 |
| RELOC | 0 |
| RFE/ ITD | 117 |
| **TOTAL** | **941** |

Let me know if you need anything else.

Mark

## Shirk, Georgette L

**From:** Sweeney, Mark M
**Sent:** Friday, April 13, 2012 11:35 AM
**To:** Sweeney, Shelly A; Pearl, Thomas F
**Cc:** Bolog, Marguerite M; Young, Claudia F; Howrigan, Tanya L; Janson, Nancy D
**Subject:** RE: VSC H-1B report

Thank you. Today is the report for today since it is the first Friday of the pay period.

| VSC I129 H1B Pending as of 4/11/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 2/10/2012** | **ALL PEND** |
| **FY13 CAP** | Initial Receipts | 0 | 3526 |
| Apr-1-2012 to | Response Received | 0 | 0 |
| Mar-30-2013 | RFE/Intent Sent | 0 | 13 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 0 | 3,539 |

---

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 11:19 AM
**To:** Sweeney, Mark M; Pearl, Thomas F
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** RE: VSC H-1B report

Mark,

Since I wasn't sure, I went back and dug up the original request. The EOS report is due once a month on the 10th (or closest business day after if it falls on a weekend). The cap reports are due on the first Friday of every pay period.

Thanks!

Shelly

---

**From:** Sweeney, Mark M
**Sent:** Friday, April 13, 2012 11:12 AM
**To:** Pearl, Thomas F; Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** RE: VSC H-1B report

Shelly –

Keith always did these reports and I covered in his absence. I believe the cap report is the last Thursday of each pay period and the EOS report was the first Tuesday of each pay period.

Does that sounds right?

---

**From:** Pearl, Thomas F
**Sent:** Friday, April 13, 2012 11:02 AM
**To:** Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Young, Claudia F; Sweeney, Mark M
**Subject:** RE: VSC H-1B report

Shelly,

We will make sure they are delivered.....4/15 first due date...

Thanks, Tom

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office - [redacted]
Cell - [redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 10:58 AM
**To:** Pearl, Thomas F
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** RE: VSC H-1B report

No food today. Jerry brought in the world's most unhealthy vegetable soup on Wednesday (it was so tasty!) and tex-mex turkey lettuce wraps yesterday, so I guess we have to starve today. ☹

They cap processing reports are due on a biweekly basis. Mark probably knows the schedule better than I do but I believe they are due around mid-month and the end of the month.

There is also a separate EOS report on a monthly basis (due around the 15th or so). Those should continue to be sent up as is.

---

**From:** Pearl, Thomas F
**Sent:** Friday, April 13, 2012 10:40 AM
**To:** Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** RE: VSC H-1B report

Shelly,

We are glad to continue to provide. When and how often do you want them? I have copied Mark who will be providing the data.

By the way, what food am I not getting to eat today....pizza, tacos, muffins..... ☺....

Thanks, Tom

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office - [redacted] (b)(6)

Cell - [redacted] (b)(6)

**From:** Sweeney, Shelly A
**Sent:** Friday, April 13, 2012 10:33 AM
**To:** Pearl, Thomas F
**Cc:** Bolog, Marguerite M; Young, Claudia F
**Subject:** FW: VSC H-1B report

Tom,

Now that FY13 has opened, I'd like the centers to start providing the below report for FY13 cap cases (I understand that there won't be anything in the 60-day column for a while yet ☺).

For FY12 cap cases that are still pending, I no longer require a report since those cases were touched prior to the FY13 cases hitting the floor. However, I would ask that you let us know if you encounter any issues with finalizing the outstanding FY12 cap cases. We may also reach out at some point in the near future to check on the status.

Thanks!

Shelly

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, March 20, 2012 9:36 AM
**To:** Canney, Keith J; Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** RE: VSC H-1B report

Great Job Keith and VSC!

---

**From:** Canney, Keith J
**Sent:** Thursday, March 15, 2012 3:47 PM
**To:** Fierro, Joseph; FitzGerald, Karen L; Howrigan, Tanya L; Lauver, Tinnina M; Luna, Corinna A.; Perkins, Robert M; Sweeney, Mark M; Sweeney, Shelly A
**Cc:** Pearl, Thomas F
**Subject:** VSC H-1B report

Shelly –

Here is the status of VSC's cap cases. We continue to work through the remaining FY12 initial receipt cap cases.

Keith

| VSC I129 H1B Pending as of 3/15/2012 | | | |
|---|---|---|---|
| | **STATUS** | **60-day Aging Filed before 1/15/2012** | **ALL PEND** |
| **FY12 CAP** | Initial Receipts | 956 | 956 |
| Apr-1-2011 to | Response Received | 421 | 421 |
| Mar-30-2012 | RFE/Intent Sent | 2,898 | 2,898 |
| | Transfers In* | 0 | 0 |
| | Total CAP12 Pending | 4,275 | 4,275 |

## Shirk, Georgette L

**From:** Pearl, Thomas F
**Sent:** Friday, April 20, 2012 1:00 PM
**To:** Sweeney, Mark M; Bolog, Marguerite M
**Cc:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Thanks Mark.....

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office
Cell -

(b)(6)

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**From:** Sweeney, Mark M
**Sent:** Friday, April 20, 2012 1:28 PM
**To:** Bolog, Marguerite M; Pearl, Thomas F
**Cc:** Sweeney, Shelly A
**Subject:** RE: VSC H-1B report

Mack – sorry for the delay.

We are working hard to get our PP CAP cases completed by day 15 which is on Monday. We look like we are in good shape. Afterwards, we are planning to shift resources to get the EOS cases caught up.

| FY11/12 EOS NON PP | |
|---|---|
| **Report date** | **4/16/12** |
| 10/1/10 | 4/14/12 |
| **Initial Pending EOS > 60 days** | **1186** |
| **With Officer** | 939 |
| **With Contractor** | 37 |
| **ADJ Staged** | 152 |
| **Other** | 58 |

| **Weekly FY11/12 Non PP EOS actions** | **4/8/12 - 4/14/12** |
|---|---|
| APPROVED | 1397 |
| DENIED | 54 |
| RELOC | 0 |
| RFE/ ITD | 231 |
| **TOTAL** | **1682** |

| **Weekly FY10/11 PP EOS actions** | **4/8/12 - 4/14/12** |
|---|---|
| APPROVED | 761 |

| | |
|---|---|
| DENIED | 63 |
| RELOC | 0 |
| RFE/ ITD | 117 |
| **TOTAL** | **941** |

Let me know if you need anything else.

Mark

## Shirk, Georgette L

**From:** Tamanaha, Emisa T
**Sent:** Thursday, April 05, 2012 1:23 PM
**To:** Young, Claudia F; Velarde, Barbara Q
**Cc:** Harton, Frank A; Paul, Michael J; Sweeney, Shelly A
**Subject:** RE: VSC L backlog creep

Barbara and Claudia,

Just a quick update on the VSC's L backlog reduction progress...Although the report we received today shows continued growth in the backlog up to this point, VSC will be pulling some resources from the H-1B to allocate to L due to lower than expected cap volume. In addition, they will be moving the L training for the new officers sooner. Therefore, we will hope to see some improvement within the next couple of months.

Thanks,
Emisa

---

**From:** Paul, Michael J
**Sent:** Thursday, April 05, 2012 1:46 PM
**To:** Tamanaha, Emisa T
**Cc:** Harton, Frank A
**Subject:** FW: VSC L backlog creep

Emisa,
I have received an update on the L resources issue at the VSC. According to the ACD, based on current H1B CAP receipt levels reviewed so far, as of today, none of the current L resources will be pulled for the H1B CAP. They anticipate a net gain of 2.5 FTEs onto L/O/P work this month. Additionally, it appears that they are looking at moving the next L training up from June to May. See the information below from the L SISO.

Received on April 5, 2012:
The cap numbers are lower than expected or feared, so we are actually pulling back people from Hs, so we are getting a little bit of a gain for the month of April. Rob (Perkins) has also spoken with Tom (Pearl) about moving the L training for 10 of his folks from June to May (space may be an issue depending on EODs and ELIS). But it is looking like we will be making some headway, enough that I feel confident that we will stop the slide and should see progress into the backlog by the end of the month.

All Division 5 officers that do Hs and Ls and/or O/Ps have been pulled off of Hs except for their t/i's and pipeline work. This was 3 O/P officers and 4 L officers. The net gain comes out to be about 2.5 FTEs recaptured from Hs to put toward L/O/P. Every gain on the O/P side trickles to the Ls through the officers that work both. I hope that helps.

These short range adjustments are in addition to the longer term plan that you already have. I will continue to monitor.

Mike

**Michael J. Paul**
**Business Employment Services**
**Service Center Operations Directorate**
**USCIS**

---

**From:** Paul, Michael J
**Sent:** Thursday, April 05, 2012 8:52 AM
**To:** Tamanaha, Emisa T
**Subject:** VSC L backlog creep

Emisa,

Here is some FYI information on the L situation at the VSC so that you have the historical data all in one place:

The L backlog over 30 days continues to creep up at the VSC. Below is the historical data that illustrates this trend. I continue to monitor the situation and be in contact with the ACD and SISO over the program. Their long range plans for reduction of this backlog have already been sent forward to you and shared with Barbara. Now that the 2013 H1B CAP initial filing period has begun and the VSC has gotten a sense of the receipt levels in the initial few days of filing (especially premium), I have asked for an update on the situation and their plan. I want to be sure they have accurate data on the H1B CAP levels, but preliminary indications are that the receipt level is lower than they expected. I should have an update for you early next week.

Here is the historical data on the "creep":

| Snapshot Date | I-129 L cases untouched over 30 days |
|---|---|
| Oct 20 2011 | 110 |
| Nov 8 2011 | 157 |
| Nov 18 2011 | 153 |
| Dec 16 2011 | 503 |
| Dec 30 2011 | 615 |
| Jan 12 2012 | 856 |
| Jan 26 2012 | 1081 |
| Feb 13 2012 | 1242 |
| Feb 23 2012 | 1346 |
| Mar 8 2012 | 1472 |
| Mar 22 2012 | 1598 |
| Apr 5 2012 | 1684 |

**Michael J. Paul**
**Business Employment Services**
**Service Center Operations Directorate**
**USCIS**

## Shirk, Georgette L

**From:** Liang, Gwen
**Sent:** Tuesday, June 12, 2012 9:40 AM
**To:** Sweeney, Shelly A
**Cc:** Velarde, Barbara Q; Wilcox, Julia D; Peck, Denis R; McConnell, James E; Bacote, Robert R
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

Shelly,
I take back my earlier rough estimate of the total filing count. I just completed another H-1B Cap report. The total receipts are not shown on the report. Up to last weekend (6/10), the total filing count is **90,900**. If we add Monday's filing count of **3,510**, the total filing count up to yesterday 6/11 is **94,410**, which exceeds my target of 94,000. But I think it is ok to accept all from yesterday's filing and then stop right there. We don't even need lottery for today's.

This is just my comment. Please make a final judgment call.

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
[redacted] (b)(6)

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 12, 2012 9:57 AM
**To:** Liang, Gwen
**Cc:** Velarde, Barbara Q; Wilcox, Julia D; Peck, Denis R; McConnell, James E; Bacote, Robert R
**Subject:** FW: We have 3,510 CAP petitions from Monday's mail
**Importance:** High

Gwen,

The VSC and CSC have both confirmed that all cap petitions from yesterday have been counted. The grand total is 3,510. Based on your query for this morning, do you think we can accept them all?

Thanks!

Shelly

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Fries, Juliet M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

Yes they are for CSC.

---

**From:** Loughlin, Stephen J
**Sent:** Tuesday, June 12, 2012 9:15 AM
**To:** Peck, Denis R; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** Re: We have 3,510 CAP petitions from Monday's mail

VSC - 2104 is correct

Stephen J Loughlin
Assistant Center Director, COTR
VSC, USCIS, DHS

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 6:13 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M
**Subject:** RE: We have 3,510 CAP petitions from Monday's mail

While we wait to discuss this here after the seeing today's query update from CISCOR, would you both verify that ALL the mail from yesterday has been opened and counted and that these are the true numbers waiting in the queues – 2,104 CAPS at VSC and 1,406 at CSC?

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 8:25 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M; Liang, Gwen
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; McConnell, James E
**Subject:** We have 3,510 CAP petitions from Monday's mail

Shelly,

This is the contractor's hand count. They will hold until further word from us.

Denis Peck
Chief, Records Management Branch
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]

---

**From:** Tamara Owens [mailto:Tamara.Owens@fcifederal.com]
**Sent:** Tuesday, June 12, 2012 1:10 AM
**To:** Peck, Denis R; John Coleman; Loughlin, Stephen J; Ann Lees
**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
**Subject:** Final Numbers 6-11-12

All,

As you can see, the mail numbers continued to increase throughout the day. We received an additional 3,104 pieces of mail after 12:30 today, totaling 7,755 pieces; thus causing a delay in processing numbers.

CAP final numbers today are as follows:

| | CAP 6/11/12 | Prem vs Non-Prem Totals |
|---|---|---|
| VMP | 98 | |
| VRP | 282 | 380 |
| VMN | 215 | |
| VRN | 1,509 | 1,724 |
| TOTAL | 2,104 | 2,104 |

Denis:
The following table contains the 06-11-12 CAP count for the California Service Center:

| | CMP | CRP | CMN | CRN |
|---|---|---|---|---|
| | 59 | 163 | 145 | 1039 |
| TOTAL | 222 | | 1184 | |

Final Mail Received 6-11-12

| | Monday | Monday | Average Monday |
|---|---|---|---|
| | 6-11-12 | 6-4-12 | |
| USPS | 5,194 | 4,002 | 4,121 |
| DHL | 4 | 5 | 1 |
| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |

## Shirk, Georgette L

**From:** Benavente, Jessy J
**Sent:** Tuesday, June 12, 2012 8:15 AM
**To:** Peck, Denis R; Loughlin, Stephen J; Putnam, Anne F; Nicholson, Richard E
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Fries, Juliet M
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Yes they are for CSC.

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Shelly,

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| USPS | 5,194 | 4,002 | 4,121 |
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| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Tuesday, June 12, 2012 10:15 AM
**To:** Peck, Denis R
**Subject:** Re: We have 3,510 CAP petitions from Monday's mail

Stuck in a meeting. Will try to get out and head over to grab you and so we can go talk to Barbara.

---

**From**: Peck, Denis R
**Sent**: Tuesday, June 12, 2012 11:06 AM
**To**: Sweeney, Shelly A
**Subject**: FW: We have 3,510 CAP petitions from Monday's mail

Were we going to meet here in Barbara's office, or what is the plan? My webinar is over

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

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SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

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Chief, Records Management Branch
SCOPS/USCIS/DHS
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[redacted] (b)(6)

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**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
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| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |


*Tamara*

***Tamara Owens***
***FCi Federal, Site Manager SCOSS VSC***
*75 Lower Welden*
*St Albans / Essex, Vermont*
*office* [redacted] (b)(6)
*cell* [redacted]
*Tamara.L.Owens@uscis.dhs.gov*
*tamara.owens@fcifederal.com*

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 30, 2012 11:23 AM
**To:** Sweeney, Shelly A
**Cc:** Bolog, Marguerite M; Bell, Lisa M; Young, Claudia F; McConnell, James E
**Subject:** RECEIVED THROUGH APRIL 27. 12,302 MASTERS & 29,192 NONMASTERS petitions

This is a count based mostly on data entry numbers plus what is remaining for data entry (484 at CSC, 4,164 at VSC) but with the rejects not included as they were in last week's report.

I believe CSC will be current by end of today and VSC we hope by Friday. We'll know better by end of the week.

| Center | MASTER DE | MASTERs DE queue | NonMasters DE | Non Masters DE queue |
|---|---|---|---|---|
| CSC | 5,702 | 0 | 13,085 | 484 |
| VSC | 5,771 | 829 | 12,278 | 3,335 |
| | 11,473 | 829 | 25,363 | 3,819 |

The above also does not reflect any changes in categories done by adjudications after initial data entry hence this update is only an approximation.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

[redacted] (b)(6)

**From:** Peck, Denis R
**Sent:** Monday, April 23, 2012 11:46 AM
**To:** Bell, Lisa M; Bolog, Marguerite M
**Cc:** Sweeney, Shelly A; McConnell, James E
**Subject:** FW: CSC and VSC CAP Reports for 04-20-2012. RECEIVED THROUGH APRIL 20. 10,889 MASTERS & 25,045 NONMASTERS petitions

Details are in the individual reports .

Of the total received thus far of 35,934 = 26,011 were data entered or rejected through cob last Friday and 9,923 were pending, all of them received April 9 or later. I believe CSC be current on data entry before the end of the week and VSC will be current early next week. If that is the case I'll provide the final update for SCRM for next Monday's web update and Jim's branch will take it over from then onward.

The Masters degree filings actually are current in data entry. If Gwen wants to do a trial query to see if her numbers are close to the same as above it would be a good test run.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529
[redacted] (b)(6)

---

**From:** Vicky Mankin [mailto:Vicky.Mankin@fcifederal.com]
**Sent:** Monday, April 23, 2012 11:36 AM
**To:** Peck, Denis R (denis.peck@dhs.gov)
**Cc:** Dick Braun; John Coleman; Ann Lees
**Subject:** RE: CSC and VSC CAP Reports for 04-20-2012

Please find attached the CSC and the VSC H1B CAP Reports for 04-20-2012.

Regards,

**Vicky Mankin**
*SCOSS PMO Analyst*
***LongView – FedConsulting JV***
*602 S. King Street, Suite 102*
*Leesburg, Virginia 20175*
*Ph:* [redacted] (b)(6)
*Fax: 703-443-1352*
*Vicky.mankin@fcifederal.com*

Bringing Solutions Through People and Processes
LongView-FedConsulting JV

## Shirk, Georgette L

**From:** Shuttle, Peter J
**Sent:** Monday, September 10, 2012 1:03 PM
**To:** Bell, Lisa M; Sweeney, Shelly A
**Cc:** Doherty, Shannon P; Canney, Keith J; Laroe, Lisa A; Skerrett, William S
**Subject:** September Cap and EOS report
**Attachments:** FY13 Cap and EOS 9.12.xls

**Importance:** High

Lisa,

Here is this month's report.

**Peter Shuttle**
Acting Section Chief Business Metro
USCIS - Vermont Service Center
[redacted]

(b)(6)

9/4/2012 7/6/2012

| VSC I129 H1B Pending as of 9/4/2012 | | | |
|---|---|---|---|
| | STATUS | 60-day Aging Filed before 7/6/2012 | ALL PEND |
| FY13 CAP | Initial Rece | 16,152 | 16,152 |
| Apr-1-2012 t | Response | 531 | 531 |
| Mar-30-2013 | Transfer In | 6 | 6 |
| | RFE Order | 4,356 | 4,356 |
| | Continued | 9 | 13 |
| | Intent Orde | 7 | 7 |
| | Total CAP | 21,061 | 21,065 |
| FY12 CAP | Initial Rece | 30 | 30 |
| Apr-1-2011 t | Response | 140 | 140 |
| Mar-30-2012 | Continued | 2 | 2 |
| | RFE Order | 28 | 28 |
| | Total CAP | 200 | 200 |
| FY11 CAP | Initial Rece | 32 | 32 |
| Apr-1-2010 t | Response | 3 | 3 |
| Mar-30-2011 | RFE/Intent | 0 | 0 |
| | Total CAP | 35 | 35 |
| Y11&12 EC | Initial Rece | 8,995 | 19,397 |
| Oct-1-2010 t | Response | 388 | 446 |
| Present | Transfers I | 7 | 11 |
| | Continued | 17 | 26 |
| | RFE Order | 509 | 1,092 |
| | Intent Orde | 2 | 2 |
| | EOS 11&1 | 9,918 | 20,974 |
| 3, 09, & 10 | Initial Rece | 39 | 39 |
| Oct-1-2007 t | Response | 10 | 10 |
| | Transfers I | 0 | 0 |
| | Continued | 2 | 2 |
| | RFE Order | 4 | 4 |
| Sept-30-2010 | Intent Orde | 0 | 0 |
| | EOS 8&9& | 55 | 55 |
| ALL EOS | Initial Rece | 9,034 | 19,436 |
| | Response | 398 | 456 |
| | Transfers I | 7 | 11 |
| | Continued | 19 | 28 |
| | RFE Order | 513 | 1,096 |
| | Intent Orde | 2 | 2 |
| | Total EOS | 9,973 | 21,029 |
| Grand Total | | 31,269 | 42,329 |

* These Transfers Ins are the result of FRE not consular return.

| VSC H1B ACTIONS (8-26-12 to 9-1-12) | | | | |
|---|---|---|---|---|
| | APP | DEN | RFE | Total |
| CAP FY13 | 2624 | 30 | 750 | 3404 |
| CAP PP F | 185 | 37 | 30 | 252 |
| CAP FY12 | 17 | 41 | | 58 |
| CAP PP F | 2 | 46 | 1 | 49 |
| CAP FY11 | | 35 | | 35 |
| CAP PP F | 3 | 36 | | 39 |
| EOS FY10 | 127 | 129 | 37 | 293 |
| EOS PP F | 1,072 | 146 | 130 | 1,348 |
| Grand Tota | 4,030 | 500 | 948 | 5,478 |

| PENDING | FY13 | FY12 |
|---|---|---|
| F1COS_S | Total | Total |
| UNTOUCH | 226 | 0 |
| RFE/NOID | 1312 | 0 |
| RFE/NOID | 268 | 2 |
| Continued | 5 | 0 |
| Grand Tota | 1,811 | 2 |

* None of the remaining FY12 untouched is in or was re
* 83 of the FY13 untouched are in or were referred to CI

| ALL VSC H1B STATUS SUMMARIES as of 9/4/2012 | | | | |
|---|---|---|---|---|
| STATUS | FY13 CAP | FY12 CAP | FY11 CAP | EOS FY 11&12 |
| Approval - | 30,413 | 45,619 | 42,736 | 116,559 |
| Denied Fraud - Notice Ordered | | | 3 | 3 |
| Denied Ot | 570 | 4,960 | 9,157 | 11,042 |
| Initial Rec | 16,152 | 30 | 32 | 19,397 |
| Invent/Auc | 20 | 39 | 101 | 63 |
| No Status | | | | |
| RejectedR | 48 | 22 | 49 | 140 |
| Reopened | 3 | 2 | | 3 |
| Response | 532 | 149 | 43 | 462 |
| RFE Orde | 4,360 | 33 | 1 | 1,093 |
| RFE/Inten | 6 | 1 | 1 | 2 |
| SCPC | | 7 | 14 | 100 |
| Transfers | 6 | 231 | 196 | 300 |
| Transfers Out | | 12 | 35 | 26 |
| Intent Ord | 7 | 5 | 25 | 21 |
| Continuec | 13 | 2 | | 26 |
| Grand Tot | **52,130** | **51,112** | **52,393** | **149,237** |

ferred to CFDO
FDO

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Monday, April 09, 2012 10:28 AM
**To:** Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; Kennedy, Julia C
**Cc:** McConnell, James E; Liang, Gwen; #HQSCO - Service Center Records Management
**Subject:** The H1B Update has posted

USCIS - USCIS Continues to Accept FY 2013 H-1B Petitions

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Saturday, April 07, 2012 9:32 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** McConnell, James E; Liang, Gwen
**Subject:** FW: CAP cumulative through end of week = 25,633

Don, Barbara

The final count is in for Monday's news release. FCi picked up everything the post office had on hand at the end of Friday at both centers and these were opened, counted and included below. Our original estimate of 30,000 turned out to be pretty accurate. The main surprise this year was how close the volume was between the two.

Unless we tell them otherwise the contractor will begin data entry Monday morning, using April 9 as the received date for all this week's filings until finished.
Their first goal is to have all the premiums completed no later than cob Wednesday. These files are mostly set up and ready to go.

If there's any reason for them to hold off starting let me know.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative | Percentages |
|---|---|---|---|---|---|---|---|
| VSC | 9,513 | 1,244 | 707 | 874 | 1,030 | 13,368 | 52.15% |
| CSC | 9,435 | 952 | 500 | 480 | 886 | 12,265 | 47.85% |
| TOTALS | 18,948 | 2,196 | 1,207 | 1,354 | 1,916 | 25,633 | 100.00% |
| PREMIUMS | | | | | | 6,486 | 25.30% |
| MASTERS | | | | | | 8,185 | 31.93% |

Not included: 12 filings at CSC to be CRU reviewed Monday for eligibility.

CSC Premiums: 3,255
VSC Premiums: 3,231

CSC Masters: 3,974
VSC Masters: 4,211

---

**From:** Peck, Denis R
**Sent:** Friday, April 06, 2012 12:36 PM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; Liang, Gwen; #HQSCO - Service Center Records Management
**Subject:** FW: CAP cumulative through Thursday April 5 - 23,705

Both California and Vermont daily totals have been slightly adjusted since yesterday.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative | Percentages |
|---|---|---|---|---|---|---|---|
| VSC | 9,513 | 1,244 | 707 | 874 | | 12,338 | 52.05% |
| CSC | 9,435 | 952 | 500 | 480 | | 11,367 | 47.95% |
| TOTALS | 18,948 | 2,196 | 1,207 | 1,354 | | 23,705 | 100.00% |
| PREMIUMS | | | | | | 5,980 | 25.23% |
| MASTERS | | | | | | 7,732 | 32.62% |

Premium percentage thus far is 25.23% (5,980/23,705)

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[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Thursday, April 05, 2012 11:19 AM
**To:** Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Bolog, Marguerite M; McConnell, James E
**Cc:** Nicholson, Richard E; Loughlin, Stephen J; #HQSCO - Service Center Records Management; Liang, Gwen
**Subject:** CAP cumulative through Wednesday April 4 - 22,323

Vermont daily totals have been slightly adjusted since yesterday. Wednesday is normally the lightest volume day of the week.

| Center | Monday | Tuesday | Wednesday | Thursday | Friday | Cumulative |
|---|---|---|---|---|---|---|
| VSC | 9,586 | 1,260 | 644 | | | 11,490 |
| CSC | 9,390 | 950 | 493 | | | 10,833 |
| TOTALS | 18,976 | 2,210 | 1,137 | | | 22,323 |
| PREMIUMS | | | | | | 5,744 |
| MASTERS | | | | | | 7,143 |

Premium percentage thus far is 25.73% (5,744/22,323)

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[redacted] (b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Thursday, June 07, 2012 3:34 PM
**To:** Liang, Gwen
**Cc:** McConnell, James E; Sweeney, Shelly A
**Subject:** The target for CAP petitions

Gwen

You have not changed the target for CAPS, correct? We will accept 20,000 Masters, 76,000 for the regular cap (both master and 4 yr degrees) for 96,000 total right? We were at about 81,000 last night. I believe we will CAP on Tuesday or Wednesday.

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Washington, DC 20529

(b)(6)

As of 10/15/2012: 8/16/2012 (60 day) CAP 13 Summary

| F1 COS PENDING BREAKDOWN BY SECTION | | | | | |
|---|---|---|---|---|---|
| Count of RECEIPT_NUMBER | F1COS_STATUS | | | | |
| LOCATION_SECTION | UNTOUCHED | RFE/NOID Ordered | RFE/NOID Response Received | Continued Cases | Grand Total |
| ADJ WORKFLOW | | 7 | 2 | | 9 |
| BCU | 1 | 1 | 5 | | 7 |
| CA REVIEW | | | 1 | | 1 |
| CFDO | 11 | 2 | 1 | | 14 |
| CLERICAL | | 24 | | | 24 |
| CONTRACTOR | 1 | 564 | 123 | 4 | 692 |
| OFFICER | | 4 | 149 | | 153 |
| SUPERVISOR | | 1 | 2 | | 3 |
| **Grand Total** | **13** | **603** | **283** | **4** | **903** |

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, June 06, 2012 11:53 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Wilcox, Julia D; Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Lauver, Tinnina M
**Subject:** Tuesday CAP fiings - 3,033
**Attachments:** FY13 CSC H1B CAP Report 06-05-2012.xls; FY13 VSC H1B CAP Report 06-05-2012.xls

We've had over 6200 filings the first two days this week. The true breakdown is more like 3600 Monday and 2600 Tuesday because VSC didn't barcode all of Monday's mail until Tuesday.

Both were back to fully current by cob Tuesday though – no unopened mail and none in the data entry queues.

Today will be a very good test. Wednesday is normally the smallest mail volume day.

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[redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, June 06, 2012 11:41 AM
**To:** Peck, Denis R (denis.peck@dhs.gov); Shiflett, Julie M (julie.shiflett@dhs.gov)
**Cc:** Dick Braun; John Coleman
**Subject:** CSC and VSC H1B CAP Reports for 06-05-2012

Please find attached the CSC and VSC H1B CAP Reports for 06-05-2012.
Regards,
Ann

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell Phone:* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

Bridging Solutions Through People and Processes
LongView-FedConsulting JV

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Wednesday, May 23, 2012 2:11 PM
**To:** Bolog, Marguerite M

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on Dec. XX, 2011. USCIS will use this process to select petitions needed to meet the cap. USCIS will reject all remaining cap-subject petitions not randomly selected and will return the accompanying fee.

Shelly Sweeney
Acting Branch Chief
Business Employment Services Team 1
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Monday, February 06, 2012 2:39 PM
**To:** Lauver, Tinnina M

Here it is. FY12 isn't included.

| FY | Number of H-1B Visas | Date Cap Met |
|---|---|---|
| 1992 to 1996 | 65,000 | Cap not met |
| 1997 | 65,000 | September 1, 1997 |
| 1998 | 65,000 | May 11, 1998 |
| 1999 | 115,000 | Cap exceeded; overage applied to FY2000 cap. |
| 2000 | 115,000 | July 21, 2000 |
| 2001 | 195,000 | Cap not met |
| 2002 | 195,000 | Cap not met |
| 2003 | 195,000 | Cap not met |
| 2004 | 65,000 | February 17, 2004 |
| 2005 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • October 1, 2004<br>• Advanced Degree cap not met[i][1] |
| 2006 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • August 10, 2005<br>• January 17, 2006 |
| 2007 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • May 26, 2006<br>• July 26, 2006 |
| 2008 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 2, 2007<br>• April 30, 2007 |
| 2009 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 5, 2008<br>• April 5, 2008 |
| 2010 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • December 21, 2009<br>• July 9, 2009 |
| 2011 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • January 26, 2011<br>• December 22, 2010[mmb1][sas2] |

Shelly Sweeney
Adjudications Officer
Business Employment Services Team

Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

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[i][1] The 20,000 master's degree and higher education exemption was created by the H-1B Visa Reform Act of 2004, which became effective on May 5, 2005, eight months into FY05.

## Shirk, Georgette L

**From:** Sweeney, Shelly A
**Sent:** Thursday, September 27, 2012 7:12 AM
**To:** Velarde, Barbara Q; Tynan, Natalie S
**Cc:** Doherty, Shannon P; Bell, Lisa M
**Subject:** Update on H-1B Cap Counts and Plan Review

Barbara and Natalie,

Based on the data that I have received, I have created a chart to compare where each center is on a day to day basis.

| | 9/20/2012 | 9/20/2012 | 9/24/2012 | 9/24/2012 | 9/25/2012 | 9/25/2012 | 9/26/2012 |
|---|---|---|---|---|---|---|---|
| | **Untouched** | **Total Pending** | **Untouched** | **Total Pending** | **Untouched** | **Total Pending** | **Untouched** |
| **CSC** | 9235 | 17239 | 9170 | 17279 | 8737 | 17113 | 8059 |
| **VSC** | 10416 | 16138 | 9124 | 14881 | 8623 | 14349 | 8116 |

I asked the CSC to yesterday to clarify the discrepancy between their 7K from last week and the 17K this week. The original 7K from last week was a manual count estimate of the population of their untouched cap cases. They did not include the 10K that have been touched but are still pending final action in his first email. In addition, the manual estimate was off by about 2K. They had provided us with a manual estimate as they were having trouble reconciling the data they were pulling from their systems last week.

With that said, I believe the CSC might be in more of a pickle than I originally thought when looking at the big picture. Although over half of the CSC untouched is on the floor and ¾ of the VSC's untouched appears to still be with the contractor on the shelf, the total number of pending for the CSC is nearly 3K higher than the VSC.

I have also reviewed each center's plans. The CSC is adding 12 officers from other divisions to work H-1Bs on regular and OT and the will have officers in Division 9 (Kurt's division) that are currently working EOS H-1Bs work initial H-1B petitions on OT. That said, I have some concerns with one of the bullets mentioned by the CSC in their plan: "RFEs will be distributed to the officers in date order once the initials are completed." While there is only a week left under their plan before they would go back to working cases with RFE/ITD responses, I would like to know how old their RFE responses are. To that end, I asked Joe yesterday how old their RFE responses are. I am waiting on a response.

Meanwhile, the VSC's plan banks on OT in FY13 and no change in current staffing levels. The plan does not mention adding additional ISOs on the workload. (Side note: they specifically list an assumption that they don't lose any officers to "details" or other workloads "DACA.") Their plan accounts for making a final decision within 30 days of receiving an RFE response for cap gap cases and within 60 days of receiving an RFE response on all other cases. At this juncture, I don't know that I see a benefit to treating the RFE responses on cap gap cases any differently than those for any other case, but wanted to check in with you to see if you disagree.

Would you like to meet to discuss further today or tomorrow?

Thanks!

Shelly

Shelly Sweeney

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Wednesday, April 11, 2012 2:22 PM
**To:** Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Sweeney, Shelly A; Lauver, Tinnina M; Bolog, Marguerite M
**Cc:** McConnell, James E
**Subject:** Updated CAP data entry - 5,031 through Tuesday

**Categories:** Green Category

With some revisions from the reporting on day one. They picked up their pace on day two as we expected they would. These are still entirely premium filings being done first.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS | DAY TOTALS DE |
|---|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 961 | 0 | 1,922 | 316 | 2,238 |
| April 10 | 142 | 1,151 | 230 | 1,270 | 372 | 2,421 | 2,793 |
| April 11 | | | | | | | |
| April 12 | | | | | | | |
| April 13 | | | | | | | |
| TOTAL | 1,103 | 1,467 | 1,191 | 1,270 | 2,294 | 2,737 | 5,031 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 10, 2012 1:52 PM
**To:** Velarde, Barbara Q; USCIS Exec Sec
**Cc:** Liang, Gwen; McConnell, James E; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Bolog, Marguerite M
**Subject:** RE: FY 2013 H-1B Cap - Corrected Monday DE total was over 2,200

Barbara,

Quite right, the time lag doesn't allow for a fully accurate CISCOR query on the next day. The contractor actually did quite a bit better. These were all Premium cases.
I can provide the updated numbers each day until they are fully current again.

| Date | VSC Masters | VSC nonMast | CSC Masters | CSC nonMast | TOTAL MASTERS | TOTAL nonMASTERS |
|---|---|---|---|---|---|---|
| April 9 | 961 | 316 | 896 | 65 | 1,857 | 381 |
| April 10 | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| April 11 | | | | | | |
| April 12 | | | | | | |
| April 13 | | | | | | |
| TOTAL | 961 | 316 | 896 | 65 | 1,857 | 381 |

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
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[redacted]
(b)(6)

**From:** Liang, Gwen
**Sent:** Tuesday, April 10, 2012 1:30 PM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry T; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** FY 2013 H-1B Cap

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 125 | 4/9/2012 |
| H-1B Master's Exemption | 20,000 | 455 | 4/9/2012 |

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060
☎ [redacted] (b)(6)

## Shirk, Georgette L

**From:** Pearl, Thomas F
**Sent:** Monday, April 02, 2012 1:43 PM
**To:** Renaud, Daniel M; FitzGerald, Karen L; Bushey, Sandra T
**Cc:** Loughlin, Stephen J; Peck, Denis R; Sweeney, Shelly A; Perkins, Robert M; Bouchard, Armanda M; Klinefelter, Carrie L; Chadwick, Donna; Howrigan, Tanya L; Janson, Nancy D; Lockerby, Beth A; Lussier, Marcy R; Reilly, Karen B; Rhodes-Gibney, Cathy S; Shuttle, Peter J; Sweeney, Mark M
**Subject:** Updated Cap Numbers

All,

The Contractor has about ¾ of the mail opened. It looks like the Cap, both Premium and Non-Premium is about twice what it was last year – about 4,000 Premium so far is the best estimate. We will have hard numbers for both Saturday and Monday at our 10:00a meeting tomorrow morning. I will publish as soon as received.

Thanks, Tom

Thomas F. Pearl
Assistant Center Director
Vermont Service Center
USCIS/DHS
Office
Cell - (b)(6)

## Shirk, Georgette L

**From:** Perkins, Robert M
**Sent:** Friday, September 21, 2012 3:30 PM
**To:** Sweeney, Shelly A; Tynan, Natalie S
**Cc:** Velarde, Barbara Q; Renaud, Daniel M; Canney, Keith J; Skerrett, William S; Shuttle, Peter J; Howrigan, Tanya L
**Subject:** VSC H-1B Cap Plan
**Attachments:** H1B Pending Calculator_Sept 2012.xls

Natalie and Shelly,

Here is the VSC H1B Cap Plan using data from the 9/17/2012 Weekly H1B Report:

1) Cap Gap Petitions – There were 116 untouched cap gap filings according to the 9/17/2012 Weekly H1B Report. We expect to take an initial action on said cases by 10/1.
2) Cap Gap Petitions - For those filings requiring a request for evidence, our goal is to take a follow-up action within 30 days of receiving a response to the request for evidence.
3) Regular Cap Petitions – There were 10,994 untouched regular cap filings according to the 9/17/2012 Weekly H1B Report. In the four week period from 8/20/2012 – 9/17/2012 VSC reduced the number of H1B Cap initial receipts by 11,387. We expect to continue this same pace, thus putting us on target to take an initial action on the remaining actionable filings (there may be a small population held in the BCU or CFDO) by October 15, 2012.
4) Regular Cap Petitions - For those filings requiring a request for evidence, our goal is to take a follow-up action within 60 days of receiving a response to the request for evidence.
5) I have attached an H1B calculator which includes all H1B filings (Cap and EOS). Assuming there are no major workload shifts (see assumptions below), I am projecting that we will be within normal processing times for the EOS workload by the end of January 2013, while we continue to complete final actions on cap cases requiring a request for evidence.

Assumptions:

- Overtime continues uninterrupted into FY13. Please note at this time VSC has not received overtime funding for FY13.
- We do not experience significant losses to the dedicated business resources to detail or other workloads (i.e. DACA).
- Projected EOS receipts do not significantly surpass projections.
- No major policy or procedural changes occur that would impact the H1B standard completion rate.

Please let me know if you have any questions.

Thanks,

**Robert M. Perkins**| **Associate Center Director**| Vermont Service Center |USCIS | ☎: [redacted]

(b)(6)

## Shirk, Georgette L

**From:** Peck, Denis R
**Sent:** Tuesday, June 12, 2012 7:25 AM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M; Liang, Gwen
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Wilcox, Julia D; Lauver, Tinnina M; McConnell, James E
**Subject:** We have 3,510 CAP petitions from Monday's mail

Shelly,

This is the contractor's hand count. They will hold until further word from us.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)

---

**From:** Tamara Owens [mailto:Tamara.Owens@fcifederal.com]
**Sent:** Tuesday, June 12, 2012 1:10 AM
**To:** Peck, Denis R; John Coleman; Loughlin, Stephen J; Ann Lees
**Cc:** shawn.briggs@dhs.gov; jennifer.shilling@uscis.dhs.gov; Allen.G.Letourneau@uscis.dhs.gov
**Subject:** Final Numbers 6-11-12

All,

As you can see, the mail numbers continued to increase throughout the day. We received an additional 3,104 pieces of mail after 12:30 today, totaling 7,755 pieces; thus causing a delay in processing numbers.

CAP final numbers today are as follows:

| | CAP 6/11/12 | Prem vs Non-Prem Totals |
|---|---|---|
| VMP | 98 | |
| VRP | 282 | 380 |
| VMN | 215 | |
| VRN | 1,509 | 1,724 |
| TOTAL | 2,104 | 2,104 |

Denis:
The following table contains the 06-11-12 CAP count for the California Service Center:

| | CMP | CRP | CMN | CRN |
|---|---|---|---|---|
| | 59 | 163 | 145 | 1039 |
| TOTAL | 222 | | 1184 | |

Final Mail Received 6-11-12

| | Monday | Monday | Average Monday |
|---|---|---|---|
| | 6-11-12 | 6-4-12 | |
| USPS | 5,194 | 4,002 | 4,121 |
| DHL | 4 | 5 | 1 |
| UPS | 429 | 452 | 251 |
| FED EX | 2,128 | 2,060 | 801 |
| TOTAL | **7,755** | **6,519** | **5,174** |

*Tamara*

***Tamara Owens***
***FCi Federal, Site Manager SCOSS VSC***
*75 Lower Welden*
*St Albans / Essex, Vermont*
*office:* [redacted] (b)(6)
*cell* [redacted]
*Tamara.L.Owens@uscis.dhs.gov*
*tamara.owens@fcifederal.com*

**From:** Garner, Deanna L
**To:** Chiang, James Y; Fitzsimmons, James
**Cc:** Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers for FY 2009
**Date:** Monday, July 21, 2008 2:55:57 PM

---

I'm assuming the 2nd chart is H2B numbers and that Subject: line if this msg. relates to 1st chart for H1B for last Monday.
If that's incorrect, pls let me know. Thx, Dee

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 2:28 PM
**To:** Fitzsimmons, James
**Cc:** Garner, Deanna L; Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Williams, Carol L; Witherow, Hiroko; McConnell, James E; Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks, Jim.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 2:08 PM
**To:** Chiang, James Y
**Subject:** RE: Latest H-1B cap numbers for FY 2009

| H-2B | Approved | Denied | Pending | Total |
|---|---|---|---|---|
| Through July 18th | 17,589 | 414 | 11,202 | 29,205 |

---

**From:** Chiang, James Y
**Sent:** Monday, July 21, 2008 1:50 PM
**To:** Fitzsimmons, James
**Subject:** RE: Latest H-1B cap numbers for FY 2009

Thanks. Do you have numbers for H-2B cap? Dee was asking for it this morning.

---

**From:** Fitzsimmons, James
**Sent:** Monday, July 21, 2008 1:49 PM
**To:** Chiang, James Y
**Cc:** McConnell, James E
**Subject:** Latest H-1B cap numbers for FY 2009

James,

Below are the latest H-1B cap numbers for FY 2009 as of July 18th.

| H-1B cap | Approved | Pending[1] | Potential Cap | Untouched[2] | Touched[3] | RFE rate[4] | Denial rate[5] |
|---|---|---|---|---|---|---|---|
| Regular | 49,600 | 20,500 | 70,100 | 8,400 | 62,100 | 19% | 0.9% |
| Masters | 18,400 | 3,500 | 21,900 | 1,700 | 20,500 | 9% | 1.5% |

Data available at close of business, July 18th

[1] Untouched plus RFE's

[2] Pending minus RFE's

[3] Approvals plus denials plus RFE's

[4] Proportion of petitions touched that are RFE's

[5] Proportion of petitions approved or denied that are denied

Salient highlights from the table are:

- 77% of Regular cap has been reached.
- 92% of Masters cap has been reached.
- 88% of Regular cap petitions have been touched.
- 93% of Masters cap petitions have been touched.

Jim

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James; Chiang, James Y
**Subject:** RE: 4/23/08 CAP Summary
**Date:** Thursday, April 24, 2008 9:49:37 AM

Denis: Come May 2nd we no longer have the room we are currently using to stage H1bs. If we going to select cushion cases we need to get a list before we have to move from the room. If we don't pull before vacating the room it will be an added burden to find and pull cushion cases.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
(b)(6)

**From:** Peck, Denis R
**Sent:** Thursday, April 24, 2008 6:27 AM
**To:** Nicholson, Richard E
**Cc:** Fitzsimmons, James; Chiang, James Y
**Subject:** RE: 4/23/08 CAP Summary

325 rejects out of 20,568 combined data entered and rejects is 1.6% rejection rate and really not rising very much. I think at this point we have to decide if a cushion is going to be needed at all. I will send Vermont's statistics on when they come in this morning.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
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202-272-1342 FAX
(b)(6)

**From:** Nicholson, Richard E
**Sent:** Thursday, April 24, 2008 8:47 AM
**To:** Poulos, Christina ; Gregg, Bret S; Peck, Denis R; Prince, Rose M; Perkins, Robert M; Canney, Keith J; Shiflett, Julie M
**Cc:** Mehta, Dilipkumar N
**Subject:** FW: 4/23/08 CAP Summary

We are approximately 57.4% complete on data entry.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
(b)(6)

**From:** Nelson, Marvin E
**Sent:** Wednesday, April 23, 2008 11:47 PM
**To:** Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nicholson, Richard E; Noll, Richard W; Pepper, Derek R; Printup, Maurice ; Sharpe, Gerald; Siesel, Gregory P
**Subject:** 4/23/08 CAP Summary

**From:** Chiang, James Y
**To:** Peck, Denis R
**Subject:** RE: CAP REPORT 4-21-08
**Date:** Tuesday, April 22, 2008 11:49:22 AM

---

Thanks.

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 22, 2008 11:41 AM
**To:** Fitzsimmons, James; Chiang, James Y
**Subject:** FW: CAP REPORT 4-21-08

And here is Vermont. 472 rejects out of just over 12,000 processed thus far, holding at the 4% rate.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Tuesday, April 22, 2008 11:13 AM
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-21-08

Denis –

Here is the CAP report for 4/21 for VSC. Let me know if you have any questions.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 22, 2008 10:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-21-08

Attached is the Cap report for 4/21/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted] (b)(6)

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP REPORTS
**Date:** Tuesday, April 22, 2008 9:49:06 AM

---

Denis,

Do you have more recent cap reports?

Jim

---

**From:** Peck, Denis R
**Sent:** Friday, April 18, 2008 1:35 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Williams, Carol L; Jepsen, Patricia A; Shiflett, Julie M
**Cc:** Neufeld, Donald; Bushey, Sandra T; Prince, Rose M
**Subject:** FW: H-1B CAP REPORT 4-17-08

Summary: California completed entering their Premium cases Thursday and began non-Premiums; Vermont is on course to finish Premiums on Monday.

Reject rates through through Thursday: California 1.1%, Vermont 5.6%

A very few late filings still coming in – 3 on Thursday at CSC.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Collins, Mary Lou E
**Sent:** Friday, April 18, 2008 12:27 PM
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-17-08

Denis -

Here are the numbers for today.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Friday, April 18, 2008 10:03 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-17-08

Attached is the CAP report for 4/17/08

**From:** Bushey, Sandra T
**To:** Peck, Denis R
**Subject:** RE: CAP REPORT 4-16-08
**Date:** Thursday, April 17, 2008 1:12:58 PM

---

If they can meet the deadline fine – but that would mean ADJ would have about 6,500 cases ready by COB tomorrow and I don't think that will happen. The other part is the quality of work we are seeing (or lack of I should say).

It's your call.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 17, 2008 1:04 PM
**To:** Bushey, Sandra T
**Subject:** RE: CAP REPORT 4-16-08

You're right, but, they only have to do 10,872 PP cases. According to the spreadsheet through yesterday, they did 3,911. That leaves just under 7,000. If they sustain the rate they did Wednesday, they would finish by cob Monday, counting some rejects. So I don't think we need to push the panic button yet. Unless these figures aren't correct, but I'm going by them.

I'm going to ask Jerry if he will stand by completing all PP by cob Monday. If he verifies they will meet that goal, are you in agreement?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Bushey, Sandra T
**Sent:** Thursday, April 17, 2008 12:52 PM
**To:** Peck, Denis R
**Cc:** Paul, Michael J; Collins, Mary Lou E; Stoddard, Becky M; Manahan, Lisa F; Canney, Keith J; Perkins, Robert M
**Subject:** FW: CAP REPORT 4-16-08

Here is the official report. As you will see they did not come close to the 2,830 mark on the second day – nor did they meet it on the third day of data entry. We are now on day four and at this rate will not have enough cases in the pipeline to keep Adjudicators busy over the weekend – which we should be doing if we intend to adjudicate everything in 15 days.

---

**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 17, 2008 12:34 PM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-16-08

Attached is the CAP report for 4/16/08

Marcy Stefaniak

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: 163,240 H1B
**Date:** Friday, April 11, 2008 2:13:09 PM
**Importance:** High

---

Denis,

There is a discrepancy of 1,800 between contractor's total for VSC (104,419) and the total on lists I received from VSC (102,631).

Jim

Jim –

These are correct for Vermont.

Mary-Lou

---

**From:** Fitzsimmons, James
**Sent:** Friday, April 11, 2008 1:49 PM
**To:** Nicholson, Richard E; Collins, Mary Lou E; Bushey, Sandra T
**Subject:** Barcode totals
**Importance:** High

Rich/Mary Lou

Would you kindly verify the barcode totals below for your center.

I am happy to report that I found no duplicate barcodes.

Thanks very much. You and your staff did a grand job.

Now it is my turn.

Jim

| CATEGORY | | | |
|---|---|---|---|
| CMN | 7,873 | VMN | 12,050 |
| CMP | 4,536 | VMP | 5,906 |
| CRN | 39,513 | VRN | 74,296 |
| CRP | 6,900 | VRP | 10,379 |
| | 58,822 | | 102,631 |

---

**From:** Peck, Denis R
**Sent:** Friday, April 11, 2008 12:37 PM
**To:** Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Williams, Carol L; Shiflett, Julie M
**Cc:** Aytes, Michael; Neufeld, Donald
**Subject:** 163,240 H1B

Barcoded databases were due to us at noon, we are still awaiting them. We expect them within the hour.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]

(b)(6)

---

**From:** Sharpe, Gerald

**Subject:** FW: H-1B Web Update

FYI-

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 9:31 AM
**To:** Vietti, Peter J; Bacon, William H; Wright, William G; Bentley, Christopher S; Clark, Matthew J
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** H-1B Web Update

Good morning –

Kevin Cummings has asked me to send the following data below regarding H-1B petitions received during the cap time. He would like a web posting placed on the website today informing the public of the numbers of petitions filed. SCOPS has specifically asked that all numbers be listed as approximate as these below data represents only 99% of the final count. Please let me know if you have any questions. I have also included Denis Peck as he is the Branch Chief who works closely with the contractors and knows the numbers.

**GRAND TOTAL of H1B petitions received: 162,713**

TOTAL H1B petitions filed under Regular cap: 131,436 or 81% of total filings

TOTAL H1B petitions filed under the Masters cap: 31,277 or 19% of total filings

I am also working on a second web posting that we would like to be posted on Monday and will send that later today for your review.

Thank you and regards.

Carol L. Williams

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P[redacted]
F: 202-272-1398 (b)(6)

**From:** Williams, Carol L
**To:** Chiang, James Y; Peck, Denis R; Kruszka, Robert F
**Cc:** Cummings, Kevin J; Williams, Carol L; Jepsen, Patricia A; Fitzsimmons, James
**Subject:** FYI - Web Posting from Yesterday
**Date:** Friday, April 11, 2008 12:09:48 PM

---

**USCIS Releases Preliminary Number Of FY 2009 H-1B Cap Filings**

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced a preliminary number of nearly 163,000 H-1B petitions received during the filing period ending on April 7, 2008. More than 31,200 of those petitions were for the advanced degree category.

USCIS expects next week it will conduct the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption. Those petitions not selected under the advanced degree category will join the random selection process for the cap-subject 65,000 limit.

USCIS will reject, and return filing fees for all cap-subject petitions not randomly selected, unless found to be a duplicate. USCIS will handle duplicate filings in accordance with the interim final rule published on March 24, 2008 in the *Federal Register*.

USCIS will provide regular updates as the processing of FY 2009 H-1B cap cases continues.

---

**Related Files**

USCIS Update (61KB PDF)

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P [redacted]
F: 202-272-1398

(b)(6)

Subject: H-1B Web Update

Good morning –

Kevin Cummings has asked me to send the following data below regarding H-1B petitions received during the cap time. He would like a web posting placed on the website today informing the public of the numbers of petitions filed. SCOPS has specifically asked that all numbers be listed as approximate as these below data represents only 99% of the final count. Please let me know if you have any questions. I have also included Denis Peck as he is the Branch Chief who works closely with the contractors and knows the numbers.

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Thank you and regards.

Carol L. Williams

Carol L. Williams

Adjudications Officer

Service Center Operations

Business and Trade Branch

U.S. Citizenship and Immigration Services

Department of Homeland Security

[redacted]

(b)(6)

**From:** Rhatigan, Chris
**To:** Williams, Carol L; Choi, Sunny
**Cc:** Peck, Denis R; Cummings, Kevin J
**Subject:** RE: Draft Web Update
**Date:** Friday, April 11, 2008 11:45:14 AM
**Importance:** High

---

That was a cut and paste from the press release posted earlier on the H-1B rule...
I have another question from Computer World magazine regarding the approx 163,000 H-1B visas ....

Senator Grassley's office is saying that the 163K number includes H-1B visas that are exempt from that cap, i.e., visas that are going to non-profits, academic institutions or are renewals. Consequently, it is arguing that the actual number of visas that will be counted against the cap and distributed via the lottery is less than the 163K.

Does the 163K represent all the H-1B petitions that the USCIS received, including those H-1B visas that are not counted in the cap? If that's the case, the how many H-1B visas out of the 163K are actually subject to the cap's limits?

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 2:01 PM
**To:** Rhatigan, Chris; Choi, Sunny
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** Draft Web Update

Chris -

I have highlighted a sentence in red. I don't think this interpretation is accurate. I do not think we are keeping the fees of petitions that are not selected if they are duplicates. I believe we are keeping the fees of a petition that is selected for the lottery if a duplicate petition is later found and returning the fees and petition for the duplicate that is not found. See below.

Duplicate Petitions A & B – Scenario 1
Petition A selected for lottery (fee retained)
Petition B not selected for lottery (fee and petition returned)

Duplicate Petitions A & B – Scenario 2
Petition A not selected for lottery (fee and petition returned)
Petition B not selected for lottery (fee and petition returned)

Please run by OCC for their take on this. I have cc:ed Sunny Choi given the timing issue of having this up today. Perhaps I have read it too many times. I would take out the sentence in red to avoid all confusion.

Thanks.

Carol

---

**From:** Rhatigan, Chris
**Sent:** Thursday, April 10, 2008 12:50 PM
**To:** Williams, Carol L
**Cc:** Peck, Denis R; Cummings, Kevin J

Thanks, Chris

**Christopher S. Bentley**
Press Secretary
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
[redacted] (b)(6)

---

**From:** Williams, Carol L
**Sent:** Thursday, April 10, 2008 9:31 AM
**To:** Vietti, Peter J; Bacon, William H; Wright, William G; Bentley, Christopher S; Clark, Matthew J
**Cc:** Peck, Denis R; Cummings, Kevin J; Williams, Carol L
**Subject:** H-1B Web Update

Good morning –

Kevin Cummings has asked me to send the following data below regarding H-1B petitions received during the cap time. He would like a web posting placed on the website today informing the public of the numbers of petitions filed. SCOPS has specifically asked that all numbers be listed as approximate as these below data represents only 99% of the final count. Please let me know if you have any questions. I have also included Denis Peck as he is the Branch Chief who works closely with the contractors and knows the numbers.

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I am also working on a second web posting that we would like to be posted on Monday and will send that later today for your review.

Thank you and regards.

Carol L. Williams

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P: [redacted] (b)(6)
F: 202-272-1398

**From:** Bushey, Sandra T
**To:** Peck, Denis R; Prince, Rose M
**Cc:** Novak, Paul E; Poulos, Christina ; Cummings, Kevin J; Williams, Carol L; Velarde, Barbara Q
**Subject:** Preliminary analysis
**Date:** Wednesday, April 09, 2008 12:30:09 PM

---

Denis/Rose

I have done a quick analysis on the percentages of cases that were filed for H1B status at both Centers. The numbers I used were those submitted by Stanley, which reflect about 99% completion rate. The only cases left to be included in the VSC counts are those which are currently being reviewed by our Records employees. That number is very small and should not have much of an impact on the final counts.

These conclusions are based on the information that has been received to date:

| | | | |
|---|---|---|---|
| **GRAND TOTAL of H1B petitions received:** | **162,713** | | |
| TOTAL H1B petitions filed under Regular cap<br>81% of total filings | 131,436 | or | |
| TOTAL H1B petitions filed under the Masters cap<br>of total filings | 31,277 | or | 19% |
| TOTAL H1B petitions filed asking for Premium Processing<br>of total fillings | 28,915 | or | 18% |
| TOTAL H1B petition filed NOT asking for Premium Processing<br>82% of total filings | 133,798 | or | |

**BREAKDOWN ESTIMATES:**

| | | | |
|---|---|---|---|
| **GRAND TOTAL OF H1B petitions received:** | **162,713** | | |
| TOTAL Regular petitions | 131,436 | | |
| RNG Selection estimate for Regular Cap<br>of Reg. filings | 70,000 | or | 53% |
| TOTAL Masters petitions | 31,277 | | |
| RNG Selection estimate for Masters Cap<br>of Masters filings | 25,000 | or | 80% |

**IF THE SAME LOGIC HOLDS TRUE WE CAN EXPECT TO RECEIVE:**

- 34% of the Masters filings requested premium processing

- 34% of the 25,000 RNG selections would be: 8,500

- 18% of the Regular filings Requested premium processing
  - 14% of 70,000 RNG selections would be 9,800

TOTAL OF ANTICIPATED PREMIUM CASES SELECTED 18,300

- ASSUMING THAT VSC WILL RECEIVE 2/3 OF THE CASEWORK 12,078
  ASSUMING THAT CSC WILL RECEIVE 1/3 OF THE CASEWORK 6,039

This information is only a preliminary estimate and a more accurate analysis will have to be conducted.

Sandi

| | |
|---|---|
| **From:** | Velarde, Barbara Q |
| **To:** | Bushey, Sandra T; VSC H1B FY09 CAP; Novak, Paul E; Peck, Denis R; Kruszka, Robert F; Shiflett, Julie M; Poulos, Christina ; Prince, Rose M; Gregg, Bret S |
| **Subject:** | RE: H1B counts |
| **Date:** | Thursday, April 03, 2008 6:11:29 PM |

Thank you

---

**From:** Bushey, Sandra T
**Sent:** Thursday, April 03, 2008 6:10 PM
**To:** VSC H1B FY09 CAP; Novak, Paul E; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F; Shiflett, Julie M; Poulos, Christina ; Prince, Rose M; Gregg, Bret S
**Subject:** H1B counts

I know it's late but I just want to give a quick update on the piece count for H1B's:

On 4/1/08 we received 49,191 pieces (many in boxes and we have about 1/3 of that amount left to review and barcode)

On 4/2/08 we received 14,952 pieces (still unopened)

On 4/3/08 we received 5,471 pieces (still unopened)

We are progressing on opening the mail and as you can see our mail count is dropping each day. I will have a more definitive count for you all in the morning that will be broken down by the category and number of cases we have reviewed for masters, premium masters, regular, and premium regular cases. We have identified a few Chile/Singapore cases, but very, very few.

Just thought I would send you a little good news in light of the FedEx situation.

Sandi

Rich Nicholson
Assistant Center Director, Records/On-site COTR
California Service Center
[redacted] (b)(6)

---

**From:** Hooper-Halliburton, Laurel
**Sent:** Monday, March 31, 2008 10:42 PM
**To:** Hooper-Halliburton, Laurel ; Mehta, Dilipkumar N; Benavente, Jessy J; Fries, Juliet M; Nicholson, Richard E
**Cc:** Nelson, Marvin E; Schnoor, Joshua ; Thornton, Gena; Nguyen, Vinh V; Le, Loc B; Ly, Pam P; Chang, Jerry H; Siesel, Gregory P
**Subject:** RE: Early filer count for H1B/H2B CAP 3/31/08

Hello,

I have been asked to keep a count of H1B/H2B CAP early filers. All early filed CAP cases have been rejected with proper manual rejection letter provided by CPAU.

The early filed **H1B CAP** count as of 03/31/2008 is:

| PP: | Filings |
|---|---|
| 3/27/2008 | 1 |
| 3/28/2008 | 1 |
| 3/31/2008 | 114 |
| **Total** | **116 PP** |

| Non-PP: | Filings |
|---|---|
| 3/27/2008 | 0 |
| 3/28/2008 | 3 |
| 3/31/2008 | 37 |
| **Total** | **40 Non-PP** |

| Master's PP: | Filings |
|---|---|
| 3/27/2008 | 0 |
| 3/28/2008 | 1 |
| 3/31/2008 | 1 |
| **Total** | **2 Master's PP** |

| Master's Non-PP: | Filings |
|---|---|
| 3/27/2008 | 0 |
| 3/28/2008 | 1 |
| 3/31/2008 | 7 |
| **Total** | **8 Master's Non-PP** |

The early filed **H2B CAP** count as of 3/31/2008 is:

| PP: | Filings |
|---|---|
| 3/27/2008 | 0 |
| 3/28/2008 | 1 |
| 3/31/2008 | |
| **Total** | **1 PP H2B** |

| Non-PP: | Filings |
|---|---|
| 3/27/2008 | 0 |
| 3/28/2008 | 0 |
| 3/31/2008 | |
| **Total** | **0** |

Thank you,

Laurel Hooper-Halliburton
SCOSS Data Entry Supervisor
California Service Center
[redacted] (b)(6)

---

**From:** Mehta, Dilipkumar N
**Sent:** Thursday, March 27, 2008 4:26 PM
**To:** Pepper, Derek R; Real, Myra L; Bobeng Jr, John W; Martin, James L; Noll, Richard W; Nelson, Marvin E; Ly, Pam P
**Cc:** Siesel, Gregory P; Nicholson, Richard E; Fries, Juliet M; Benavente, Jessy J
**Subject:** H1B and H2B CAP cases
**Importance:** High

Stanley,

Per HQ instructions, please keep track of the H1B and H2B early filed PP and NON-PP cap cases (filed during this week and on Monday). Report the count of these cap cases to Dilip Mehta, Jessy Benavente, Fries Juliet and Rich Nicholson.

Dilip Mehta
CPAU Management and Program Analyst, Division VII
California Service Center
[redacted]

(b)(6)

**From:** Williams, Carol L
**To:** Williams, Carol L; Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Jepsen, Patricia A
**Cc:** Peck, Denis R
**Subject:** RE: HIB FY 09 issues
**Date:** Monday, March 10, 2008 11:16:09 AM

---

Just checking in - Has a time been scheduled?

-----Original Message-----
From: Williams, Carol L
Sent: Monday, March 10, 2008 8:28 AM
To: Chiang, James Y; Fitzsimmons, James; Cummings, Kevin J; Jepsen, Patricia A
Cc: Peck, Denis R
Subject: RE: HIB FY 09 issues

I'm free as well.

-----Original Message-----
From: Chiang, James Y
Sent: Monday, March 10, 2008 7:43 AM
To: Fitzsimmons, James; Cummings, Kevin J; Jepsen, Patricia A; Williams, Carol L
Cc: Peck, Denis R
Subject: RE: HIB FY 09 issues

Would everyone be able to meet today? I'm free this morning.

-----Original Message-----
From: Fitzsimmons, James
Sent: Saturday, March 08, 2008 10:59 AM
To: Cummings, Kevin J; Jepsen, Patricia A; Williams, Carol L
Cc: Peck, Denis R; Chiang, James Y
Subject: RE: HIB FY 09 issues

While at VSC, I received some feedback/questions about the cap counting rules. I would like to go over the cap counting rules for FY 2009 season.

-----Original Message-----
From: Cummings, Kevin J
Sent: Wednesday, March 05, 2008 4:49 PM
To: Jepsen, Patricia A; Williams, Carol L
Cc: Peck, Denis R; Chiang, James Y; Fitzsimmons, James
Subject: Re: HIB FY 09 issues

Sure, but I already answered all the questions that I felt I was able to answer. Some answers remain outstanding though, I believe. Thanks.

--Kevin

----- Original Message -----
From: Jepsen, Patricia A
To: Williams, Carol L; Cummings, Kevin J
Sent: Wed Mar 05 14:16:11 2008
Subject: RE: HIB FY 09 issues

Definitely, We should probably have a meeting with James Chiang, Jim Fitzsimmons and Denis Peck also so we are all on the same page. What do you think Kevin? Next week, Monday or so could you consider a meeting on this? We need to finalize some things.

- **Miss-reads or miss-keys** – These "ghost files" are the result of Dolphin portables miss-reading a barcode or someone miss-keying a file number manually. These 'ghost files" are being deleted from NFTS as we identify them.

Thanks

*Mark Lundquist*
**Management & Program Analyst**
**California Service Center**
**(949)389-3171**
**(949)389-3106 Fax**

---

**From:** Nicholson, Richard E
**Sent:** Wednesday, March 05, 2008 5:42 AM
**To:** Lundquist, Mark E
**Subject:** FW: NFTS issue
**Importance:** High

Mark: Can you please provide an explanation on what we are terming as Ghost File and how we handling them?

Rich Nicholson
Assistant Center Director, Records/On-site COTR
California Service Center
(949) 389-3168

---

**From:** Shiflett, Julie M
**Sent:** Wednesday, March 05, 2008 5:14 AM
**To:** Bushey, Sandra T; Manahan, Lisa F; Nicholson, Richard E; Bennett, Linda J
**Cc:** Peck, Denis R; Schmidt, Bruce H; Gilmore, Kelly
**Subject:** FW: NFTS issue

Thanks Kelly,

All, can you provide a little more detailed information to Kelly so she can resolve your issues...

Many thanks,

☺

Julie M. Shiflett
Management and Program Analyst
Records Management
CIS/Service Center Operations (SCOPS)
20 Mass., Ave., Room 2246
Washington, D.C. 20529
202-272-1071 (Phone)
202-272-1542 (Fax)

---

**From:** Gilmore, Kelly
**Sent:** Wednesday, March 05, 2008 7:31 AM
**To:** Shiflett, Julie M

| | |
|---|---|
| **From:** | Collins, Mary Lou E |
| **To:** | Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M |
| **Cc:** | Manahan, Lisa F |
| **Subject:** | FW: CAP report 5/20/08 |
| **Date:** | Thursday, May 22, 2008 9:19:37 AM |
| **Attachments:** | VSC H1B Cap Report 2008.05-20-08 FINAL.xls |

Please note we ended up with 71 Premium files mis-sorted in with regulars, the $1000 fees were returned on all. We also found 321 files that were not barcoded, all these cases get a "free" CAP number.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Wednesday, May 21, 2008 9:05 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F; 'Collins, Thomas C.'
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/20/08

Attached is the CAP report for 5/20/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on 05/20/08

| Date | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | 5/12/08 | 5/13/08 | 5/14/08 | 5/15/08 | 5/16/08 | 5/19/08 | 5/20/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP | 41253 | | | | | | | | | | | | | | | | | | | | | | | | | | | 41570 |
| H1B Masters | 9041 | | | | | | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium | 6348 | | | | | | | | | | | | | | | | | | | | | | | | | | | 6348 |
| H1B Masters - Premium | 4576 | | | | | | | | | | | | | | | | | | | | | | | | | | | 4576 |
| Totals | 61104 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Completed | 20880 | 9015 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | | | | | | | | | | 61323 |
| H1B Masters - Completed | 1200 | 8841 | | | | | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6348 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | 6348 |
| H1B Masters - Premium - Completed | 4576 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | | 4576 |
| Totals | 33017 | 17856 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cashiers* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Cashiers | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 37043 | | | | | | | | | | | | | | | | | | | | | | | | | | | 37043 |
| H1B Masters - Cashiers | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3459 | | | | | | | | | | | | | | | | | | | | | | | | | | | 3459 |
| H1B CAP - Premium - Cashiers | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 6853 | | | | | | | | | | | | | | | | | | | | | | | | | | | 6853 |
| H1B Masters - Premium - Cashiers | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1380 | | | | | | | | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41665 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41665 |
| *Pending Availability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRIN | 0 | 4643 | 14743 | 26741 | 34729 | 35411 | 33132 | 30587 | 27168 | 24139 | 20656 | 17218 | 13946 | 10772 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMIN | 10 | 3995 | 2574 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Count VRIP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Count VMIP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| In Records for Review / Resolution | 31 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| Totals | 6407 | 10187 | 17317 | 28193 | 34729 | 35411 | 33132 | 30587 | 27168 | 24139 | 20656 | 17218 | 13946 | 10772 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRIN | 644 | 951 | 951 | 951 | 1549 | 4492 | 7523 | 10951 | 13416 | 16492 | 15179 | 15296 | 15220 | 16574 | 17109 | 17774 | 18999 | 17608 | 15798 | 13081 | 10267 | 6905 | 3725 | 600 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMIN | 1464 | 6973 | 5910 | 7178 | 8825 | 7648 | 6095 | 2459 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRIP | 1980 | 4718 | 4219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMIP | 4178 | 2841 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Maintained with Receipts | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 5 | 19 | 4 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 3 | 0 | 72 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 39 | 3 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 0 | 321 |
| Totals | 7616 | 15185 | 13538 | 13179 | 11553 | 12098 | 13533 | 13790 | 13758 | 16492 | 15596 | 15329 | 15211 | 16586 | 17183 | 17810 | 18915 | 17633 | 15798 | 13081 | 10267 | 6905 | 3725 | 600 | 79 | 3 | 0 | |
| *Data Entered* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1082 | 2918 | 3269 | 2650 | 2679 | 2391 | 2892 | 1901 | 2012 | 1712 | 2013 | 2964 | 3286 | 3089 | 3163 | 649 | 127 | 0 | 39115 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2515 | 2251 | 1177 | 19 | 17 | 3 | 0 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9478 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1998 | 2749 | 1063 | 72 | 4 | 13 | 1 | 4 | 2 | 5 | 0 | 10 | 0 | 20 | 0 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 6 | 0 | 5982 |
| H1B Masters - Premium - Stanley Count | 297 | 1296 | 2295 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1340 | 2296 | 2557 | 2871 | 2345 | 2475 | 2536 | 2264 | 2276 | 2943 | 3295 | 2659 | 2679 | 2405 | 2893 | 1921 | 2012 | 1712 | 2025 | 2964 | 3286 | 3089 | 3163 | 649 | 133 | 0 | 59397 |
| *Completed Receipts* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 2154 | 2451 | 2867 | 2734 | 6457 | 6533 | 7901 | 30720 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 2154 | 2451 | 2867 | 2734 | 6457 | 6533 | 7901 | 30720 |

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/15/08
**Date:** Friday, May 16, 2008 12:40:56 PM
**Attachments:** VSC H1B Cap Report 2008 05-15-08 FINAL.xls

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FYI.....

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**From:** Stefaniak, Marcy M
**Sent:** Friday, May 16, 2008 12:01 PM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/15/08

Attached is the CAP report for 5/15/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center
## I-129 Cap Report ~ As of 11:30pm on 05/14/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | 5/12/08 | 5/13/08 | 5/14/08 | 5/15/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | | | | | | | 41525 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61186 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9606 | 9122 | 4590 | | | | | | | | | | | | | | | | | | | 41525 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9606 | 9122 | 4590 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 35,043 | | | | | | | | | | | | | | | | | | | | | | | | 35043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability Or Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Stanley Count VRN | 0 | 4845 | 14743 | 26741 | 34729 | 35411 | 33132 | 30587 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30587 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Set up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10551 | 13416 | 16672 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | 3723 | 400 | |
| H1B Masters - Stanley Count VMN | 1444 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 417 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 9 | 9 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 0 | 0 | 0 | 0 | 294 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12990 | 13758 | 16692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | 3723 | 400 | |
| *Data Entered* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2150 | 2882 | 1988 | 2012 | 1912 | 2613 | 2864 | 2286 | 3089 | 3163 | 38537 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9478 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1978 | 2740 | 1043 | 73 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5866 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 2012 | 1912 | 2613 | 2864 | 2286 | 3089 | 3163 | 58698 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 2154 | 2451 | 2887 | 2734 | 11839 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 2154 | 2451 | 2887 | 2734 | 11839 |

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/14/08
**Date:** Thursday, May 15, 2008 11:09:00 AM
**Attachments:** VSC H1B Cap Report 2008 05-14-08 FINAL.xls

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The report for VSC.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Thursday, May 15, 2008 10:42 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/14/08

Attached is the CAP report for 5/14/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/14/08
**Date:** Thursday, May 15, 2008 11:09:00 AM
**Attachments:** VSC H1B Cap Report 2008 05-14-08 FINAL.xls

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The report for VSC.

Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Thursday, May 15, 2008 10:42 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/14/08

Attached is the CAP report for 5/14/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 05/14/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | 5/12/08 | 5/13/08 | 5/14/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cashier* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Cashier | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cashier | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cashier | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cashier | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count VRN | 0 | 4841 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27189 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27189 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 16692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | 3723 | |
| H1B Masters - Stanley Count VMN | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 8005 | 2459 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 0 | 0 | 0 | 0 | 0 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 0 | 0 | 0 | 294 |
| Totals | 7616 | 13181 | 13320 | 12179 | 11551 | 12098 | 15333 | 12790 | 13758 | 16692 | 15170 | 15295 | 15209 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | 3723 | |
| *Data Entered* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 2012 | 1912 | 2613 | 2864 | 3286 | 3089 | 32285 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2749 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 5864 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 2012 | 1912 | 2613 | 2864 | 3286 | 3089 | 52446 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 2134 | 2451 | 2887 | 6218 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 2134 | 2451 | 2887 | 6218 |

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/13/08
**Date:** Wednesday, May 14, 2008 9:23:23 AM
**Attachments:** VSC H1B Cap Report 2008 05-13-08 FINAL.xls

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FYI.....

Report for VSC.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Wednesday, May 14, 2008 8:41 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/13/08

Attached is the CAP report for 5/13/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report – As of 11:30pm on 05/13/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | 5/12/08 | 5/13/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Completed | 2000 | 9055 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 5,009 | | | | | | | | | | | | | | | | | | | | | | 5009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRN | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 35132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 35132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | 0 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | |
| H1B Masters - Stanley Count VMN | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2459 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 4178 | 2841 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mismatched with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 0 | 0 | 0 | 0 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 0 | 0 | 294 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15298 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | 10267 | 6903 | |
| *Data Entered* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 2012 | 1912 | 2613 | 2864 | 3286 | 32285 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 5 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 0 | 0 | 0 | 0 | 5864 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2473 | 2540 | 2268 | 2276 | 2943 | 3295 | 2664 | 2639 | 2206 | 2883 | 2008 | 2012 | 1912 | 2613 | 2864 | 3286 | 52446 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Mon | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 2154 | 2451 | 6218 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 2154 | 2451 | 6218 |

Rev 3/408

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M
**Subject:** FW: CAP report 5/12/08
**Date:** Tuesday, May 13, 2008 10:28:50 AM
**Attachments:** VSC H1B Cap Report 2008 05-12-08 FINAL.xls

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CAP report for VSC.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, May 13, 2008 10:10 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/12/08

Attached is the CAP report for 5/12/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/14/2008 | 74 | 54 | 3 | 0 | 131 |
| 4/15/2008 | 101 | 58 | 10 | 12 | 181 |
| 4/16/2008 | 61 | 72 | 2 | 28 | 163 |
| 4/17/2008 | 41 | 18 | 29 | 69 | 157 |
| 4/18/2008 | 52 | 26 | 26 | 43 | 147 |
| 4/21/2008 | 7 | 16 | 46 | 76 | 145 |
| 4/22/2008 | 12 | 24 | 82 | 147 | 265 |
| 4/23/2008 | 28 | 55 | 27 | 103 | 213 |
| 4/24/2008 | 32 | 61 | 33 | 66 | 192 |
| 4/25/2008 | 31 | 34 | 23 | 36 | 124 |
| 4/28/2008 | 13 | 16 | 40 | 100 | 169 |
| 4/29/2008 | 28 | 103 | 1 | 0 | 132 |
| 4/30/2008 | 48 | 115 | 1 | 0 | 164 |
| 5/1/2008 | 3 | 2 | 55 | 111 | 171 |
| 5/2/2008 | 0 | 0 | 54 | 152 | 206 |
| 5/5/2008 | 1 | 0 | 42 | 79 | 122 |
| 5/6/2008 | 1 | 0 | 44 | 89 | 134 |
| 5/7/2008 | 5 | 0 | 36 | 132 | 173 |
| 5/8/2008 | 0 | 0 | 0 | 0 | 0 |
| 5/9/2008 | 0 | 0 | 0 | 0 | 0 |
| 5/12/2008 | 0 | 0 | 0 | 0 | 0 |
| 5/13/2008 | | | | | 0 |
| 5/14/2008 | | | | | 0 |
| 5/15/2008 | | | | | 0 |
| 5/16/2008 | | | | | 0 |
| | | | | | |

Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 538 | 654 | 554 | 1243 | 2989 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M
**Subject:** FW: CAP report 5/9/08
**Date:** Monday, May 12, 2008 9:30:24 AM
**Attachments:** VSC H1B Cap Report 2008 05-09-08 FINAL.xls

---

Denis –

Friday's report is attached.

Thanks
Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Monday, May 12, 2008 9:20 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/9/08

Attached is the CAP report for 5/9/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 05/09/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | | | 41523 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27168 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27168 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 0 | 0 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 294 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thr | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 2012 | 1912 | 2601 | 26123 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 5 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 0 | 12 | 5876 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 2012 | 1912 | 2613 | 46296 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 0 |

Rev 5/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M
**Subject:** FW: CAP report 5/9/08
**Date:** Monday, May 12, 2008 9:30:24 AM
**Attachments:** VSC H1B Cap Report 2008 05-09-08 FINAL.xls

---

Denis –

Friday's report is attached.

Thanks
Mary-Lou

---

**From:** Stefaniak, Marcy M
**Sent:** Monday, May 12, 2008 9:20 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/9/08

Attached is the CAP report for 5/9/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report – As of 11:30pm on 05/09/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Already Pulled* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | | | 41523 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33043 | | | | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count VRN | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | 0 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | |
| H1B Masters - Stanley Count VMN | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 0 | 0 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 0 | 0 | 294 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | 15798 | 13081 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 2012 | 1912 | 2601 | 26123 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 0 | 0 | 0 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 0 | 12 | 5876 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 2012 | 1912 | 2613 | 46296 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 208 | 1405 | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 208 | 1405 | 0 |

Rev 5/9/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Cc:** Stefaniak, Marcy M; Perkins, Robert M
**Subject:** FW: CAP report 5/7/08
**Date:** Thursday, May 08, 2008 11:20:29 AM
**Attachments:** VSC H1B Cap Report 2008 05-07-08 FINAL.xls

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Updated CAP report.

Please note that the not barcoded total is now 294 and the Premium cases not identified is 67. Stanley is now done reviewing for acceptability so these numbers should remain.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Thursday, May 08, 2008 9:44 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/7/08

Attached is the CAP report for 5/7/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 05/07/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | 5/7/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | | 41523 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Wed | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | | 41523 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61436 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count VRN | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | |
| H1B Masters - Stanley Count VMN | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 4 | 8 | 67 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 17 | 294 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | 17608 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 2012 | 21610 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 0 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 0 | 5864 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 2012 | 41771 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/6/08 - REVISED
**Date:** Wednesday, May 07, 2008 1:24:07 PM
**Attachments:** VSC H1B Cap Report 2008 05-06-08 FINAL.xls
**Importance:** High

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FYI.....Sorry I thought I had sent this out.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Wednesday, May 07, 2008 11:43 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** RE: CAP report 5/6/08 - REVISED
**Importance:** High

I have revised the processed number for regular CAP.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

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**From:** Stefaniak, Marcy M
**Sent:** Wednesday, May 07, 2008 9:34 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/6/08

Attached is the CAP report for 5/6/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 05/06/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | 5/6/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Mon | Tue | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | 847 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 0 | 55 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 0 | 277 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | 18909 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 1988 | 19598 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 0 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 20 | 5864 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 2008 | 39759 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev 3/4/08

**From:** Collins, Mary Lou E
**To:** Perkins, Robert M; Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Cc:** Manahan, Lisa F
**Subject:** FW: CAP report 5/5/08
**Date:** Tuesday, May 06, 2008 10:30:26 AM
**Attachments:** VSC H1B Cap Report 2008 05-05-08 FINAL.xls

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Here is the CAP report for today, please note that we are now up to 55 premium cases that were found mis-sorted in with the regular CAP cases. The no-barcode "freebies" are up to 277 cases.

Thanks
Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, May 06, 2008 9:17 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/5/08

Attached is the CAP report for 5/5/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 05/05/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/5/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Thu | Mon | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | 4215 | |
| *Set up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 3 | 19 | 55 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 10 | 17 | 277 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | 17774 | |
| *Data Entered* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 2882 | 17610 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 1 | 9476 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 0 | 5844 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 2883 | 37751 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 5/5/08

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Cc:** Collins, Mary Lou E
**Subject:** FW: CAP report 5/2/08
**Date:** Monday, May 05, 2008 12:19:54 PM
**Attachments:** VSC H1B Cap Report 2008 05-02-08 FINAL.xls

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Denis,

Sorry about the typo in the CRU tab. You were correct, they should have been in the "Regular" column instead of the "Masters". The attached should be correct.

Thanks,

Lisa F. Manahan
Assistant Center Director Records/COTR (b)(6)
Vermont Service Center
Phone [redacted]

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**From:** Manahan, Lisa F
**Sent:** Monday, May 05, 2008 11:16 AM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/2/08

FYI

(b)(6)

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

---

**From:** Stefaniak, Marcy M
**Sent:** Monday, May 05, 2008 9:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/2/08

Attached is the CAP report for 5/2/08

(b)(6)

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/14/2008 | 74 | 54 | 3 | 0 | 131 |
| 4/15/2008 | 101 | 58 | 10 | 12 | 181 |
| 4/16/2008 | 61 | 72 | 2 | 28 | 163 |
| 4/17/2008 | 41 | 18 | 29 | 69 | 157 |
| 4/18/2008 | 52 | 26 | 26 | 43 | 147 |
| 4/21/2008 | 7 | 16 | 46 | 76 | 145 |
| 4/22/2008 | 12 | 24 | 82 | 147 | 265 |
| 4/23/2008 | 28 | 55 | 27 | 103 | 213 |
| 4/24/2008 | 32 | 61 | 33 | 66 | 192 |
| 4/25/2008 | 31 | 34 | 23 | 36 | 124 |
| 4/28/2008 | 13 | 16 | 40 | 100 | 169 |
| 4/29/2008 | 28 | 103 | 1 | 0 | 132 |
| 4/30/2008 | 48 | 115 | 1 | 0 | 164 |
| 5/1/2008 | 3 | 2 | 55 | 111 | 171 |
| 5/2/2008 | 0 | 0 | 54 | 152 | 206 |
| 5/5/2008 | | | | | 0 |
| 5/6/2008 | | | | | 0 |
| 5/7/2008 | | | | | 0 |
| 5/8/2008 | | | | | 0 |
| 5/9/2008 | | | | | 0 |
| 5/12/2008 | | | | | 0 |
| 5/13/2008 | | | | | 0 |
| 5/14/2008 | | | | | 0 |
| 5/15/2008 | | | | | 0 |
| 5/16/2008 | | | | | 0 |
| | | | | | |

Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 531 | 654 | 432 | 943 | 2560 |

Rev: 3/4/08

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP report 5/2/08
**Date:** Monday, May 05, 2008 11:15:33 AM
**Attachments:** VSC H1B Cap Report 2008 05-02-08 FINAL.xls

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FYI

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: (802)527-4775

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**From:** Stefaniak, Marcy M
**Sent:** Monday, May 05, 2008 9:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Moulin, Kristen L.'; 'Sharpe, Gerald'; VSC STANLEY Management
**Subject:** CAP report 5/2/08

Attached is the CAP report for 5/2/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 05/02/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 7506 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 0 | 33 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 0 | 250 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 17100 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | 2190 | 14728 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | 6 | 9475 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | 10 | 5844 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | 0 | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 2206 | 34868 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev 3/4/08

**From:** Collins, Mary Lou E
**To:** Manahan, Lisa F; Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP REPORT 05-01-08
**Date:** Friday, May 02, 2008 12:10:20 PM
**Attachments:** VSC H1B Cap Report 2008 05-01-08 FINAL.xls

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Here is the CAP report for VSC for 5/1/08. Please note that we are up to 33 Premium cases found mixed in with regular cases.

Thanks
Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Friday, May 02, 2008 8:45 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management; VSC STANLEY OLS
**Subject:** CAP REPORT 05-01-08

Attached is the Cap report for 05/01/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

I-129 Cap Report – As of 11:30pm on 4/30/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Tue | Tue | Tue | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5413 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | | |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | 13944 | 10722 | 0 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | 15200 | 16574 | | |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Premium Cases Mis-sorted with Regulars | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 9 | 9 | 12 | 0 | 33 |
| Filings Found with No Barcodes | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 223 | 25 | 2 | 0 | 0 | 250 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | 15200 | 16574 | 0 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 2650 | 2639 | | 12538 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 3 | 0 | | 9469 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 8 | 0 | | 5834 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 1 | 0 | | 4821 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 2662 | 2639 | 0 | 32662 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev 3/4/08

| | |
|---|---|
| **From:** | Manahan, Lisa F |
| **To:** | Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James |
| **Cc:** | Collins, Mary Lou E; Putnam, Anne F; Yandow, Jackie D |
| **Subject:** | FW: CAP REPORT 4-29-08 |
| **Date:** | Wednesday, April 30, 2008 10:19:17 AM |
| **Attachments:** | VSC H-1B Cap Report 2008 4-29-08.xls |

FYI -

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center (b)(6)
Phone: [redacted]

**From:** Vincent, Sarah J
**Sent:** Wednesday, April 30, 2008 9:58 AM
**To:** Stefaniak, Marcy M; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** CAP REPORT 4-29-08

VSC CAP report for 4/29/08 is attached.

Thank you,
Sarah Vincent
VSC SCOSS Mailroom Manager
Stanley Associates Inc.
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report – As of 11:30pm on 4/29/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRN | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | |
| H1B Masters - Stanley Count VMN | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B CAP - Premium - Stanley Count VRP | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters - Premium - Stanley Count VMP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 17218 | |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count VRN | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | 15295 | |
| H1B Masters - Stanley Count VMN | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | |
| H1B CAP - Premium - Stanley Count VRP | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium - Stanley Count VMP | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Pending Rejects - Stanley Count | | | | | | | | | | | | | |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 15295 | |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | 3269 | 7249 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | 17 | 9466 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | 2 | 5826 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | 7 | 4820 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 3295 | 27361 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: CAP REPORT 4-28-08
**Date:** Tuesday, April 29, 2008 12:19:57 PM
**Attachments:** VSC H-1B Cap Report 2008 4-28-08 xls.xls

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Today's report.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 29, 2008 11:36 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** CAP REPORT 4-28-08

Updated total columnes

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 29, 2008 8:45 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** CAP REPORT 4-28-08

Attached is the Cap report for 4/28/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 4/28/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/28/08 | 4/29/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - | 41,253 | | | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Cushion | | | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | | 251950 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | 0 | | | 8393 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 51 |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 20658 | 0 | 268289 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 15170 | | 69993 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 0 | 0 | 44782 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 17758 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 15170 | 0 | 139692 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 2918 | | 3980 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 19 | | 9449 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 4 | | 5824 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 2 | | 4813 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 2943 | 0 | 24066 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M
**Cc:** Collins, Mary Lou E
**Subject:** FW: CAP REPORT 4-25-08
**Date:** Monday, April 28, 2008 3:19:49 PM
**Attachments:** VSC H-1B Cap Report 2008 4-25-08 xls.xls

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FYI

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

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**From:** Stefaniak, Marcy M
**Sent:** Monday, April 28, 2008 9:07 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** CAP REPORT 4-25-08

Attached is the Cap report for 4/25/08.

Marcy Stefaniak
Reports Analyst (b)(6)
Stanley Associates, VSC SCOSS
[redacted]

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 4/25/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 231292 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | 0 | | 8393 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | 0 |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | 51 |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 27188 | 24119 | 247631 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | 13416 | 14692 | 54823 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | 342 | 0 | 44782 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | 0 | 0 | 17758 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 13758 | 14692 | 124522 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | 1062 | 1062 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | 2251 | 1177 | 9430 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | 17 | 1 | 5820 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | 0 | 36 | 4811 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 2268 | 2276 | 21123 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-23-08
**Date:** Thursday, April 24, 2008 11:21:15 AM
**Attachments:** VSC H-1B Cap Report 2008 4-23-08 xls.xls

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FYI.....our daily for 4/23.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 24, 2008 9:27 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'; VSC STANLEY Management
**Subject:** RE: CAP REPORT 4-23-08

Attached is the Cap report for 4/23/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 4/23/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | 33132 | 30387 | | | 179985 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | 0 | 0 | | | 8393 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | 0 | 0 | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 0 |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | 51 |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 33132 | 30387 | 0 | 0 | 196324 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | 7328 | 10351 | | | 26715 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | 6005 | 2439 | | | 44440 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | 0 | 0 | | | 17758 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | 0 | 0 | | | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 13333 | 12790 | 0 | 0 | 96072 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | | 0 |
| H1B Masters - Stanley Count | | | | | | 1081 | 2402 | 2519 | | | 6002 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | 72 | 4 | | | 5802 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | 1 | 17 | | | 4775 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 2475 | 2540 | 0 | 0 | 16579 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Yandow, Jackie D
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP REPORT 4-21-08
**Date:** Tuesday, April 22, 2008 4:51:41 PM
**Attachments:** VSC H-1B Cap Report 2008 4-21-08 xls.xls

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Denis,

I'm not sure if you received this yet. Sooo, just is case, here it is!

Thanks,
Jackie

*Jacquelyn Yandow*
Supervisory Management Analyst
Vermont Service Center
[redacted]
(b)(6)

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**From:** Collins, Mary Lou E
**Sent:** Tuesday, April 22, 2008 11:13 AM
**To:** Yandow, Jackie D; Putnam, Anne F
**Subject:** FW: CAP REPORT 4-21-08

Here is yesterday's report – Lisa already gets it.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 22, 2008 10:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-21-08

Attached is the Cap report for 4/21/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

# Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on 4/21/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | | | | | 116466 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | | | | | 8393 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | | | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | | | | | 51 |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 0 | 0 | 0 | 0 | 132805 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | | | | | 9036 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | | | | | 35996 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | | | | | 17758 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | | | | | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 0 | 0 | 0 | 0 | 69949 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | | 0 |
| H1B Masters - Stanley Count | | | | | | 1081 | | | | | 1081 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | | | | | 5726 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | | | | | 4757 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 0 | 0 | 0 | 0 | 11564 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-21-08
**Date:** Tuesday, April 22, 2008 11:12:48 AM
**Attachments:** VSC H-1B Cap Report 2008 4-21-08 xls.xls

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Denis –

Here is the CAP report for 4/21 for VSC. Let me know if you have any questions.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Tuesday, April 22, 2008 10:38 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-21-08

Attached is the Cap report for 4/21/08.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS

[redacted]

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 4/21/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Completed | 2000 | 9035 | 7098 | 9608 | 9122 | 4390 | | | | | 41253 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | 0 | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | 0 | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 9608 | 9122 | 4390 | 0 | 0 | 0 | 0 | 61166 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 0 | 4843 | 14742 | 26741 | 34729 | 35411 | | | | | 116466 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | 1452 | 0 | 0 | | | | | 8393 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | 0 | 0 | 0 | 0 | | | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 0 |
| In Records for Review / Resolution | 51 | 0 | 0 | 0 | 0 | 0 | | | | | 51 |
| Totals | 6407 | 10347 | 17718 | 28193 | 34729 | 35411 | 0 | 0 | 0 | 0 | 132805 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | 851 | 1549 | 4450 | | | | | 9036 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | 7176 | 8825 | 7648 | | | | | 35996 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | 4152 | 1179 | 0 | | | | | 17758 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | 0 | 0 | 0 | | | | | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 12179 | 11553 | 12098 | 0 | 0 | 0 | 0 | 69949 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | | 0 |
| H1B Masters - Stanley Count | | | | | | 1081 | | | | | 1081 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | 1898 | 2740 | 1043 | | | | | 5726 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | 559 | 131 | 201 | | | | | 4757 |
| Totals | 297 | 1330 | 2284 | 2457 | 2871 | 2325 | 0 | 0 | 0 | 0 | 11564 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count - | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Subject:** FW: CAP REPORT 4-17-08
**Date:** Friday, April 18, 2008 12:26:57 PM
**Attachments:** VSC H-1B Cap Report 2008 4-17-08 xls.xls

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Denis -

Here are the numbers for today.

Mary-Lou

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**From:** Stefaniak, Marcy M
**Sent:** Friday, April 18, 2008 10:03 AM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-17-08

Attached is the CAP report for 4/17/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/14/2008 | 74 | 54 | 3 | 0 | 131 |
| 4/15/2008 | 101 | 58 | 10 | 12 | 181 |
| 4/16/2008 | 61 | 72 | 2 | 28 | 163 |
| 4/17/2008 | 41 | 18 | 29 | 69 | 157 |
| 4/18/2008 | 52 | 26 | 26 | 43 | 147 |
| 4/21/2008 | | | | | 0 |
| 4/22/2008 | | | | | 0 |
| 4/23/2008 | | | | | 0 |
| 4/24/2008 | | | | | 0 |
| 4/25/2008 | | | | | 0 |
| 4/28/2008 | | | | | 0 |
| 4/29/2008 | | | | | 0 |
| 4/30/2008 | | | | | 0 |
| 5/1/2008 | | | | | 0 |
| 5/2/2008 | | | | | 0 |
| 5/5/2008 | | | | | 0 |
| 5/6/2008 | | | | | 0 |
| 5/7/2008 | | | | | 0 |
| 5/8/2008 | | | | | 0 |
| 5/9/2008 | | | | | 0 |
| 5/12/2008 | | | | | 0 |
| 5/13/2008 | | | | | 0 |
| 5/14/2008 | | | | | 0 |
| 5/15/2008 | | | | | 0 |
| 5/16/2008 | | | | | 0 |
| | | | | | |

Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 329 | 228 | 70 | 152 | 779 |

| | |
|---|---|
| **From:** | Bushey, Sandra T |
| **To:** | Peck, Denis R |
| **Cc:** | Paul, Michael J; Collins, Mary Lou E; Stoddard, Becky M; Manahan, Lisa F; Canney, Keith J; Perkins, Robert M |
| **Subject:** | FW: CAP REPORT 4-16-08 |
| **Date:** | Thursday, April 17, 2008 12:51:50 PM |
| **Attachments:** | VSC H-1B Cap Report 2008 4-16-08 xls.xls |

Here is the official report. As you will see they did not come close to the 2,830 mark on the second day – nor did they meet it on the third day of data entry. We are now on day four and at this rate will not have enough cases in the pipeline to keep Adjudicators busy over the weekend – which we should be doing if we intend to adjudicate everything in 15 days.

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**From:** Stefaniak, Marcy M
**Sent:** Thursday, April 17, 2008 12:34 PM
**To:** Stefaniak, Marcy M; Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT 4-16-08

Attached is the CAP report for 4/16/08

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ As of 11:30pm on 4/16/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 2000 | 9035 | 7098 | | | | | | | | 18133 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 7098 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 38046 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | | 4843 | 14742 | | | | | | | | 19585 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | 2976 | | | | | | | | 6941 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | | | | | | | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | | | | | | | | | | | 0 |
| In Records for Review / Resolution | 51 | | | | | | | | | | 51 |
| Totals | 6407 | 10347 | 17718 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34472 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | 851 | | | | | | | | 2186 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | 5910 | | | | | | | | 12347 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | 6219 | | | | | | | | 12427 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | 340 | | | | | | | | 7159 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 13320 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34119 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | | 0 |
| H1B Masters - Stanley Count | | | | | | | | | | | 0 |
| H1B CAP - Premium - Stanley Count | | 44 | 1 | | | | | | | | 45 |
| H1B Masters - Premium - Stanley Count | 297 | 1286 | 2283 | | | | | | | | 3866 |
| Totals | 297 | 1330 | 2284 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3911 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Cc:** Bushey, Sandra T; Collins, Mary Lou E
**Subject:** FW: CAP REPORT
**Date:** Wednesday, April 16, 2008 9:48:30 AM
**Attachments:** H-1B Cap Report 2008 4-15-08.xls

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Here you go. I should have sent it to you yesterday, sorry about that!

Lisa

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**From:** Stefaniak, Marcy M
**Sent:** Wednesday, April 16, 2008 9:46 AM
**To:** Vincent, Sarah J; VSC H1B FY09 CAP; VSC STANLEY Admin; Bushey, Sandra T; Collins, Mary Lou E; Manahan, Lisa F
**Cc:** 'Sharpe, Gerald'; 'Moulin, Kristen L.'
**Subject:** CAP REPORT

Attached is the CAP report for 4/15/08. I have not included files that are with CRU.

Marcy Stefaniak
Reports Analyst
Stanley Associates, VSC SCOSS
[redacted]
(b)(6)

I-129 Cap Report ~ As of 11:30pm on 4/15/08

| Dates | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| *Total Selected* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 41,253 | | | | | | | | | | 41253 |
| H1B Masters - | 9,041 | | | | | | | | | | 9041 |
| H1B CAP - Premium - | 6,346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - | 4,526 | | | | | | | | | | 4526 |
| Totals | 61166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 61166 |
| Already Pulled | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - | 2000 | 9035 | | | | | | | | | 11035 |
| H1B Masters - Completed | 1000 | 8041 | | | | | | | | | 9041 |
| H1B CAP - Premium - Completed | 6346 | | | | | | | | | | 6346 |
| H1B Masters - Premium - Completed | 4526 | | | | | | | | | | 4526 |
| Totals | 13872 | 17076 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30948 |
| *Total Not Selected & Cushion* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Not Selected | 33,043 | | | | | | | | | | 33043 |
| H1B Masters - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Not Selected | 3,009 | | | | | | | | | | 3009 |
| H1B CAP - Premium - Cushion | | | | | | | | | | | 0 |
| H1B CAP - Premium - Not Selected | 4,033 | | | | | | | | | | 4033 |
| H1B Masters - Premium - Cushion | | | | | | | | | | | 0 |
| H1B Masters - Premium - Not Selected | 1,380 | | | | | | | | | | 1380 |
| Totals | 41465 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 41465 |
| *Pending Acceptability & Set Up* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | | 4843 | | | | | | | | | 4843 |
| H1B Masters - Stanley Count **VMN** | 10 | 3955 | | | | | | | | | 3965 |
| H1B CAP - Premium - Stanley Count **VRP** | 6346 | 1549 | | | | | | | | | 7895 |
| H1B Masters - Premium - Stanley Count **VMP** | | | | | | | | | | | 0 |
| In Records for Review / Resolution | 51 | | | | | | | | | | 51 |
| Totals | 6407 | 10347 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16754 |
| *Set-up Complete, Pending Data Entry* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count **VRN** | 484 | 851 | | | | | | | | | 1335 |
| H1B Masters - Stanley Count **VMN** | 1464 | 4973 | | | | | | | | | 6437 |
| H1B CAP - Premium - Stanley Count **VRP** | 1490 | 4718 | | | | | | | | | 6208 |
| H1B Masters - Premium - Stanley Count **VMP** | 4178 | 2641 | | | | | | | | | 6819 |
| Pending Rejects - Stanley Count | | | | | | | | | | | 0 |
| Totals | 7616 | 13183 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20799 |
| *Data Entred* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Count | | | | | | | | | | | 0 |
| H1B Masters - Stanley Count | | | | | | | | | | | 0 |
| H1B CAP - Premium - Stanley Count | | 44 | | | | | | | | | 44 |
| H1B Masters - Premium - Stanley Count | 297 | 1376 | | | | | | | | | 1673 |
| Totals | 297 | 1420 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1717 |
| *Completed Rejects* | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Non-Selected RNG - Stanley Count | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Rev: 3/4/08

| | Total | App'd | Pending |
|---|---|---|---|
| January | 48 | 25 | 23 |
| February | 46 | 22 | 24 |
| March | 52 | 11 | 41 |
| 3-Mar | 4 | 3 | 1 |
| 4-Mar | 2 | 0 | 2 |
| 5-Mar | 3 | 1 | 2 |
| 7-Mar | 1 | 0 | 1 |
| 10-Mar | 5 | 3 | 2 |
| 11-Mar | 1 | 0 | 1 |
| 12-Mar | 2 | 1 | 1 |
| 13-Mar | 4 | 0 | 4 |
| 14-Mar | 4 | 1 | 3 |
| 17-Mar | 2 | 0 | 2 |
| 18-Mar | 2 | 1 | 1 |
| 19-Mar | 2 | 0 | 2 |
| 20-Mar | 3 | 1 | 2 |
| 21-Mar | 2 | 1 | 1 |
| 24-Mar | 2 | 1 | 1 |
| 27-Mar | 4 | 1 | 3 |
| 28-Mar | 6 | 0 | 6 |
| 31-Mar | 7 | 0 | 7 |

NSC and TSC I-485 (EB) Cross Center Review Report January 2008

| | APPROVALS: | Comments - NSC | Comments - TSC |
|---|---|---|---|
| | LIN07 178 50992 | Pass | Pass |
| | LIN07 194 51379 | Pass | Pass |
| | LIN07 069 51940 | Pass | Pass |
| | WAC05 215 52846 | Pass | Pass |
| | LIN07 014 51863 | Pass | Pass |
| | LIN07 210 53408 | Pass | Pass |
| | LIN07 07 177 50610 | Pass | Pass |
| | LIN06 157 50312 | Pass | Pass |
| | LIN07 230 52947 | Pass | Pass |
| | WAC05 188 50765 | Pass | Pass |
| | | | |
| | SRC07 190 51935 | Pass | Pass |
| | SRC07 104 52466 | No marriage certificate for dependent spouse was in the file. It may have been in the principal's file, but "there's no notation to support this assumption" in this file. | Pass |
| | | IBIS check expired at the time of decision. | |
| | SRC07 212 50870 | Pass | Pass |
| | SRC07 217 51745 | There is no evidence in the file to show that the applicant maintained status from 3/27/04 to 11/22/05. | Pass |
| | | No CIS printout in file for applicant. | |
| | SRC07 162 53459 | Pass | Pass |
| | SRC07 245 52269 | Pass | Pass |
| | SRC07 245 53388 | Pass | Pass |
| | SRC07 228 51627 | Pass | Pass |
| | SRC07 185 51371 | Pass | Visa current but was never requested from the Department of State (IVAMS screen print not found in the file). |
| | EAC03 220 51288 | No evidence in record to show applicant maintained his status from 8/1/99 - 7/14/03 (the filing date of the I-485). Principal Alien was approved on 11/23/07 after dependent. | Principal applicant was approved 17 days after the derivative. |
| | | No CIS printout in file for applicant. | |
| | | | |
| | DENIALS: | Comments - NSC | Comments - TSC |
| | LIN06 237 50238 | Pass | Pass |

# Documents received from Denis Peck

## Baugher, Jeffery T

**From:** Velarde, Barbara Q
**Sent:** Tuesday, June 05, 2012 11:15 AM
**To:** Peck, Denis R; Arroyo, Susan K; McConnell, James E; Wilcox, Julia D; Sweeney, Shelly A
**Subject:** Re: 3,180 CAP filings on Monday

So what is our plan? I'd like a sense of how we will manage as far as holding picking up mail etc. Thanks

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**From:** Peck, Denis R
**Sent:** Tuesday, June 05, 2012 12:12 PM
**To:** Arroyo, Susan K; McConnell, James E; Wilcox, Julia D
**Cc:** Velarde, Barbara Q
**Subject:** 3,180 CAP filings on Monday

By comparison last Tuesday's incoming after a three day weekend was 2,252. We are in the uptrend leading to the finale next week, I think. If I had to guess today I'd say next Wednesday will be CAP day.

Denis Peck
Chief, Records Management Branch
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
☎ [redacted] ✉: Tinnina.Lauver@dhs.gov

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**From:** Peck, Denis R (b)(6)
**Sent:** Tuesday, June 05, 2012 12:00 PM
**To:** Sweeney, Shelly A; Bolog, Marguerite M; Bell, Lisa M
**Cc:** Liang, Gwen; Lauver, Tinnina M
**Subject:** FW: CSC and VSC H1B CAP Reports for 06-04-2012

Big volume day , I count 3,180 as received. We should all form a lottery and pick the day we reach the cap. Winner gets a trip to St. Albans in January.

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**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, June 05, 2012 11:53 AM
**To:** Peck, Denis R (denis.peck@dhs.gov); Shiflett, Julie M (julie.shiflett@dhs.gov)
**Cc:** Dick Braun; John Coleman
**Subject:** CSC and VSC H1B CAP Reports for 06-04-2012

Please find attached the CSC and VSC H1B CAP Reports for 06-04-2012.
Regards,
Ann

*Ann R. Lees, PMP*

**Jowett, Haley L**

**From:** Cullen, Marcy A
**Sent:** Wednesday, March 28, 2012 8:56 AM
**To:** VSC Division XII
**Subject:** FW: FY13 H-1B Cap USCIS Update
**Attachments:** USCISUpdate(2013 H-1BCapSeason)(27Mar12).doc

FYI

**Marcy A. Cullen**
**Immigration Services Officer 3**
**United States Citizenship & Immigration Services**
**Vermont Service Center**
**marcy.cullen@dhs.gov**
**T** [redacted]
**F: 802.527.4730** (b)(6)

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**From:** Cullen, Janice L
**Sent:** Wednesday, March 28, 2012 9:45 AM
**To:** Chadwick, Donna; Cullen, Marcy A
**Subject:** FW: FY13 H-1B Cap USCIS Update

FYI

*Janice L Cullen* (b)(6)

DHS | USCIS | VSC | Immigration Service Analyst | [redacted] Janice.Cullen@dhs.gov

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**From:** Bolog, Marguerite M
**Sent:** Tuesday, March 27, 2012 3:49 PM
**To:** Luna, Corinna A.; Bell, Lisa M; McConnell, James E; Liang, Gwen; Bacote, Robert R; Nespor, Patrick D; Peck, Denis R; Roman-Riefkohl, Guillermo; Pearl, Thomas F; Bolog, Marguerite M; Janson, Nancy D; Fierro, Joseph; Chong, Jenny; Phan, Lethuy; Loughlin, Stephen J; Putnam, Anne F; Cullen, Janice L; O'Brien, Katie L; Nicholson, Richard E; Fries, Juliet M; Robbins, Bonnie M; Mehta, Dilipkumar N; Hall-Archambault, Melissa R; Picazo, Edna M; Bockus, Chantel; Stoddard, Becky M; Rhodes-Gibney, Cathy S; Ashline, Heidi L
**Cc:** Young, Claudia F; Melville, Rosemary; Schoening, Donald; Renaud, Daniel M; FitzGerald, Karen L; Sweeney, Shelly A
**Subject:** FY13 H-1B Cap USCIS Update

VSC and CSC,

The FY13 H-1B Cap Count and Filing Tips webpage at www.uscis.gov/h-1b_count has been updated today. The USCIS Update announcing the opening of the FY13 cap will also be posted today. Attached is a final copy of the USCIS Update.

The M-735, Optional Processing Checklist for H-1B Petitions, is in the process of being updated for FY13, and will be linked to the Form I-129 Forms Entry Page on our website.

--Mack

U.S. Citizenship and Immigration Services

*Office of Communications*

# USCIS Update

March 27, 2012

## USCIS to Accept H-1B Petitions for Fiscal Year 2013 Beginning April 2, 2012

*Petitioners are Reminded to Follow Regulatory Requirements*

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it will begin accepting H-1B petitions subject to the Fiscal Year (FY) 2013 cap on Monday April 2, 2012. Cases will be considered accepted on the date that USCIS takes possession of a properly filed petition with the correct fee. USCIS will not rely upon the date that the petition is postmarked.

The congressionally mandated numerical limitation on H-1B petitions for FY 2013 is 65,000. Additionally, the first 20,000 H-1B petitions filed on behalf of individuals who have earned a U.S. master's degree or higher are exempt from the fiscal year cap.

USCIS will monitor the number of petitions received and will notify the public of the date on which USCIS received the necessary number of petitions to meet the H-1B cap. If the number of applications received exceeds the numerical cap, USCIS will randomly select the number of petitions required to reach the numerical limit from the pool of petitions received on the final receipt date. USCIS will reject cap-subject petitions that are not selected, as well as those received after the final receipt date.

Petitions for new H-1B employment are exempt from the annual cap if the beneficiaries will work at institutions of higher education or related or affiliated nonprofit entities, nonprofit research organizations or governmental research organizations. Petitions filed on behalf of beneficiaries who will work only in Guam or the Commonwealth of the Northern Mariana Islands are exempt from the cap until December 31, 2014. Employers may continue to file petitions for these cap-exempt H-1B categories seeking work dates starting in FY 2012.

Petitions filed on behalf of current H-1B workers who have been counted previously against the cap also do not count towards the congressionally mandated H-1B cap. Accordingly, USCIS will continue to process FY 2012 petitions filed to:

- extend the amount of time a current H-1B worker may remain in the United States;
- change the terms of employment for current H-1B workers;
- allow current H-1B workers to change employers; or
- allow current H-1B workers to work concurrently in a second H-1B position.

H-1B petitioners should follow all statutory and regulatory requirements as they prepare petitions to avoid delays in processing and requests for evidence. USCIS has developed detailed information, including a processing worksheet, to assist in the completion and submission of FY 2013 H-1B petitions.

U.S. businesses use the H-1B program to employ foreign workers in specialty occupations that require theoretical or technical expertise in specialized fields, such as scientists, engineers, or computer programmers.

For more information on the H-1B nonimmigrant visa program and current Form I-129 processing times, visit www.uscis.gov or call the National Customer Service Center at (800) 375-5283.

- USCIS -

## Jowett, Haley L

**From:** Ryan, Carrie A
**Sent:** Friday, January 28, 2011 12:57 PM
**To:** VSC Division XII
**Subject:** H1B Cap

**Follow Up Flag:** Follow up
**Flag Status:** Flagged

Just some information to pass along, the I-129 H1B cap has been met and further information will be forthcoming in terms of accepted cases, the random generator selection and rejected cases.

Something to look forward to for next week. ☺

*Carrie Ryan*
*Supervisory Immigration Services Officer*
*USCIS/VSC/Division XII*
*Phone* [redacted] (b)(6)
*Office:* [redacted]
*NFTS: AA0186*
carrie.ryan@dhs.gov

**From:** Liang, Gwen
**To:** Peck, Denis R
**Subject:** RE: Cap rejection statistics
**Date:** Monday, June 11, 2012 9:19:02 AM

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Thank you for the explanation!


*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

20 Massachusetts Avenue, Room 2000, Washington, DC 20529-2060

[redacted] (b)(6)


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**From:** Peck, Denis R
**Sent:** Monday, June 11, 2012 9:03 AM
**To:** Liang, Gwen
**Subject:** RE: Cap rejection statistics

VSC has their own preference not to handle any rejects in Claims but to do them all manually , i.e. outside the systems. CSC does both and I have no breakdown on how many but all that you see should be from CSC.

The only time VSC would normally have a claims rejects is when we are notified that the check was reported as NSF – non sufficient funds – after we processed it. Then if the applicant did not send another check within 14 days, it would be recorded in CLAIMs as a rejection for NSF. You might see some of those. But for CAP it is pretty rare. It usually happens with people, not businesses, filing on their own for an I-765 or etc.


Denis Peck
Chief, Records Management Branch
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[redacted] (b)(6)


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**From:** Liang, Gwen
**Sent:** Monday, June 11, 2012 8:39 AM
**To:** Peck, Denis R
**Subject:** RE: Cap rejection statistics

Denis,
Thank you! Were those rejected receipts also entered into the system? I noticed in the database, some receipts' final statuses are 'rejected'.


*Gwen Liang*

Management and Program Analyst

Service Center Operations/U.S. Citizenship and Immigration Services.

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[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Friday, June 08, 2012 4:48 PM
**To:** Liang, Gwen
**Cc:** Sweeney, Shelly A; Bolog, Marguerite M; Lauver, Tinnina M
**Subject:** Cap rejection statistics

Gwen,

Here's a fun and probably useless statistic for you. CSC rejects a smaller percentage than VSC.

Through Thursday June 7

| Center | Data entered | Rejected | Total processed | Reject % |
|---|---|---|---|---|
| Vermont | 47,728 | 1,529 | 49,257 | 3.10% |
| California | 39,284 | 960 | 40,244 | 2.39% |

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[redacted]

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**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 2:52 PM
**To:** Peck, Denis R
**Subject:** RE: FY 2013 H-1B Cap - updated

Thank you Denis for the additional count information, which is helpful!

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
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[redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Friday, June 08, 2012 2:18 PM
**To:** Liang, Gwen; Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** RE: FY 2013 H-1B Cap - updated

Thanks Gwen, and to that we can add 700 that were in the VSC data entry queue. That gives us

about 84,400. Today vsc said their count was 2300. CSC is usually a little less so they may be somewhere between 1700-2000. That gets us up to 88,000-89,000.

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**From:** Liang, Gwen
**Sent:** Friday, June 08, 2012 1:06 PM
**To:** Bolog, Marguerite M; Sweeney, Shelly A
**Cc:** McConnell, James E; Peck, Denis R; Schmidt, Bruce H; Nespor, Patrick D
**Subject:** FY 2013 H-1B Cap - updated

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 63,672 | 6/7/2012 |
| H-1B Master's Exemption | 20,000 | 20,000 | 6/7/2012 |

*Gwen Liang*
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(b)(6)

# Rubman

# Disc 3

# COW2012000535

# COW2014000188

# Records

## Quick Guide -12 page PDF

## V-Safe100 UM English – 15 page PDF

# Verbatim Store 'n' Go™ USB Flash Drive Quick Guide

**Verbatim Store 'n' Go USB Flash Drives are a convenient way of storing, sharing and transporting your data, photos, music, and video clips. Please familiarize yourself with the following instructions before using your Store 'n' Go.**

**Windows 98 SE Users:**

You must install a Windows 98 SE driver file prior to using Store 'n' Go for the first time. This file can be downloaded from www.verbatim.com or www.verbatim-europe.com. After installing the driver file, you can begin using the device as detailed in the Getting Started section below. **Note:** Earlier versions of Windows including Windows 95, do not support USB Mass Storage Devices or are not compatible with this product.

**Getting Started (Windows Operating Systems):**

Remove cap and plug device in USB port. Windows will automatically recognize a new removable drive. Click on My Computer and locate the new removable drive. You may now use Store 'n' Go just like any other drive to store, copy, move, or delete files. **Note:** It is recommended to copy the V-Safe 100 manual and program files from the removable drive to your desktop for future reference. You may delete these files from the drive if desired to maximize storage space. These files can also be downloaded from **www.verbatim.com** or **www. verbatim-europe.com**

**To Remove Store 'n' Go:**

Left click the "Safely Remove Hardware" icon on the system tray at the bottom right hand side. Click on the device you wish to remove. When the "Safe to Remove Hardware" screen appears, you can now safely remove Store 'n' Go. If you receive a message indicating the device cannot be removed right now, please close any file or application that may be open on the device and try again. **Windows 98 SE users:** There is no "Safely Remove Hardware" icon on the system tray. Simply confirm the LED Status indicator is flashing slowly before removing device or right click on drive in explorer and select eject. A rapidly blinking LED indicates that the device is being accessed. **Note:** Removing your Store 'n' Go while the LED status indicator is blinking rapidly may cause data to be corrupted or lost.

**Getting Started for Mac OS 9.0 or higher systems:**

Store 'n' Go will automatically be recognized by your system. Insert the drive and click on the "Untitled" drive icon. **To Remove Store 'n' Go:** Drag the Store 'n' Go icon to the recycling bin, then remove Store 'n' Go after confirming that the LED indicator is flashing slowly or off.

**Getting Started for Linux Kernel Version 2.6.x or higher:**

Your Store 'n' Go will be automatically recognized upon insertion. Tested on Red Hat, Suse and Turbo Linux versions.

**Using V-Safe 100 Security Application (Windows 98SE, 2000, XP Operating Systems only):**

V-Safe 100 Security Application enables you to setup a password to secure sensitive data from unauthorized access. The V-Safe 100 Security Application has been pre-loaded on your Store 'n' Go for your convenience. Locate the "V-Safe 100.exe" file on the drive and double click it to launch. Follow the on-screen prompts to set up your password, password hint and select the size of your privacy zone. **Note: Formatting or resizing the privacy zone on your Store 'n' Go will erase all data. Copy any files you do not wish to erase to another drive before formatting or resizing the privacy partition.** Enter your password to access the privacy zone. To logout, double click the "Logout Privacy Zone" icon placed on your Store 'n' Go. To login again, double click the V-Safe icon placed on your Store 'n' Go. Please retain your password in a secure area for safe keeping. A detailed user guide has been stored on your Store 'n' Go or can be downloaded from www.verbatim.com or www.verbatim-europe.com

**LED Status Indicator:**

Store 'n' Go's LED status indicator provides the following information:

LED Flashing Slowly: Device connected and ready for use.
LED Blinking: Device in use. (Data is being accessed or transferred.) **Note:** Do not remove the device while the LED is blinking, as data may be corrupted or lost.
LED Off: Device is in low power suspended mode

**Carrying Store 'n' Go:**

You can put Store 'n' Go in your pocket, purse, on your key ring or attach it to the carry lanyard. Avoid temperature extremes, shock, and moisture. If your Store 'n' Go is accidentally exposed to water, allow it to dry thoroughly before using. Keep the protective cap in place when not using Store 'n' Go.

**User Write On Labels:**

A set of write on labels is included which may be used to personalize your Store 'n' Go or identify the contents. After writing on the label, place the label in the recessed label area.

**Specifications:**

| | |
|---|---|
| Interface: | USB 2.0 (also compatible with USB 1.1 ports) |
| Power Supply: | USB bus powered (No external power required) |
| Operating Temperature: | 0 degrees C to 60 degrees C |
| Storage Temperature: | -20 degrees C to 70 degrees C |
| Environment: | Relative Humidity: 5% to 90% RH |
| Altitude: | Operating: 6,096m (20,000 feet) |
| | Storage: 12,192m (40,000 feet) |
| Vibration: | 5G RMS, 10 to 2,000Hz, 0.5 Oct/min sweep rate |
| Shock: | Non operating 55G, 11ms, half-sine |
| Certifications: | FCC, CE, VCCI, WHQL |

## VERBATIM LIMITED LIFETIME WARRANTY

Verbatim Corporation warrants this product to be free from defects in material and workmanship. If this product is found to be defective, it will be replaced at no cost to you. You may return it with your original cash register receipt to the place of purchase or contact Verbatim.

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In the U.S. and Canada, call 800-538-8589 or email techsupport@verbatim.com

*Product replacement is your sole remedy under this warranty, and this warranty does not apply to normal wear or to damage or to damage resulting from abnormal use, misuse, abuse, neglect or accident, or to any incompatibility or poor performance due to the specific computer software or hardware used.* **VERBATIM WILL NOT BE LIABLE FOR DATA LOSS OR ANY INCIDENTAL, CONSEQUENTIAL OR SPECIAL DAMAGES, HOWEVER CAUSED, FOR BREACH OF WARRANTIES OR OTHERWISE.** This warranty gives you specific legal rights and you may also have other rights which vary from state to state or country to country.

**Note:** Verbatim Corporation may at any time revise the content of this user guide without further notice.

# Guía rápida de la unidad flash USB de Verbatim Store 'n' Go™

**Las unidades flash USB Store'n'Go de Verbatim son una práctica forma de almacenar, compartir y transportar datos, presentaciones, fotos, música y videoclips. Antes de utilizar Store'n'Go, familiarícese con las siguientes instrucciones.**

**Usuarios de Windows 98 SE:**

Antes de utilizar por primera vez Store 'n' Go, debe instalar los archivos del controlador para Windows 98 SE. Puede descargar el archivo desde **www.verbatim.com** o **www.verbatim-europe.com.** Después de instalar el archivo del controlador, puede comenzar a utilizar el dispositivo tal como se indica en la sección "Introducción" más adelante. **Nota:** las primeras versiones de Windows, incluida la versión Windows 95, no son compatibles con los dispositivos de almacenamiento masivo USB y son incompatibles con este producto.

**Introducción (sistemas operativos Windows):**

Retire la tapa y conecte el dispositivo al puerto USB. Windows reconocerá automáticamente una nueva unidad extraíble. Haga clic en Mi PC y ubique la nueva unidad extraíble. Ya puede utilizar Store'n'Go como si se tratara de cualquier otra unidad para almacenar, copiar, mover o eliminar archivos. **Nota:** se recomienda copiar el manual de V-Safe 100 y los archivos de programa de la unidad extraíble al equipo de sobremesa para poder consultarlos en el futuro. Puede borrar esos archivos de la unidad si lo desea para maximizar el espacio de almacenamiento. Asimismo, estos archivos pueden descargarse desde **www.verbatim.com** o **www.verbatim-europe.com**

**Extracción de Store'n'Go:** Haga clic en el icono "Quitar hardware con seguridad" de la bandeja del sistema que se encuentra en la parte inferior derecha. Haga clic en el dispositivo que desea extraer. Cuando aparezca la pantalla "Es seguro quitar el hardware", puede extraer con seguridad Store 'n' Go. Si el sistema muestra un mensaje que indica que el dispositivo no puede extraerse en este momento, cierre todos los archivos o las aplicaciones que pueden estar abiertos desde el dispositivo y vuelva a intentarlo. **Usuarios de Windows 98 SE:** En la bandeja del sistema no existe ningún icono "Quitar hardware con seguridad". Antes de retirar el dispositivo, compruebe que el LED de estado parpadea lentamente o haga clic en la unidad en el explorador y seleccione el objeto. Si el LED parpadea rápidamente, se está accediendo al archivo. **Nota:** si retira Store 'n' Go mientras el LED de estado parpadea rápidamente, se pueden dañar o perder los datos.

**Introducción para Mac OS 9.0 o sistemas superiores:**

El sistema reconocerá automáticamente el dispositivo Store'n'Go. Introduzca la unidad y haga clic en el icono de la unidad "Sin título". **Extracción de Store'n'Go:** Arrastre el icono de Store 'n' Go a la papelera. A continuación, confirme que el LED parpadea lentamente o que está apagado y extraiga Store 'n' Go.

**Introducción para Linux Kernel Version 2.6.x o superior:**

Al insertar Store 'n' Go, el sistema lo reconocerá automáticamente. Ha sido probado en versiones Red Had, Suse y Turbo Linux.

**Utilización de la aplicación de seguridad V-Safe 100 (sólo para sistemas operativos Windows 98 SE, 2000 y XP):**

La aplicación de seguridad V-Safe 100 le permite configurar una contraseña para proteger los datos sensibles contra accesos no autorizados. La aplicación de seguridad V-Safe 100 viene instalada en Store 'n' Go, para que le resulte más práctico. Localice el archivo "V-Safe 100.exe" en la unidad y haga doble clic para iniciarlo. Siga las instrucciones que aparecen en pantalla para configurar la contraseña, la pista para la contraseña y seleccione el tamaño de su zona de privacidad. **Nota: si formatea o cambia el tamaño de la zona de privacidad en Store 'n' Go, se borrarán datos. Copie los archivos que no desee borrar en otra unidad antes de formatear o cambiar el tamaño de la partición de privacidad.** Para acceder a la zona de privacidad, escriba la contraseña. Para desconectar, haga doble clic en el icono "Desconexión de la zona de privacidad" situado en Store 'n' Go. Para volver a conectar, haga doble clic en el icono de V-Safe situado en Store 'n' Go. Conserve la contraseña en un lugar seguro por cuestiones de seguridad. Store 'n' Go incorpora un detallado manual de usuario que también puede descargar de **www.verbatim.com** o **www.verbatim-europe.com.**

**LED de estado:**

El LED de estado de Store 'n' Go proporciona la información siguiente:
Parpadeo lento del LED: dispositivo conectado y listo para usar.
Parpadeo del LED: dispositivo en uso. (Se está accediendo a los datos o se están transmitiendo datos.) **Nota:** no extraiga el dispositivo mientras parpadea el LED, ya que se pueden dañar o perder los datos.
LED apagado: el dispositivo está en modo de suspensión de energía

**Transporte de Store'n'Go:**

El dispositivo Store'n'Go puede llevarlo en el bolsillo, en la cartera, en un llavero o incluso colgado del cuello. No lo exponga a temperaturas extremas, a golpes ni a

humedad. Si, por accidente, Store'n'Go entra en contacto con el agua, déjelo secar completamente antes de volver a utilizarlo. Cuando no lo utilice, deje puesta la tapa protectora.

**Etiquetas para escritura para el usuario:**
Se incluye un juego de etiquetas para escritura que se puede utilizar para personalizar Store 'n' Go o para identificar los contenidos. Tras escribir en la etiqueta, colóquela en la zona destinada a tal efecto.

**Sistemas operativos compatibles:**

| | |
|---|---|
| Hardware: | Windows 98SE, ME, 2000, XP, Macintosh OS 9.x o 10.x, Linux Kernel 2.6.x o superior (probado en RedHat, Suse y Turbo Linux) |
| Aplicación V-Safe 100: | Windows 98SE, 2000 y XP |

**Especificaciones:**

| | |
|---|---|
| Interfaz: | USB 2.0 (también compatible con puertos USB 1.1) |
| Alimentación: | por el bus USB (no se necesita alimentación externa) |
| Temperatura de funcionamiento: | de 0ºC a 60ºC |
| Temperatura de almacenamiento: | de -20ºC a 70ºC |
| Entorno: | Humedad relativa: de 5% a 90% de HR |
| Altitud: | Funcionamiento: 6.096 m (20.000 pies)<br>Almacenamiento: 12.192 m (40.000 pies) |
| Vibración: | 5 G RMS, de 10 a 2.000 Hz, 0,5 oct/min velocidad |
| de barrido | |
| Choque: | deja de funcionar a 55 G, 11 ms, medio seno |
| Certificaciones: | FCC, CE, VCCI, WHQL |

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# Unità flash USB Verbatim Store 'n' Go™ Guida rapida

**Le unità flash USB Verbatim Store'n'Go consentono di memorizzare, condividere e trasferire dati, fotografie, musica e clip video. Prima di utilizzare il dispositivo Store'n'Go, è consigliabile acquisire dimestichezza con le seguenti istruzioni.**

**Utenti Windows 98 SE**

Prima di utilizzare il dispositivo Store 'n' Go è necessario installare un driver per Windows 98 SE. Il file può essere scaricato dal sito **www.verbatim.com** o **www.verbatim-europe.com**. Dopo l'installazione del driver, è possibile iniziare a usare il dispositivo come descritto dettagliatamente nella sezione Guida introduttiva riportata di seguito. **Nota:** le versioni precedenti di Windows, incluso Windows 95, non supportano i dispositivi di memorizzazione di massa USB oppure non sono compatibili con questo prodotto.

**Guida introduttiva per sistemi operativi Windows**

Rimuovere il cappuccio e collegare il dispositivo a una porta USB. L'unità rimovibile verrà riconosciuta automaticamente da Windows. Fare clic su Risorse del computer e individuare la nuova unità rimovibile. A questo punto è possibile utilizzare Store'n'Go come qualsiasi altra unità per memorizzare, copiare, spostare, modificare o cancellare i file. **Nota:** è consigliabile copiare i file di programma e il manuale V-Safe 100 dall'unità rimovibile sul desktop per poterli utilizzare in futuro. Eliminare questi file dall'unità per aumentare la capacità massima di memorizzazione. Questi file possono anche essere scaricati dal sito **www.verbatim.com** o **www. verbatim-europe.com**

**Rimozione di Store'n'Go:** fare clic sull'icona "Rimozione sicura dell'hardware" nella barra delle applicazioni situata sul lato inferiore destro. Selezionare il dispositivo che si desidera rimuovere. Quando viene visualizzata la schermata "È possibile rimuovere l'hardware", l'unità Store 'n' Go può essere rimossa in tutta sicurezza. Se si riceve un messaggio che indica l'impossibilità di rimuovere il dispositivo, chiudere i file o le applicazione aperti sul dispositivo e riprovare. **Utenti Windows 98 SE:** l'icona "Rimozione sicura dell'hardware" nella barra delle applicazioni non esiste. Verificare semplicemente che il LED di stato stia lampeggiando lentamente prima di rimuovere il dispositivo oppure fare clic con il pulsante destro del mouse sull'unità in Esplora risorse e selezionare Rimuovi. Il LED comincia a lampeggiare velocemente a indicare che sul dispositivo è stato eseguito un accesso. **Nota:** la rimozione dell'unità Store 'n' Go mentre il LED di stato lampeggia velocemente potrebbe causare la perdita o il danneggiamento dei dati.

**Guida introduttiva per sistemi operativi Mac OS 9.0 o superiore**

Store'n'Go viene riconosciuto automaticamente dal sistema. Inserire l'unità e fare clic sull'icona dell'unità "Senza nome". **Rimozione di Store'n'Go:** trascinare l'icona Store 'n' Go nel cestino, quindi rimuovere l'unità Store 'n' Go dopo aver verificato che il LED di stato lampeggia lentamente o è spento.

**Guida introduttiva per sistemi Linux versione Kernel 2.6.x o superiore**

L'unità Store 'n' Go sarà riconosciuta automatica al collegamento. Collaudata sulle versioni di Linux seguenti: Red Hat, Suse e Turbo Linux.

**Utilizzo dell'applicazione di sicurezza V-Safe 100 (solo Windows 98SE, 2000, XP)**

L'applicazione di sicurezza V-Safe 100 consente di impostare una password per proteggere dati riservati da un accesso non autorizzato ed è già precaricata nell'unità Store 'n' Go. Per avviare l'applicazione, fare doppio clic sul file "V-Safe 100.exe" che si trova nell'unità. Seguire la procedura guidata per impostare la password e il suggerimento (in caso venga dimenticata), quindi selezionare la dimensione dell'area riservata. **Nota: la formattazione o la modifica delle dimensioni dell'area riservata nell'unità Store 'n' Go cancellerà tutti i dati. Copiare i file che non si desidera cancellare su un'altra unità prima di formattare o modificare le dimensioni della partizione riservata.** Immettere la password per accedere all'area riservata. Per uscire, fare doppio clic sull'icona "Logout Privacy Zone" (Chiudi area riservata) nell'unità Store 'n' Go. Per accedere di nuovo, fare doppio clic sull'icona V-Safe nell'unità Store 'n' Go. Conservare la password in un luogo sicuro. La guida dell'utente è disponibile nell'unità Store 'n' Go oppure può essere scaricata dal sito **www.verbatim.com** o **www.verbatim-europe.com**

**LED di stato**

Il LED di stato dell'unità Store 'n' Go's fornisce le seguenti informazioni:

Il LED lampeggia lentamente quando il dispositivo è connesso e pronto per l'uso.

Il LED lampeggia quando il dispositivo è in uso (è stato eseguito un accesso ai dati oppure è in corso il trasferimento). **Nota:** non rimuovere il dispositivo mentre il LED lampeggia in quanto i dati potrebbero essere persi o danneggiati.

Il LED è spento quando il dispositivo è in modalità sospesa (basso consumo energetico).

**Trasporto di Store'n'Go**

Store'n'Go può essere trasportato in tasca, in borsa, agganciato al portachiavi oppure con l'apposito cordoncino. Evitare l'esposizione a temperature estreme, urti e umidità. Se Store'n'Go viene accidentalmente a contatto con acqua, lasciarlo asciugare completamente prima di utilizzarlo. Lasciare inserito il cappuccio protettivo quando non si utilizza Store'n'Go.

**Etichette scrivibili**

Il dispositivo viene fornito con un set di etichette scrivibili che può essere utilizzato dall'utente per personalizzare l'unità Store 'n' Go o identificarne il contenuto. Dopo aver scritto le informazioni sull'etichetta, posizionarla nell'apposita area.

**Sistemi operativi supportati**

| | |
|---|---|
| Hardware: | Windows 98SE, ME, 2000, XP, Macintosh OS 9.x o 10.x, Linux Kernel 2.6.x o superiore (collaudato su RedHat, Suse e Turbo Linux) |
| Applicazione di sicurezza V-Safe 100: | Windows 98SE, 2000 e XP |

**Caratteristiche tecniche:**

| | |
|---|---|
| Interfaccia: | USB 2.0 (compatibile anche con porte USB 1.1) |
| Alimentazione: | Bus USB (alimentazione esterna non necessaria) |
| Temperatura di funzionamento: | da 0° C a 60° C |
| Temperatura di conservazione: | da -20° C a 70° C |
| Ambiente: | Umidità relativa: da 5% a 90% |
| Altitudine: | Operativo: 6.096 m<br>Archiviazione: 12.192 m |
| Tolleranza alle vibrazioni: | 5G RMS, da 10 a 2.000Hz, velocità di sweep 0,5 oct/min |
| Resistenza agli urti: | 55G, 11ms, semi-sinusoidale (non operativo) |
| Certificazioni: | FCC, CE, VCCI, WHQL |

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# Store 'n' Go™ da Verbatim
# Unidade Flash USB
# Manual de Consulta Rápida

**As unidades Flash USB Store 'n' Go da Verbatim constituem uma forma cómoda de armazenar, partilhar e transportar dados, fotos, música e imagens. Antes de utilizar a Store 'n' Go, familiarize-se com as instruções a seguir apresentadas.**

**Utilizador do Windows 98 SE:**
Antes de utilizar a Store 'n' Go pela primeira vez, deve instalar um ficheiro de controladores do Windows 98 SE. O ficheiro pode ser transferido a partir de **www.verbatim.com** ou **www.verbatim-europe.com.** Após a instalação do ficheiro de controladores, é possível utilizar o dispositivo tal como descrito na secção Como Começar a seguir apresentada. **Nota:** as versões anteriores do Windows, incluindo o Windows 95, não suportam dispositivos USB de armazenamento em massa ou não são compatíveis com este produto.

**Como Começar (sistemas operativos Windows):**
Retire a tampa e ligue o dispositivo à porta USB. O Windows irá reconhecer automaticamente a nova unidade amovível. Clique em O Meu Computador e localize a nova unidade amovível. Agora já pode utilizar a Store 'n' Go como qualquer outra unidade para armazenar, copiar, mover ou eliminar ficheiros. **Nota:** recomenda-se a cópia do manual V-Safe 100 e dos ficheiros de programa da unidade amovível para o computador de secretária, para consulta futura. Pode eliminar estes ficheiros da unidade se desejar optimizar o espaço de armazenamento. Também é possível transferir estes ficheiros a partir de **www.verbatim.com** ou **www. verbatim-europe.com.**

**Para retirar a Store 'n' Go:** clique com o botão esquerdo do rato no ícone "Remover o Hardware com Segurança" do tabuleiro do sistema na parte inferior direita. Clique no dispositivo que pretende remover. Quando o ecrã "Remover o Hardware com Segurança" for apresentado, é possível retirar a Store 'n' Go com segurança. Se receber uma mensagem a indicar que o dispositivo não pode ser retirado nesse momento, feche todos os ficheiros ou aplicações que possam estar abertos no dispositivo e volte a tentar. **Utilizador do Windows 98 SE:** não existe o ícone "Remover o Hardware com Segurança" no tabuleiro do sistema. Antes de retirar o dispositivo, confirme se o indicador LED de estado está a piscar lentamente, ou então clique com o botão direito do rato na unidade, no Explorador, e seleccione Ejectar. O LED intermitente com ritmo rápido indica que o dispositivo está a ser utilizado. **Nota:** se retirar a Store 'n' Go enquanto o indicador LED de estado estiver intermitente com ritmo rápido, pode provocar danos ou perda de dados.

**Como Começar num sistema Mac OS 9.0 ou superior:**
A Store 'n' Go será reconhecida automaticamente por este sistema. Insira a unidade e clique no ícone da unidade "Untitled" (Sem título). **Para retirar a Store 'n' Go:** arraste o ícone Store 'n' Go para a reciclagem e retire a Store 'n' Go depois de confirmar se o indicador LED está a piscar lentamente ou está inactivo.

**Como Começar num sistema Linux Kernel Version 2.6.x ou superior:**
A Store 'n' Go será reconhecida automaticamente logo após a inserção. Testes efectuados nas versões do Linux Red Hat, Suse e Turbo.

**Utilização da aplicação de segurança V-Safe 100 (apenas sistemas operativos Windows 98 SE, 2000 e XP)**:

A aplicação de segurança V-Safe 100 permite a configuração de uma palavra-passe para garantir a segurança de dados importantes perante acesso não autorizado. A aplicação de segurança V-Safe 100 foi previamente incluída na Store 'n' Go, para comodidade do utilizador. Localize o ficheiro "V-Safe 100.exe" na unidade e faça duplo clique para o executar. Siga as instruções no ecrã para configurar a palavra-passe e a sugestão de palavra-passe, e seleccione o tamanho para a sua zona de privacidade. **Nota: a formatação ou o redimensionamento da zona de privacidade na Store 'n' Go apagarão todos os dados. Antes de formatar ou redimensionar a partição de privacidade, copie para outra unidade todos os ficheiros que não pretende apagar.** Introduza a palavra-passe para aceder à zona de privacidade. Para terminar sessão, faça duplo clique no ícone "Logout Privacy Zone" (Sair da zona de privacidade) na Store 'n' Go. Para voltar a iniciar sessão, faça duplo clique no ícone V-Safe na Store 'n' Go. Guarde a palavra-passe num local seguro. A Store 'n' Go contém um manual do utilizador detalhado que também pode ser transferido a partir de **www.verbatim.com** ou **www.verbatim-europe.com**.

**Indicador LED de estado:**

O indicador LED de estado da Store 'n' Go fornece as seguintes informações:

LED a piscar lentamente: dispositivo ligado e preparado para utilização.
LED intermitente: dispositivo em utilização. (Os dados estão a ser utilizados ou transferidos.) **Nota:** não retire o dispositivo enquanto o LED estiver intermitente, uma vez que pode provocar danos ou perda de dados.

LED inactivo: o dispositivo está no modo de suspensão para economia de energia.

**Transporte da Store 'n' Go:**
A Store 'n' Go pode ser transportada no bolso, na carteira, no porta-chaves ou na fita de transporte. Evite temperaturas extremas, choque e humidade. Se a sua Store 'n' Go

for acidentalmente exposta a água, deixe-a secar muito bem antes de a utilizar. Quando não estiver a utilizar a Store 'n' Go, mantenha a tampa de protecção colocada.

**Etiquetas para preenchimento:**
É incluído um conjunto de etiquetas para preenchimento que pode ser utilizado para personalizar a Store 'n' Go ou para identificar o respectivo conteúdo. Depois de escrever na etiqueta, coloque-a na área própria que apresenta uma reentrância.

**Sistemas operativos suportados:**

| | |
|---|---|
| Hardware: | Windows 98 SE, ME, 2000, XP, Macintosh OS 9.x ou 10.x, Linux Kernel 2.6.x ou superior (testes efectuados nas versões do Linux Red Hat, Suse e Turbo) |
| Aplicação V-Safe 100: | Windows 98 SE, 2000 e XP |

**Especificações:**

| | |
|---|---|
| Interface: | USB 2.0 (também compatível com portas USB 1.1) |
| Fonte de alimentação: | Alimentada através da porta USB (não é necessária alimentação externa) |
| Temp. funcionamento: | 0 a 60 graus celsius |
| Temp. armazenamento: | -20 a 70 graus celsius |
| Ambiente: | Humidade relativa: 5% a 90% RH |
| Altitude: | Em funcionamento: 6,096 m (20.000 pés)<br>Em armazenamento: 12,192 m (40.000 pés) |
| Vibração: | 5 G RMS, 10 a 2000 Hz, taxa de varrimento de 0,5 Oct/min |
| Choque: | Sem estar em funcionamento 55 G, 11 ms, semi-sinosoidal |
| Certificações: | FCC, CE, VCCI e WHQL |

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# Verbatim Store 'n' Go™ USB Flash Drive Guide de présentation rapide

**Verbatim Store 'n' Go USB Flash Drives constituent un moyen pratique de stocker, de partager et de transporter vos données, photos, musique et clips vidéo. Avant d'utiliser votre Store 'n' Go, lisez attentivement les instructions ci-dessous.**

**Utilisateurs Windows 98 SE :**

Avant d'utiliser Store 'n' Go pour la première fois, il convient d'installer un fichier pilote Windows 98 SE. Ce fichier peut être téléchargé aux adresses suivantes: **www.verbatim.com** ou **www.verbatim-europe.com**. Après l'installation, vous pouvez commencer l'utilisation du périphérique comme décrit dans la section « Démarrage » ci-dessous. **Remarque:** les versions antérieures de Windows, y compris Windows 95, ne supportent pas les périphériques de stockage USB haute capacité ou ne sont pas compatibles avec ce produit.

**Démarrage (Systèmes d'Exploitation Windows):**

Otez le capuchon et branchez le périphérique dans le port USB. Windows reconnaîtra automatiquement un nouveau lecteur amovible. Cliquez sur « Poste de travail » et localisez le nouveau lecteur amovible. Vous pouvez maintenant utiliser Store 'n' Go comme tout autre lecteur pour stocker, copier, déplacer ou supprimer des fichiers. **Remarque:** il est recommandé de copier le manuel V-Safe 100 et les fichiers programmes du lecteur amovible sur votre bureau pour référence ultérieure. Vous pouvez supprimer ces fichiers du lecteur si vous le souhaitez afin de maximiser votre espace de stockage. Ces fichiers peuvent être téléchargés aux adresses suivantes : **www.verbatim.com** ou **www.verbatim-europe.com**.

**Pour supprimer Store 'n' Go :** cliquez sur l'icône « Supprimer le matériel en toute sécurité » dans la barre d'état du système en bas à droite. Cliquez sur le périphérique que vous souhaitez supprimer. Lorsque l'écran « Vous pouvez supprimer le matériel » apparaît, vous pouvez alors retirer Store 'n' Go en toute sécurité. Si un message indiquant que le périphérique ne peut être retiré de suite apparaît, veuillez fermer tous les fichiers ou applications du périphérique éventuellement ouverts et essayez à nouveau. **Utilisateurs Windows 98 SE:** il n'y a pas d'icône « Supprimer le matériel en toute sécurité » dans la barre d'état du système. Assurez-vous simplement que l'indicateur lumineux de fonctionnement clignote lentement avant de débrancher le périphérique ou cliquez-droit sur le lecteur dans l'explorateur et sélectionnez « Ejecter ». Si l'indicateur clignote rapidement, cela signifie que le périphérique est utilisé.

**Remarque:** retirer Store 'n' Go quand le témoin lumineux clignote rapidement pourrait corrompre vos données ou les faire disparaître.

**Démarrage pour les systèmes d'exploitation Mac version 9.0 ou supérieure:**

Le système reconnaît automatiquement Store 'n' Go. Insérez le lecteur et cliquez sur l'icône du lecteur « Sans Titre ». **Pour supprimer Store 'n' Go:** Faites glisser l'icône Store 'n' Go et déposez-la dans la poubelle. Ensuite, enlevez Store 'n' Go après vous être assuré que l'indicateur lumineux clignote lentement ou est éteint.

**Démarrage pour Linux Kernel version 2.6.x ou supérieure:**

Le système reconnaît automatiquement votre Store 'n' Go dès son insertion. Testé sur les versions Red Hat, Suse et Turbo Linux.

**Utiliser l'application de sécurité V-Safe 100 (pour les systèmes d'exploitation Windows 98 SE, 2000 et XP uniquement):**

L'application de sécurité V-Safe 100 vous permet d'introduire un mot de passe pour protéger les données confidentielles de tout accès non autorisé. L'application de sécurité V-Safe 100 a été pré-chargée sur votre Store 'n' Go pour votre facilité. Localisez le fichier « V-Safe 100.exe » sur le lecteur et double-cliquez dessus pour le lancer. Suivez les invites d'écran pour introduire votre mot de passe, un indice de mot de passe et sélectionnez la taille de votre zone d'accès restreint. **Remarque : Le formatage et la redéfinition de la zone d'accès restreint de votre Store 'n' Go effacera toutes les données. Copiez tous les fichiers que vous souhaitez conserver sur un autre lecteur avant de formater ou de redéfinir la zone d'accès restreint.** Insérez votre mot de passe pour accéder à la zone d'accès restreint. Pour vous déconnecter, double-cliquez sur l'icône « Déconnexion de la zone d'accès restreint » sur votre Store 'n' Go. Pour vous reconnecter, double-cliquez sur l'icône V-Safe sur votre Store 'n' Go. Veuillez conserver votre mot de passe dans un endroit sûr par sécurité. Un guide de l'utilisateur détaillé a été placé sur votre Store 'n' Go ou peut être téléchargé des sites suivants : **www.verbatim.com** ou **www.verbatim-europe.com.**

**Indicateur lumineux de fonctionnement**

L'indicateur lumineux de Store 'n' Go vous informe de la manière suivante :

Indicateur lumineux clignotant lentement : périphérique connecté et prêt à l'emploi.

Indicateur lumineux clignotant rapidement : périphérique en cours d'utilisation. (Des données sont consultées ou transférées.) **Remarque:** ne pas retirer le périphérique si l'indicateur clignote rapidement ; cela pourrait corrompre des données ou les faire disparaître.

Indicateur lumineux éteint : le périphérique est en mode suspendu basse consommation.

**Emporter Store 'n' Go:**

Vous pouvez transporter Store 'n' Go dans votre poche, votre sac à main, accroché à votre porte-clés ou le fixer à la dragonne. Évitez les températures extrêmes, les chocs et l'humidité. Si votre périphérique Store'n'Go est exposé à l'eau par inadvertance, laissez-le bien sécher avant de l'utiliser. Placez le capuchon de protection lorsque vous n'utilisez pas Store'n'Go.

**Set d'étiquetage:**

Un set d'étiquetage est inclus. Il vous permet de personnaliser votre Store 'n' Go ou d'en identifier son contenu. Après avoir écrit sur l'étiquette, collez-la dans la petite cavité prévue à cet effet.

**Systèmes d'exploitation supportés:**

| | |
|---|---|
| Matériel : | Windows 98 SE, ME, 2000, XP, Macintosh OS 9.x ou 10.x, Linux Kernel 2.6.x ou supérieur (testé sur RedHat, Suse et Turbo Linux) |
| Application V-Safe 100: | Windows 98SE, 2000 et XP |

**Caractéristiques techniques:**

| | |
|---|---|
| Interface : | USB 2.0 (également compatible avec les ports USB 1.1) |
| Alimentation : | Auto-alimenté par le bus USB (aucune alimentation extérieure requise) |
| Température d'exploitation : | De 0 à 60 degrés Celsius |
| Température de stockage : | De -20 à 70 degrés Celsius |
| Environnement : | Humidité relative : De 5 à 90 % Hr. |
| Altitude : | Exploitation : 6 096 m (20 000 pieds)<br>Stockage : 12 192 m (40 000 pieds) |
| Vibration : | 5G RMS, de 10 à 2 000Hz, 0,5 Oct/min (vitesse de balayage) |
| Choc : | Inactif 55 G, 11 ms, _ sinus |
| Certifications : | FCC, CE, VCCI, WHQL |

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# Verbatim Store 'n' Go™ USB-Flash-Laufwerk Kurzanleitung

**Verbatim Store 'n' Go USB-Flash-Laufwerke stellen eine bequeme Möglichkeit zur Speicherung, zur gemeinsamen Nutzung und zum Transport Ihrer Daten, Fotos, Musik und Videoclips dar. Bitte lesen Sie die folgenden Anweisungen, bevor Sie Store 'n' Go zum ersten Mal verwenden.**

**Windows 98 SE-Benutzer:**
Vor der ersten Verwendung von Store 'n' Go ist die Installation einer Windows 98 SE-Treiberdatei erforderlich. Sie können diese Datei bei **www.verbatim.com** oder **www.verbatim-europe.com** herunterladen. Nach der Installation der Treiberdatei können Sie das Gerät wie unten im Abschnitt „Erste Schritte" gezeigt verwenden. **Hinweis:** Frühere Versionen von Windows einschließlich Windows 95 unterstützen keine USB-Massenspeichergeräte oder sind nicht mit diesem Produkt kompatibel.

**Erste Schritte (Windows-Betriebssysteme):**
Entfernen Sie die Schutzkappe, und stecken Sie das Gerät in den USB-Anschluss. Windows erkennt automatisch ein neues austauschbares Laufwerk. Klicken Sie auf „Arbeitsplatz", und suchen Sie das neue austauschbare Laufwerk. Jetzt können Sie Store 'n' Go wie ein herkömmliches Laufwerk zum Speichern, Kopieren, Verschieben und Löschen von Dateien verwenden. **Hinweis:** Es empfiehlt sich, die V-Safe 100-Handbuch- und Programmdateien zur späteren Referenz vom austauschbaren Laufwerk zum Desktop zu kopieren. Anschließend können Sie diese Dateien vom Laufwerk löschen, um den Speicherplatz zu erhöhen. Diese Dateien stehen unter **www.verbatim.com** oder **www.verbatim-europe.com** zum Download bereit.

**So entfernen Sie Store 'n' Go:** Klicken Sie rechts unten in der Taskleiste mit der linken Maustaste auf das Symbol „Hardware sicher entfernen". Klicken Sie auf das Gerät, das Sie entfernen möchten. Wenn der Bildschirm „Hardware kann jetzt entfernt werden" angezeigt wird, können Sie Store 'n' Go sicher entfernen. Wenn eine Meldung mit dem Inhalt angezeigt wird, dass das Gerät zur Zeit nicht entfernt werden kann, schließen Sie Dateien oder Anwendungen, die unter Umständen auf dem Gerät geöffnet sind, und versuchen Sie es danach erneut. **Windows 98 SE-Benutzer:** In der Taskleiste befindet sich kein Symbol zur sicheren Hardwareentfernung. Stellen Sie vor dem Entfernen des Geräts einfach sicher, dass die LED-Anzeige langsam blinkt. Sie können auch im Explorer mit der rechten Maustaste auf das Laufwerk klicken und „Auswerfen" wählen. Eine schnell blinkende LED-Anzeige bedeutet, dass gerade auf das Gerät zugegriffen wird. **Hinweis:** Das Entfernen des Store 'n' Go bei schnell blinkender LED-Anzeige kann zu Beschädigung oder Verlust von Daten führen.

**Erste Schritte bei Mac OS 9.0 oder höheren Systemen:**
Store 'n' Go wird von Ihrem System automatisch erkannt. Stecken Sie das Laufwerk in den USB-Anschluss, und klicken Sie auf das Laufwerksymbol „Ohne Namen". **So entfernen Sie Store 'n' Go:** Ziehen Sie mit der Maus das Store 'n' Go-Symbol auf den Papierkorb. Entfernen Sie anschließend Store 'n' Go, nachdem Sie sich überzeugt haben, dass die LED-Anzeige langsam blinkt oder aus ist.

**Erste Schritte bei Linux Kernel Version 2.6.x oder höher:**
Store 'n' Go wird automatisch beim Einstecken erkannt. Getestet unter Red Hat, Suse und Turbo Linux.

**Arbeiten mit der Sicherheitsanwendung V-Safe 100 (nur Windows 98SE, 2000, XP):**
Die Sicherheitsanwendung V-Safe 100 ermöglicht Ihnen das Einrichten eines Passworts, um vertrauliche Daten vor unbefugtem Zugriff zu schützen. Zu Ihrer Erleichterung wurde die Anwendung bereits auf Ihrem Store 'n' Go geladen. Suchen Sie die Datei „V-Safe 100.exe" auf dem Laufwerk, und doppelklicken Sie zum Starten darauf. Folgen Sie den Bildschirmanweisungen, um Ihr Passwort und einen Passworthinweis einzurichten und um die Größe des geschützten Bereichs zu wählen. **Hinweis: Wenn Sie den geschützten Bereich auf dem Store 'n' Go formatieren oder dessen Größe anpassen, werden alle Daten gelöscht. Kopieren Sie Dateien, die nicht gelöscht werden sollen, vor einer Größenanpassung oder dem Formatieren des geschützten Bereichs auf ein anderes Laufwerk.** Geben Sie Ihr Passwort ein, um auf den geschützten Bereich zugreifen zu können. Zum Abmelden klicken Sie auf das Symbol „Aus geschützten Bereich abmelden" auf dem Store 'n' Go. Zum erneuten Anmelden klicken Sie auf das V-Safe-Symbol auf dem Store 'n' Go. Bewahren Sie Ihr Passwort an einem sicheren Ort auf. Ein detailliertes Benutzerhandbuch ist auf Ihrem Store 'n' Go gespeichert und kann auch von **www.verbatim.com** oder **www.verbatim-europe.com** heruntergeladen werden.

**LED-Anzeige:**
Die LED-Anzeige des Store 'n' Go liefert die folgenden Informationen:
LED blinkt langsam: Gerät ist angeschlossen und einsatzbereit.
LED blinkt: Gerät ist in Gebrauch (Datenzugriff oder -übertragung). **Hinweis:** Entfernen Sie das Gerät nicht, während die LED blinkt, da dies zu Beschädigung oder Verlust von Daten führen kann.
LED aus: Das Gerät befindet sich im Stromsparmodus.

**Store 'n' Go transportieren:**
Store 'n' Go lässt sich einfach transportieren: In der Hosentasche oder im Portemonnaie, am Schlüsselring oder mit der mitgelieferten Trageschlaufe. Setzen Sie das Gerät keinen

extremen Temperaturen, Erschütterungen oder Feuchtigkeit aus. Sollte Ihr Store 'n' Go versehentlich mit Wasser in Berührung kommen, lassen Sie es vor erneuter Inbetriebnahme vollständig trocknen. Lassen Sie die Schutzkappe aufgesteckt, wenn Sie das Store 'n' Go nicht verwenden.

**Beschriftbare Etiketten:**

Im Lieferumfang sind beschriftbare Etiketten enthalten, mit denen Sie Ihr Store 'n' Go personalisieren oder dessen Inhalt aufführen können. Nachdem Sie das Etikett beschriftet haben, setzen Sie es in den dafür ausgesparten Bereich ein.

**Unterstützte Betriebssysteme:**

| | |
|---|---|
| Hardware: | Windows 98SE, ME, 2000, XP, Macintosh OS 9.x oder 10.x, Linux Kernel 2.6.x oder höher (auf RedHat, Suse und Turbo Linux getestet) |
| Anwendung V-Safe 100: | Windows 98SE, 2000 und XP |

**Technische Daten:**

| | |
|---|---|
| Schnittstelle: | USB 2.0 (auch kompatibel mit USB 1.1-Anschlüssen) |
| Stromversorgung: | wird über USB-Bus mit Strom versorgt (keine externe Stromquelle erforderlich) |
| Betriebstemperatur: | 0 °C bis 60 °C |
| Lagertemperatur: | -20 °C bis 70 °C |
| Umgebung: | Relative Luftfeuchtigkeit: 5 % bis 90 % |
| Höhe: | Betrieb: 6.096 m<br>Lagerung: 12.192 m |
| Vibration: | 5 G effektiv, 10 bis 2.000 Hz, Frequenzänderung von 0,5 Oktaven pro Minute |
| Stoßbelastung: | Halbsinus-Impuls mit 55 G für 11 ms bei Lagerung |
| Konformitätserklärungen: | FCC, CE, VCCI, WHQL |

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# V-Safe 100

## User Guide

**February 2005**

# DOCUMENT CONTROL INFORMATION

**DCO No.:**

| | Title | Name | Date |
|---|---|---|---|
| **Issued by:** | Product Manager, Store 'n' Go | M. Rogers | February 16, 2005 |

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# 1. INTRODUCTION

V-Safe 100 is the Store 'n' Go tool that enables you to create and access a password-protected secure area, called a Privacy Zone, on your Store 'n' Go. Messages and prompts guide you through setting up V-Safe 100 with your password and customizing the Privacy Zone to suit your personal and business needs for securing your information.

The combination of enhanced hardware with a high-speed USB 2.0 interface enables you to start working immediately, and to easily secure all your confidential data.

This user guide summarizes the procedures, and also includes some important Frequently Asked Questions (FAQs). For the latest FAQs, please visit the Verbatim website www.verbatim.com or www.verbatim-europe.com

# 2. SYSTEM

## 2.1. Requirements

- Pentium II 266 MHz
- 1.5MB free disk space
- Operating systems: Windows 98® Second Edition*, Windows 2000®, Windows XP® (*Windows 98SE driver available from www.verbatim.com or www.verbatim-europe.com )
- Access to your main drive (usually drive [C:])
- Administrative privileges for Windows 2000 and XP

## 2.2. Recommendations

- Graphic accelerator that supports 24-bit color depth for best-quality graphics

# 3. GETTING STARTED

**CAUTION!** When you create your Privacy Zone, the Store 'n' Go is formatted and ALL data will be lost. Back up your files before you create your Privacy Zone.

## 3.1. Creating the Privacy Zone

1. Select the removable disk drive that was assigned to your Store 'n' Go, and double click the V-Safe 100.exe file to launch the application.
2. Click **OK** to continue after you have read the V-Safe 100 Welcome window (Figure 1).

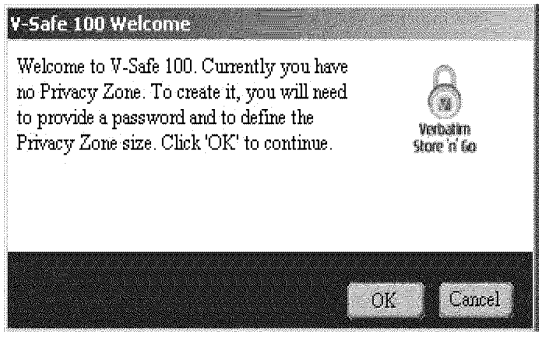


*Figure 1: Welcome Message*

3. When the V-Safe 100 Format window is displayed (Figure 2), enter the following information in the relevant fields:
   a. Your password (required)
   b. The same password to confirm (required)
   c. A hint to remind you of your password (optional)

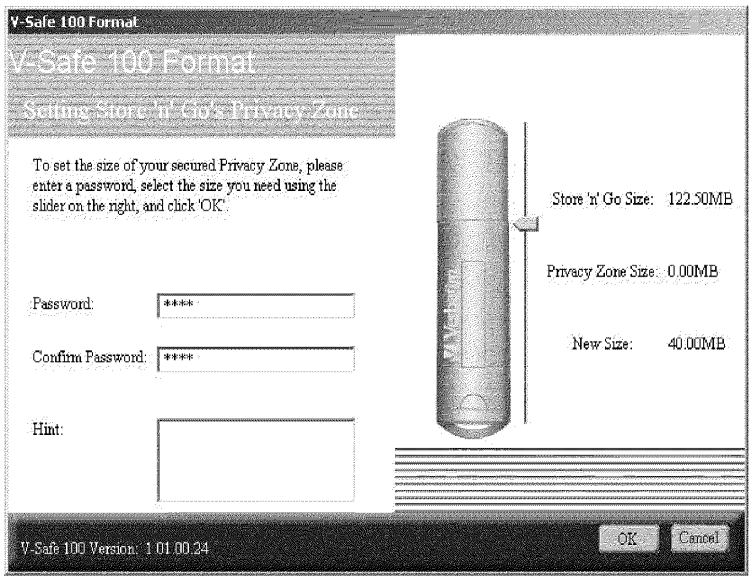


*Figure 2: V-Safe 100 Format Window*

4. Move the Store 'n' Go slide bar (up or down) to designate the size of your new Privacy Zone. When you have set the Privacy Zone size, click **OK**.

   The Privacy Zone maximum size is limited. A minimum portion of your Store 'n' Go is kept free to store the V-Safe 100 application, future upgrades, and future applications without hindering V-Safe 100 operation.

5. The V-Safe 100 Format Warning window is displayed (Figure 3). To proceed with the format operation, click **OK**.

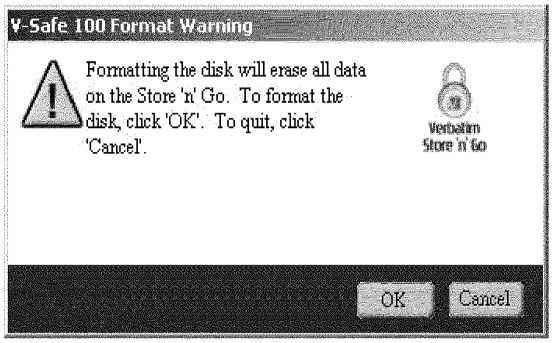


*Figure 3: V-Safe 100 Format Warning Window*

6. A formatting progress bar is displayed (Figure 4) while Store 'n' Go is formatted.

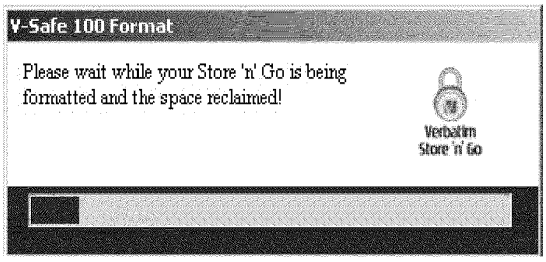


*Figure 4: Progress Bar*

After the formatting operation is complete, a success message is displayed (Figure 5). Click **OK** in the Format Complete window. You can now log in to your Store 'n' Go Privacy Zone.

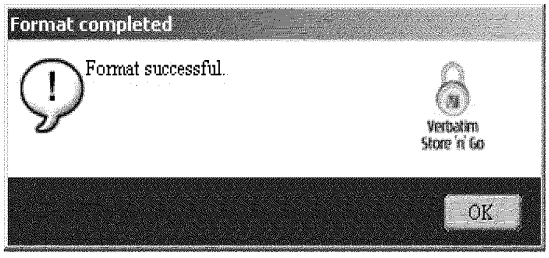


*Figure 5: Format Complete Message*

## 3.2. Working with Your Privacy Zone

### 3.2.1. Logging In to Your Privacy Zone

1. After you have created a Privacy Zone, V-Safe 100 automatically prompts you to log in. Alternatively, you can double click the V-Safe 100 icon on your desktop to display the V-Safe 100 Login window (Figure 6).

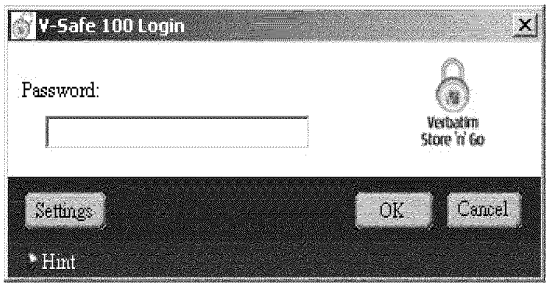


*Figure 6: V-Safe 100 Login Window*

2. To log in to your Privacy Zone, type in your password and click OK. If you enter the wrong password, an error message is displayed (Figure 7).

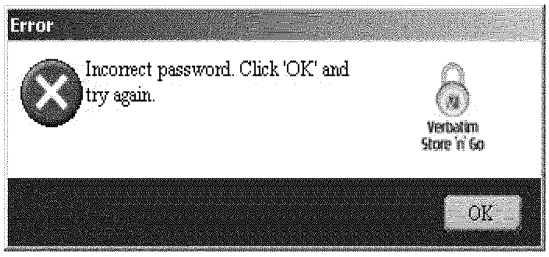


*Figure 7: V-Safe 100 Error Message*

If you forget your password, click **Hint** to display the Hint field in the V-Safe 100 Login window (Figure 8).

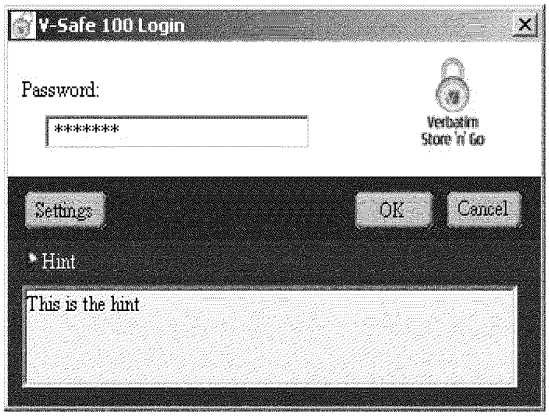


*Figure 8: Password Hint*

3. After logging in successfully, V-Safe 100 displays a confirmation message (Figure 9).

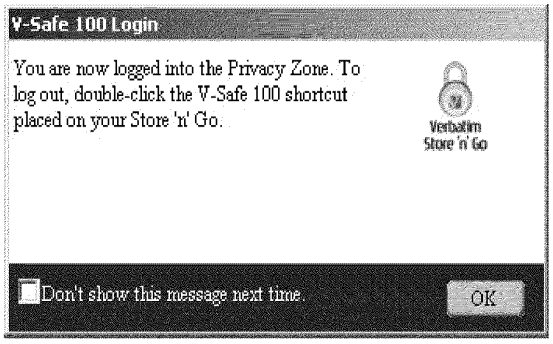


*Figure 9: Successful Login*

V-Safe 100 terminates automatically after five incorrect attempts and ejects your Store 'n' Go in order to protect your secure data. If this happens, remove your Store 'n' Go and re-insert it. This will give you another five chances to enter the correct password before your Store 'n' Go locks up again.

### 3.2.2. Working with Files in the Privacy Zone

After logging in to the Privacy Zone, you can open and work on any file. Files that are worked on and saved within the Privacy Zone are protected even after you log out of the Privacy Zone.

### 3.2.3. Logging Out of Your Privacy Zone

If you attempt to log out of, restart, or shut down the system while working on files in the Privacy Zone, file changes may not be saved. It is therefore recommended to close all files prior to logging out of the system or shutting down your computer.

To log out of the Privacy Zone:

1. Save and close all files that you have opened from your Store 'n' Go.
2. When inside the Privacy Zone, log out by double clicking on the Logout Privacy Zone icon. (Figure 10).

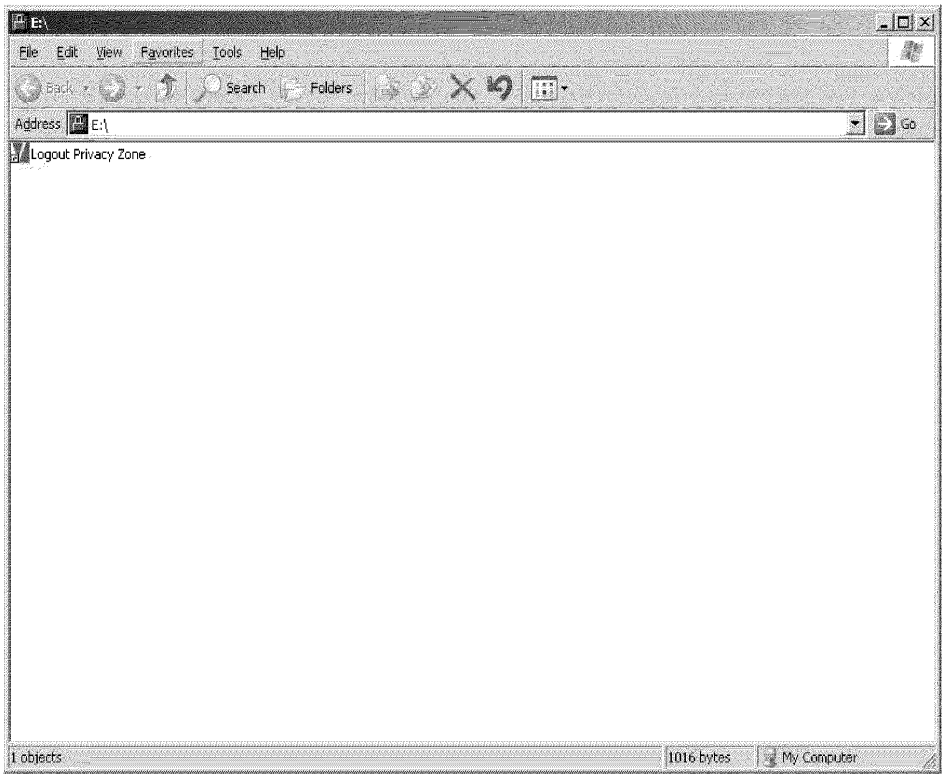


*Figure 10: Privacy Zone View*

3. The V-Safe 100 Logout window is displayed (Figure 11). Click **OK** to log out of the Privacy Zone.

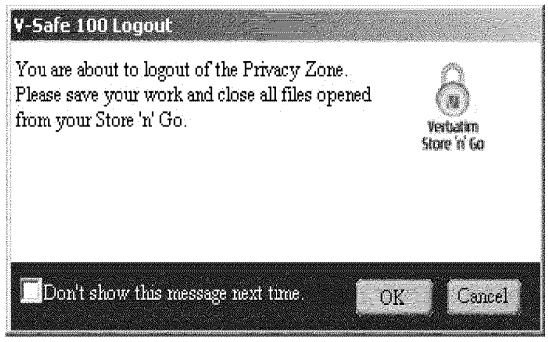


*Figure 11: Logout Confirmation Window*

4. If you attempt to log out of the Privacy Zone while a file is still open, V-Safe 100 notifies you with a Warning message. When the Warning message (Figure 12) is displayed, click **OK**, close any open files from the Privacy Zone and try again to log out of Privacy Zone.

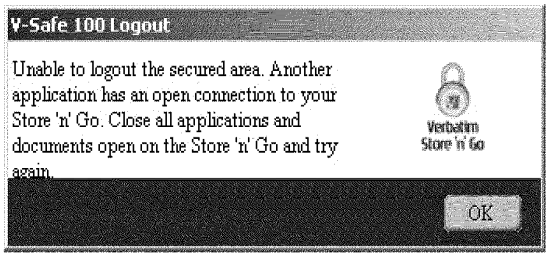


*Figure 12: Close Files Warning Message*

# 4. CUSTOMIZING YOUR SETTINGS

## 4.1. Desktop

1. To customize V-Safe 100 for your desktop, click **Settings** in the V-Safe 100 Login window (see Figure 6).

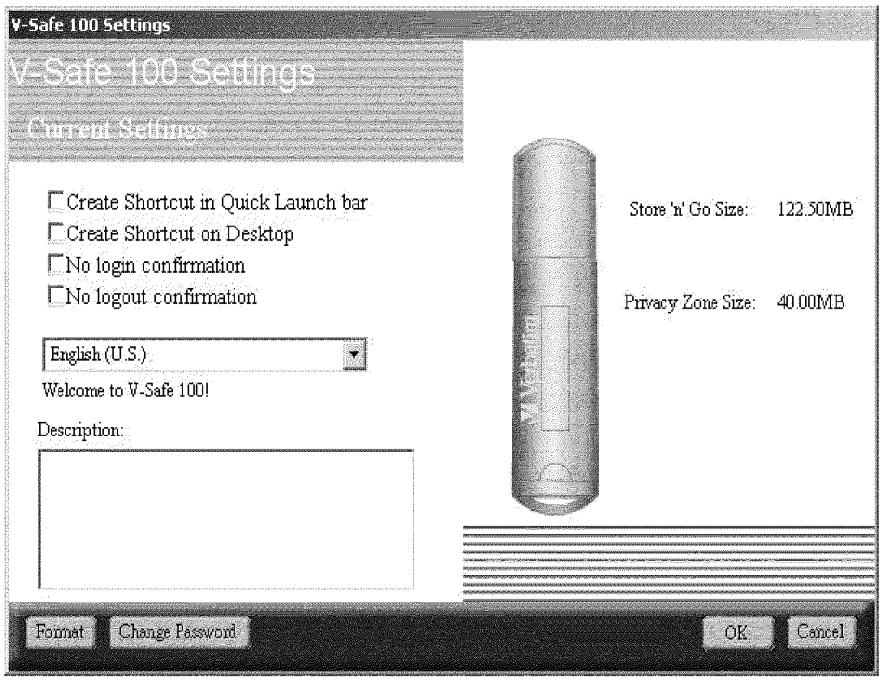


*Figure 13: V-Safe 100 Settings Window*

2. Select any of the options listed (a tool tip for each option is displayed as your mouse passes over it), including:
   - o Create Shortcut in Quick Launch bar
   - o Create Shortcut on Desktop
   - o No login confirmation
   - o No logout confirmation
   - o Language selection
3. Click **OK** to activate the options selected.

## 4.2. Changing Your Password

### 4.2.1. With the Change Password Button

To change your password using the Change Password button:

1. Click **Change Password** in the V-Safe 100 Settings window (Figure 13). .
2. When the Change Password window (Figure 14) is displayed, type in the current (old) password, the new password, and the new password once again for confirmation. It is recommended to type in a hint in case you forget or lose your password.

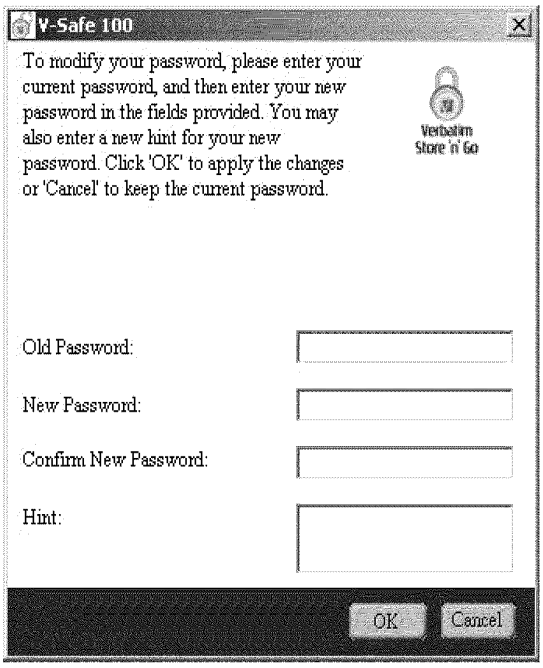


*Figure 14: Change Password Window*

3. Click **OK**. A confirmation message is displayed (Figure 15).

*Figure 15: New Password Confirmation Message*

### 4.2.2. Without the Change Password Button

If the Change Password button is not displayed in the V-Safe 100 Settings window, you can change the password by formatting the Privacy Zone, as described in Section 3.1. See step 4 for specific instructions regarding the password.

**CAUTION!** When you change your password without the Change Password button, your Store 'n' Go is formatted and ALL data is lost.

## 4.3. Changing the Size of the Privacy Zone

**CAUTION!** Changing the size of your Privacy Zone requires formatting your Store 'n' Go, causing ALL secured and non-secured data to be lost.

To change the size of the Privacy Zone:

1. Click **Format** in the V-Safe 100 Settings window. The V-Safe 100 Format window is displayed, as shown in Figure 2 on page 5.
2. Enter the new password and confirm it by entering it a second time.
3. Enter a hint in case you forget your password.
4. Set the new size of your Privacy Zone using the slide bar.
5. Click **OK**. The V-Safe 100 Format Warning window is displayed, as shown in Figure 3 on page 6.
6. Click **OK** to reformat your Store 'n' Go and create a new Privacy Zone.

To remove the Privacy Zone:

1. Follow steps 1 to 3 above.
2. Set the size of your Privacy Zone to 0% using the slide bar.
3. Click **OK**. A message is displayed (Figure 16) warning you that your Store 'n' Go will not have a Privacy Zone.

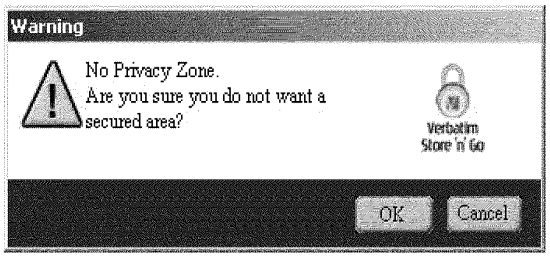


*Figure 16: Removing the Privacy Zone*

4. Click **OK**. The V-Safe 100 Format Warning window is displayed, as shown in Figure 3 on page 6.

# 5. FAQs

**Q:** How do I check which version of V-Safe 100 I'm using?

**A:** The simplest way is to right click the V-Safe 100 icon on your Store 'n' Go, and then click Properties>Version in the menu that is displayed.

**Q:** How do I know if I'm working in my Privacy Zone or in the Public Zone?

**A:** If the root folder of your Store 'n' Go contains a file that says "Logout Privacy Zone" then you're in your Privacy Zone. Otherwise you're in the Public Zone.

**Q:** How do I switch between the Public Zone and my Privacy Zone?

**A:** Launch V-Safe 100 from your desktop, Store 'n' Go, or the Quick Launch Bar. If you see a prompt asking for your password, this means that you are currently in the Public Zone. To switch to your Privacy Zone, enter your password and click **OK**. If you see a pop-up window with a prompt asking you for logout confirmation from your Privacy Zone, this means that you're working in your Privacy Zone. To switch, click **OK**. To remain logged in to your Privacy Zone, click **Cancel**.

**Q:** I accidentally deleted V-Safe 100 from my Store 'n' Go. How can I access data in my Privacy Zone?

**A:** You can still access data in your Privacy Zone. Simply restore a copy of V-Safe 100 on your Store 'n' Go by downloading the application from the Verbatim website www.verbatim.com or www.verbatim-europe.com to your desktop and copy the .EXE file to your Store 'n' Go. Launch the .EXE file from your Store 'n' Go by double-clicking the V-Safe 100 logo, and you can log in to your Privacy Zone using your old password.

**Q:** Can I use more than one Store 'n' Go with V-Safe 100 simultaneously?

**A:** No.

**Q:** Why can I use V-Safe 100 only on certain computers?

**A:** You can only use V-Safe 100 if you have administrator privileges on that computer.

**Q:** Is there an alternate way to format both the Public and Private Zones on my Store 'n' Go if V-Safe 100 formatting fails?

**A:** Yes, using the OS format utility. Then copy V-Safe 100 and use it to access your Privacy Zone.

# HOW TO CONTACT US

## Internet

http://www.verbatim.com

http://www.verbatim-europe.com

## Technical Support

techsupport@verbatim.com

drivesupport@verbatim-europe.com

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# Documents from Dennis Peck

# FY10 H1B Related

**From:** Peck, Denis R
**To:** Prince, Rose M; Young, Claudia F
**Subject:** RE: Forms I-924A / I-924 Tracking System Testing.
**Date:** Saturday, August 28, 2010 11:11:00 AM

---

Rose, Claudia,

Can you two matrix me something on the 129/140 that would list from top to bottom the easiest to the most problematic categories that the lockbox could upgrade. I think we will have to break this down bit by bit to establish where the limit is we can transfer to them, but if even a single 1-2 categories of visa types under these two forms can be ingested without requiring extensive checking we should move forward with it.

What I mean is something like this, don't worry that my chart is probably entirely wrong but the components would be like this –

| Form/category | Eligibility determined by | JPMC review or USCIS review | System required | Recommendation |
|---|---|---|---|---|
| 1`29 – H1A | Labor cert | JPMC | | Lockbox |
| 129 – H1B | | | | |
| 129-H2B | | | | |
| 129 – H3 | | | | |
| 140-E1 | Priority date | USCIS | C3 | |
| 140 E2 | | | | Service Cnter retaine |

Thanks – I need to start with something and I can't follow adjudicative rules without something like a matrix to help me. There is good need to follow through with establishing even a portion of this at the lockbox if we can, if nothing else because they have expended a good deal of time, effort and money already in preparing for it, so lets keep plugging away as best as we all can to make at least some part of it workable.

denis

---

**From:** Prince, Rose M
**Sent:** Friday, August 27, 2010 5:40 PM
**To:** Shiflett, Julie M
**Cc:** Peck, Denis R; Lundquist, Mark E; Romant, Ron A; Nicholson, Richard E; Haskell, Alexandra P; Young, Claudia F
**Subject:** FW: Forms I-924A / I-924 Tracking System Testing.

Hi Julie,
Just wanted to let you know that the I-924 database is under development and we're having a demo of it on Monday. As soon as it's ready, records here will make any last minute modifications to the SOP and send it to Denis and you. We'll also send you the most recent draft version of the form (it still isn't finalized yet). We'll need to have it priced out in the near future for data entry.

Sasha Haskell over in BEST is SCOPS' POC for any adjudicative issues, if you have any questions. The points of contact at CSC Records are Rich Nicholson, Juliet Fries and Bonnie Robbins.

Rose

---

**From:** Peck, Denis R
**To:** Johnson, Bobbie L
**Subject:** RE: I-907 Premium Processing Service
**Date:** Friday, April 30, 2010 12:10:00 PM

---

Bobbie,

I didn't get the tables for the 140 and 129 -= are we comfortable with the "unknown" reporting status when JPMC cannot match the table to an incoming 907?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Johnson, Bobbie L
**Sent:** Thursday, April 29, 2010 9:46 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Velarde, Barbara Q
**Subject:** FW: I-907 Premium Processing Service
**Importance:** High

Denis,

Please see the Lockbox's proposed course of action below. Do we agree with this?

Thanks.

Bobbie

---

**From:** Saini, Mallika
**Sent:** Tuesday, April 27, 2010 1:02 PM
**To:** Johnson, Bobbie L; Young, Claudia F
**Cc:** Zemlan, Elizabeth C; Mannion, Kimberly E
**Subject:** RE: I-907 Premium Processing Service

Hello Bobbie and Claudia,

Thank you for reaching out to David Cartier for the eCISCOR outage information. Based on the information he provided on the rarity of occurrences when eCISCOR is down, we would like to propose that the Lockbox system shall retry to connect to eCISCOR for up to 24 hours to receive a response for an application. If a response is not received 24 hours after the initial request, the Lockbox will reject the application. We want to confirm with you if you agree that this process should be put into place for the rare case that eCISCOR is down for an extended period of time.

Thanks,
Mallika

**Mallika Saini (Deloitte)**
**USCIS e-Filing/Lockbox Project Support**
202.272.8132
Mallika.Saini@dhs.gov

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, April 27, 2010 9:15 AM
**To:** Zemlan, Elizabeth C
**Cc:** Young, Claudia F
**Subject:** FW: I-907 Premium Processing Service

See below...

---

**From:** Cartier, David W
**Sent:** Tuesday, April 27, 2010 8:44 AM
**To:** Johnson, Bobbie L; Fitzsimmons, James; Benjamin, Shawn A
**Subject:** RE: I-907 Premium Processing Service

eCISCOR is hosted at TECC and follows the TECC maintenance schedule and is only down for scheduled maintenance when necessary on Sundays for the occasional Oracle or Solaris patches etc.... Other than that it has never been unavailable.

CISCOR is hosted at VSC and is also only down for pre-scheduled maintenance on off-peak hours.

**David Cartier**
**Data Interchange and Interoperability Branch**
USCIS OIT System Engineering Division
U.S. Department of Homeland Security
Office 802-527-4720, Blackberry 802-752-6508 David.Cartier@dhs.gov

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**From:** Johnson, Bobbie L
**Sent:** Monday, April 26, 2010 4:16 PM
**To:** Fitzsimmons, James; Benjamin, Shawn A; Cartier, David W
**Subject:** RE: I-907 Premium Processing Service
**Importance:** High

Help please!!! Lockbox is desperate for a response.

**From:** Peck, Denis R
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.
**Date:** Friday, April 16, 2010 10:48:00 AM

---

PP percentage was unfortunately a little lower than last year. They processed 4,703 Premiums through last night and none of the 600 remaining in DE are premiums.

4,703/20,600 total DE is 22.83%

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Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

---

**From:** Velarde, Barbara Q
**Sent:** Friday, April 16, 2010 10:35 AM
**To:** Peck, Denis R; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

And the PP percentage?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Peck, Denis R
**Sent:** Friday, April 16, 2010 10:29 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

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---

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
(b)(6) [redacted] office
mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

**Subject:** RE: CAP numbers

Walter/Rich,

Attached is the revised CSC 4-2-10 CAP report. (CSC CAP numbers thru April 2nd.)

We will send out a new 4-3-10 CAP report with today's receipts.

OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 9:21 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Subject:** RE: CAP numbers

Walter/Rich,

We have some missing box ranges due to NFTS upload problems on Friday.

We are in the process of reauditing those missing box ranges.

My best estimate is NLT 1100 (Pacific) that I'll be able to send you the final numbers.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
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If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

**From:** Peck, Denis R
**To:** Loughlin, Stephen J
**Subject:** FW: CAP numbers at CSC
**Date:** Monday, April 05, 2010 9:33:00 AM

Steve,

This is where they're holding at CSC; has Stanley provided anything complete to you yet?

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Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted] (b)(6)
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---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 9:24 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Devera, Jennie F
**Cc:** Peck, Denis R; Fitzsimmons, James
**Subject:** FW: CAP numbers

Chris: We do not have concrete numbers for cap yet, the contactor depends upon NFTS which was down Friday all day. The below numbers are estimates based on an average box numbers. As soon as the contractor downloads the numbers from the Dolphins we will get a solid count by category this morning.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

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Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

(b)(6)

[redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Wednesday, March 10, 2010 11:24 AM
**To:** Peck, Denis R
**Subject:** RE: Discussion topics for Thursday

Morning Denis,

I think we have these things all straightened now ☺ (After talking with Greg yesterday, his daily DE numbers are up to 1,768 and VSC will be at 2,000+)

I'll have the final presentation completed today (about 16 slides).

How many hard copies should I bring with me?

Thank You, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, March 09, 2010 10:24 AM
**To:** Peacock, Walter W.
**Subject:** Discussion topics for Thursday

Walter,

We had a teleconference with the centers yesterday to review the center level plans. The thing that stands out on each is the daily H1B CAP production goal is inadequate. We really aren't happy that you have a goal of only 1170 per day at CSC and 1500 at VSC. This is less than past years. It is also not true that we won't waive the data entry requirements for other forms for a reasonable period of time. CAP forms are, in fact "more important" than other forms during this time period and we want a higher emphasis put on getting them processed in a timely manner. They have far more fee money attached to them than other types.

So, sharpen your pencil and see what revised production numbers you can come in with on Thursday. I thought it was better to let you know in advance.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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202-272-1542 FAX (b)(6)

**From:** Peck, Denis R
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing
**Date:** Monday, February 01, 2010 11:50:00 AM

---

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
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---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
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From: Peck, Denis R
To: Young, Claudia F
Subject: RE: H-1B CAP rejects - I will send to OCOMM
Date: Monday, February 01, 2010 9:39:00 AM

I see Shelly is out...I'll just send Wright and Bentley what they wanted and copy you both

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
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---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:09 AM
**To:** Sweeney, Shelly A; Young, Claudia F
**Cc:** Kruszka, Robert F; McConnell, James E
**Subject:** H-1B CAP rejects

Shelley,

You got the CSC count last week, here is Vermont's – 668 since we closed on December 21. This is for Bill Wright & Chris Bentley in OCOMM.

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
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---

**From:** Stoddard, Becky M
**Sent:** Monday, February 01, 2010 8:40 AM
**To:** Peck, Denis R
**Subject:** FW: H-1B question

Denis,

Please see below counts, if you need any further information please let me know.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted] (b)(6)

I-129 (H1B CAP) = 675
I-129 H1B (Master CAP) = 21
I-907/I-129 (Premium H1B CAP) = 159
I-907/I-129 (Premium Master H1B CAP) = 13

For a total of 868.

---

**From:** Peck, Denis R
**Sent:** Thursday, January 28, 2010 3:41 PM
**To:** McConnell, James E; Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

I can ask for the date on how many rejects we've done since December 21, but Wright did use the word denials in his message. The rejects dry up pretty fast though, once the Website posts that the CAP season is closed.

Rich – Steve – Can you get an updated count to us of how many CAP rejects we have done since December 21, including the ones from December 21 that lost out in the lottery?

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** McConnell, James E
**Sent:** Thursday, January 28, 2010 3:35 PM
**To:** Peck, Denis R
**Cc:** Fitzsimmons, James
**Subject:** FW: H-1B question

Denis,

**From:** Stoddard, Becky M
**To:** Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E
**Subject:** FW: H1B results from yesterday's lottery
**Date:** Monday, December 28, 2009 8:34:49 AM

VSC data entered 163 and will reject 17. If you have any questions please let me know as Mary Lou is out today.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
[redacted]
(b)(6)

---

**From:** Collins, Mary Lou E
**Sent:** Monday, December 28, 2009 8:33 AM
**To:** Stoddard, Becky M
**Subject:** FW: H1B results from yesterday's lottery

---

**From:** Benavente, Jessy J
**Sent:** Thursday, December 24, 2009 1:13 PM
**To:** Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E
**Cc:** Sweeney, Shelly A; Richardson, Gregory A; Gregg, Bret S; Robbins, Bonnie M; Mehta, Dilipkumar N; 'Villahermosa, April L'; Bennett, Linda J
**Subject:** RE: H1B results from yesterday's lottery

CSC data entered 82 and will reject 8.

Jessy Benavente
SMPA

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
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20 Massachusetts Avenue, NW Room 2126
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(b)(6)

| | |
|---|---|
| **From:** | Benavente, Jessy J |
| **To:** | Peck, Denis R; Loughlin, Stephen J; Collins, Mary Lou E |
| **Cc:** | Sweeney, Shelly A; Richardson, Gregory A; Gregg, Bret S; Robbins, Bonnie M; Mehta, Dilipkumar N; "Villahermosa, April L"; Bennett, Linda J |
| **Subject:** | RE: H1B results from yesterday"s lottery |
| **Date:** | Thursday, December 24, 2009 1:13:24 PM |

CSC data entered 82 and will reject 8.

Jessy Benavente
SMPA

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
[redacted]
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(b)(6)

**From:** Benavente, Jessy J
**To:** Peck, Denis R
**Cc:** Robbins, Bonnie M; Mehta, Dilipkumar N; "Villahermosa, April L"; Bennett, Linda J; Nguyen, Van T
**Subject:** FW: CAP Counts
**Date:** Thursday, December 24, 2009 1:11:14 PM

---

Denis,
We received a total of 50 H1B Cap cases on Wednesday which we will reject.

Jessy Benavente
SMPA

---

**From:** Nelson, Marvin E
**Sent:** Wednesday, December 23, 2009 10:43 PM
**To:** Benavente, Jessy J
**Cc:** Martin, James L; Ly, Pam P
**Subject:** CAP Counts

Jessy:

Per your request, here's the count of CAP cases received 12/23/09:

CRN: 22
CRP: 17
CMN: 7
CMP: 4

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avila Road
Laguna Niguel, CA 92677
☎ [redacted] (949) 389-3487

(b)(6)

**From:** Nguyen, Van T
**To:** Peck, Denis R; Hallam, Larry J
**Cc:** Benavente, Jessy J
**Subject:** RE: H1B results from yesterday"s lottery
**Date:** Thursday, December 24, 2009 10:49:35 AM

---

Hi Denis:

Jessy's message was intended for yesterday. He will be in today at around 11:00.

CSC has 90 selected cap cases. All have been keyed, except for 6 CRN and 2 CRP cases which need to be rejected. We are holding these for further guidance.

Stay warm and have a wonderful Holiday, Denis.

*Van Nguyen*
*Supervisory Adjudications Officer*
*Phone* [redacted] (b)(6)
*Fax: 949-389-3493*
*van.nguyen@dhs.gov*

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 7:14 AM
**To:** Hallam, Larry J; Nguyen, Van T
**Subject:** FW: H1B results from yesterday's lottery

I can't tell from Jessy's out of office message if he is out as of 1030 today or yesterday so to be safe am adding both of you. Merry etc. etc,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, December 24, 2009 10:07 AM
**To:** Loughlin, Stephen J; Collins, Mary Lou E; Benavente, Jessy J
**Cc:** Sweeney, Shelly A; Richardson, Gregory A
**Subject:** H1B results from yesterday's lottery

Can we get the results of the 270 selected in the lottery yesterday, how many were receipted vs. how many were rejected? Any complications arise?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

(b)(6)

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Subject:** RE: H1B CAP filings received on Monday december 21
**Date:** Tuesday, December 22, 2009 9:27:02 AM

---

Denis -

Our numbers from yesterday.

Mary-Lou

CAPs in R-N-S receive date on 12/21/09

VRP- 154

VMP- 23

VRN- 352

VMN- 30

539s- 28

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, December 22, 2009 8:41 AM
To: Collins, Mary Lou E; Stoddard, Becky M; Cullen, Janice L; Petherbridge, Dan R
Subject: Fw: H1B CAP filings received on Monday december 21

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
[redacted]

(b)(6)

----- Original Message -----
From: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E; Benavente, Jessy J
Cc: McConnell, James E; Fitzsimmons, James; Young, Claudia F; Richardson, Gregory A
Sent: Tue Dec 22 08:36:37 2009
Subject: H1B CAP filings received on Monday december 21

VSC, CSC

We need the racked-and-stacked counts from Monday as soon as possible, plus whatever remaining filings you received before Monday that have not been data entered yet, if any. Please confirm with the CRU branches if they have any remaining.

Denis Peck

**From:** Perkins, Robert M
**To:** Sweeney, Shelly A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P; Loughlin, Stephen J
**Subject:** RE: H-1B Cap
**Date:** Wednesday, December 09, 2009 3:25:38 PM

---

Shelley,

Thanks for the update. According to Records, H1B cap cases are considered priority and we are current in this workload. The front log is primarily extensions.

Thanks,

Rob

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, December 09, 2009 2:53 PM
**To:** Perkins, Robert M; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Cc:** Johnson, Bobbie L; Young, Claudia F; Peck, Denis R; Doherty, Shannon P
**Subject:** H-1B Cap

VSC and CSC,

I have confirmed with Jim that there are approximately 4,000 cap numbers left as of COB 12/8. This was calculated by subtracting 80,000 (estimated count) from 84,000 (65,000 minus 1,000 for Chile/Singapore plus 20,000 for Masters).

Rob, can you let BEST know what the contractor front log estimate is?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report
**Date:** Tuesday, June 23, 2009 12:05:20 PM

---

Rob and I thought the reason why it was 24,000 instead of 20,000 was to account for the denials and rejects. Therefore we thought Jim was using the number received.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Peck, Denis R
**Sent:** Tuesday, June 23, 2009 12:04 PM
**To:** Manahan, Lisa F
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report

Not really; you are just counting up the data entered figures. Jim is querying C3 to determine how many are approved or pending. There have been about 600-700 denials already and these he's deducted from the totals. It could be a few more weeks before he give the word that we have enough.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, June 23, 2009 11:39 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

If my calculation is correct we will most likely hit the Master's cap today (24,000). Is Jim going to send a message to let us know when we should start entering STD instead of MAS for the Masters?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Bard, Shanna M
**Sent:** Tuesday, June 23, 2009 10:22 AM
**To:** Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP Report as of COB, June 22, 2009.
Thanks,
Shanna

Shanna M. Bard | VSC – Stanley | HR Generalist/Administrative Assistant | ☎: [redacted] 🖷:

[redacted] | ✉: shanna.bard@dhs.gov

(b)(6)

# Documents from Dennis Peck

# FY10 H1B Related

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Tuesday, May 12, 2009 10:25:30 AM

---

**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Tuesday, May 12, 2009 1:40 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Boberg, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Slesel, Gregory P
**Subject:** CAP Report

All:

No CAP report tonight. Government computer systems down all day, no CAP cases could be keyed. We assembled all cases we received. The following is the current status of what was received today:

Ready to key:

CRN-65
CRP-12
CMN-11
CMP-12

CIS Review:

CRN-8
CRP-1
CMN-4

Rejects:

CRN-5
CRP-2
CMN-1

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted] (b)(6)
(949) 389-3487

From: Shiflett, Julie M
To: Peck, Denis R
Subject: H1B CAP D.E. Tally as of May 5, 2009
Date: Thursday, May 07, 2009 7:56:42 AM

**Tally of CAP Data Entered as of May 5, 2009:**

**Regulars: CSC: 18,243**

**VSC: 27,186**

**Total of: 45,429**

**Masters: CSC: 9,872**

**VSC: 12,482**

**Total of: 22,354**

**Grand Total: 67,783**

Many Thanks,

:)

Julie Shiflett | Management Program Analyst /COTR |Records Divison|USCIS/SCOPS|20 Mass., Ave., Room 2246, Washington, D.C. 20529-2060

[redacted] (202) 272-1542 | Julie.Shiflett@dhs.gov

(b)(6)

**From:** Moulin, Kristen L.
**To:** Siesel, Gregory P.
**Cc:** Peacock, Walter W.; Shiflett, Julie M; Peck, Denis R; Nicholson, Richard E; Moulin, Kristen L.
**Subject:** RE: CSC 2009 H1B CAP Report
**Date:** Wednesday, April 22, 2009 1:39:50 PM
**Importance:** High

---

Hi Greg. Would you be able to assist with ensuring that the formulas are calculating correctly in the daily CAP report per both Denis' and Julie's emails below and send out a revised version for yesterday at your earliest convenience? Thanks. Kristen

---

**From:** Shiflett, Julie M [mailto:julie.shiflett@dhs.gov]
**Sent:** Wednesday, April 22, 2009 11:15 AM
**To:** Moulin, Kristen L.
**Cc:** Peacock, Walter W.; Peck, Denis R
**Subject:** RE: VSC 2009 H1B CAP Report

Good Morning Kristen,

The VSC report looks fine at first glance, however, CSC's report as Denis pointed out under the data entry totals, the H1B CAP line did not carry the 38 through the total and not too sure how the total didn't change with the new numbers, but it's apparent that the formula is not working properly...

:☹

**Julie M. Shiflett**
**Management and Program Analyst**
**Records Management**
**CIS/Service Center Operations (SCOPS)**
**20 Mass., Ave., Room 2246**
**Washington, D.C. 20529-2060**
**☎: 202.272.1071 | 🖷: 202.272.1542**

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Wednesday, April 22, 2009 9:50 AM
**To:** Moulin, Kristen L.; Peck, Denis R; Shiflett, Julie M; Nicholson, Richard E
**Cc:** Peacock, Walter W.
**Subject:** RE: CSC 2009 H1B CAP Report

The daily report tab, data entry totals in column B rows 14-18 is getting updated with Monday's numbers.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Wednesday, April 22, 2009 9:16 AM

**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report

---

**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Wednesday, April 22, 2009 2:30 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
☎(949) 389-3035
🖷(949) 389-3487

**From:** Shiflett, Julie M
**To:** Moulin, Kristen L.
**Cc:** Peacock, Walter W.; Peck, Denis R
**Subject:** RE: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 22, 2009 11:15:06 AM

---

Good Morning Kristen,

The VSC report looks fine at first glance, however, CSC's report as Denis pointed out under the data entry totals, the H1B CAP line did not carry the 38 through the total and not too sure how the total didn't change with the new numbers, but it's apparent that the formula is not working properly...

:⊗

**Julie M. Shiflett**
**Management and Program Analyst**
**Records Management**
**CIS/Service Center Operations (SCOPS)**
**20 Mass., Ave., Room 2246**
**Washington, D.C. 20529-2060**
**☎: 202.272.1071 | 🖷: 202.272.1542**

---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
**Sent:** Tuesday, April 21, 2009 11:40 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Tuesday, April 21, 2009 10:59 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 20, 2009.

Thank you.
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: 802.527.4733 | 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

**From:** Shiflett, Julie M
**To:** Peck, Denis R
**Subject:** RE: CSC 2009 H1B CAP Report
**Date:** Wednesday, April 22, 2009 11:06:09 AM

---

It's a simply formula error – up and down don't even match the across – they didn't include the 38 H1B CAP going across line – if someone would have just double-checked the math they would have seen it…or if someone would have noticed that the total was the same as yesterday, they would have figured it out…

☺

**Julie M. Shiflett**
**Management and Program Analyst**
**Records Management**
**CIS/Service Center Operations (SCOPS)**
**20 Mass., Ave., Room 2246**
**Washington, D.C. 20529-2060**
**☎: 202.272.1071 | 🖷: 202.272.1542**

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 22, 2009 9:53 AM
**To:** Shiflett, Julie M
**Subject:** FW: CSC 2009 H1B CAP Report

Recall what I just said about the problem of sending out work with errors. Kristen did not proof this , then Rich resent it to his management without looking either. Compared to yesterdays it shows the data entry totals were not changed. It's simple mistakes like this that cost credibility.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Wednesday, April 22, 2009 9:50 AM
**To:** Moulin, Kristen L.; Peck, Denis R; Shiflett, Julie M; Nicholson, Richard E
**Cc:** Peacock, Walter W.
**Subject:** RE: CSC 2009 H1B CAP Report

The daily report tab, data entry totals in column B rows 14-18 is getting updated with Monday's numbers.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
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---

**From:** Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: Masters Cap?
**Date:** Tuesday, April 21, 2009 9:21:38 AM

---

Thanks Denis.

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 21, 2009 9:20 AM
**To:** Fitzsimmons, James
**Subject:** FW: Masters Cap?

Jim,

This is something for you to soothe over with the adjudications folks. Just passing it along.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, April 21, 2009 7:04 AM
**To:** Peck, Denis R
**Subject:** FW: Masters Cap?

Denis,

Question about the 24,000 Masters – Did Jim take into consideration that we don't need any extras for rejects this year? Rob and I were talking and thought that a 20% denial rate was very high.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

(b)(6)

---

**From:** Hazuda, Mark J
**Sent:** Thursday, April 16, 2009 4:47 PM
**To:** Perkins, Robert M; Manahan, Lisa F
**Subject:** FW: Masters Cap?

FYI

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 4:37 PM
**To:** Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M;

Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

Sounds good.

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 16, 2009 12:53 PM
**To:** Gregg, Bret S; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

My recommendation is:

24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total is 100,000.

---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 3:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Makes sense rolling them into the regular cap.

We do need some type of cushion in the regular cap though because we will have denials/withdrawals, etc. What's our overall magic number?

---

**From:** Velarde, Barbara Q
**Sent:** Thursday, April 16, 2009 12:46 PM
**To:** Gregg, Bret S; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Jim says our magic number is 24K for the masters so we are okay. We don't need a cushion because they just fold into the regular cap. It is my understanding we just close the cap when we hit it. I am including Jim in case I am saying something wrong. Also, Denis once we hit the master's cap do we update differently to roll into the regular cap?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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---

**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 12:58 PM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| **Totals** | **27576** | **38261** | **65837** | |

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS

[redacted]

(b)(6)

**From:** Kielsmeier, Lauren
**To:** Fitzsimmons, James; Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
**Cc:** Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L
**Subject:** RE: H1B CAP numbers through April 14
**Date:** Thursday, April 16, 2009 10:03:09 AM

---

Thanks, all. Appreciate it.

-----Original Message-----
From: Fitzsimmons, James
Sent: Thursday, April 16, 2009 9:54 AM
To: Velarde, Barbara Q; Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren
Subject: RE: H1B CAP numbers through April 14

The target is 24,000.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, April 16, 2009 9:33 AM
To: Peck, Denis R; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren; Fitzsimmons, James
Subject: RE: H1B CAP numbers through April 14

Including Jim our cap expert. I believe it is 23 or 24K.

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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-----Original Message-----
From: Peck, Denis R
Sent: Thursday, April 16, 2009 9:30 AM
To: Velarde, Barbara Q; Paar, Tom; Richardson, Gregory A
Cc: Kruszka, Robert F; Neufeld, Donald; Jones, Rendell L; Kielsmeier, Lauren
Subject: H1B CAP numbers through April 14

Barbara,

We received 21,915 Masters and 43,559 nonMasters through Tuesday. Our daily intake has been in the 300-500 range since April 8.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126

**From:** Fitzsimmons, James
**To:** Sweeney, Shelly A
**Cc:** Pearce, Timothy A; Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Peck, Denis R
**Subject:** RE: H1B Cap Web Page
**Date:** Tuesday, April 14, 2009 1:23:02 PM

---

The H-2B table should be retained. It is the principal means of keeping filers aware of progress towards target. FY 2010 filings won't begin until June.

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, April 14, 2009 1:05 PM
**To:** Cummings, Kevin J; Young, Claudia F; Williams, Carol L; Fitzsimmons, James; Peck, Denis R
**Cc:** Pearce, Timothy A
**Subject:** H1B Cap Web Page

All,

Attached are some rough preliminary edits to the H1B/H2B cap page. I have not inserted numbers into the table yet as it will change before this has cleared OCC and is ready for posting.

I have a question for the group as a whole regarding the data table currently on the web site. Is it mandatory that we include the number of approvals in the update? If not, can we remove that block? I don't see where we currently have this information filled out, and I think it raises a number of questions (especially since this number will fluctuate).

This is definitely an opportunity to remove any language you feel is unnecessary and add language to items that need clarification. Please let me know of any comments/edits you may have. I will consolidate SCOPS comments/edits and forward to OCC for their clearance.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone: (202) 272-1562*
*Fax: (202) 272-1542*

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| | |
|---|---|
| **From:** | Cummings, Kevin J |
| **To:** | Young, Claudia F; Williams, Carol L; Perkins, Robert M; Fitzsimmons, James |
| **Cc:** | Nicholson, Richard E; Manahan, Lisa F; Peck, Denis R; Collins, Mary-Lou E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Murphy, George H; Sweeney, Shelly A |
| **Subject:** | Re: H-1B Cap Timeline |
| **Date:** | Tuesday, April 14, 2009 8:13:59 AM |

I was out and thus did not participate in the call, but whichever way we are handling them if they are true duplicates in violation of the duplicate filing rule we keep the cash and deny.

--Kevin

----- Original Message -----
From: Young, Claudia F <claudia.young@dhs.gov>
To: Williams, Carol L <carol.l.williams@dhs.gov>; Perkins, Robert M <robert.perkins@dhs.gov>; Fitzsimmons, James <james.fitzsimmons@dhs.gov>
Cc: Nicholson, Richard E <richard.nicholson@dhs.gov>; Manahan, Lisa F <lisa.manahan@dhs.gov>; Peck, Denis R <denis.peck@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>; Cummings, Kevin J <kevin.cummings@dhs.gov>; Gooselaw, Kurt G <kurt.gooselaw@dhs.gov>; Nguyen, Carolyn Q <carolyn.nguyen@dhs.gov>; Sweeney, Mark M <mark.sweeney@dhs.gov>; Whittier, Michelle J <michelle.whittier@dhs.gov>; Howrigan, Tanya L <tanya.howrigan@dhs.gov>; Murphy, George H <george.murphy@dhs.gov>; Sweeney, Shelly A <Shelly.Sweeney@dhs.gov>
Sent: Tue Apr 14 08:09:25 2009
Subject: RE: H-1B Cap Timeline

Please ensure Shelly Sweeney is on these emails as she will be dealing with the operational side of the H1B program with Business Operations.

Thanks,

Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529
(202)272-8163

FOR OFFICIAL USE ONLY (FOUO)

This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

---

From: Williams, Carol L
Sent: Tuesday, April 14, 2009 7:59 AM
To: Perkins, Robert M; Fitzsimmons, James
Cc: Nicholson, Richard E; Manahan, Lisa F; Peck, Denis R; Collins, Mary Lou E; 'Cummings, Kevin J'; Young, Claudia F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Murphy, George H; Williams, Carol L
Subject: RE: H-1B Cap Timeline

All –

I will let Jim address this issue as he handles the duplicate issue.

Thank you.

Carol

---

From: Perkins, Robert M
Sent: Monday, April 13, 2009 11:22 AM
To: Williams, Carol L; Fitzsimmons, James
Cc: Nicholson, Richard E; Manahan, Lisa F; Peck, Denis R; Collins, Mary Lou E; Cummings, Kevin J; Young, Claudia F; Gooselaw, Kurt G; Nguyen, Carolyn Q; Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Murphy, George H
Subject: RE: H-1B Cap Timeline

Carol and Jim,

Could you please summarize the duplicate filing process that was agreed upon last Tuesday? Last year we held all rejects until after the duplicate scrape was completed. I believe we decided not to hold rejects this year, thus allowing petitioners a chance to re-file in a timely manner.

Also, will the duplicate scrape be limited to petitions received from 4/1 – 4/7 only?

Thanks,

Rob

---

From: Williams, Carol L
Sent: Tuesday, April 07, 2009 1:37 PM
To: Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Manahan, Lisa F; Collins, Mary Lou E; Cummings, Kevin J; Young, Claudia F; Peck, Denis R; Hale, Paola Rodriguez; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Sweeney, Shelly A; Fitzsimmons, James
Cc: Sweeney, Shelly A; Howrigan, Tanya L; Fitzsimmons, James; Williams, Carol L
Subject: RE: H-1B Cap Timeline

Additional agenda items below.

---

From: Williams, Carol L
Sent: Tuesday, April 07, 2009 1:05 PM
To: Nicholson, Richard E; Gooselaw, Kurt G; Nguyen, Carolyn Q; Perkins, Robert M; Manahan, Lisa F; Collins, Mary Lou E; Cummings, Kevin J; Young, Claudia F; Peck, Denis R; Hale, Paola Rodriguez; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Sweeney, Shelly A; Fitzsimmons, James
Cc: Sweeney, Shelly A; Howrigan, Tanya L; Fitzsimmons, James
Subject: H-1B Cap Timeline

All

The call in info is below for today's call. Please forward as appropriate.

1-888-453-0622

Participant: 6384919

The agenda items are:

1. Date to begin premium processing and data entry (see email sent yesterday)
2. Duplicates - how will not meeting the cap effect Jim's duplicate scrape?
3. TARP Memo status

If you want to add anything to the agenda please send one consolidated list from each center.

Thank you

Carol

Carol L. Williams

Adjudications Officer

**From:** Kruszka, Robert F
**To:** Peck, Denis R
**Subject:** RE: VSC 2009 H1B CAP Report
**Date:** Monday, April 06, 2009 3:03:07 PM

---

Denis Thanks you.

***Robert F. Kruszka***

Robert F. Kruszka
Deputy Chief, Service Center Operations
U.S. Citizenship and Immigration Services
(b)(6)
20 Massachusetts Avenue, Room 2132
Washington, DC 20529
[redacted]voice
202-272-1543-fax

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---

**From:** Peck, Denis R
**Sent:** Monday, April 06, 2009 3:03 PM
**To:** Kruszka, Robert F
**Subject:** FW: VSC 2009 H1B CAP Report

Robert,

The middle spreadsheet gives the combined total incoming petitions for both centers for the first three days – 55,098 as best estimated, give or take a few.

We should have an updated report including today's incoming mail later today, probably after 5 pm. I will send messages to you for Mike Aytes as soon as they come in.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529 (b)(6)
[redacted]
202-272-1542 FAX

---

**From:** Perkins, Robert M
**Sent:** Monday, April 06, 2009 11:30 AM
**To:** Peck, Denis R
**Cc:** Cummings, Kevin J; Nicholson, Richard E; Williams, Carol L; Manahan, Lisa F; Hazuda, Mark J; Young, Claudia F; Boudreau, Lynn A; Gooselaw, Kurt G; Nguyen, Carolyn Q
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

We were just informed by the contractor that you would like for them to start data entry of premium processing petitions on 2nd shift tomorrow (4/7). If so, would the PP clock start on 4/7 or would we go with our original plan of the PP clock commencing on 4/8 (see attached Word doc)? If getting a jump start on 4/7 means that we would start the clock for all premium petitions on 4/7, then we would not

maximize our data entry efforts, while losing a full day on the premium clock. In my opinion, this would be a big mistake.

Lisa and I were talking this morning (prior to hearing from the contractor) and we were actually going to inquire and see if we could delay D-day until 4/9. This would allow for a full and accurate count of all petitions at the conclusion of the five day filing window. It would also allow the contractor to get a jump on the ~~Post-RNG~~ Acceptability Review procedures that still need to be completed. I believe we may need legal counsel's opinion as to whether we would be on firm legal grounds to delay the start of the PP clock until 4/9, but if so, then it would provide huge dividends to Adjudications as we try to manage 8-10 K premium processing petitions within the 15-day processing window.

Thanks,

**Robert M. Perkins | Assistant Center Director | Vermont Service Center | USCIS |** [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:51 AM
**To:** Peck, Denis R; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

The combined totals for VSC & CSC should be:

Reg. Cap – 21,551
PP Cap - 10,003
Total Reg. – 31,584

Reg. Masters – 11,704
PP Masters - 5,787
Total Master – 17,491

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:19 AM
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count).

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎ [redacted] 802.527.4869| ✉: Mandy.Upton@dhs.gov

(b)(6)

**From:** Collins, Thomas C.
**To:** Moulin, Kristen L.
**Cc:** Peck, Denis R; Shiflett, Julie M
**Subject:** RE: VSC 2009 H1B CAP Report - Day 3
**Date:** Monday, April 06, 2009 11:09:41 AM

---

Kristen,

Fed Ex is only about 700 pieces more than normal, and mail is only slighter higher than normal.

Thanks.

Thomas C. Collins
Acting Site Manager
Stanley SCOSS Team
Vermont Service Center
(D
(B [redacted] (b)(6)

-----Original Message-----
From: Moulin, Kristen L.
Sent: Monday, April 06, 2009 11:00 AM
To: Collins, Thomas C.
Cc: 'denis.peck@dhs.gov'; 'julie.shiflett@dhs.gov'
Subject: Fw: VSC 2009 H1B CAP Report - Day 3

Tom, can you answer Denis' question re today's mail? Thanks. Kristen

---

Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Peck, Denis R <denis.peck@dhs.gov>
To: Moulin, Kristen L.; Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Mon Apr 06 10:57:36 2009
Subject: RE: VSC 2009 H1B CAP Report - Day 3

Kristen, thank you.

Have they sent anything to you regarding today's mail volume - was it just like any other Monday or was there a significant amount of CAP mail?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/DO/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

[redacted] (b)(6)

202-272-1542 FAX

---

From: Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
Sent: Monday, April 06, 2009 10:53 AM
To: Peck, Denis R; Shiflett, Julie M
Subject: Fw: VSC 2009 H1B CAP Report - Day 3

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Mon Apr 06 09:07:42 2009
Subject: VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(:
[redacted]
*: Mandy.Upton@dhs.gov
<mailto:Mandy.Upton@dhs.gov>

(b)(6)

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Subject:** Fw: VSC 4/1 is barcoded.
**Date:** Monday, April 06, 2009 10:44:04 AM

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Briggs, Shawn M <shawn.briggs@dhs.gov>
To: Vincent, Sarah; Upton, Mandy L <mandy.upton@dhs.gov>; VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Sent: Mon Apr 06 10:34:23 2009
Subject: RE: 4/1 is barcoded.

End Counts for CAP 04/01 Mail

VMP: 2,910
VRP: 5,642
VRN: 12,124
VMN: 6,065

Total: 26,741

Thank You,
Shawn Briggs |VSC|SCOSS| Assistant Site Manager | ( 802.527.4700 x4606 | or | x7620 š
shawn.briggs@dhs.gov <blocked::mailto:shawn.briggs@dhs.gov>
P Consider the environment before printing

---

From: Vincent, Sarah J
Sent: Mon 4/6/2009 10:33 AM
To: Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Subject: 4/1 is barcoded.

All 4/1 mail has been bar coded at this time. An updated pending will be sent out to all shortly from Shawn.

Thank you,

Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.|VSC - SCOSS|(: 802.527.4700 ext 4650: Sarah.Vincent@dhs.gov <mailto:Sarah.Vincent@dhs.gov>

---

From: Upton, Mandy L
Sent: Monday, April 06, 2009 9:08 AM
To: VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins,

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Subject:** RE: Anticipated H-1B CAP volume and preparations in advance
**Date:** Wednesday, March 25, 2009 1:31:51 PM

---

Afternoon,

Thank you for the update Denis.

We will look at our CAP plans and make the necessary adjustments.

I'll get back with you on what impact these reductions will have on staffing.

Thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Wednesday, March 25, 2009 12:54 PM
**To:** Peacock, Walter W.
**Cc:** Salter, Heidi M; Shiflett, Julie M
**Subject:** Anticipated H-1B CAP volume and preparations in advance

Walter,

We've finished a teleconference today on the CAP filing season starting a week from today. In February the best estimate I could provide you was to prepare for volume in line with what we received in 2008. We no longer believe this will be the case. We believe now that volume at most will be commensurate with 2007, when we received approximately 120,000 filings. Accordingly you should anticipate receiving 75,000, not 100,000 filings at Vermont and 45,000, not 60,000 filings at California. Please make any adjustments to your plans accordingly. When you have finished please send me these updates with the revised dates, staffing figures and any process changes you incorporate.

Ultimately, we'll only know by the end of the day April 1. Our plans must remain flexible to deal with the contingencies of significantly lower volume than even the numbers I listed above.

Regards,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX (b)(6)

without prior authorization of the originator.

---

**From:** Williams, Carol L
**Sent:** Tuesday, March 24, 2009 8:21 AM
**To:** Velarde, Barbara Q; Cummings, Kevin J; Young, Claudia F
**Cc:** Williams, Carol L
**Subject:** H-1B Cap/I-129 Question

All –

Kevin asked me to send this issue to you all for discussion and decision. The service centers are asking when the start date indicated on the I-129 form is blank or has something such as "ASAP" written in can they reject the form.

Let me know when you'd like to discuss. Ideally, I'd like to get a response to the service centers by Thursday of this week.

Thank you.

Carol

Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P: 202-272-8454
F: 202-272-1543

# Documents from Dennis Peck

# FY10 H1B Related

**From:** Bushey, Sandra T
**To:** Peck, Denis R
**Subject:** RE: H1B meeting
**Date:** Monday, March 02, 2009 3:33:35 PM

---

Denis,

Rob is scheduled for the 6:00 a.m. flight, which gets to Washington about 7:45 so if it is on time he should make it with plenty of time. I will let him know that if the flight is delayed longer than 1 hours then he should probably not go.

We will call in for 9:00 a.m.

Thanks
Sandi

---

**From:** Peck, Denis R
**Sent:** Monday, March 02, 2009 3:22 PM
**To:** Bushey, Sandra T
**Cc:** Shiflett, Julie M; 'Lundquist, Mark E'
**Subject:** RE: H1B meeting

Sorry to hear about Lisa; as for Rob I hope he can get here by 9:00. We can wait up until 9:30 if need be. Call 1-888-534-8823, passcode 7154889, starting at 9:00 am.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
202-272-1081
202-272-1542 FAX

---

**From:** Bushey, Sandra T
**Sent:** Monday, March 02, 2009 3:07 PM
**To:** Peck, Denis R
**Subject:** H1B meeting

Denis,

Tomorrow (3/3/09) Rob Perkins and Lisa Manahan were going to travel to Washington and participate in the H1B meeting with Stanley. Unfortunately Lisa called in sick today and informed us that she has pneumonia. She will be unable to attend this meeting. We are still expecting that Rob Perkins will be traveling in the morning (weather permitting) and would like to have our Records POC participate via conference call.

Could you please provide the call in number and estimated start time for the meeting. I will also try to attend this call with our Records POC.

Thanks
Sandi

# Documents from Dennis Peck

# FY10 H1B Related

**From:** Peck, Denis R
**To:** Patel, Shivani M; Lundquist, Mark E
**Subject:** FW: FY11 VSC H1B CAP Report PUT this in 6.2.8.4 as a VSC specific report
**Date:** Wednesday, May 26, 2010 11:28:00 AM
**Attachments:** FY11 VSC H1B CAP Report.xls

Shivani/Mark,

Put a screenshot into the RFP if you can of this spreadsheet. One tab of it is enough. I used the first tab.

Vermont
Service
Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 | 4,317 | 6,819 | 5,273 | 3,124 | | | 52,281 |

| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
|---|---|---|---|---|---|---|
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 | 6,134 |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 | 1,600 |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 | 2,218 |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 | 939 |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 | 10,891 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 | 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 | 140 | 98 | 193 | 56 | | | 6,802 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 31 | 54 | 31 | 57 | 58 | 68 | 53 | | | 1,867 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 | 77 | 15 | 79 | 59 | | | 2,514 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 | 37 | 17 | 30 | 16 | | | 1,039 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 | 311 | 188 | 370 | 184 | 0 | 0 | 12,222 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received in FY 2011 CAP season | 12,222 |
| Grand total received in FY 2010 CAP season | 58,265 |
| % Change: FY11 receipts over FY10 receipts | 79.02% |

Use this verbage:

H1B CAP report...is a spreadsheet maintained by the contractor to report the daily received and production figures during the annual H1B CAP filing season beginning on April 1. Submitted to the VSC COTR each day. This spreadsheet is also maintained at CSC...

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2128
Washington, DC 20529
[redacted] FAX (b)(6)

---

**From:** Loughlin, Stephen J
**Sent:** Thursday, April 15, 2010 10:39 AM
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E
**Subject:** FW: FY11 VSC H1B CAP Report

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(802) 527-4700 ext. 4763

---

**From:** Surprenant, Mandy
**Sent:** Thursday, April 15, 2010 10:17 AM
**To:** Surprenant, Mandy; VSC STANLEY Admin
**Cc:** Loughlin, Stephen J; Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; 'Cullen, Janice L'; 'Stoddard, Becky M'; Perkins, Robert M; 'Peacock, Walter W.'; 'Treacy, Erin'; Sweeney, Mark M; Shuttle, Peter J
**Subject:** FY11 VSC H1B CAP Report

All,

# Vermont Service Center

| All Mail Received - Not Opened | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| Number of Envelopes / Packages | 9,161 | 7,204 | 4,703 | 5,058 | 2,715 | 3,907 |

| Barcoding Progress | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 |
|---|---|---|---|---|---|
| (VRN) H1B CAP | 116 | 5,251 | 402 | 194 | 171 |
| (VRP) H1B CAP - Premium | 876 | 548 | 79 | 55 | 42 |
| (VMN) H1B Masters | 87 | 1,795 | 117 | 109 | 110 |
| (VMP) H1B Masters - Premium | 354 | 498 | 45 | 12 | 30 |
| Totals | 1,433 | 8,092 | 643 | 370 | 353 |

| Estimated Daily Receipts | 4/1/10 | 4/2/10 | 4/5/10 | 4/6/10 | 4/7/10 | 4/8/10 |
|---|---|---|---|---|---|---|
| (VRN) H1B CAP | 4,766 | 698 | 340 | 166 | 164 | 181 |
| (VRP) H1B CAP - Premium | 1,261 | 166 | 68 | 51 | 54 | 31 |
| (VMN) H1B Masters | 1,543 | 388 | 82 | 104 | 101 | 66 |
| (VMP) H1B Masters - Premium | 786 | 77 | 37 | 11 | 28 | 0 |
| Totals | 8,356 | 1,329 | 527 | 332 | 347 | 278 |

Unidentified

Grand total received in FY 2011 CAP season

Grand total received in FY 2010 CAP season

% Change: FY11 receipts over FY10 receipts

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 4,317 | 6,819 | 5,273 | 3,124 | | | 52,281 |

| Total |
|---|
| 6,134 |
| 1,600 |
| 2,218 |
| 939 |
| 10,891 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 | Total |
|---|---|---|---|---|---|---|
| 140 | 98 | 193 | 56 | | | 6,802 |
| 57 | 58 | 68 | 53 | | | 1,867 |
| 77 | 15 | 79 | 59 | | | 2,514 |
| 37 | 17 | 30 | 16 | | | 1,039 |
| 311 | 188 | 370 | 184 | 0 | 0 | 12,222 |

0

12,222

58,265

-79.02%

**From:** Peck, Denis R
**To:** Loughlin, Stephen J; Collins, Mary Lou E
**Subject:** FW: CAP numbers from CSC
**Date:** Monday, April 05, 2010 1:55:00 PM
**Attachments:** FY11 Cap report (CSC 4-2-10 NFTS numbers).xls

This is how we wanted them to report it. So just as soon as this is completed up there we can update upper mgt down here on what the numbers for the first two days are. As you can see they dropped off over 1,300 from the initial estimates.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 1:28 PM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; McConnell, James E; Fitzsimmons, James
**Subject:** FW: CAP numbers

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 10:20 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L
**Subject:** RE: CAP numbers

Walter/Rich,

Attached is the revised CSC 4-2-10 CAP report. (CSC CAP numbers thru April 2nd.)

We will send out a new 4-3-10 CAP report with today's receipts.

OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 9:21 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Subject:** RE: CAP numbers

Walter/Rich,

We have some missing box ranges due to NFTS upload problems on Friday.

We are in the process of reauditing those missing box ranges.

My best estimate is NLT 1100 (Pacific) that I'll be able to send you the final numbers.

Regards,

Greg

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| | |

| 4/7/10 | Total |
|---|---|
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |

| r bucket) | |
|---|---|
| 4/7/10 | Total |
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |

| | |
|---|---|
| | 0 |
| | 7,425 |
| | 43,796 |
| | 83.05% |

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, June 23, 2009 11:38:56 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Denis,

If my calculation is correct we will most likely hit the Master's cap today (24,000). Is Jim going to send a message to let us know when we should start entering STD instead of MAS for the Masters?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

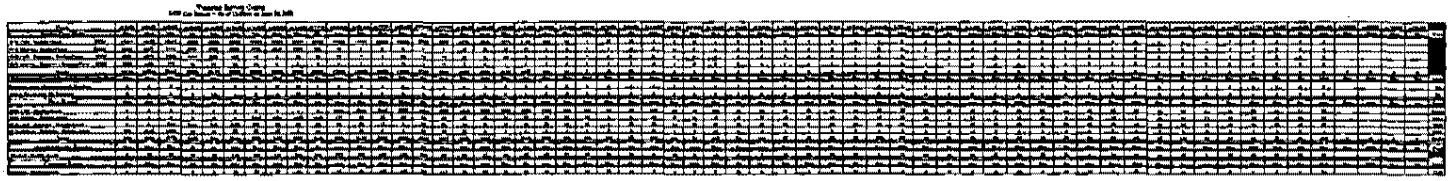
---

**From:** Bard, Shanna M
**Sent:** Tuesday, June 23, 2009 10:22 AM
**To:** Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP Report as of COB, June 22, 2009.
Thanks,
Shanna (b)(6)

Shanna M. Bard | VSC – Stanley | HR Generalist/Administrative Assistant | ☎: [redacted] 🖷:

802.527.4869 | ✉: shanna.bard@dhs.gov



**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Wednesday, June 10, 2009 9:35:27 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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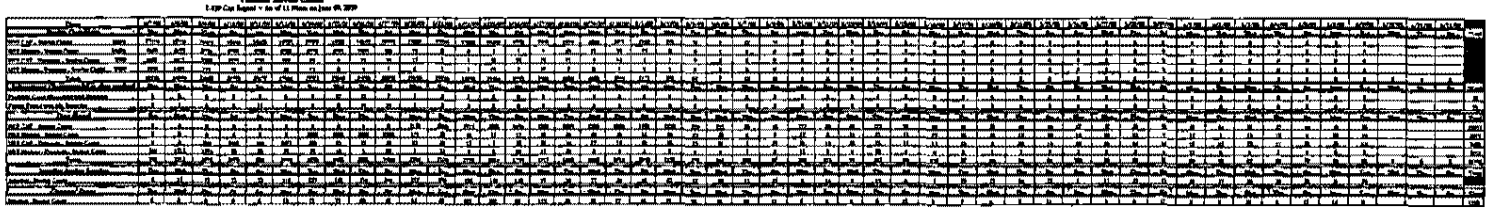
Good morning, Denis, Julie. Please see attached for the CAP reports as of COB yesterday. Thanks!
Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com



**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Wednesday, June 03, 2009 12:35:43 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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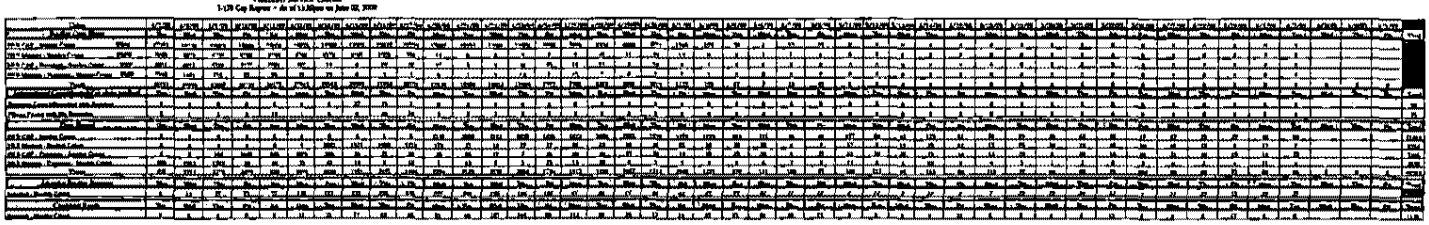
Hi Denis, Julie, please see attached for the CAP reports as of COB yesterday. I didn't get the CRIS reject listing this morning. Is this something you need daily? Thanks. Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com



**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Tuesday, May 26, 2009 2:51:45 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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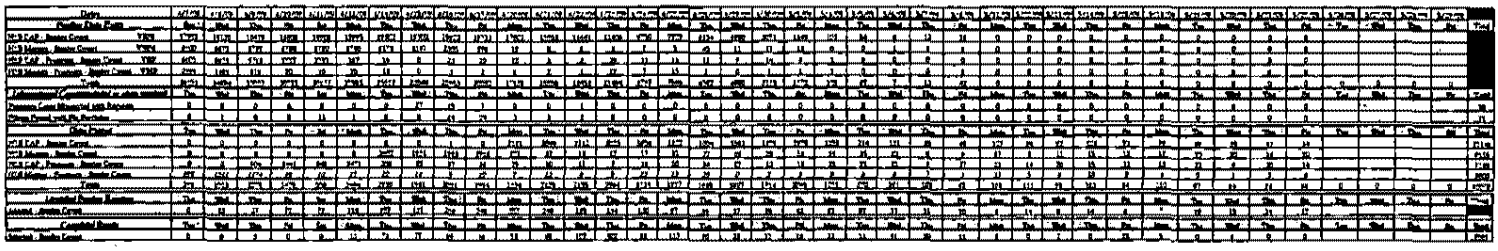
Hi Denis, Julie, please find the CAP reports as of COB Friday 5/22/09 attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

Vermont Service Centers

3 YR Cap Report – As of 11:30pm on May 23, 2009



**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, May 18, 2009 10:30:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L [mailto:mlupton@fins3.dhs.gov]
**Sent:** Monday, May 18, 2009 10:30 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 15, 2009.

(b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted]
Mandy.Upton@dhs.gov

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, May 18, 2009 10:30:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center (b)(6)
Phone: [redacted]

---

**From:** Upton, Mandy L [mailto:mlupton@fins3.dhs.gov]
**Sent:** Monday, May 18, 2009 10:30 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 15, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report - As of 11:30pm on May 15, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Pending Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Border Count VBN | 17952 | 18130 | 18417 | 18974 | 18974 | 18974 | 19302 | 19502 | 19832 | 19733 | 17402 | 15550 | 13441 | 11478 | 9728 | 7529 | 6324 | 4865 | 3973 | 3145 | 2175 | 1173 | 893 | 58 | 6 | 12 | 29 | 0 | 0 | 0 | 0 | 0 | |
| H1B Meeting - Border Count VBN | 8695 | 8672 | 8732 | 8730 | 8730 | 8730 | 8178 | 4567 | 2975 | 976 | 10 | 0 | 8 | 3 | 7 | 8 | 15 | 11 | 33 | 13 | 9 | 0 | 1 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | | |
| H1B CAP - Premium - Border Count VBP | 6401 | 6611 | 6744 | 7337 | 8731 | 167 | 19 | 0 | 23 | 80 | 12 | 3 | 3 | 24 | 33 | 18 | 11 | 9 | 11 | 9 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| H1B Meeting - Premium - Border Count VBP | 2998 | 1491 | 119 | 20 | 12 | 20 | 12 | 0 | 3 | 3 | 0 | 3 | 1 | 19 | 7 | 15 | 2 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Totals | 36131 | 34904 | 33917 | 35773 | 36177 | 27961 | 27512 | 24569 | 23053 | 20182 | 17819 | 15574 | 13472 | 11463 | 9777 | 7966 | 6367 | 4899 | 3135 | 3172 | 2185 | 1173 | 894 | 67 | 7 | 12 | 29 | 0 | 0 | 0 | 0 | 0 | |
| *Information Completed at above number* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Mismatched with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 59 | |
| Cases Found with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 34 | 19 | 2 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 | |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Border Count | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2131 | 2049 | 2113 | 2015 | 1658 | 1822 | 1604 | 1582 | 1374 | 1978 | 1199 | 814 | 114 | 66 | 48 | 117 | 64 | 63 | 127 | 11 | 20299 |
| H1B Meeting - Border Count | 0 | 0 | 0 | 0 | 0 | 0 | 2692 | 1931 | 1988 | 1918 | 171 | 37 | 18 | 17 | 17 | 13 | 27 | 68 | 20 | 52 | 24 | 15 | 20 | 0 | 0 | 12 | 0 | 11 | 15 | 12 | 9063 |
| H1B CAP - Premium - Border Count | 0 | 0 | 924 | 1693 | 549 | 1471 | 304 | 33 | 37 | 36 | 28 | 30 | 17 | 7 | 18 | 30 | 14 | 17 | 14 | 10 | 25 | 13 | 21 | 0 | 37 | 11 | 14 | 20 | 13 | 17 | 2106 | |
| H1B Meeting - Premium - Border Count | 398 | 1513 | 1374 | 39 | 19 | 35 | 22 | 10 | 3 | 10 | 1 | 13 | 6 | 0 | 23 | 13 | 20 | 0 | 3 | 5 | 0 | 4 | 6 | 7 | 3 | 12 | 6 | 6 | 15 | 9 | 2179 | |
| Totals | 398 | 1513 | 2298 | 1732 | 570 | 3506 | 3018 | 1974 | 2028 | 1964 | 2331 | 2129 | 2154 | 2039 | 1716 | 1877 | 1665 | 1667 | 1411 | 2045 | 1262 | 846 | 161 | 73 | 87 | 152 | 84 | 100 | 170 | 49 | 33649 | |
| *Identified Pending Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Internet - Border Count | 0 | 13 | 37 | 72 | 75 | 110 | 157 | 131 | 226 | 295 | 257 | 209 | 195 | 134 | 120 | 87 | 59 | 37 | 26 | 42 | 63 | 37 | 33 | 11 | 19 | 8 | 15 | 9 | 11 | 6 | | |
| *Completed Rejects* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Rejected - Border Count | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 48 | 53 | 69 | 107 | 172 | 99 | 113 | 70 | 33 | 12 | 19 | 83 | 31 | 45 | 20 | 11 | 8 | 0 | 7 | 9 | 13 | 1077 | |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Tuesday, May 12, 2009 10:25:26 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Tuesday, May 12, 2009 10:19 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 11, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎ [redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 11, 2009

| Daily | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | [redacted] |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total | |
| H1B CAP - Regular Cases VSC | 17951 | 18139 | 18459 | 18459 | 18459 | 18951 | 19053 | 19203 | 19622 | 19733 | 17693 | 15953 | 13441 | 11475 | 9729 | 7925 | 6324 | 4998 | 3971 | 1197 | 197 | 84 | 6 | 12 | 20 | 8 | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases VSC | 8698 | 8672 | 8721 | 8781 | 8781 | 8789 | 8178 | 4347 | 2293 | 396 | 19 | 0 | 8 | 3 | 7 | 5 | 45 | 11 | 52 | 13 | 9 | 8 | 1 | 1 | 6 | 0 | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases VSC | 6451 | 6611 | 6749 | 1327 | 1781 | 167 | 15 | 9 | 32 | 20 | 12 | 5 | 5 | 26 | 17 | 18 | 11 | 9 | 14 | 9 | 1 | 5 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases VSC | 2944 | 1481 | 119 | 30 | 10 | 20 | 13 | 0 | 5 | 2 | 0 | 1 | 1 | 19 | 7 | 13 | 3 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | | | | | | | | | | | | |
| Total: | 36111 | 34904 | 33997 | 30753 | 29177 | 27963 | 28112 | 23549 | 21952 | 20151 | 17724 | 15978 | 13455 | 11463 | 9757 | 7961 | 6383 | 5009 | 4110 | 1173 | 195 | 47 | 7 | 13 | 12 | 2 | 0 | 0 | 0 | 0 | | | | | | | |
| Data Entered/Consolidated to other Sections | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total | |
| Petitions Cases Not worked with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 18 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 80 | |
| Petitions Worked with No Receipts | 0 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 21 | 21 | 3 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 71 | |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total | |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 2049 | 2112 | 2075 | 1654 | 1523 | 1054 | 1495 | 1478 | 1179 | 1137 | 414 | 111 | 68 | 58 | 117 | | | | | | | | | | 20879 | |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2607 | 1771 | 1088 | 1118 | 171 | 37 | 15 | 17 | 17 | 33 | 22 | 69 | 28 | 52 | 38 | 25 | 20 | 8 | 9 | 17 | | | | | | | | | | 7917 | |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 994 | 2441 | 849 | 2471 | 203 | 31 | 12 | 26 | 25 | 29 | 17 | 7 | 28 | 50 | 34 | 17 | 19 | 18 | 25 | 22 | 23 | 9 | 12 | 21 | | | | | | | | | | 7047 | |
| H1B Masters - Premium - Regular Cases | 298 | 1513 | 1171 | 31 | 10 | 22 | 22 | 18 | 8 | 10 | 7 | 13 | 8 | 3 | 22 | 13 | 28 | 0 | 3 | 3 | 9 | 4 | 4 | 1 | 3 | 12 | | | | | | | | | | 2549 | |
| Total: | 298 | 1513 | 2277 | 2472 | 859 | 2493 | 2832 | 1827 | 1109 | 1154 | 2324 | 2128 | 2152 | 2102 | 1721 | 1619 | 1138 | 1581 | 1528 | 1252 | 1209 | 465 | 158 | 86 | 82 | 167 | 0 | 0 | 0 | 0 | | | | | | 30592 | |
| Manifest Pending Receipt | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total | |
| Selected - Regular Cases | 0 | 13 | 77 | 73 | 72 | 139 | 157 | 121 | 215 | 249 | 257 | 249 | 195 | 129 | 120 | 97 | 36 | 17 | 36 | 12 | 62 | 37 | 23 | 11 | 10 | 6 | | | | | | | | | | | |
| Completed Records | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total | |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 13 | 71 | 77 | 99 | 58 | 82 | 99 | 107 | 102 | 98 | 113 | 28 | 33 | 17 | 16 | 33 | 31 | 18 | 29 | 11 | 8 | | | | | | | | | | 1060 | |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Nicholson, Richard E
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Monday, May 11, 2009 10:06:23 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Fyi

----- Original Message -----
From: Upton, Mandy L
To: VSC STANLEY Admin; 'Collins, Thomas C.' <thomas.collins@stanleyassociates.com>; 'Peacock, Walter W.' <Walter.Peacock@stanleyassociates.com>; 'Moulin, Kristen L.' <Kristen.Moulin@stanleyassociates.com>
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Sent: Mon May 11 10:05:06 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 08, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|([redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center
I-129 Cap Report – As of 11:30pm on May 08, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Service Center VSC | 17952 | 19150 | 19419 | 19806 | 19809 | 19995 | 19993 | 19997 | 19632 | 19722 | 19733 | 17862 | 13553 | 13441 | 11094 | 8770 | 7928 | 6724 | 6049 | 3971 | 3149 | 1052 | 258 | 6 | 12 | 29 | | | | | |
| H1B Masters - Service Center VMSC | 8969 | 8672 | 8724 | 8780 | 8780 | 8799 | 8178 | 6247 | 2295 | 256 | 19 | 0 | 8 | 3 | 7 | 6 | 15 | 11 | 33 | 11 | 9 | 0 | 1 | 1 | 6 | | | | | | |
| H1B CAP - Processing - Service Center VRSC | 8493 | 6611 | 5716 | 3137 | 2781 | 167 | 19 | 9 | 23 | 20 | 12 | 3 | 3 | 26 | 33 | 10 | 13 | 9 | 15 | 9 | 1 | 9 | 0 | 0 | 9 | | | | | | |
| H1B Masters - Processing - Service Center VMSC | 2998 | 1491 | 119 | 20 | 19 | 20 | 13 | 9 | 3 | 3 | 6 | 3 | 3 | 19 | 7 | 15 | 2 | 9 | 1 | 1 | 0 | 0 | 0 | 0 | 4 | | | | | | |
| Totals | 38412 | 34974 | 33977 | 31743 | 30117 | 29963 | 27913 | 26347 | 21953 | 20153 | 17610 | 13518 | 13453 | 11464 | 8777 | 7994 | 6953 | 6089 | 5198 | 3192 | 1173 | 295 | 67 | 7 | 13 | 42 | 0 | 0 | 0 | 0 | 0 |
| Information Cases Conducted as above mentioned | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Processing Cases Associated with Petitions | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 19 | 7 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 89 |
| Cases Created with No Petitions | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 21 | 24 | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3833 | 2549 | 2132 | 2055 | 1634 | 1628 | 1095 | 1082 | 1078 | 1078 | 1189 | 211 | 111 | 30 | 48 | | | | | | 20963 |
| H1B Masters - Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 2662 | 1931 | 1988 | 1918 | 171 | 32 | 10 | 17 | 17 | 32 | 32 | 69 | 28 | 32 | 28 | 28 | 32 | 4 | 9 | | | | | | 8990 |
| H1B CAP - Processing - Service Center | 0 | 0 | 904 | 2941 | 949 | 2477 | 878 | 13 | 17 | 26 | 29 | 30 | 17 | 7 | 30 | 30 | 34 | 17 | 29 | 19 | 25 | 28 | 21 | 9 | 12 | | | | | | 3126 |
| H1B Masters - Processing - Service Center | 378 | 1533 | 1274 | 88 | 19 | 26 | 22 | 13 | 3 | 10 | 7 | 13 | 8 | 3 | 23 | 13 | 20 | 9 | 5 | 3 | 9 | 8 | 4 | 7 | 3 | | | | | | 3534 |
| Totals | 378 | 1533 | 2178 | 3029 | 968 | 2503 | 3562 | 1957 | 2008 | 1954 | 4040 | 2624 | 2167 | 2082 | 1704 | 1703 | 1181 | 1177 | 1140 | 1132 | 1251 | 275 | 168 | 50 | 72 | 0 | 0 | 0 | 0 | 0 | 35571 |
| Municipal Petition Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Service Center | 0 | 15 | 47 | 72 | 72 | 118 | 137 | 131 | 210 | 244 | 287 | 249 | 193 | 154 | 120 | 67 | 50 | 17 | 28 | 43 | 65 | 87 | 33 | 13 | 10 | | | | | | 1952 |
| Completed Runs | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Service Center | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | 48 | 53 | 69 | 197 | 193 | 89 | 113 | 50 | 33 | 17 | 16 | 33 | 51 | 41 | 20 | 13 | | | | | | 1952 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Friday, May 08, 2009 10:53:53 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Friday, May 08, 2009 10:34 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 07, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎ [redacted] ✉: Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center
I-129 Cap Report – As of 11:30pm on May 07, 2009

| Days | 4/7/08 | 4/8/08 | 4/9/08 | 4/10/08 | 4/11/08 | 4/12/08 | 4/13/08 | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/19/08 | 4/20/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/26/08 | 4/27/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Expedite | 17052 | 16120 | 16410 | 16076 | 15676 | 16099 | 15705 | 15702 | 15432 | 15423 | 15273 | 15072 | 13553 | 12441 | 11076 | 9732 | 7729 | 6324 | 4989 | 3971 | 3149 | 2123 | 1533 | 1 | 12 | | | | | | | | | | | | | |
| H1B Masters - Premium Expedite | 8670 | 8672 | 8723 | 8701 | 8701 | 8799 | 8479 | 8247 | 8095 | 7956 | 7956 | 7956 | 6 | 8 | 5 | 7 | 5 | 45 | 11 | 22 | 14 | 9 | 8 | 1 | 1 | | | | | | | | | | | | | |
| H1B CAP - Premium - Premium Expedite | 6931 | 6611 | 5768 | 5217 | 5785 | 367 | 17 | 9 | 25 | 20 | 12 | 3 | 3 | 36 | 33 | 18 | 11 | 9 | 15 | 5 | 1 | 7 | 0 | 0 | | | | | | | | | | | | | |
| H1B Masters - Premium - Premium Expedite | 2998 | 1491 | 118 | 81 | 19 | 20 | 15 | 9 | 5 | 3 | 4 | 3 | 1 | 19 | 7 | 19 | 3 | 4 | 1 | 1 | 1 | 0 | 0 | 0 | | | | | | | | | | | | | |
| Totals | 36151 | 34894 | 33977 | 30723 | 30177 | 27961 | 25113 | 25549 | 23557 | 23103 | 23245 | 22134 | 15578 | 12453 | 11041 | 9757 | 7748 | 6383 | 5009 | 4119 | 3173 | 2139 | 1542 | 2 | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Information Complete/Ready to Data Enter | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Received with Receipt | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 18 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | 58 |
| Fiscal Passed with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 34 | 24 | 3 | 3 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Expedite | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 7133 | 3069 | 2112 | 2025 | 1636 | 1323 | 1005 | 1502 | 1178 | 879 | 1179 | 815 | 611 | 86 | | | | | | | | | | | | | 29454 |
| H1B Masters - Premium Expedite | 0 | 0 | 0 | 0 | 0 | 0 | 3692 | 1953 | 1998 | 1918 | 171 | 37 | 18 | 17 | 17 | 33 | 32 | 69 | 50 | 32 | 19 | 25 | 30 | 8 | | | | | | | | | | | | | 8971 |
| H1B CAP - Premium - Premium Expedite | 0 | 0 | 904 | 2341 | 598 | 2471 | 274 | 52 | 17 | 36 | 20 | 30 | 17 | 7 | 58 | 80 | 34 | 17 | 10 | 18 | 25 | 25 | 31 | 0 | | | | | | | | | | | | | 6099 |
| H1B Masters - Premium - Premium Expedite | 109 | 1513 | 1171 | 38 | 19 | 25 | 32 | 19 | 5 | 19 | 7 | 10 | 8 | 5 | 25 | 52 | 20 | 0 | 3 | 3 | 0 | 6 | 6 | 7 | | | | | | | | | | | | | 1553 |
| Totals | 109 | 1513 | 2075 | 2379 | 617 | 2496 | 3998 | 2024 | 2021 | 1973 | 7331 | 3146 | 2155 | 2054 | 1736 | 1487 | 1091 | 1587 | 1241 | 932 | 1223 | 870 | 678 | 101 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 44577 |
| Identified Pending Rejection | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Expedite | 0 | 13 | 27 | 72 | 72 | 111 | 157 | 131 | 178 | 246 | 257 | 249 | 195 | 154 | 139 | 87 | 34 | 12 | 28 | 42 | 67 | 57 | 32 | 11 | | | | | | | | | | | | | 2111 |
| Completed Rejects | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Expedite | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 72 | 69 | 68 | 58 | 69 | 107 | 102 | 95 | 112 | 80 | 28 | 17 | 35 | 53 | 51 | 41 | 20 | | | | | | | | | | | | | 1044 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Thursday, May 07, 2009 10:55:18 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Thursday, May 07, 2009 10:19 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 06, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] (b)(6)
Mandy.Upton@dhs.gov

Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on May 06, 2009

| Days | 4/1/09 | 4/2/09 | 4/3/09 | 4/4/09 | 4/5/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Cases History | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Total |
| I-129 CAP - Regular Cases VRIN | 17952 | 16139 | 15419 | 14976 | 14676 | 14095 | 13502 | 12992 | 12452 | 11433 | 10723 | 11703 | 10953 | 10323 | 9739 | 9329 | 8725 | 8325 | 7929 | 7529 | 6929 | 6329 | 5729 | 5129 | 4529 | 3929 | 3329 | 2729 | 2129 | 1529 | 929 | 329 | 4 | | | | | | | | | | | |
| I-129 Masters - Regular Cases VMRN | 8950 | 8672 | 8372 | 8072 | 7772 | 7772 | 6178 | 6147 | 5947 | 5705 | 5506 | 5306 | 5106 | 4906 | 4706 | 4506 | 4306 | 4106 | 3906 | 3706 | 3506 | 3306 | 3106 | 2906 | 2706 | 2506 | 2306 | 2106 | 1906 | 1706 | 1506 | 1306 | 1106 | 906 | 706 | 506 | 306 | 106 | 1 | | | | | |
| I-129 CAP - Premium - Regular Cases VRIP | 4681 | 4611 | 4588 | 3137 | 3781 | 167 | 19 | 9 | 25 | 20 | 12 | 3 | 3 | 34 | 33 | 19 | 11 | 9 | 15 | 9 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| I-129 Masters - Premium - Regular Cases VMRP | 2958 | 2951 | 118 | 20 | 10 | 20 | 10 | 9 | 2 | 2 | 6 | 3 | 1 | 19 | 7 | 15 | 2 | 9 | 1 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Totals | 34531 | 34094 | 33977 | 30773 | 29177 | 27744 | 25318 | 24349 | 23971 | 20182 | 17849 | 17379 | 16178 | 15483 | 14485 | 13969 | 13147 | 12449 | 11849 | 11243 | 10477 | 9683 | 8837 | 8041 | 7235 | 6435 | 5635 | 4835 | 4035 | 3235 | 2435 | 1635 | 1110 | 906 | 706 | 506 | 306 | 106 | 1 | 0 | 0 | 0 | 0 | 0 | |
| Information Considered at this meeting | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Total |
| Pending Cases Not started with Reviewer | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 18 | 7 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 53 |
| Pending Cases with No Reviewer | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 21 | 21 | 2 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Date Entered | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Total |
| I-129 CAP - Regular Cases | 8 | 9 | 8 | 5 | 9 | 8 | 9 | 8 | 1 | 8 | 2111 | 2099 | 2113 | 2079 | 2056 | 1922 | 1894 | 1882 | 1876 | 1978 | 1159 | 711 | 111 | | | | | | | | | | | | | | | | | | | | | 20328 |
| I-129 Masters - Regular Cases | 8 | 9 | 9 | 9 | 9 | 9 | 2093 | 1921 | 1098 | 1018 | 171 | 37 | 18 | 17 | 17 | 17 | 22 | 22 | 22 | 18 | 22 | 18 | 23 | 22 | | | | | | | | | | | | | | | | | | | | | 2951 |
| I-129 CAP - Premium - Regular Cases | 8 | 9 | 896 | 2441 | 896 | 2971 | 896 | 32 | 31 | 26 | 22 | 30 | 17 | 7 | 19 | 29 | 22 | 21 | 17 | 19 | 10 | 15 | 23 | 22 | | | | | | | | | | | | | | | | | | | | | 9979 |
| I-129 Masters - Premium - Regular Cases | 896 | 1813 | 1174 | 28 | 19 | 21 | 22 | 18 | 6 | 10 | 7 | 13 | 8 | 3 | 20 | 13 | 20 | 0 | 2 | 3 | 2 | 6 | 6 | | | | | | | | | | | | | | | | | | | | | 1126 |
| Totals | 920 | 1840 | 2087 | 2479 | 934 | 3009 | 3020 | 1981 | 1134 | 2063 | 2311 | 2179 | 2156 | 2106 | 2112 | 1981 | 1958 | 1925 | 1917 | 2018 | 1193 | 750 | 163 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34404 |
| Identified Pending Reopens | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Total |
| Selected - Regular Cases | 0 | 32 | 27 | 72 | 72 | 118 | 157 | 131 | 216 | 296 | 267 | 249 | 195 | 191 | 180 | 97 | 54 | 17 | 28 | 43 | 44 | 51 | 55 | | | | | | | | | | | | | | | | | | | | | 2156 |
| Completed Reopens | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 87 | 68 | 48 | 48 | 48 | 97 | 103 | 88 | 110 | 39 | 33 | 17 | 19 | 32 | 51 | 51 | | | | | | | | | | | | | | | | | | | | | 1011 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Wednesday, May 06, 2009 3:48:48 PM
**Attachments:** 2009 H-1B Cap Report (5-5-09 11 PM).xls

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Wednesday, May 06, 2009 3:42 PM
**To:** Siesel, Gregory P; CR Nelson, Marvin; Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice
**Subject:** RE: CAP Report

ALL,

Attached is the CAP report for 5/5/09 (11 PM)

Regards,

Greg

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Tuesday, May 05, 2009 1:36 PM
**To:** Nelson, Marvin E; Akeo, Timothy R; Benavente, Jessy J; Bobeng Jr, John W; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice; Siesel, Gregory P
**Subject:** RE: CAP Report

ALL,

Attached is the CAP report for 5/4/09 (11 PM)

Regards,

Greg

California Service Center

I-129 Cap Report

As of 11 P.M.

| 05/06/09 | | JULIAN DATE(S) | | | | | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
| *Receipt Data Entry* | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | | | | | | | | | |
| H1B CAP | 14,012 | 14,004 | 14,004 | 14,004 | 14,004 | 14,004 | 14,004 | 14,004 | 14,004 | 13,867 | 11,730 | 10,436 | 9,245 | 7,628 | 5,845 | 4,125 | 2,325 | 841 | 304 | 236 | 102 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters | 6,986 | 6,979 | 6,979 | 6,979 | 6,978 | 6,977 | 3,761 | 2,202 | 544 | 470 | 412 | 335 | 197 | 173 | 146 | 100 | 70 | 34 | 22 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B CAP - Premium | 4,866 | 4,577 | 3,454 | 1,858 | 411 | 337 | 306 | 298 | 235 | 196 | 174 | 134 | 127 | 113 | 98 | 81 | 58 | 47 | 31 | 21 | 7 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium | 3,114 | 3,107 | 3,107 | 3,107 | 2,951 | 1,126 | 149 | 121 | 81 | 68 | 65 | 54 | 53 | 48 | 42 | 36 | 29 | 22 | 14 | 11 | 6 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| Totals | 28,978 | 28,667 | 27,544 | 25,948 | 24,345 | 22,445 | 20,486 | 18,164 | 16,524 | 14,878 | 12,439 | 11,036 | 9,760 | 8,188 | 6,260 | 4,583 | 2,513 | 685 | 385 | 280 | 120 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Data Entry* | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | | | | | | | | | |
| H1B CAP | 13,508 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,293 | 1,190 | 1,380 | 1,015 | 1,791 | 1,744 | 1,561 | 124 | 66 | 129 | 96 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters | 6,802 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,352 | 1,046 | 60 | 7 | 27 | 154 | 20 | 21 | 44 | 29 | 32 | 12 | 16 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B CAP - Premium | 4,735 | 297 | 1,109 | 1,565 | 1,428 | 36 | 26 | 16 | 49 | 39 | 39 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 16 | 10 | 11 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium | 3,070 | 7 | 0 | 0 | 156 | 1,811 | 975 | 18 | 31 | 8 | 5 | 11 | 0 | 5 | 0 | 6 | 7 | 6 | 9 | 3 | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |
| Total Data Entered | 28,115 | 309 | 1,109 | 1,565 | 1,584 | 1,848 | 1,948 | 2,291 | 1,432 | 1,434 | 2,190 | 1,350 | 1,222 | 1,553 | 1,095 | 1,835 | 1,814 | 1,607 | 181 | 91 | 160 | 114 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | |

| *Rejects (Non Selected)* | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Sat | Sat | Sat | Sat | Sat |
| H1B CAP | 804 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 28 | 79 | 54 | 219 | 115 | 4 | 31 | 6 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 184 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 12 | 34 | 51 | 50 | 2 | 2 | 8 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 128 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 44 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pended | 861 | 0 | 14 | 31 | 19 | 54 | 11 | 8 | 28 | 20 | 43 | 53 | 54 | 59 | 33 | 87 | 60 | 220 | 119 | 4 | 35 | 6 | 0 | 0 | 0 | 0 | 0 |

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, May 06, 2009 2:33:08 PM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Denis,
I was planning to run the duplicate filing scrape next week. To do so, I will need CSC and VSC reject data records.
Please advise.
Jim

---

**From:** Perkins, Robert M
**Sent:** Wednesday, May 06, 2009 1:44 PM
**To:** Fitzsimmons, James
**Cc:** Williams, Carol L; Whittier, Michelle J; Sweeney, Mark M; Howrigan, Tanya L; Manahan, Lisa F; Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Jim,

When do you intend to run the duplicate filing scrape?

Thanks,

Rob

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, May 05, 2009 11:30 AM
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

Stanley is now current with keying the Cap cases.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Tuesday, May 05, 2009 10:42 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 04, 2009.

(b)(6)

Thank you,
Mandy L. Upton | Reports Analyst | Stanley Associates, Inc. | VSC - SCOSS | ☎: [redacted] ✉: Mandy.Upton@dhs.gov

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 04, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Petition Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Gerard VBN | 17993 | 18130 | 18419 | 18806 | 18826 | 18993 | 17502 | 17202 | 17823 | 17733 | 17693 | 15993 | 15441 | 11976 | 8770 | 7778 | 6324 | 6060 | 3971 | 1169 | 193 | | | | | | | | | | | | | | | | | |
| H1B Masters - Stanley Gerard VBN | 8609 | 8672 | 8722 | 8730 | 8730 | 8730 | 8178 | 8167 | 8265 | 256 | 19 | 8 | 8 | 3 | 7 | 5 | 15 | 11 | 13 | 13 | 8 | | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Gerard VBP | 6601 | 6611 | 5748 | 5167 | 2731 | 167 | 15 | 9 | 33 | 30 | 12 | 3 | 3 | 26 | 23 | 19 | 11 | 9 | 15 | 9 | 1 | | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Gerard VBP | 2599 | 1491 | 116 | 30 | 10 | 20 | 13 | 9 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | 15 | 3 | 0 | 1 | 1 | 1 | | | | | | | | | | | | | | | | | |
| Totals | 36151 | 34904 | 35027 | 30733 | 30117 | 27923 | 25312 | 25349 | 25955 | 20151 | 17693 | 17579 | 15758 | 13473 | 11464 | 8797 | 7964 | 6352 | 4099 | 1195 | 1172 | 195 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Informational Cards Included in above Numbers* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Premium Cases Mis-sorted with Regulars | 6 | 7 | 0 | 0 | 0 | 8 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | 99 |
| Misses Found with the Regulars | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 24 | 3 | 0 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | 74 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 8049 | 2112 | 2035 | 1654 | 1522 | 1604 | 1542 | 1078 | 1078 | 1159 | | | | | | | | | | | | | | | | | 25093 |
| H1B Masters - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 0 | 2052 | 1951 | 1909 | 1918 | 171 | 27 | 18 | 17 | 17 | 23 | 22 | 60 | 28 | 23 | 28 | | | | | | | | | | | | | | | | | 8327 |
| H1B CAP - Premium - Stanley Gerard | 0 | 0 | 804 | 2445 | 846 | 2471 | 304 | 13 | 17 | 34 | 28 | 20 | 17 | 3 | 20 | 23 | 24 | 17 | 10 | 10 | 24 | | | | | | | | | | | | | | | | | 6944 |
| H1B Masters - Premium - Stanley Gerard | 398 | 1513 | 1374 | 34 | 10 | 23 | 22 | 18 | 5 | 10 | 7 | 13 | 6 | 6 | 23 | 13 | 20 | 0 | 2 | 3 | 0 | | | | | | | | | | | | | | | | | 7514 |
| Totals | 398 | 1513 | 2178 | 2479 | 856 | 2494 | 2378 | 1982 | 1932 | 1964 | 2334 | 8109 | 2153 | 2061 | 1714 | 1737 | 1669 | 1619 | 1118 | 1114 | 1211 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 39993 |
| *Identified Previous Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected - Stanley Gerard | 0 | 15 | 27 | 73 | 73 | 119 | 187 | 331 | 316 | 246 | 357 | 249 | 197 | 134 | 129 | 97 | 36 | 17 | 26 | 23 | 62 | | | | | | | | | | | | | | | | | 2518 |
| *Completed Reads* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 18 | 72 | 77 | 69 | 44 | 33 | 49 | 107 | 102 | 88 | 113 | 80 | 33 | 17 | 16 | 33 | | | | | | | | | | | | | | | | | 910 |

Vermont Service Center
I-129 Cap Report – As of 11:30pm on May 04, 2009

| Dates | 4/1/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Premium Data Entry** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Premium Cases | VSC | 17952 | 10330 | 18419 | 18604 | 18678 | 18999 | 18972 | 19083 | 19452 | 19753 | 17693 | 15553 | 13441 | 11478 | 9720 | 7878 | 6324 | 4869 | 3671 | 1149 | 105 | | | | | | | | | | |
| H1B Masters - Premium Cases | VSC | 8608 | 8672 | 8733 | 8780 | 8780 | 8780 | 8178 | 8247 | 8295 | 8295 | 12 | 9 | 6 | 3 | 2 | 2 | 2 | 45 | 11 | 33 | 12 | 0 | | | | | | | | | |
| H1B CAP - Premium - Regular Cases | VSC | 6691 | 6611 | 5768 | 5737 | 5781 | 367 | 17 | 0 | 32 | 28 | 12 | 3 | 2 | 2 | 26 | 23 | 15 | 11 | 9 | 14 | 3 | 3 | | | | | | | | | |
| H1B Masters - Premium - Regular Cases | VSC | 2069 | 1981 | 118 | 20 | 19 | 20 | 13 | 6 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | 15 | 3 | 0 | 3 | 1 | 1 | 1 | | | | | | | | | |
| Totals | | 36151 | 26591 | 33037 | 33121 | 33457 | 37966 | 39213 | 33547 | 51957 | 50153 | 17693 | 15558 | 13452 | 11502 | 9755 | 7918 | 6345 | 4925 | 3693 | 1198 | 121 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| **Informational Consolidated as Above Numbers** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| Premium Cases Not served with Numbers | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 59 |
| Filers Found with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 34 | 2 | 2 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 79 |
| **Data Entry** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3131 | 2040 | 2118 | 2016 | 1654 | 1852 | 1404 | 1063 | 1074 | 1078 | 159 | | | | | | | | | | | 29005 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2007 | 1993 | 1969 | 1919 | 171 | 57 | 18 | 17 | 17 | 32 | 22 | 48 | 38 | 52 | 38 | | | | | | | | | | | 8977 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 804 | 1101 | 699 | 2173 | 304 | 33 | 37 | 36 | 30 | 20 | 17 | 7 | 23 | 20 | 14 | 17 | 10 | 13 | 22 | | | | | | | | | | | 4964 |
| H1B Masters - Premium - Regular Cases | 399 | 1510 | 1274 | 38 | 19 | 20 | 25 | 18 | 8 | 19 | 7 | 13 | 8 | 5 | 23 | 13 | 20 | 0 | 2 | 3 | 7 | | | | | | | | | | | 3014 |
| Totals | 399 | 1510 | 2278 | 1479 | 718 | 2193 | 2336 | 2044 | 2015 | 1974 | 3339 | 2130 | 2161 | 2045 | 1717 | 1917 | 1460 | 1128 | 1124 | 1146 | 226 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 45960 |
| **Identified Premium Receipts** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| Selected - Regular Cases | 9 | 32 | 27 | 24 | 72 | 110 | 177 | 121 | 216 | 274 | 207 | 249 | 195 | 134 | 130 | 97 | 58 | 17 | 28 | 42 | 62 | | | | | | | | | | | [redacted] |
| **Completed Petitions** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 3 | 0 | 12 | 72 | 77 | 89 | 98 | 52 | 95 | 107 | 103 | 68 | 113 | 89 | 33 | 17 | 16 | 33 | | | | | | | | | | | 919 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Wednesday, May 06, 2009 11:05:25 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Wed May 06 10:44:17 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 05, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

# Vermont Service Center

I-129 Cap Report - As of 11:30pm on May 05, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Pending Data Entry** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Center VSC | 17952 | 18150 | 18418 | 18674 | 18910 | 19093 | 19292 | 19303 | 19422 | 19733 | 17893 | 16593 | 13441 | 11976 | 8750 | 7773 | 6274 | 4980 | 3971 | 1149 | 595 | 56 | | | | | | | | | |
| H1B Masters - Stanley Center VSC | 8099 | 8673 | 8732 | 8730 | 8730 | 8730 | 8178 | 8167 | 2365 | 998 | 99 | 0 | 0 | 0 | 0 | 0 | 95 | 11 | 33 | 13 | 0 | 0 | | | | | | | | | |
| H1B CAP - Processing - Stanley Center VSC | 6401 | 6611 | 5769 | 2367 | 1731 | 167 | 19 | 9 | 33 | 20 | 12 | 3 | 3 | 36 | 19 | 15 | 11 | 8 | 14 | 9 | 1 | 0 | | | | | | | | | |
| H1B Masters - Processing - Stanley Center VSC | 2998 | 1481 | 116 | 20 | 19 | 20 | 13 | 9 | 3 | 3 | 0 | 2 | 1 | 19 | 7 | 13 | 2 | 5 | 3 | 1 | 1 | 0 | | | | | | | | | |
| Totals | 36151 | 34984 | 33035 | 30772 | 30127 | 27983 | 25518 | 23509 | 21923 | 20152 | 17829 | 15958 | 13453 | 11864 | 8787 | 7864 | 6382 | 4996 | 3135 | 1172 | 596 | 56 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| **Information Completed or about finished** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Pre-work Cases May needed with Attorney | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | 50 |
| Others Passed with No Biometrics | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 24 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | 71 |
| **Data Entered** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Center | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3181 | 3049 | 3112 | 2015 | 1654 | 1523 | 1695 | 1393 | 1078 | 1073 | 1150 | 214 | | | | | | | | | 27113 |
| H1B Masters - Stanley Center | 0 | 0 | 0 | 0 | 0 | 0 | 2692 | 1971 | 1998 | 1918 | 171 | 37 | 19 | 17 | 17 | 13 | 32 | 14 | 16 | 62 | 98 | 29 | | | | | | | | | 9061 |
| H1B CAP - Processing - Stanley Center | 0 | 0 | 894 | 3661 | 3.6k | 2473 | 378 | 33 | 37 | 24 | 33 | 39 | 17 | 7 | 33 | 99 | 54 | 17 | 10 | 18 | 35 | 33 | | | | | | | | | 2797 |
| H1B Masters - Processing - Stanley Center | 998 | 1518 | 1171 | 38 | 17 | 23 | 23 | 18 | 3 | 14 | 7 | 13 | 8 | 6 | 23 | 11 | 21 | 0 | 2 | 3 | 3 | 0 | | | | | | | | | 3930 |
| Totals | 998 | 1518 | 2065 | 3699 | 3.6k | 2496 | 3093 | 2022 | 2038 | 1956 | 3394 | 3138 | 3156 | 2045 | 1727 | 1646 | 1802 | 1424 | 1106 | 1156 | 1286 | 276 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 72948 |
| **Identified Pending Rejection** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Rejected - Stanley Center | 0 | 63 | 77 | 72 | 78 | 118 | 157 | 151 | 216 | 296 | 267 | 219 | 195 | 134 | 120 | 97 | 34 | 17 | 28 | 72 | 62 | 57 | | | | | | | | | |
| **Completed Rejects** | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Rejected - Stanley Center | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 73 | 97 | 98 | 58 | 97 | 107 | 102 | 98 | 113 | 30 | 23 | 17 | 16 | 23 | 31 | | | | | | | | | 970 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Tuesday, May 05, 2009 4:37:15 PM
**Attachments:** 2009 H-1B Cap Report (5-4-09 11 PM).xls

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**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Tuesday, May 05, 2009 4:36 PM
**To:** CR Nelson, Marvin; Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice; Siesel, Gregory P
**Subject:** RE: CAP Report

ALL,

Attached is the CAP report for 5/4/09 (11 PM)

Regards,

Greg

California Service Center

I-129 Cap Report

As of 11 P.M.

| 09/04/09 | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 122 | 123 | 124 | 125 | 126 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 |
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| 1118 CAP | 13,911 | 13,905 | 13,905 | 13,905 | 13,905 | 13,905 | 13,905 | 13,905 | 13,905 | 13,761 | 11,629 | 10,335 | 9,164 | 7,727 | 5,844 | 4,924 | 2,224 | 666 | 295 | 135 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 Masters | 6,980 | 6,973 | 6,973 | 6,973 | 6,972 | 6,921 | 3,755 | 2,196 | 530 | 464 | 406 | 329 | 193 | 169 | 140 | 94 | 64 | 28 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 CAP - Premium | 4,854 | 4,567 | 3,664 | 1,868 | 401 | 327 | 296 | 270 | 225 | 196 | 164 | 124 | 117 | 105 | 83 | 71 | 48 | 37 | 21 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 Masters - Premium | 3,807 | 3,100 | 3,100 | 3,100 | 3,044 | 3,119 | 162 | 136 | 76 | 61 | 56 | 47 | 46 | 41 | 35 | 29 | 22 | 16 | 7 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 29,552 | 28,545 | 27,630 | 25,824 | 24,221 | 23,521 | 20,362 | 18,060 | 14,400 | 14,546 | 12,315 | 10,915 | 9,436 | 8,064 | 6,136 | 5,264 | 2,358 | 561 | 281 | 166 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Data Entry | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | |
| 1118 CAP | 13,612 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,129 | 1,293 | 1,190 | 1,380 | 1,883 | 1,791 | 1,744 | 1,561 | 126 | 66 | 129 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| 1118 Masters | 6,797 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,552 | 1,644 | 60 | 7 | 27 | 136 | 20 | 23 | 44 | 29 | 32 | 12 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| 1118 CAP - Premium | 4,728 | 287 | 1,109 | 1,565 | 1,671 | 54 | 26 | 18 | 69 | 39 | 39 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 16 | 10 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| 1118 Masters - Premium | 3,064 | 7 | 0 | 0 | 146 | 1,811 | 973 | 18 | 31 | 8 | 5 | 11 | 0 | 5 | 6 | 6 | 7 | 6 | 9 | 5 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Total Data Entered | 28,201 | 309 | 1,109 | 1,565 | 1,884 | 1,866 | 1,948 | 2,294 | 1,833 | 1,834 | 2,190 | 1,350 | 1,222 | 1,533 | 1,893 | 1,835 | 1,631 | 1,607 | 181 | 91 | 160 | 0 | 0 | 0 | 0 | 0 | 0 | | |

| Results (Once Selected) | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Reports (Non Selected) | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sat | Sat | Sat | Sat |
| 1118 CAP | 499 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 37 | 28 | 29 | 34 | 219 | 115 | 4 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 Masters | 183 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 12 | 34 | 51 | 50 | 3 | 2 | 8 | 2 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 CAP - Premium | 126 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 1118 Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 851 | 0 | 14 | 31 | 19 | 56 | 17 | 8 | 33 | 39 | 55 | 54 | 39 | 33 | 37 | 40 | 229 | 119 | 4 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, May 05, 2009 11:30:26 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Denis,

Stanley is now current with keying the Cap cases.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Tuesday, May 05, 2009 10:42 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 04, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOS: [redacted] (b)(6)
Mandy.Upton@dhs.gov

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 04, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases VRN | 17952 | 18337 | 18917 | 19076 | 19076 | 18997 | 19092 | 19303 | 19422 | 19773 | 17903 | 17952 | 18353 | 13441 | 11476 | 5730 | 7923 | 8329 | 6995 | 3071 | 1139 | 193 | | | | | | | | | |
| H1B Masters - Premium Cases VMP | 8077 | 8672 | 8732 | 8797 | 8797 | 8797 | 8179 | 8267 | 8295 | 8295 | 18 | 0 | 0 | 0 | 2 | 1 | 5 | 45 | 11 | 33 | 13 | 0 | | | | | | | | | |
| H1B CAP - Premium - Premium Cases VRP | 6691 | 6817 | 5768 | 3337 | 2781 | 257 | 37 | 0 | 22 | 20 | 13 | 3 | 3 | 36 | 32 | 18 | 11 | 9 | 14 | 9 | 1 | | | | | | | | | | |
| H1B Masters - Premium - Premium Cases VMP | 2099 | 1981 | 118 | 20 | 19 | 20 | 11 | 0 | 3 | 3 | 6 | 1 | 1 | 19 | 7 | 15 | 3 | 0 | 1 | 1 | 1 | | | | | | | | | | |
| Totals | 34821 | 34986 | 33957 | 30773 | 30177 | 27963 | 27319 | 27570 | 27942 | 28093 | 18020 | 17956 | 18357 | 13496 | 11517 | 5764 | 7944 | 8383 | 7021 | 3119 | 1172 | 193 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Informational Completeds (i.e. close pended) | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Matched with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 8 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 80 |
| Pilots Paired with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 34 | 24 | 3 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3231 | 3098 | 3132 | 2753 | 1656 | 1382 | 1975 | 1976 | 1189 | | | | | | | | | | | | 20993 |
| H1B Masters - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2072 | 1921 | 1998 | 1818 | 171 | 17 | 18 | 17 | 17 | 32 | 22 | 46 | 26 | 32 | 38 | | | | | | | | | | 4427 |
| H1B CAP - Premium - Premium Cases | 0 | 0 | 991 | 2451 | 546 | 817 | 876 | 32 | 37 | 26 | 48 | 30 | 17 | 7 | 29 | 30 | 34 | 17 | 10 | 18 | 23 | | | | | | | | | | 4594 |
| H1B Masters - Premium - Premium Cases | 398 | 1913 | 1074 | 26 | 19 | 30 | 22 | 18 | 8 | 16 | 7 | 33 | 6 | 6 | 22 | 12 | 20 | 8 | 2 | 7 | 9 | | | | | | | | | | 3574 |
| Totals | 398 | 1913 | 2078 | 2477 | 565 | 3484 | 2830 | 1971 | 2044 | 1860 | 3331 | 3139 | 3153 | 2783 | 1724 | 1757 | 2051 | 2047 | 1214 | 2049 | 1351 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27999 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Entered - Premium Cases | 0 | 13 | 37 | 73 | 73 | 118 | 157 | 131 | 218 | 248 | 237 | 197 | 195 | 124 | 130 | 97 | 34 | 11 | 36 | 63 | 63 | | | | | | | | | | |
| Completed Pends | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Matched - Premium Cases | 0 | 0 | 0 | 0 | 0 | 12 | 73 | 77 | 69 | 48 | 53 | 49 | 197 | 102 | 98 | 113 | 30 | 33 | 17 | 34 | 33 | | | | | | | | | | 779 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, May 05, 2009 11:10:31 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Tuesday, May 05, 2009 10:42 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 04, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]:
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 04, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Date Range | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Border Count VRN | 17952 | 10330 | 10458 | 10606 | 10606 | 10606 | 19952 | 17972 | 19632 | 18733 | 17903 | 15953 | 13441 | 11009 | 9780 | 7928 | 6329 | 4860 | 3071 | 1149 | 979 | | | | | | | | | | |
| H1B Masters - Border Count VRN | 8605 | 8672 | 8723 | 8781 | 8780 | 8780 | 8778 | 8242 | 8305 | 8% | 18 | 9 | 8 | 3 | 7 | 3 | 45 | 11 | 33 | 13 | 9 | | | | | | | | | | |
| H1B CAP - Processes - Border Count VRP | 4691 | 4611 | 4764 | 4927 | 4781 | 167 | 19 | 8 | 25 | 20 | 13 | 3 | 3 | 26 | 13 | 19 | 11 | 9 | 19 | 9 | 3 | | | | | | | | | | |
| H1B Masters - Processes - Border Count VRP | 2998 | 1691 | 118 | 20 | 19 | 20 | 19 | 6 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | 15 | 3 | 0 | 1 | 1 | 3 | | | | | | | | | | |
| Totals | 34151 | 24804 | 25957 | 26753 | 26187 | 27963 | 25512 | 25149 | 27953 | 25152 | 17929 | 15978 | 13453 | 11444 | 9797 | 7965 | 6385 | 4893 | 3173 | 1172 | 991 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| International Commonwealth as above Applied | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Persons Copy Mo served with Petition | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 47 | 11 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 50 |
| Mean Period with No Receipts | 9 | 1 | 0 | 0 | 12 | 1 | 0 | 0 | 24 | 24 | 4 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | 71 |
| Date Issued | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Border Count | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2111 | 2049 | 2113 | 2055 | 1676 | 1522 | 1604 | 1182 | 1074 | 1174 | 1159 | | | | | | | | | | 20093 |
| H1B Masters - Border Count | 0 | 0 | 0 | 0 | 0 | 0 | 2672 | 2771 | 1798 | 1219 | 171 | 97 | 18 | 17 | 17 | 72 | 23 | 68 | 28 | 52 | 58 | | | | | | | | | | 8917 |
| H1B CAP - Processes - Border Count | 0 | 0 | 804 | 2641 | 846 | 2173 | 876 | 12 | 57 | 28 | 23 | 50 | 13 | 7 | 28 | 58 | 24 | 12 | 10 | 18 | 35 | | | | | | | | | | 6044 |
| H1B Masters - Processes - Border Count | 998 | 1513 | 1178 | 59 | 12 | 28 | 92 | 19 | 3 | 19 | 7 | 12 | 6 | 3 | 10 | 13 | 20 | 8 | 2 | 3 | 5 | | | | | | | | | | 3541 |
| Totals | 998 | 1513 | 2278 | 2970 | 858 | 2201 | 3640 | 2802 | 1859 | 1266 | 2312 | 2208 | 2150 | 2082 | 1731 | 1665 | 1671 | 1270 | 1114 | 1247 | 1257 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 39595 |
| Identified Petition Number | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Border Count | 0 | 35 | 37 | 72 | 72 | 113 | 137 | 131 | 218 | 244 | 257 | 249 | 185 | 134 | 120 | 97 | 54 | 17 | 24 | 43 | 64 | | | | | | | | | | |
| Completed Batch | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Border Count | 0 | 0 | 0 | 0 | 0 | 12 | 77 | 77 | 69 | 48 | 33 | 49 | 137 | 102 | 88 | 113 | 30 | 33 | 17 | 14 | 33 | | | | | | | | | | 919 |

**From:** Moulin, Kristen L.
**To:** Shiflett, Julie M; Peck, Denis R
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Monday, May 04, 2009 12:03:50 PM
**Attachments:** VSC H1B Cap Report 2009.xls

---

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Mon May 04 10:56:26 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 01, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS [redacted]
[redacted] *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center
I-129 Cap Report - As of 11:30pm on May 01, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Pending Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | VRIN | 18753 | 18139 | 18473 | 18976 | 18976 | 18999 | 17992 | 17992 | 19632 | 19733 | 17695 | 15533 | 13411 | 11879 | 9730 | 7928 | 6124 | 4866 | 3031 | 1109 | | | | | | | | | | |
| H1B Masters - Regular Cases | VMIN | 8650 | 8672 | 8724 | 8780 | 8780 | 8780 | 8178 | 8177 | 8295 | 898 | 49 | 0 | 8 | 3 | 7 | 5 | 15 | 11 | 33 | 11 | | | | | | | | | | |
| H1B CAP - Preparers - Regular Cases | VRP | 6691 | 6611 | 6748 | 3537 | 3781 | 317 | 59 | 0 | 22 | 20 | 12 | 5 | 3 | 36 | 33 | 18 | 11 | 9 | 14 | 5 | | | | | | | | | | |
| H1B Masters - Preparers - Regular Cases | VMP | 3998 | 3991 | 110 | 20 | 19 | 20 | 10 | 0 | 5 | 3 | 4 | 5 | 1 | 19 | 7 | 15 | 7 | 6 | 1 | 3 | | | | | | | | | | |
| Totals | 36131 | 34994 | 33957 | 29733 | 30127 | 27963 | 25112 | 26169 | 25972 | 20153 | 17639 | 11548 | 15553 | 11961 | 9797 | 7956 | 6352 | 4989 | 3119 | 1172 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Informational Counts(included in above numbers)* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Approved with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 9 | 27 | 13 | 7 | 9 | 0 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | 50 |
| Filmer Found with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 21 | 24 | 5 | 3 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | 71 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3131 | 2699 | 2113 | 2078 | 1654 | 1523 | 1604 | 1192 | 1874 | 873 | | | | | | | | | | | 19061 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2072 | 1773 | 1998 | 1918 | 173 | 17 | 14 | 17 | 17 | 53 | 72 | 68 | 26 | 52 | | | | | | | | | | | 6271 |
| H1B CAP - Preparers - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | 0 |
| H1B Masters - Preparers - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 2072 | 1773 | 1999 | 1918 | 3304 | 2716 | 2127 | 2095 | 1671 | 1576 | 1676 | 1260 | 1900 | 925 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25332 |
| *Identified Pending Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 15 | 27 | 72 | 72 | 119 | 157 | 121 | 216 | 246 | 227 | 249 | 185 | 193 | 180 | 97 | 50 | 17 | 50 | 53 | | | | | | | | | | | |
| *Completed Petitions* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 11 | 71 | 77 | 97 | 98 | 53 | 95 | 107 | 173 | 89 | 113 | 80 | 33 | 17 | 16 | | | | | | | | | | | 859 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, May 04, 2009 11:05:09 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

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**From:** Upton, Mandy L
**Sent:** Monday, May 04, 2009 10:56 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, May 01, 2009.

(b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| ☎: [redacted] ✉: Mandy.Upton@dhs.gov

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 01, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Premium Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Carnet VRIN | 17952 | 18139 | 18418 | 18678 | 18678 | 18998 | 19392 | 19502 | 19622 | 19721 | 17902 | 15852 | 12661 | 11476 | 8720 | 7728 | 6324 | 4863 | 3071 | 1149 | | | | | | | | | | | |
| H1B Masters - Stanley Carnet VRIN | 8969 | 8972 | 8723 | 8720 | 8720 | 8720 | 6178 | 4247 | 3393 | 896 | 19 | 0 | 8 | 3 | 7 | 3 | 45 | 11 | 23 | 13 | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Carnet VRIP | 6601 | 6611 | 5788 | 5727 | 5721 | 167 | 19 | 9 | 28 | 20 | 12 | 3 | 5 | 26 | 23 | 10 | 11 | 9 | 13 | 9 | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Carnet VRIP | 3998 | 1571 | 118 | 20 | 19 | 20 | 13 | 9 | 3 | 2 | 6 | 3 | 1 | 19 | 7 | 12 | 3 | 0 | 1 | 1 | | | | | | | | | | | |
| Totals | 36121 | 34893 | 33077 | 33723 | 33177 | 27983 | 25313 | 23647 | 23073 | 20132 | 17835 | 13373 | 12453 | 11444 | 8757 | 7753 | 6393 | 4883 | 3119 | 1173 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *International Carnet/Applied as above numbers* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Not served with Receipts | 0 | 2 | 2 | 0 | 2 | 0 | 0 | 37 | 15 | 7 | 6 | 8 | 1 | 0 | 3 | 0 | 2 | 0 | 0 | 3 | | | | | | | | | | | 86 |
| Cases Found with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 5 | 25 | 21 | 3 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | 75 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Carnet | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2131 | 2059 | 2132 | 2055 | 1654 | 1522 | 1095 | 1583 | 1075 | 1078 | | | | | | | | | | | 18984 |
| H1B Masters - Stanley Carnet | 0 | 6 | 0 | 0 | 0 | 0 | 2693 | 1971 | 1958 | 1718 | 171 | 37 | 19 | 17 | 17 | 12 | 22 | 68 | 28 | 52 | | | | | | | | | | | 8889 |
| H1B CAP - Premium - Stanley Carnet | 0 | 0 | 894 | 1441 | 846 | 1473 | 894 | 33 | 17 | 36 | 75 | 30 | 17 | 7 | 38 | 40 | 24 | 11 | 19 | 18 | | | | | | | | | | | 6719 |
| H1B Masters - Premium - Stanley Carnet | 399 | 1513 | 1773 | 78 | 19 | 78 | 22 | 18 | 6 | 18 | 7 | 13 | 6 | 6 | 22 | 13 | 20 | 0 | 3 | 3 | | | | | | | | | | | 2874 |
| Totals | 399 | 1519 | 2767 | 2619 | 854 | 2551 | 3609 | 2022 | 1981 | 1772 | 2384 | 2139 | 2193 | 2084 | 1731 | 1587 | 1469 | 1662 | 1724 | 1151 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 38167 |
| *Identified Pending Receipts* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Inbound - Stanley Carnet | 0 | 15 | 27 | 72 | 72 | 118 | 157 | 133 | 215 | 248 | 257 | 249 | 195 | 154 | 120 | 97 | 36 | 17 | 28 | 42 | | | | | | | | | | | |
| *Completed Reports* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Inbound - Stanley Carnet | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 68 | 53 | 69 | 197 | 172 | 88 | 112 | 80 | 33 | 17 | 14 | | | | | | | | | | | 895 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Friday, May 01, 2009 1:37:23 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

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**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Friday, May 01, 2009 9:32 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 30, 2009.

Thank you,
Mandy L. Upton | Reports Analyst | Stanley Associates, Inc. | VSC - SCOSS | [redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center
I-129 Cap Report – As of 11:30pm on April 30, 2009

| Petitions Under Entry | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/14/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | |
| H1B CAP - Vermont Service Center | 17753 | 18130 | 18419 | 18928 | 19076 | 19095 | 19302 | 19392 | 19632 | 19733 | 17893 | 19551 | 19441 | 11498 | 7750 | 7928 | 6521 | 6800 | 5971 | | | | | | | | | | | | |
| H1B Masters - Vermont Service Center VSN | 8697 | 8672 | 8732 | 8789 | 8790 | 8790 | 8178 | 4767 | 2295 | 596 | 19 | 0 | 0 | 8 | 7 | 8 | 45 | 11 | 22 | | | | | | | | | | | | |
| H1B CAP - Processed - Vermont Service Center VSP | 8691 | 8611 | 5768 | 3127 | 2781 | 167 | 19 | 9 | 22 | 20 | 12 | 3 | 3 | 26 | 12 | 15 | 11 | 9 | 14 | | | | | | | | | | | | |
| H1B Masters - Processed - Vermont Service Center VSP | 8698 | 1581 | 119 | 20 | 19 | 20 | 13 | 6 | 3 | 3 | 6 | 2 | 1 | 10 | 7 | 15 | 3 | 0 | 1 | | | | | | | | | | | | |
| Totals | 26151 | 26801 | 24777 | 22733 | 22477 | 27062 | 27511 | 23367 | 21957 | 20152 | 17877 | 15558 | 13452 | 11941 | 7777 | 7951 | 6582 | 6820 | 5137 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Information Counterbalanced in above headings | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Projects Cases Not copied with Petitions | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | 50 |
| Cases Copied with No Remarks | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 23 | 1 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3131 | 3049 | 3113 | 2035 | 1054 | 1622 | 1054 | 1383 | 1178 | | | | | | | | | | | | 18648 |
| H1B Masters - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 2672 | 1731 | 1709 | 1218 | 171 | 17 | 18 | 17 | 17 | 17 | 22 | 28 | 26 | | | | | | | | | | | | | 9843 |
| H1B CAP - Processed - Vermont Service Center | 0 | 0 | 694 | 1441 | 548 | 1471 | 876 | 32 | 37 | 26 | 28 | 30 | 17 | 7 | 16 | 30 | 14 | 17 | 19 | | | | | | | | | | | | 6752 |
| H1B Masters - Processed - Vermont Service Center | 999 | 1513 | 1574 | 24 | 19 | 23 | 22 | 18 | 5 | 10 | 7 | 13 | 5 | 4 | 25 | 15 | 20 | 8 | 3 | | | | | | | | | | | | 2967 |
| Totals | 999 | 1513 | 2268 | 1465 | 567 | 4166 | 2629 | 1781 | 1261 | 1964 | 3234 | 3210 | 3152 | 2064 | 1734 | 1717 | 1469 | 1667 | 1514 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34370 |
| Identified Problem Remarks | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Vermont Service Center | 0 | 78 | 77 | 72 | 73 | 119 | 157 | 123 | 215 | 278 | 257 | 279 | 185 | 134 | 120 | 97 | 56 | 17 | 20 | | | | | | | | | | | | [redacted] |
| Completed Reports | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 98 | 83 | 69 | 107 | 102 | 98 | 113 | 80 | 53 | 17 | | | | | | | | | | | | 974 |

**From:** Moulin, Kristen L.
**To:** Shiflett, Julie M; Peck, Denis R
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report - yesterday"s report
**Date:** Friday, May 01, 2009 1:35:19 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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Think I was remiss in sending this out yesterday morning. If it's a duplicate, please disregard. Thanks. Kristen

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Thursday, April 30, 2009 10:38 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 29, 2009.

Thank you.
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] ✉: Mandy.upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 29, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Number Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Receipt Counts VSC | 17958 | 18130 | 18419 | 18676 | 18676 | 18995 | 19203 | 19502 | 19622 | 19733 | 17693 | 18559 | 13641 | 11976 | 9739 | 7928 | 6324 | 4869 | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Receipt Counts VSC | 8609 | 8673 | 8753 | 8780 | 8780 | 8780 | 8178 | 8267 | 8295 | 876 | 19 | 0 | 8 | 3 | 7 | 8 | 45 | 11 | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Processed - Receipt Counts VSC | 8607 | 8611 | 8748 | 8727 | 8781 | 767 | 17 | 9 | 22 | 20 | 13 | 3 | 3 | 34 | 13 | 18 | 11 | 9 | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Processed - Receipt Counts VSC | 8998 | 1581 | 118 | 20 | 39 | 32 | 13 | 9 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | 15 | 3 | 8 | | | | | | | | | | | | | | | | | | | |
| Totals | 26151 | 26804 | 27077 | 26723 | 26177 | 27862 | 25512 | 27547 | 27952 | 20152 | 17827 | 17558 | 12653 | 11951 | 8737 | 7956 | 6385 | 4889 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Information Corrections/Additional or Group Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Premium Cases Mis-sorted with Regular | 0 | 2 | 0 | 0 | 9 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | 56 |
| Filings Passed with Mis-Sorter | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 11 | 24 | 1 | 1 | 2 | 6 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Receipt Counts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3321 | 3049 | 2112 | 2055 | 1654 | 1322 | 1054 | 1351 | | | | | | | | | | | | | | | | | | | | 16917 |
| H1B Masters - Receipt Counts | 0 | 0 | 0 | 0 | 0 | 0 | 2672 | 1951 | 1799 | 1518 | 171 | 17 | 18 | 17 | 17 | 23 | 23 | 68 | | | | | | | | | | | | | | | | | | | | 8271 |
| H1B CAP - Processed - Receipt Counts | 0 | 0 | 876 | 2681 | 548 | 2471 | 876 | 13 | 27 | 16 | 21 | 30 | 13 | 3 | 38 | 30 | 24 | 17 | | | | | | | | | | | | | | | | | | | | 6843 |
| H1B Masters - Processed - Receipt Counts | 899 | 1612 | 1274 | 301 | 19 | 28 | 22 | 19 | 6 | 10 | 7 | 13 | 8 | 3 | 22 | 13 | 20 | 8 | | | | | | | | | | | | | | | | | | | | 3520 |
| Totals | 899 | 1612 | 2250 | 3179 | 567 | 2499 | 3570 | 1983 | 3791 | 1544 | 3523 | 3109 | 2151 | 2078 | 1731 | 1387 | 1121 | 1444 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 31151 |
| Identified Number Rejections | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Rejected - Receipt Counts | 0 | 15 | 27 | 73 | 73 | 118 | 187 | 151 | 216 | 296 | 257 | 149 | 105 | 134 | 120 | 97 | 36 | 17 | | | | | | | | | | | | | | | | | | | | |
| Unvalidated Rejects | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Rejected - Receipt Counts | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | 98 | 83 | 99 | 107 | 102 | 88 | 113 | 39 | 33 | | | | | | | | | | | | | | | | | | | | 853 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Friday, May 01, 2009 9:49:40 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Friday, May 01, 2009 9:32 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 30, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 30, 2009

| Dates | 4/1/09 | 4/6/09 | 4/7/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Pending Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases | VBN | 13952 | 10139 | 10410 | 10974 | 10998 | 10995 | 11003 | 10997 | 10923 | 10723 | 13952 | 13974 | 13941 | 11474 | 9770 | 7924 | 6245 | 4068 | 3973 | | | | | | | | | | | |
| H1B Masters - Premium Cases | VBN | 8809 | 8672 | 8723 | 8730 | 8730 | 8128 | 8247 | 8295 | 8296 | 17 | 0 | 6 | 3 | 7 | 8 | 45 | 11 | 33 | | | | | | | | | | | | |
| H1B CAP - Premium - Premium Cases | VBP | 4691 | 4611 | 4744 | 4957 | 4781 | 167 | 19 | 0 | 32 | 20 | 13 | 3 | 8 | 26 | 13 | 19 | 11 | 9 | 14 | | | | | | | | | | | |
| H1B Masters - Premium - Premium Cases | VMP | 2999 | 1681 | 118 | 20 | 19 | 20 | 12 | 0 | 3 | 3 | 6 | 1 | 1 | 19 | 7 | 18 | 3 | 0 | 1 | | | | | | | | | | | |
| Totals | 30451 | 25993 | 23927 | 24731 | 25117 | 27963 | 25132 | 25317 | 21953 | 20152 | 17877 | 15559 | 13453 | 11566 | 9777 | 7994 | 6285 | 4097 | 3112 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *International Cases(included in above numbers)* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Not marked with Number | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 27 | 15 | 7 | 9 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | 81 |
| Cases Priced with No Recorder | 0 | 1 | 0 | 1 | 13 | 1 | 0 | 0 | 21 | 24 | 3 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | 71 |
| *Cash Receipt* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2021 | 2009 | 2012 | 2075 | 1674 | 1527 | 1095 | 1582 | 1975 | | | | | | | | | | | | 16968 |
| H1B Masters - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2652 | 2721 | 1999 | 1919 | 173 | 27 | 19 | 17 | 17 | 32 | 22 | 68 | 28 | | | | | | | | | | | | 9697 |
| H1B CAP - Premium - Premium Cases | 0 | 0 | 874 | 1041 | 946 | 1471 | 874 | 32 | 27 | 26 | 28 | 20 | 17 | 7 | 26 | 20 | 24 | 17 | 10 | | | | | | | | | | | | 6853 |
| H1B Masters - Premium - Premium Cases | 398 | 1513 | 1371 | 38 | 11 | 23 | 22 | 18 | 8 | 10 | 7 | 13 | 8 | 6 | 23 | 13 | 20 | 9 | 3 | | | | | | | | | | | | 2565 |
| Totals | 398 | 1513 | 2245 | 2079 | 970 | 1494 | 3548 | 2771 | 2035 | 1954 | 2229 | 2069 | 2056 | 2105 | 1740 | 1592 | 1161 | 1676 | 2016 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 36078 |
| *Identified Pending Receipts* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Cases | 0 | 19 | 27 | 72 | 72 | 111 | 157 | 131 | 216 | 196 | 257 | 249 | 195 | 124 | 120 | 87 | 36 | 17 | 26 | | | | | | | | | | | | |
| *Completed Reports* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Cases | 0 | 0 | 0 | 0 | 0 | 12 | 73 | 77 | 87 | 49 | 53 | 49 | 107 | 102 | 88 | 132 | 29 | 23 | 17 | | | | | | | | | | | | 870 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Thursday, April 30, 2009 10:45:06 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi

----- Original Message -----
From: Upton, Mandy L
To: VSC STANLEY Admin; 'Collins, Thomas C.' <thomas.collins@stanleyassociates.com>; 'Peacock, Walter W.' <Walter.Peacock@stanleyassociates.com>; 'Moulin, Kristen L.' <Kristen.Moulin@stanleyassociates.com>
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Sent: Thu Apr 30 10:38:19 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 29, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|([redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center
I-129 Cap Report – As of 11:30pm on April 29, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Premium Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases VRN | 17932 | 19190 | 19417 | 18874 | 18699 | 18993 | 17992 | 17992 | 18622 | 19733 | 17092 | 15553 | 10441 | 11094 | 9779 | 7719 | 6524 | 6860 | | | | | | | | | | | | | |
| H1B Masters - Regular Cases VMN | 8670 | 8672 | 8773 | 8779 | 8780 | 8781 | 6178 | 4217 | 3395 | 986 | 15 | 0 | 0 | 1 | 7 | 1 | 95 | 11 | | | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases VRP | 6601 | 6611 | 5795 | 5357 | 2781 | 167 | 19 | 9 | 23 | 20 | 13 | 1 | 1 | 26 | 23 | 19 | 11 | 2 | | | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases VMP | 2979 | 1481 | 119 | 20 | 10 | 20 | 13 | 0 | 1 | 2 | 6 | 1 | 1 | 19 | 7 | 15 | 2 | 0 | | | | | | | | | | | | | |
| Totals | 36183 | 36954 | 37104 | 33730 | 33177 | 27761 | 25132 | 22218 | 22041 | 21753 | 17126 | 15570 | 12471 | 11464 | 9797 | 7754 | 6532 | 6873 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Subpoenaed Cases(included in above headings) | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases May exceed with Receipts | 8 | 9 | 9 | 5 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | 86 |
| Filings Passed with May Exceeded | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 31 | 24 | 2 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | 75 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2231 | 8099 | 2113 | 2135 | 1856 | 1852 | 1604 | 1152 | | | | | | | | | | | | | 19092 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 3692 | 1933 | 1798 | 1318 | 171 | 27 | 18 | 17 | 17 | 33 | 33 | 48 | | | | | | | | | | | | | 8821 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 856 | 2481 | 594 | 1011 | 278 | 32 | 17 | 36 | 25 | 30 | 17 | 7 | 38 | 50 | 34 | 17 | | | | | | | | | | | | | 4849 |
| H1B Masters - Premium - Regular Cases | 398 | 1513 | 1371 | 58 | 10 | 21 | 22 | 10 | 5 | 30 | 7 | 15 | 8 | 5 | 25 | 13 | 20 | 0 | | | | | | | | | | | | | 1956 |
| Totals | 398 | 1513 | 2227 | 2539 | 604 | 1032 | 3992 | 1975 | 1821 | 1384 | 2234 | 8171 | 2156 | 2164 | 1936 | 1948 | 1691 | 1217 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 34918 |
| Identified Premium Rejection | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 9 | 13 | 37 | 73 | 72 | 110 | 157 | 121 | 135 | 204 | 237 | 249 | 195 | 154 | 120 | 97 | 54 | 13 | | | | | | | | | | | | | |
| Completed Reject | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 73 | 77 | 65 | 49 | 53 | 99 | 207 | 193 | 99 | 113 | 89 | 53 | | | | | | | | | | | | | 832 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 29, 2009 11:23:02 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

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**From:** Upton, Mandy L
**Sent:** Wednesday, April 29, 2009 10:54 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 28, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 20, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Postage Date Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavers VSN | 19952 | 18139 | 18419 | 19076 | 19654 | 19977 | 19972 | 19391 | 19632 | 19773 | 17893 | 15352 | 13441 | 11478 | 9750 | 7928 | 6134 | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Stanley Cavers VMN | 8670 | 8678 | 8732 | 8789 | 8789 | 8789 | 6178 | 1241 | 3295 | 376 | 17 | 0 | 8 | 3 | 7 | 1 | 65 | | | | | | | | | | | | | | | | | | |
| H1B CAP - Processors - Stanley Cavers VBP | 8601 | 8611 | 5768 | 3137 | 3781 | 167 | 19 | 0 | 23 | 20 | 12 | 1 | 3 | 30 | 33 | 16 | 11 | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Processors - Stanley Cavers VMP | 2973 | 1491 | 119 | 20 | 10 | 20 | 12 | 0 | 2 | 5 | 6 | 3 | 1 | 19 | 7 | 15 | 3 | | | | | | | | | | | | | | | | | | | |
| Totals | 39151 | 34987 | 32977 | 30773 | 30177 | 27963 | 26182 | 20732 | 23051 | 20153 | 17629 | 15356 | 13453 | 11965 | 9797 | 7944 | 6213 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Interventional Correspondence or other packages* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Processed with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | 50 |
| Filings Entered with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 24 | 2 | 1 | 2 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | 71 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavers | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2131 | 2049 | 2113 | 2028 | 1956 | 1825 | 1606 | | | | | | | | | | | | | | | | | | | 13910 |
| H1B Masters - Stanley Cavers | 0 | 0 | 0 | 0 | 0 | 2692 | 1931 | 1988 | 1919 | 171 | 57 | 18 | 17 | 17 | 13 | 13 | | | | | | | | | | | | | | | | | | | | 8733 |
| H1B CAP - Processors - Stanley Cavers | 0 | 0 | 836 | 1441 | 848 | 1171 | 898 | 13 | 37 | 84 | 28 | 30 | 11 | 7 | 28 | 89 | 54 | | | | | | | | | | | | | | | | | | | 4030 |
| H1B Masters - Processors - Stanley Cavers | 898 | 1514 | 1271 | 98 | 10 | 28 | 12 | 18 | 1 | 10 | 7 | 13 | 1 | 6 | 22 | 13 | 28 | | | | | | | | | | | | | | | | | | | 1570 |
| Totals | 898 | 1514 | 2107 | 1539 | 858 | 3891 | 2841 | 2019 | 1958 | 2045 | 2223 | 2110 | 2142 | 2058 | 2019 | 1940 | 1688 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20303 |
| *Identified Penalty Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Rejected - Stanley Cavers | 9 | 19 | 37 | 73 | 72 | 110 | 137 | 151 | 210 | 246 | 282 | 249 | 185 | 154 | 120 | 97 | 58 | | | | | | | | | | | | | | | | | | | [redacted] |
| *Completed Reject* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Cavers | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | 48 | 81 | 69 | 107 | 102 | 88 | 113 | 30 | | | | | | | | | | | | | | | | | | | 870 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 29, 2009 11:04:35 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

**From:** Upton, Mandy L
**Sent:** Wednesday, April 29, 2009 10:54 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 28, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 29, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Regular Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavnar VSC | 17953 | 16150 | 16419 | 16006 | 16976 | 16979 | 17502 | 17773 | 17622 | 17731 | 17603 | 15553 | 13441 | 11896 | 9750 | 7978 | 6324 | | | | | | | | | | | | | | |
| H1B Masters - Stanley Cavnar VSC | 8950 | 8672 | 8725 | 8730 | 8730 | 8730 | 8178 | 4747 | 2895 | 758 | 42 | 9 | 8 | 5 | 5 | 3 | 43 | | | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Cavnar VSC | 6921 | 6611 | 6765 | 5527 | 4781 | 167 | 19 | 9 | 23 | 20 | 12 | 3 | 3 | 26 | 22 | 11 | 11 | | | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Cavnar VSC | 2078 | 1491 | 119 | 20 | 10 | 20 | 12 | 9 | 3 | 2 | 6 | 2 | 1 | 17 | 7 | 13 | 2 | | | | | | | | | | | | | | |
| Totals | 34181 | 30994 | 32937 | 30733 | 30177 | 27961 | 25712 | 22549 | 20953 | 20153 | 17639 | 15579 | 13453 | 11944 | 9787 | 7995 | 6383 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Information Considered to other Sunday | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Rec. carried with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 15 | 7 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | | | | | | | | | | | | | | 80 |
| Filings Passed with No Receipts | 0 | 1 | 0 | 0 | 12 | 1 | 0 | 0 | 14 | 34 | 2 | 2 | 2 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | 71 |
| Cases Received | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavnar | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2131 | 2049 | 2118 | 2278 | 1656 | 1852 | 1905 | | | | | | | | | | | | | | 15490 |
| H1B Masters - Stanley Cavnar | 0 | 0 | 0 | 0 | 0 | 0 | 2072 | 1951 | 1980 | 1918 | 171 | 37 | 10 | 17 | 17 | 37 | 22 | | | | | | | | | | | | | | 8783 |
| H1B CAP - Premium - Stanley Cavnar | 0 | 0 | 856 | 1441 | 866 | 1171 | 806 | 31 | 17 | 36 | 23 | 20 | 17 | 7 | 18 | 20 | 14 | | | | | | | | | | | | | | 6878 |
| H1B Masters - Premium - Stanley Cavnar | 299 | 1518 | 1271 | 20 | 19 | 22 | 12 | 18 | 1 | 10 | 7 | 13 | 8 | 8 | 22 | 13 | 20 | | | | | | | | | | | | | | 2979 |
| Totals | 299 | 1518 | 2127 | 1461 | 885 | 1193 | 2890 | 2000 | 1999 | 1964 | 2334 | 2119 | 2153 | 2310 | 1713 | 1922 | 1961 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 33130 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Cavnar | 0 | 19 | 77 | 72 | 72 | 118 | 157 | 131 | 218 | 276 | 257 | 249 | 195 | 154 | 120 | 97 | 76 | | | | | | | | | | | | | | |
| Completed Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Printed - Stanley Cavnar | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 83 | 18 | 21 | 49 | 107 | 172 | 69 | 113 | 89 | | | | | | | | | | | | | | 920 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Tuesday, April 28, 2009 12:12:20 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Tuesday, April 28, 2009 10:53 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 27, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] ✉: Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 27, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Date Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Vermont Service Center | VSC | 17953 | 18136 | 18419 | 18676 | 18804 | 19005 | 19092 | 19092 | 19092 | 19723 | 17872 | 17872 | 15853 | 13641 | 11956 | 8799 | 7928 | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Vermont Service Center | VSC | 8679 | 8672 | 8723 | 8785 | 8785 | 8785 | 8178 | 4247 | 3201 | 956 | 19 | 9 | 8 | 3 | 3 | 2 | 8 | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Processed - Vermont Service Center | VSC | 8401 | 8411 | 8588 | 8537 | 8781 | 767 | 19 | 9 | 22 | 20 | 15 | 3 | 3 | 2 | 20 | 11 | 18 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Processed - Vermont Service Center | VSC | 2998 | 1481 | 118 | 20 | 10 | 26 | 13 | 9 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | 15 | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36151 | 36899 | 37727 | 37723 | 37277 | 27982 | 38313 | 38549 | 21971 | 20152 | 17878 | 17572 | 13641 | 11956 | 8799 | 7928 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Information Gathered (not all cases pending) | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Processes Cases Also served with Premium | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | 50 |
| Cases Passed with No Premium | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 21 | 21 | 3 | 2 | 2 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | 71 |
| Date Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2181 | 3049 | 2112 | 2035 | 1654 | 1022 | | | | | | | | | | | | | | | | | | | | | | | | | 11993 |
| H1B Masters - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 2692 | 1951 | 1989 | 1916 | 171 | 17 | 10 | 17 | 17 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | 8791 |
| H1B CAP - Processed - Vermont Service Center | 0 | 0 | 896 | 2451 | 549 | 3473 | 304 | 53 | 37 | 30 | 20 | 20 | 17 | 9 | 10 | 10 | | | | | | | | | | | | | | | | | | | | | | | | | 6707 |
| H1B Masters - Processed - Vermont Service Center | 299 | 1313 | 1274 | 88 | 19 | 23 | 12 | 15 | 8 | 10 | 7 | 11 | 8 | 5 | 12 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | 3109 |
| Totals | 299 | 1313 | 2170 | 2539 | 568 | 3496 | 3008 | 1991 | 2034 | 1956 | 2379 | 3097 | 2147 | 2066 | 1693 | 1056 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30599 |
| Identified Pending Rejection | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Rejected - Vermont Service Center | 0 | 13 | 57 | 73 | 73 | 113 | 157 | 131 | 316 | 304 | 267 | 199 | 105 | 134 | 120 | 97 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Completed Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Vermont Service Center | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 69 | 53 | 99 | 977 | 172 | 99 | 113 | | | | | | | | | | | | | | | | | | | | | | | | | 799 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 28, 2009 11:05:20 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Tuesday, April 28, 2009 10:53 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 27, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS| [redacted] (b)(6)
Mandy.Upton@dhs.gov

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 27, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Premium Cases Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases | FBN | 17952 | 18120 | 18419 | 18606 | 18676 | 18695 | 17973 | 19952 | 19672 | 19723 | 19507 | 15333 | 13441 | 11494 | 8750 | 7528 | | | | | | | | | | | | | | |
| H1B Masters - Premium Cases | FMPN | 8679 | 8672 | 8732 | 8739 | 8739 | 8739 | 8178 | 4247 | 2975 | 775 | 72 | 0 | 8 | 2 | 7 | 8 | | | | | | | | | | | | | | |
| H1B CAP - Premiums - Premium Cases | FPP | 8451 | 8411 | 8716 | 8237 | 8781 | 167 | 19 | 0 | 20 | 20 | 12 | 3 | 3 | 34 | 13 | 18 | | | | | | | | | | | | | | |
| H1B Masters - Premiums - Premium Cases | FMPP | 2958 | 2951 | 118 | 20 | 19 | 20 | 12 | 0 | 3 | 3 | 6 | 2 | 1 | 19 | 7 | 15 | | | | | | | | | | | | | | |
| Totals | 36131 | 36994 | 35985 | 36735 | 36177 | 37963 | 36114 | 35549 | 31923 | 30157 | 27870 | 19578 | 13451 | 11964 | 8777 | 7966 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Petitions and Cases Identified as above markups | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Not entered with Receipts | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | | | | | | | | | | | | | | | 56 |
| Misses Passed with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 23 | 31 | 2 | 2 | 2 | 0 | 0 | 0 | | | | | | | | | | | | | | | 77 |
| Daily Receipt | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 3049 | 3113 | 2919 | 1436 | 1020 | | | | | | | | | | | | | | | 11858 |
| H1B Masters - Premium Cases | 0 | 0 | 0 | 0 | 0 | 0 | 8012 | 1951 | 1990 | 1918 | 171 | 17 | 10 | 17 | 17 | 13 | | | | | | | | | | | | | | | 4731 |
| H1B CAP - Premiums - Premium Cases | 0 | 0 | 876 | 1451 | 1.46 | 1,173 | 896 | 13 | 17 | 14 | 24 | 20 | 12 | 7 | 10 | 10 | | | | | | | | | | | | | | | 4,572 |
| H1B Masters - Premiums - Premium Cases | 298 | 1513 | 1174 | 78 | 19 | 23 | 11 | 18 | 5 | 12 | 7 | 13 | 6 | 8 | 23 | 12 | | | | | | | | | | | | | | | 4,492 |
| Totals | 298 | 1513 | 2050 | 1529 | 536 | 2,096 | 8919 | 1982 | 2013 | 1944 | 2324 | 3199 | 3141 | 2951 | 1486 | 1055 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 31,053 |
| Identified Pending Families | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Cases | 9 | 15 | 27 | 72 | 72 | 118 | 157 | 131 | 216 | 246 | 257 | 309 | 195 | 154 | 120 | 87 | | | | | | | | | | | | | | | |
| Completed Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Premium Cases | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 27 | 85 | 98 | 53 | 69 | 107 | 102 | 98 | 113 | | | | | | | | | | | | | | | 797 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 27, 2009 11:35:19 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi – It looks like we have 22,402 Masters and 38,484 regular so far between CSC and VSC.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 27, 2009 11:14 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 24, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 24, 2009

| Query | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Premium Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Gerard VRN | 17752 | 18139 | 18419 | 18654 | 18656 | 18998 | 19391 | 19595 | 19628 | 19793 | 17893 | 18553 | 19441 | 11976 | 9750 | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Stanley Gerard VMN | 8609 | 8672 | 8732 | 8781 | 8780 | 8796 | 8178 | 8247 | 8275 | 8291 | 19 | 9 | 8 | 5 | 7 | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Gerard VRP | 6691 | 6811 | 6748 | 7727 | 7781 | 167 | 19 | 0 | 23 | 20 | 12 | 3 | 3 | 36 | 23 | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Gerard VMP | 7998 | 8491 | 118 | 21 | 19 | 27 | 12 | 0 | 3 | 3 | 6 | 3 | 1 | 19 | 7 | | | | | | | | | | | | | | | | |
| Totals | 36151 | 34094 | 37917 | 35723 | 37137 | 27988 | 28132 | 27842 | 27929 | 28107 | 27183 | 17829 | 15158 | 12453 | 11466 | 8797 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *Subsequent Cancellations or other Invalids* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Mis-entered with Receipts | 8 | 0 | 8 | 8 | 8 | 0 | 37 | 15 | 7 | 8 | 4 | 1 | 0 | 0 | | | | | | | | | | | | | | | | | 82 |
| Cases Picked with No Receipts | 0 | 1 | 0 | 0 | 15 | 1 | 0 | 0 | 33 | 24 | 2 | 3 | 7 | 9 | 0 | | | | | | | | | | | | | | | | 71 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2151 | 3093 | 3112 | 2055 | 1634 | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 0 | 2693 | 1931 | 1989 | 1918 | 133 | 27 | 18 | 17 | 17 | | | | | | | | | | | | | | | | 8743 |
| H1B CAP - Premium - Stanley Gerard | 0 | 0 | 836 | 1441 | 946 | 1471 | 204 | 35 | 17 | 14 | 23 | 20 | 11 | 7 | 34 | | | | | | | | | | | | | | | | 4673 |
| H1B Masters - Premium - Stanley Gerard | 359 | 1513 | 1121 | 38 | 19 | 25 | 25 | 18 | 1 | 20 | 7 | 13 | 8 | 4 | 20 | | | | | | | | | | | | | | | | 2697 |
| Totals | 359 | 1513 | 2029 | 1479 | 956 | 1496 | 2922 | 1984 | 2008 | 1952 | 2316 | 3153 | 3149 | 2083 | 1705 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 20093 |
| *Intended Pending Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Gerard | 0 | 11 | 27 | 73 | 73 | 118 | 137 | 131 | 216 | 298 | 257 | 197 | 185 | 134 | 120 | | | | | | | | | | | | | | | | [redacted] |
| *Completed Receipts* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Gerard | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | 68 | 53 | 49 | 107 | 107 | 98 | | | | | | | | | | | | | | | | 672 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Monday, April 27, 2009 11:16:38 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Monday, April 27, 2009 11:14 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 24, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Friday, April 24, 2009 11:07:26 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi

Lisa

----- Original Message -----
From: Upton, Mandy L
To: VSC STANLEY Admin; 'Collins, Thomas C.' <thomas.collins@stanleyassociates.com>; 'Peacock, Walter W.' <Walter.Peacock@stanleyassociates.com>; 'Moulin, Kristen L.' <Kristen.Moulin@stanleyassociates.com>
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Sent: Fri Apr 24 10:29:21 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 23, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|([redacted] *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 23, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | [redacted] |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium - Regular Cases | 17981 | 16339 | 16419 | 10406 | 10404 | 10005 | 19702 | 17397 | 17623 | 19733 | 17693 | 15553 | 13441 | 11854 | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases | 8650 | 8673 | 8723 | 8730 | 8730 | 8730 | 8178 | 6217 | 2295 | 276 | 19 | 6 | 8 | 3 | | | | | | | | | | | | | | | | | [redacted] |
| H1B CAP - Premium - Regular Cases | 6491 | 6411 | 6348 | 5317 | 3731 | 167 | 19 | 8 | 33 | 20 | 12 | 3 | 3 | 34 | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Premium - Regular Cases | 2998 | 1491 | 118 | 20 | 19 | 20 | 13 | 8 | 3 | 3 | 6 | 2 | 1 | 19 | | | | | | | | | | | | | | | | | [redacted] |
| Totals | 36121 | 34924 | 33927 | 30731 | 29177 | 27965 | 25112 | 23549 | 21951 | 20132 | 17670 | 15558 | 13453 | 11864 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | [redacted] |
| Informational Consolidated or above Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Mis-routed with Receipts | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 37 | 18 | 7 | 0 | 0 | 1 | 0 | | | | | | | | | | | | | | | | | 80 |
| Pilots Passed with No Receipts | 0 | 1 | 0 | 0 | 12 | 1 | 0 | 0 | 31 | 24 | 1 | 1 | 2 | 0 | | | | | | | | | | | | | | | | | 73 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 3333 | 2699 | 2113 | 2755 | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 6952 | 1931 | 1998 | 1918 | 171 | 37 | 18 | 17 | | | | | | | | | | | | | | | | | [redacted] |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 876 | 1501 | 595 | 2471 | 276 | 22 | 41 | 30 | 28 | 30 | 17 | 7 | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Premium - Regular Cases | 998 | 1513 | 1274 | 38 | 19 | 23 | 22 | 10 | 5 | 10 | 7 | 13 | 8 | 5 | | | | | | | | | | | | | | | | | [redacted] |
| Totals | 998 | 1513 | 2250 | 1539 | 614 | 2494 | 7250 | 1963 | 2071 | 1964 | 3546 | 2779 | 2153 | 2944 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | [redacted] |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 14 | 27 | 71 | 72 | 118 | 157 | 131 | 316 | 256 | 257 | 249 | 195 | 154 | | | | | | | | | | | | | | | | | [redacted] |
| Completed Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 89 | 68 | 33 | 98 | 107 | 102 | | | | | | | | | | | | | | | | | 659 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Friday, April 24, 2009 10:33:49 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Friday, April 24, 2009 10:29 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 23, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted] ✉: Mandy.upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 23, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Court VSC | 17952 | 18120 | 18410 | 13604 | 18604 | 18995 | 19302 | 19372 | 18622 | 19733 | 17952 | 15353 | 13641 | 11478 | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Stanley Court VSM | 8800 | 8872 | 8753 | 8709 | 8709 | 8791 | 6178 | 6247 | 5393 | 596 | 19 | 0 | 6 | 3 | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Processing - Stanley Court VSP | 6601 | 6611 | 1794 | 2127 | 2731 | 161 | 19 | 0 | 23 | 20 | 12 | 3 | 3 | 36 | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Processing - Stanley Court VSP | 2799 | 1491 | 118 | 30 | 10 | 20 | 13 | 0 | 3 | 3 | 6 | 3 | 1 | 19 | | | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36151 | 35094 | 29075 | 26770 | 30177 | 27963 | 25112 | 25719 | 23973 | 20173 | 17639 | 13378 | 13453 | 11464 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Informational Communication about Another | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Petitions Cases Associated with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 11 | 7 | 0 | 0 | 1 | 0 | | | | | | | | | | | | | | | | | | | | | | | 89 |
| Phone Passed with No Receipts | 0 | 1 | 0 | 0 | 12 | 1 | 0 | 0 | 21 | 11 | 3 | 2 | 2 | 9 | | | | | | | | | | | | | | | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Court | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 7181 | 2092 | 2113 | 2079 | | | | | | | | | | | | | | | | | | | | | | | | 83.25 |
| H1B Masters - Stanley Court | 0 | 0 | 0 | 0 | 0 | 0 | 2907 | 3931 | 3988 | 3816 | 171 | 17 | 18 | 17 | | | | | | | | | | | | | | | | | | | | | | | | 84.85 |
| H1B CAP - Processing - Stanley Court | 0 | 0 | 856 | 1951 | 849 | 2171 | 376 | 32 | 27 | 30 | 23 | 20 | 17 | 3 | | | | | | | | | | | | | | | | | | | | | | | | 4.704 |
| H1B Masters - Processing - Stanley Court | 299 | 1513 | 1374 | 36 | 10 | 22 | 22 | 19 | 3 | 10 | 7 | 13 | 8 | 5 | | | | | | | | | | | | | | | | | | | | | | | | 1.444 |
| Totals | 299 | 1513 | 2230 | 2177 | 859 | 2193 | 2305 | 3982 | 3971 | 3856 | 7382 | 2142 | 2156 | 2104 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 77.159 |
| Identified Petition Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected - Stanley Court | 0 | 15 | 27 | 72 | 72 | 110 | 187 | 111 | 216 | 156 | 257 | 205 | 195 | 154 | | | | | | | | | | | | | | | | | | | | | | | | |
| Cancelled Rules | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Selected - Stanley Court | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 89 | 69 | 53 | 69 | 197 | 152 | | | | | | | | | | | | | | | | | | | | | | | | 599 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Thursday, April 23, 2009 12:47:53 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Thursday, April 23, 2009 11:07 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 22, 2009.

Thank you.
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]:
Mandy.upton@dhs.gov

(b)(6)

Vermont Service Center
I-129 Cap Report - As of 11:30pm on April 22, 2009

| Entry | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Receipt Date Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 17952 | 18120 | 18419 | 19046 | 19076 | 19095 | 19202 | 19305 | 19422 | 19733 | 17672 | 19581 | 19451 | | | | | | | | | | | | | | | | | | |
| H1B Masters - Regular Cases | 6970 | 8672 | 8737 | 8750 | 8750 | 8750 | 6179 | 6547 | 3203 | 376 | 19 | 0 | 0 | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premiums - Regular Cases | 6693 | 6811 | 6788 | 6817 | 6781 | 167 | 17 | 0 | 23 | 20 | 12 | 3 | 3 | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premiums - Regular Cases | 2799 | 1791 | 119 | 20 | 10 | 20 | 13 | 0 | 3 | 3 | 0 | 2 | 1 | | | | | | | | | | | | | | | | | | |
| Totals | 34414 | 34894 | 33957 | 34773 | 34617 | 27932 | 25512 | 25852 | 22951 | 20132 | 17683 | 19586 | 19455 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Informational Copies(included in above totals) | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Identified with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 18 | 7 | 0 | 0 | 1 | | | | | | | | | | | | | | | | | | 99 |
| Filings Found with No Payments | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 23 | 1 | 3 | 2 | | | | | | | | | | | | | | | | | | 73 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2131 | 20497 | 2112 | | | | | | | | | | | | | | | | | | | 4752 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2691 | 1931 | 1988 | 1519 | 171 | 37 | 10 | | | | | | | | | | | | | | | | | | 8447 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 854 | 2951 | 846 | 1471 | 870 | 33 | 11 | 58 | 25 | 30 | 17 | | | | | | | | | | | | | | | | | | 6977 |
| H1B Masters - Premiums - Regular Cases | 298 | 1515 | 1379 | 78 | 10 | 33 | 22 | 10 | 6 | 10 | 7 | 13 | 6 | | | | | | | | | | | | | | | | | | 2459 |
| Totals | 298 | 1515 | 2233 | 3029 | 856 | 1504 | 3583 | 1975 | 2005 | 3718 | 2734 | 2192 | 2125 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25634 |
| Adjudged Petition Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 12 | 57 | 72 | 72 | 118 | 157 | 121 | 116 | 139 | 237 | 197 | 197 | | | | | | | | | | | | | | | | | | |
| Completed Petitions | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 77 | 77 | 69 | 48 | 32 | 49 | 197 | | | | | | | | | | | | | | | | | | 467 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R.; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Thursday, April 23, 2009 11:30:19 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

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**From:** Upton, Mandy L
**Sent:** Thursday, April 23, 2009 11:07 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 22, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS| [redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 22, 2009

| Days | 1/7/09 | 1/8/09 | 1/9/09 | 1/10/09 | 1/11/09 | 1/12/09 | 1/13/09 | 1/14/09 | 1/15/09 | 1/16/09 | 1/17/09 | 1/18/09 | 1/19/09 | 1/20/09 | 1/21/09 | 1/22/09 | 1/23/09 | 1/24/09 | 1/25/09 | 1/26/09 | 1/27/09 | 1/28/09 | 1/29/09 | 1/30/09 | 1/31/09 | 2/1/09 | 2/2/09 | 2/3/09 | 2/4/09 | 2/5/09 | 2/6/09 | 2/7/09 | 2/8/09 | 2/9/09 | 2/10/09 | 2/11/09 | 2/12/09 | 2/13/09 | 2/14/09 | 2/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Regular Cases | VRN | 17952 | 18130 | 18419 | 18674 | 18694 | 18995 | 19507 | 19937 | 19632 | 19733 | 17802 | 15553 | 13441 | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Regular Cases | VMN | 8679 | 8872 | 8721 | 8730 | 8730 | 8739 | 8178 | 8747 | 8597 | 856 | 19 | 6 | 6 | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premiums - Regular Cases | VPR | 4401 | 4431 | 3758 | 2127 | 2731 | 417 | 19 | 9 | 25 | 20 | 12 | 5 | 5 | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premiums - Regular Cases | VMP | 2054 | 1491 | 119 | 28 | 10 | 32 | 12 | 6 | 5 | 5 | 6 | 4 | 4 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36151 | 34894 | 33917 | 29721 | 30171 | 27963 | 28112 | 27549 | 27993 | 29152 | 17639 | 17958 | 13453 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Independently Counted/Added as above number | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| Premium Cases Mis-sorted with Regulars | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 13 | 7 | 0 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | 55 |
| Filings Passed with Pre Positions | 0 | 1 | 0 | 0 | 15 | 1 | 0 | 0 | 21 | 21 | 3 | 1 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 2049 | 2113 | | | | | | | | | | | | | | | | | | | | | | | | | | 6283 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2012 | 1931 | 1988 | 1918 | 171 | 37 | 18 | | | | | | | | | | | | | | | | | | | | | | | | | | 8061 |
| H1B CAP - Premiums - Regular Cases | 0 | 0 | 896 | 1091 | 849 | 1471 | 376 | 35 | 37 | 36 | 21 | 20 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | | 6857 |
| H1B Masters - Premiums - Regular Cases | 958 | 1513 | 1274 | 88 | 19 | 32 | 32 | 18 | 5 | 10 | 7 | 13 | 8 | | | | | | | | | | | | | | | | | | | | | | | | | | 3439 |
| Totals | 958 | 1513 | 2230 | 1179 | 868 | 1503 | 2420 | 1984 | 2031 | 1964 | 1924 | 2119 | 2151 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 25994 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| Selected - Regular Cases | 8 | 13 | 27 | 72 | 72 | 119 | 157 | 131 | 274 | 258 | 257 | 259 | 191 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cumulative Rates | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Total |
| Selected - Regular Cases | 8 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 48 | 53 | 49 | 107 | | | | | | | | | | | | | | | | | | | | | | | | | | 497 |

## Worley, Jordan P

**From:** Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
**Sent:** Wednesday, April 22, 2009 10:32 AM
**To:** Moulin, Kristen L.
**Subject:** FW: CAP Report
**Attachments:** Copy of 2009 H-1B Cap Report (4-21-09 11 PM).xls

FYI

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**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Wednesday, April 22, 2009 11:26 AM
**To:** Peacock, Walter W.
**Subject:** FW: CAP Report

FYI

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**From:** Siesel, Gregory P
**Sent:** Wednesday, April 22, 2009 8:25 AM
**To:** 'Nicholson, Richard E'
**Subject:** RE: CAP Report

Rich,

Per our conversation, I updated the reports formulas for totals data entered.

Regards,

Greg

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**From:** Nicholson, Richard E [mailto:richard.nicholson@dhs.gov]
**Sent:** Wednesday, April 22, 2009 7:42 AM
**To:** Siesel, Gregory P
**Subject:** FW: CAP Report

Greg: The formula needs adjustment on the daily totals; they are not including Tuesdays numbers.....Can you adjust and resend? Thanks.

Rich Nicholson
Assistant Center Director, Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

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**From:** Nelson, Marvin E
**Sent:** Tuesday, April 21, 2009 11:30 PM
**To:** Akeo, Timothy R; Benavente, Jessy J; Bobeng Jr, John W; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

## California Service Center

### I-129 Cap Report

As of 11 P.M.

06/02/15

**California Bar Coding Progress**

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | Total |
|---|---|---|---|---|---|---|
| Regular CAP(CAP-R) | 1,795 | 5,360 | 4,178 | 426 | 1,012 | 12,771 |
| Regular Premium(CRP) | 809 | 2,852 | 756 | 45 | 77 | 4,539 |
| Regular Masters(CAMP) | 692 | 3,845 | 1,205 | 252 | 265 | 6,227 |
| Premium Masters(CAMP) | 7 | 2,469 | 412 | 20 | 52 | 2,959 |
| Total | 3,481 | 14,371 | 6,551 | 743 | 1,406 | 26,551 |

**California Receipts By Day** (Estimate based on 600 per cage / 22.5 per box / 20 per bucket)

Note: Resubmitted Received numbers + REJECTS + CIS Review

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr | 9-Apr | 10-Apr | 13-Apr | 14-Apr | 15-Apr | 16-Apr | 17-Apr | 20-Apr | 21-Apr | 0 Courses against CAP Total Keyed / To be Keyed | REJECTS | data Check cis Review | Grand Total Received |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Regular CAP(CAP-R) | 9,815 | 1,166 | 865 | 877 | 734 | 43 | 21 | 184 | 36 | 33 | 133 | 39 | 47 | 56 | 28 | 13,376 | 6 | | 13,382 |
| Regular Premium(CRP) | 4,308 | 46 | 37 | 63 | 7 | 4 | 2 | 1 | 7 | 18 | 13 | 18 | 17 | 17 | 28 | 4,609 | 117 | | 4,726 |
| Regular Masters(CAMP) | 5,584 | 377 | 238 | 130 | 204 | 21 | 10 | 12 | 18 | 15 | 14 | 9 | 7 | 11 | 19 | 6,677 | 117 | | 6,794 |
| Premium Masters(CAMP) | 2,844 | 15 | 3 | 3 | 13 | 3 | 0 | 2 | 5 | 4 | 3 | 7 | 4 | 0 | 10 | 3,018 | 42 | | 3,060 |
| Total | 22,481 | 1,604 | 971 | 763 | 958 | 71 | 33 | 199 | 66 | 71 | 163 | 70 | 75 | 84 | 86 | 27,677 | 282 | | 27,959 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received | 27,959 |
| Last year Grand total received | 59,822 |
| % + or - | -53% |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 22, 2009 11:03:50 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Wednesday, April 22, 2009 10:35 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 21, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted]
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 21, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev. 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | Grand Totals |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | | | | 107,015 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | | | | 19,925 |
| | | | | | | | | | 0 |
| 34 | 13 | 18 | 9 | 43 | 23 | | | | 8,948 |
| | | | | | | | | | 0 |
| 35 | 9 | 36 | 33 | 19 | 21 | | | | 6,811 |
| | | | | | | | | | 0 |
| 14 | 12 | 7 | 10 | 8 | 11 | | | | 3,472 |
| | | | | | | | | | 0 |
| | | | | | | | | | 0 |
| 390 | 209 | 206 | 163 | 213 | 104 | 0 | 0 | 0 | 39,156 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 22, 2009 10:58:03 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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fyi

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Wednesday, April 22, 2009 10:35 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 21, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted]:
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.
April 21, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | Grand Totals |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | | | | 107,015 |

| | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | | | | 19,925 |
| | | | | | | | | | 0 |
| 34 | 13 | 18 | 9 | 43 | 23 | | | | 8,948 |
| | | | | | | | | | 0 |
| 35 | 9 | 36 | 33 | 19 | 21 | | | | 6,811 |
| | | | | | | | | | 0 |
| 14 | 12 | 7 | 10 | 8 | 11 | | | | 3,472 |
| | | | | | | | | | 0 |
| | | | | | | | | | 0 |
| 390 | 209 | 206 | 163 | 213 | 104 | 0 | 0 | 0 | 39,156 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: CSC 2009 H1B CAP Report |
| **Date:** | Wednesday, April 22, 2009 9:16:43 AM |
| **Attachments:** | 2009 H-1B Cap Report (4-21-09 11 PM).xls |

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Wednesday, April 22, 2009 2:30 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA 92677
☎ [redacted]
(949) 389-3487 (b)(6)

# California Service Center

## I-129 Cap Report

As of 11 P.M.

06/02/16

| California Bar Coding Progress | | | | | | |
|---|---|---|---|---|---|---|
| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | Total |
| Regular CAP(CRN) | 1,796 | 6,380 | 4,176 | 426 | 1,012 | 12,789 |
| Regular Premium(CRP) | 808 | 2,854 | 759 | 48 | 77 | 4,546 |
| Regular Masters(CMN) | 855 | 3,645 | 1,506 | 253 | 368 | 6,627 |
| Premium Masters(CMP) | 7 | 2,499 | 418 | 26 | 82 | 2,999 |
| Total | 3,466 | 14,378 | 6,856 | 753 | 1,809 | 26,961 |

| California Receipts By Day (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | | Note: Readjusted Received numbers + REJECTS + CIB Review | | | | | | | | | # Counted against CAP | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | 8-Apr | 9-Apr | 10-Apr | 13-Apr | 14-Apr | 15-Apr | 16-Apr | 17-Apr | 20-Apr | 21-Apr | Total Keyed / To be Keyed | REJECTS | Data Check/ CIS Review | Grand Total Received |
| Regular CAP(CRN) | 8,815 | 1,166 | 685 | 577 | 754 | 43 | 21 | 164 | 38 | 33 | 133 | 36 | 47 | 58 | 28 | 13,378 | 6 | | 13,384 |
| Regular Premium(CRP) | 4,308 | 48 | 37 | 63 | 7 | 4 | 2 | 1 | 7 | 19 | 13 | 16 | 17 | 17 | 29 | 4,505 | 117 | | 4,723 |
| Regular Masters(CMN) | 5,594 | 377 | 236 | 130 | 204 | 21 | 10 | 12 | 18 | 15 | 14 | 9 | 7 | 11 | 19 | 6,677 | 117 | | 6,794 |
| Premium Masters(CMP) | 2,944 | 18 | 3 | 3 | 13 | 3 | 0 | 2 | 5 | 4 | 3 | 7 | 4 | 0 | 10 | 3,016 | 42 | | 3,058 |
| Total | 22,461 | 1,604 | 971 | 793 | 958 | 71 | 33 | 169 | 68 | 71 | 163 | 70 | 75 | 84 | 86 | 27,577 | 282 | | 27,959 |

| | |
|---|---|
| Unidentified | 0 |
| Grand total received | 27,784 |
| Last year Grand total received | 58,822 |
| % < or > | <53% |

California Service Center

I-129 Cap Report

As of 11 P.M.

| 04/02/10 | | [JULIAN DATES] | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Sat | Sun | Mon |
| H1B CAP | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B Masters | 6,265 | 6,765 | 6,765 | 6,765 | 6,765 | 6,765 | 5,811 | 3,560 | 0 | -1,548 | -1,548 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,604 | 4,514 | 3,208 | 1,660 | 234 | 88 | 42 | 20 | 0 | -49 | -49 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,048 | 3,048 | 3,041 | 3,041 | 2,835 | 1,045 | 87 | 41 | 0 | -29 | -29 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| Totals | 27,194 | 27,604 | 26,291 | 24,743 | 23,111 | 21,179 | 19,257 | 16,953 | 13,277 | 11,651 | 11,651 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | |

| Data Entry | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | Total | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | |
| H1B CAP | | | | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | | | | | | 4,753 | 0 | 0 | 0 | 0 | 0 | 954 | 2,251 | 1,548 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | | | | | | 4,496 | 780 | 1,306 | 1,548 | 1,426 | 33 | 26 | 18 | 49 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | | | | | | 2,955 | 7 | 0 | 0 | 156 | 1,805 | 958 | 2 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | | | | | | 12,204 | 297 | 1,306 | 1,548 | 1,582 | 1,836 | 1,938 | 2,271 | 1,626 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Entered) | | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Entered) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | | |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| H1B Masters | 17 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| H1B CAP - Premium | 113 | 0 | 24 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| H1B Masters - Premium | 37 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Total Processed | 167 | 0 | 24 | 31 | 19 | 54 | 11 | 8 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 21, 2009 11:44:39 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Tuesday, April 21, 2009 10:59 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 20, 2009.

(b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted] ✉:
Mandy.Upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| 4/14/2009 | 31 | 22 | 35 | 27 | 115 |
| 4/15/2009 | 60 | 92 | 8 | 5 | 165 |
| 4/16/2009 | 41 | 73 | 38 | 37 | 189 |
| 4/17/2009 | 39 | 25 | 24 | 43 | 131 |
| 4/18/2009 | 6 | 11 | 20 | 26 | 63 |
| 4/20/2009 | | | | | 0 |
| 4/21/2009 | | | | | 0 |
| 4/22/2009 | | | | | 0 |
| 4/23/2009 | | | | | 0 |
| 4/24/2009 | | | | | 0 |
| 4/27/2009 | | | | | 0 |
| 4/28/2009 | | | | | 0 |
| 4/29/2009 | | | | | 0 |
| 4/30/2009 | | | | | 0 |
| 5/1/2009 | | | | | 0 |
| 5/4/2009 | | | | | 0 |
| 5/5/2009 | | | | | 0 |
| 5/6/2009 | | | | | 0 |
| 5/7/2009 | | | | | 0 |
| 5/8/2009 | | | | | 0 |
| 5/11/2009 | | | | | 0 |
| 5/12/2009 | | | | | 0 |
| 5/13/2009 | | | | | 0 |

Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| 5/14/2009 | | | | | 0 |
| 5/15/2009 | | | | | 0 |
| TOTALS | 288 | 325 | 209 | 198 | 1020 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 21, 2009 11:12:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi -

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

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**From:** Upton, Mandy L
**Sent:** Tuesday, April 21, 2009 10:59 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 20, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] (b)(6)
Mandy.Upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| 4/14/2009 | 31 | 22 | 35 | 27 | 115 |
| 4/15/2009 | 60 | 92 | 8 | 5 | 165 |
| 4/16/2009 | 41 | 73 | 38 | 37 | 189 |
| 4/17/2009 | 39 | 25 | 24 | 43 | 131 |
| 4/18/2009 | 6 | 11 | 20 | 26 | 63 |
| 4/20/2009 | 15 | 15 | 25 | 37 | 92 |
| 4/21/2009 | | | | | 0 |
| 4/22/2009 | | | | | 0 |
| 4/23/2009 | | | | | 0 |
| 4/24/2009 | | | | | 0 |
| 4/27/2009 | | | | | 0 |
| 4/28/2009 | | | | | 0 |
| 4/29/2009 | | | | | 0 |
| 4/30/2009 | | | | | 0 |
| 5/1/2009 | | | | | 0 |
| 5/4/2009 | | | | | 0 |
| 5/5/2009 | | | | | 0 |
| 5/6/2009 | | | | | 0 |
| 5/7/2009 | | | | | 0 |
| 5/8/2009 | | | | | 0 |
| 5/11/2009 | | | | | 0 |
| 5/12/2009 | | | | | 0 |
| 5/13/2009 | | | | | 0 |

Rev: 3/4/09

| | | | | | |
|---|---|---|---|---|---|
| 5/14/2009 | | | | | 0 |
| 5/15/2009 | | | | | 0 |
| TOTALS | 303 | 340 | 234 | 235 | 1112 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Saturday, April 18, 2009 6:06:09 PM
**Attachments:** VSC H1B Cap Report 2009.xls

---

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Sat Apr 18 14:23:15 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 17, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center

I-129 Cap Report - As of 11:30pm on April 17, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Petition Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases VRN | 17952 | 18130 | 18459 | 18976 | 18976 | 19099 | 19597 | 19992 | 19992 | 19992 | 19992 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | 20153 | [redacted] |
| H1B Masters - Regular Cases VMN | 8600 | 8673 | 8732 | 8780 | 8780 | 8780 | 8178 | 8247 | 8295 | 8295 | 8295 | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases VRP | 6601 | 6611 | 5768 | 5537 | 5781 | 167 | 19 | 0 | 35 | 20 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases VMP | 2998 | 1693 | 118 | 20 | 19 | 20 | 11 | 0 | 3 | 3 | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36121 | 34954 | 33957 | 33723 | 30177 | 27963 | 27113 | 27239 | 27953 | 28153 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Petitions Cases Identified to close Tomorrow* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases May exceed with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 15 | 7 | | | | | | | | | | | | | | | | | | | | | 59 |
| Cases Faxed with No Receipts | 0 | 1 | 0 | 0 | 15 | 1 | 0 | 0 | 24 | 24 | | | | | | | | | | | | | | | | | | | | | 65 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | | | | | | | | | | | | | | | | | | | | | 1 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2602 | 1721 | 1978 | 1918 | | | | | | | | | | | | | | | | | | | | | 8439 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 896 | 1441 | 848 | 1471 | 836 | 33 | 17 | 36 | | | | | | | | | | | | | | | | | | | | | 6638 |
| H1B Masters - Premium - Regular Cases | 899 | 1513 | 1274 | 38 | 18 | 23 | 22 | 18 | 8 | 10 | | | | | | | | | | | | | | | | | | | | | 3411 |
| Totals | 899 | 1513 | 2250 | 1479 | 866 | 1494 | 3460 | 1772 | 2004 | 1964 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 18487 |
| *Identified Petition Receipts* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 13 | 27 | 72 | 72 | 118 | 157 | 121 | 216 | 246 | | | | | | | | | | | | | | | | | | | | | 1052 |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| *Completed Receipts* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 34 | 74 | 77 | 69 | 48 | | | | | | | | | | | | | | | | | | | | | 370 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Saturday, April 18, 2009 4:26:04 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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Fyi

Lisa

----- Original Message -----
From: Upton, Mandy L
To: VSC STANLEY Admin; 'Collins, Thomas C.' <thomas.collins@stanleyassociates.com>; 'Peacock, Walter W.' <Walter.Peacock@stanleyassociates.com>; 'Moulin, Kristen L.' <Kristen.Moulin@stanleyassociates.com>
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Sent: Sat Apr 18 14:23:15 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 17, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: [redacted] *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 17, 2009

| Days | 4/2/09 | 4/3/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavett VBN | 17953 | 18139 | 18419 | 18645 | 18646 | 18999 | 17993 | 17992 | 17652 | 17723 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Stanley Cavett VBM | 6602 | 6672 | 6721 | 6789 | 6789 | 6789 | 6178 | 6257 | 2305 | 296 | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Pressure - Stanley Cavett VBP | 6891 | 6611 | 6768 | 6527 | 6781 | 167 | 17 | 8 | 22 | 29 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Pressure - Stanley Cavett VBP | 2978 | 1491 | 118 | 39 | 19 | 39 | 13 | 9 | 3 | 3 | | | | | | | | | | | | | | | | | | | | | |
| Totals | 34151 | 34993 | 32927 | 32731 | 32177 | 27762 | 25713 | 25195 | 21982 | 20172 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | |
| Subcontinued Communicated or other numbers | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Petitions Cases Also received with Receipts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | | | | | | | | | | | | | | | | | | | | | 49 |
| Filings Passed with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 34 | 34 | | | | | | | | | | | | | | | | | | | | | 83 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Cavett | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 6 | | | | | | | | | | | | | | | | | | | | | 7 |
| H1B Masters - Stanley Cavett | 0 | 0 | 0 | 0 | 0 | 0 | 2692 | 1971 | 1990 | 1919 | | | | | | | | | | | | | | | | | | | | | 8572 |
| H1B CAP - Pressure - Stanley Cavett | 0 | 0 | 876 | 2441 | 149 | 2471 | 278 | 18 | 17 | 24 | | | | | | | | | | | | | | | | | | | | | 6274 |
| H1B Masters - Pressure - Stanley Cavett | 998 | 1833 | 1171 | 38 | 10 | 28 | 22 | 18 | 8 | 10 | | | | | | | | | | | | | | | | | | | | | 3416 |
| Totals | 998 | 1833 | 2047 | 2479 | 936 | 2499 | 2992 | 2007 | 2016 | 1959 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 19478 |
| Identified Pending Selection | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Cavett | 0 | 19 | 27 | 78 | 77 | 119 | 197 | 131 | 216 | 216 | | | | | | | | | | | | | | | | | | | | | 1052 |
| Completed Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Cavett | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 48 | | | | | | | | | | | | | | | | | | | | | 379 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Friday, April 17, 2009 3:13:56 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Fri Apr 17 11:49:59 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 16, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(b)(6)
*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

Vermont Service Center

I-129 Cap Report – As of 11:50pm on April 16, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Receipt Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | YRN | 17553 | 18128 | 18419 | 18676 | 18676 | 18905 | 18905 | 19092 | 19423 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Regular Cases | YMN | 8979 | 8972 | 8732 | 8781 | 8780 | 8789 | 8178 | 8217 | 8205 | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases | YRP | 6491 | 6611 | 6749 | 6827 | 7731 | 167 | 19 | 0 | 32 | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases | YMP | 2998 | 1981 | 119 | 30 | 10 | 28 | 12 | 0 | 3 | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36121 | 34994 | 33927 | 34728 | 34177 | 37962 | 35512 | 32569 | 31953 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| *Interoffice Correspondence (no show number)* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Mis-routed with Regulars | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 26 | | | | | | | | | | | | | | | | | | | | | | 63 |
| Money Passed with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 25 | | | | | | | | | | | | | | | | | | | | | | 39 |
| *Data Control* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | 1 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2603 | 1973 | 1998 | | | | | | | | | | | | | | | | | | | | | | 6574 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 856 | 1441 | 546 | 2431 | 206 | 32 | 27 | | | | | | | | | | | | | | | | | | | | | | 6589 |
| H1B Masters - Premium - Regular Cases | 300 | 1313 | 1373 | 39 | 10 | 23 | 22 | 10 | 1 | | | | | | | | | | | | | | | | | | | | | | 3091 |
| Totals | 879 | 1313 | 2229 | 1479 | 556 | 2454 | 2831 | 2015 | 2027 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 15253 |
| *Identified Penalties Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 57 | 57 | 73 | 72 | 110 | 107 | 121 | 218 | | | | | | | | | | | | | | | | | | | | | | 815 |
| *Completed Cases* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 8 | 0 | 9 | 0 | 0 | 12 | 73 | 77 | 49 | | | | | | | | | | | | | | | | | | | | | | 226 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Friday, April 17, 2009 12:04:35 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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Denis,

You will notice that Stanley found 36 more PP mis-sorts. They finished up reviewing all filings so I think they found the bulk of them but you may see a few more tomorrow.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Friday, April 17, 2009 11:50 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 16, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎ [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on April 16, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Carrot VBN | 17952 | 18130 | 18419 | 18609 | 18606 | 18998 | 17297 | 17272 | 17622 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Stanley Carrot VMN | 8859 | 8872 | 8723 | 8790 | 8795 | 8780 | 8178 | 8217 | 8205 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Pennsy - Stanley Carrot VBP | 6691 | 6811 | 5765 | 3357 | 2791 | 167 | 19 | 9 | 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Pennsy - Stanley Carrot VMP | 2998 | 1981 | 116 | 30 | 17 | 29 | 15 | 9 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 36151 | 34994 | 33957 | 30775 | 30177 | 27963 | 25513 | 25547 | 25852 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| International Commissioner is given number | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Pennsy Cases Mis-synced with Stanley | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 34 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 62 |
| Pennsy Synced with the Stanley | 0 | 1 | 0 | 0 | 33 | 1 | 0 | 0 | 34 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 35 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| H1B CAP - Stanley Carrot | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1 |
| H1B Masters - Stanley Carrot | 0 | 0 | 0 | 0 | 0 | 0 | 3977 | 1971 | 1599 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 6571 |
| H1B CAP - Pennsy - Stanley Carrot | 0 | 0 | 856 | 1447 | 449 | 2171 | 776 | 13 | 17 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 5749 |
| H1B Masters - Pennsy - Stanley Carrot | 298 | 1514 | 1174 | 88 | 19 | 33 | 33 | 18 | 3 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 1691 |
| Totals | 298 | 1514 | 2029 | 1479 | 574 | 2204 | 4809 | 1971 | 1971 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 16012 |
| Adjusted Petition Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Received - Stanley Carrot | 0 | 32 | 37 | 75 | 75 | 119 | 137 | 131 | 216 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 826 |
| Completed Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Total |
| Delivered - Stanley Carrot | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 230 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Thursday, April 16, 2009 11:52:48 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Thu Apr 16 10:45:15 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 15, 2009.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: [redacted]
[redacted] *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

## Vermont Service Center

I-129 Cap Report - As of 11:30pm on April 15, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Premium Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Corset | VRN | 17752 | 19189 | 18415 | 18974 | 19095 | 19972 | 19952 | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Stanley Corset | VRN | [illegible] | 8672 | 8732 | 8720 | 8720 | 8178 | 4247 | | | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Stanley Corset | VRP | 6401 | 9611 | 5788 | 2187 | 8781 | 167 | 19 | 0 | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Stanley Corset | VRP | 2976 | 1491 | 118 | 31 | 19 | 30 | 13 | 8 | | | | | | | | | | | | | | | | | | | | | | |
| Totals | 26153 | 34964 | 33077 | 30273 | 30127 | 27962 | 25112 | 23549 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| International Consolidated or other numbers | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Not entered with Receipts | 9 | 9 | 7 | 9 | 0 | 9 | 8 | 37 | | | | | | | | | | | | | | | | | | | | | | | 37 |
| Phone Passed with No Receipts | 3 | 1 | 0 | 1 | 13 | 1 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | 19 |
| Totals | 0 | 1 | 0 | 1 | 13 | 1 | 0 | 37 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 57 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Corset | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Stanley Corset | 0 | 0 | 0 | 0 | 0 | 0 | 2093 | 1921 | | | | | | | | | | | | | | | | | | | | | | | 4533 |
| H1B CAP - Premium - Stanley Corset | 0 | 0 | 850 | 1461 | 850 | 1471 | 394 | 32 | | | | | | | | | | | | | | | | | | | | | | | 6152 |
| H1B Masters - Premium - Stanley Corset | 298 | 1513 | 1370 | 18 | 19 | 22 | 22 | 19 | | | | | | | | | | | | | | | | | | | | | | | 3396 |
| Totals | 298 | 1513 | 1220 | 1479 | 536 | 1493 | 2509 | 1972 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14481 |
| Identified Premium Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Corset | 0 | 13 | 27 | 72 | 72 | 110 | 157 | 431 | | | | | | | | | | | | | | | | | | | | | | | 882 |
| Completed Robots | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RNG - Stanley Corset | 0 | 0 | 0 | 0 | 0 | 12 | 74 | 77 | | | | | | | | | | | | | | | | | | | | | | | 163 |

**From:** Collins, Mary Lou E
**To:** Peck, Denis R.; Fitzsimmons, James; Manahan, Lisa F
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Thursday, April 16, 2009 11:28:14 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Denis –

Attached is the CAP report for 4/15/09. Please let me know if you have any questions.

Thanks
Mary-Lou

---

**From:** Manahan, Lisa F
**Sent:** Thursday, April 16, 2009 10:55 AM
**To:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Can you fill in the CRU rejects?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Thursday, April 16, 2009 10:45 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 15, 2009.

(b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] ✉:
Mandy.Upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| 4/14/2009 | 31 | 22 | 35 | 27 | 115 |
| 4/15/2009 | 60 | 92 | 8 | 5 | 165 |
| | | | | | 0 |
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Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 202 | 216 | 127 | 92 | 637 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 15, 2009 11:33:22 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Denis,

Stanley finished up keying the PP cases yesterday morning and then was able to key 2602 non PP cases. Their goal for keying all non PP cases is May 12th.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phon[redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Wednesday, April 15, 2009 10:00 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 14, 2009. (b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎:[redacted]✉:
Mandy.Upton@dhs.gov

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Perkins, Robert M; Nicholson, Richard E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Wednesday, April 15, 2009 11:33:22 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Denis,

Stanley finished up keying the PP cases yesterday morning and then was able to key 2602 non PP cases. Their goal for keying all non PP cases is May 12th.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

---

**From:** Upton, Mandy L
**Sent:** Wednesday, April 15, 2009 10:00 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 14, 2009.

Thank you.
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] ✉: Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| 4/14/2009 | 31 | 22 | 35 | 27 | 115 |
| | | | | | 0 |
| | | | | | 0 |
| | | | | | 0

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 142 | 124 | 119 | 87 | 472 |

Rev: 3/4/08

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW: VSC 2009 H1B CAP Report |
| **Date:** | Wednesday, April 15, 2009 10:54:11 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls |

---

**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Wednesday, April 15, 2009 10:00 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 14, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted]
Mandy.Upton@dhs.gov

(b)(6)

Vermont Service Center
I-129 Cap Report - As of 11:30pm on April 14, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Entry Dates | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 17981 | 18189 | 18419 | 18976 | 18646 | 18899 | 19273 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases | 8650 | 8672 | 8752 | 8789 | 8789 | 8789 | 8978 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B CAP - Premium - Regular Cases | 8401 | 8411 | 8748 | 3337 | 8753 | 167 | 19 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Premium - Regular Cases | 2999 | 1491 | 119 | 30 | 19 | 20 | 12 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| Premium Cases Identified with Receipts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Filings Pended with No Receipts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 36031 | 36884 | 38037 | 30733 | 30177 | 37963 | 39518 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | [redacted] |

| Date Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2972 | | | | | | | | | | | | | | | | | | | | | | | | 2972 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 976 | 2981 | 899 | 2173 | 276 | | | | | | | | | | | | | | | | | | | | | | | | 6520 |
| H1B Masters - Premium - Regular Cases | 370 | 1312 | 1774 | 28 | 10 | 35 | 32 | | | | | | | | | | | | | | | | | | | | | | | | 3379 |
| Totals | 370 | 1312 | 2750 | 3009 | 909 | 2208 | 3280 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 13571 |

| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RNIP - Regular Cases | 0 | 13 | 27 | 73 | 72 | 119 | 157 | | | | | | | | | | | | | | | | | | | | | | | | 479 |

| Completed Reports | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RNIP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 72 | | | | | | | | | | | | | | | | | | | | | | | | 84 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; coed@communityconnection211.com
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Tuesday, April 14, 2009 11:15:50 AM
**Attachments:** 2009 H-1B Cap Report (4-13-09 11 PM).xls

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Tue Apr 14 02:58:34 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

## California Service Center

| Dates | Lottery | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Assembled* | Results | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | | | | | |
| Regular CAP(CRN) | 13,013 | | | | | | | | | | | | | | | | | | | |
| Regular Premium(CRP) | 4,560 | 1753 | 1482 | 1007 | 297 | | | | | | | | | | | | | | | |
| Regular Masters(CMN) | 6,687 | | | | | 66 | | | | | | | | | | | | | | |
| Premium Masters(CMP) | 3,012 | 7 | | | 1207 | 1978 | | | | | | | | | | | | | | |
| Total | 27,272 | 1,760 | 1,482 | 1,007 | 1,504 | 2,044 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 14, 2009 11:12:07 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Tue Apr 14 10:52:15 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 13, 2009. (b)(6)

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: [redacted]
[redacted] *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 13, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Premium Cases Receipt Date | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | VRN | 17952 | 18130 | 18418 | 19078 | 19078 | 19099 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases | VMN | 8609 | 8672 | 8731 | 8780 | 8799 | 8799 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B CAP - Petitioners - Regular Cases | VRP | 6601 | 6621 | 6718 | 7527 | 7701 | 167 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Petitioners - Regular Cases | VMP | 2998 | 3001 | 118 | 20 | 10 | 20 | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| Premium Cases Rec. rerouted with Regulars | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Filings Found with No Receipts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 36161 | 36424 | 33967 | 36723 | 38177 | 27963 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | [redacted] |

| Date Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Petitioners - Regular Cases | 0 | 0 | 876 | 2443 | 849 | 3471 | | | | | | | | | | | | | | | | | | | | | | | | | 4214 |
| H1B Masters - Petitioners - Regular Cases | 999 | 1011 | 1179 | 58 | 10 | 20 | | | | | | | | | | | | | | | | | | | | | | | | | 3354 |
| Totals | 999 | 1011 | 2055 | 2501 | 859 | 3491 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 9079 |

| Identified Premium Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RWQ - Regular Cases | 0 | 13 | 37 | 72 | 73 | 118 | | | | | | | | | | | | | | | | | | | | | | | | | 313 |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Cancelled Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected RWQ - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | | | | | | | | | | | | | | | | | | | | | | | | | 12 |

**From:** Collins, Mary Lou E
**To:** Perkins, Robert M; Peck, Denis R; Fitzsimmons, James; Manahan, Lisa F
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 14, 2009 10:58:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Here is the daily CAP report for 4/13/09.

Thanks
Mary-Lou

---

**From:** Upton, Mandy L
**Sent:** Tuesday, April 14, 2009 10:52 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 13, 2009.

Thank you,
Mandy L. Upton | Reports Analyst | Stanley Associates, Inc. | VSC - SCOSS | ☎: [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| | | | | | 0 |
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Rev: 3/4/09

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 111 | 102 | 84 | 60 | 357 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Monday, April 13, 2009 4:07:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls

---

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Mon Apr 13 12:48:22 2009
Subject: VSC 2009 H1B CAP Report

Updated row end totals as the formulas were not including correct cells.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: 802.527.4733 | 7: 802.527.4869| *: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

---

From: Upton, Mandy L
Sent: Monday, April 13, 2009 12:38 PM
To: VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
Cc: Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 11, 2009. (b)(6)

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|(: [redacted]
[redacted] Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

Vermont Service Center

I-129 Cap Report – As of 11:30pm on April 08, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Date Entry | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases VRN | 17952 | 18139 | 18419 | 18456 | 18456 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Regular Cases VMN | 8670 | 8672 | 8721 | 8739 | 8739 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B CAP - Premium - Regular Cases VRP | 5601 | 5611 | 5714 | 5727 | 5727 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| H1B Masters - Premium - Regular Cases VMP | 2978 | 1981 | 118 | 21 | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | [redacted] |
| Premium Cases Mis-signed with Regulars | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Others Passed with No Receipts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 34151 | 34994 | 37957 | 30733 | 30177 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | [redacted] |

| Date Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| H1B CAP - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Regular Cases | | | 576 | 1103 | 536 | | | | | | | | | | | | | | | | | | | | | | | | | | 2215 |
| H1B Masters - Premium - Regular Cases | 398 | 1513 | 1271 | 38 | 10 | | | | | | | | | | | | | | | | | | | | | | | | | | 3230 |
| Totals | 398 | 1513 | 1220 | 1279 | 536 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 5445 |

| Adjudged Regular Petitions | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RMD - Regular Cases | 0 | 15 | 37 | 72 | 72 | | | | | | | | | | | | | | | | | | | | | | | | | | 196 |

| Cancelled Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RMD - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 13, 2009 3:17:43 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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I updated the CRU tab to include the reject data. Are we close to hitting the Cap for the Masters?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

---

**From:** Upton, Mandy L
**Sent:** Monday, April 13, 2009 12:48 PM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Updated row end totals as the formulas were not including correct cells.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎ [redacted] ✉:
Mandy.Upton@dhs.gov

---

**From:** Upton, Mandy L
**Sent:** Monday, April 13, 2009 12:38 PM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of COB, April 11, 2009.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] ✉:
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| | | | | | 0 |
| | | | | | 0 |
| | | | | | 0

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 65 | 63 | 83 | 59 | 270 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** Fw: CSC 2009 H1B CAP Report-Updated
**Date:** Friday, April 10, 2009 2:59:56 PM
**Attachments:** Copy of 2009 H-1B Cap Report (4-10-09 9 AM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
To: Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.
Cc: CR Nelson, Marvin; Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri Apr 10 12:58:39 2009
Subject: RE: CAP Report

Rich/Walter,

Updated CAP report attached.

I updated the running totals as requested and adjusted the assembly. We should be finished with CRP assembly today and begin CMP.

Regards,

Greg

---

From: Nelson, Marvin E
Sent: Thursday, April 09, 2009 11:32 PM
To: Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
Subject: CAP Report

Please note that the assembly numbers are for 2nd shift only.

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

California Service Center

I-129 Cap Report

As of 9 A.M.

| 04/07/09 | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Classes | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | | | | | |
| Anticipate Date Entry Will Post | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | | |
| H1B CAP | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 12,850 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 6,657 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,581 | 4,261 | 3,155 | 1,607 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,004 | 3,004 | 2,997 | 2,997 | 2,997 | 2,997 | 2,997 | 2,997 | 2,997 | 2,997 | 2,997 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| Totals | 27,092 | 26,772 | 25,659 | 24,111 | 22,504 | 22,504 | 22,504 | 22,504 | 22,504 | 22,504 | 22,504 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |

| | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B CAP - Premium | 2,944 | 398 | 1,106 | 1,548 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters - Premium | 7 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Total Data Entered | 2,951 | 397 | 1,106 | 1,548 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |

| Rejects (New Method) | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 42 | 0 | 15 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 21 | 0 | 15 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Collins, Mary Lou E
**To:** Peck, Denis R
**Cc:** Manahan, Lisa F
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Friday, April 10, 2009 2:54:08 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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Denis –

Attached are the numbers for today. The rejected cases are on the last tab under CRU.

Thanks
Mary-Lou

---

**From:** Upton, Mandy L
**Sent:** Friday, April 10, 2009 11:40 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 9, 2009. (b)(6)

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]
Mandy.Upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| | | | | | 0 |
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Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| TOTALS | 45 | 33 | 30 | 19 | 127 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Moulin, Kristen L.; Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Friday, April 10, 2009 12:07:14 PM
**Attachments:** 2009 H-1B Cap Report (4-9-09 11 PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Ly, Pam P <Pam.Ly@associates.dhs.gov>
To: Moulin, Kristen L.
Sent: Fri Apr 10 11:02:42 2009
Subject: RE: CAP Report

Report is attached now ~ sorry...

Pam Ly

Stanley/SCOSS

Assistant Site Manager

Data Entry Operations

[redacted] (b)(6)

Pam.Ly@stanleyassociates.com

---

From: Moulin, Kristen L. [mailto:Kristen.Moulin@stanleyassociates.com]
Sent: Friday, April 10, 2009 7:45 AM
To: Ly, Pam P
Subject: Re: CAP Report

I can't seem to find attachment on my blackberry, would you resend to me?

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Ly, Pam P <Pam.Ly@associates.dhs.gov>
To: CR Nelson, Marvin; Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup,

Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri Apr 10 09:44:00 2009
Subject: RE: CAP Report

I added yesterday's day shift assembly # (1848) to the report. Total for yesterday is 2339.

Pam Ly

Stanley/SCOSS

Assistant Site Manager

Data Entry Operations

[redacted] (b)(6)

Pam.Ly@stanleyassociates.com

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From: Nelson, Marvin E
Sent: Thursday, April 09, 2009 11:32 PM
To: Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
Subject: CAP Report

Please note that the assembly numbers are for 2nd shift only.

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677 (b)(6)

[redacted]

## California Service Center

| Dates | Lottery | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Assembled* | Results | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | | | | | |
| Regular CAP(CRS) | 12,831 | | | | | | | | | | | | | | | | | | | |
| Regular Premium(CRP) | 4,550 | 1753 | 1482 | 2339 | | | | | | | | | | | | | | | | |
| Regular Masters(CMN) | 6,648 | 7 | | | | | | | | | | | | | | | | | | |
| Premium Masters(CMP) | 3,002 | | | | | | | | | | | | | | | | | | | |
| Total | 27,031 | 1,760 | 1,482 | 2,339 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** Fw: VSC 2009 H1B CAP Report
**Date:** Friday, April 10, 2009 12:06:02 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Fri Apr 10 11:40:17 2009
Subject: VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 9, 2009.

Thank you, (b)(6)

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|[redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

# Vermont Service Center

I-129 Cap Report -- As of 11:30pm on April 08, 2009

| Form | 4/2/09 | 4/6/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Petition Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | *Mon | Tue | Wed | Thu | *Fri | *Total |
| H1B CAP - Regular Cases | VSC | 17958 | 18138 | 18419 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Regular Cases | VSC | 8670 | 9173 | 8732 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases | VSC | 6451 | 6611 | 6708 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases | VSC | 2098 | 1981 | 113 | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Premium Cases Not entered with Regular | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Cases Passed with No Receipts | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 36151 | 34894 | 33972 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |

| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon * | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| H1B CAP - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B Masters - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| H1B CAP - Premium - Regular Cases | | | 856 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 856 |
| H1B Masters - Premium - Regular Cases | 309 | 1513 | 1274 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 3096 |
| Totals | 309 | 1513 | 2230 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 4161 |

| Identified Petition Rejection | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RNO - Regular Cases | 0 | 10 | 27 | | | | | | | | | | | | | | | | | | | | | | | | | | | | 40 |
| Totals | 0 | 10 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8721 |

| Completed Reports | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Selected RNO - Regular Cases | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | 0 |
| Totals | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 8543 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.; kristen.moulin@gmail.com
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Thursday, April 09, 2009 8:41:21 AM
**Attachments:** 2009 H-1B Cap Report (4-8-09 11PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message ----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Thu Apr 09 03:01:45 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Moulin, Kristen L.; Peacock, Walter W.
**Subject:** FW: VSC 2009 H1B CAP Report - Day 5 Revised
**Date:** Wednesday, April 08, 2009 4:00:40 PM
**Attachments:** VSC H1B Cap Report as of COB 4-7-09.xls

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FYI

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**From:** Vincent, Sarah J [mailto:sarah.vincent@dhs.gov]
**Sent:** Wednesday, April 08, 2009 3:13 PM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Upton, Mandy L; Manahan, Lisa F; Putnam, Anne F; Stoddard, Becky M; Collins, Mary Lou E
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** FW: VSC 2009 H1B CAP Report

Updated numbers for 4/6 VMN and VRP

Thank you,

Sarah Vincent

VSC SCOSS Manager

Stanley Associates In[redacted] (b)(6)

---

**From:** Vincent, Sarah J [mailto:sarah.vincent@dhs.gov]
**Sent:** Wednesday, April 08, 2009 1:03 PM
**To:** VSC STANLEY Admin; thomas.collins@stanleyassociates.com; Upton, Mandy L; Manahan, Lisa F; Putnam, Anne F; Stoddard, Becky M; Collins, Mary Lou E
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** VSC 2009 H1B CAP Report

Good Afternoon,

Cap report showing numbers as of COB 4/7/09 is attached.

Thank you,
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.|VSC - SCOSS|☎[redacted]
Sarah.Vincent@dhs.gov
(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 07, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,593 | 5,888 | 9,026 | 7,778 | 54,086 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2744 | 2809 | 36 | 919 | 93 | 6,601 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1123 | 1720 | 28 | 461 | 64 | 3,396 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4107 | 7910 | 12315 | 10314 | 1903 | 36549 |

Rev: 3/4/08

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Moulin, Kristen L.; Peacock, Walter W.
**Subject:** Fw: VSC 2009 H1B CAP Report - Day 5
**Date:** Wednesday, April 08, 2009 1:17:27 PM
**Attachments:** VSC H1B Cap Report as of COB 4-7-09.xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Vincent, Sarah J <sarah.vincent@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Upton, Mandy L <mandy.upton@dhs.gov>; Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Cc: Peacock, Walter W.; Moulin, Kristen L.
Sent: Wed Apr 08 13:03:26 2009
Subject: VSC 2009 H1B CAP Report

Good Afternoon,

Cap report showing numbers as of COB 4/7/09 is attached.

Thank you,

Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.|VSC - SCOSS|(: 802.527.4700 ext 4650: Sarah.Vincent@dhs.gov <mailto:Sarah.Vincent@dhs.gov>

# California & Vermont Service Center

## I-129 Cap Report

**06/02/16**

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP | 2,035 | 6,729 | 12,762 | 6,942 | 2,209 | **30,677** |
| Regular Premium | 3,555 | 5,664 | 795 | 967 | 166 | **11,147** |
| Regular Masters | 855 | 5,677 | 5,171 | 2671 | 818 | **15,192** |
| Premium Masters | 1,123 | 4,219 | 443 | 487 | 94 | **6,366** |
| **Total** | **7,568** | **22,289** | **19,171** | **11,067** | **3,287** | **63,382** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | 23,237 | 3,146 | 1,442 | 1,450 | 1,402 | 30,677 |
| Regular Premium | 10,028 | 674 | 165 | 188 | 96 | 11,151 |
| Regular Masters | 11,912 | 1604 | 672 | 496 | 504 | 15,188 |
| Premium Masters | 5,830 | 335 | 77 | 74 | 50 | 6,366 |
| Total | 51,007 | 5,759 | 2,356 | 2,208 | 2,052 | 63,382 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** FW: CSC 2009 H1B CAP Report 4/7/09 - Day 5
**Date:** Wednesday, April 08, 2009 10:36:47 AM
**Attachments:** 2009 H-1B Cap Report (4-7-09 11PM).xls

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In case you haven't already seen...

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Wednesday, April 08, 2009 2:57 AM
**To:** Akeo, Timothy; Benavente, Jessy J; CR Bobeng, John; Ly, Pam P; Martin, James L; Moulin, Kristen L; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report 4/7/09

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA 92677
[redacted]
(949) 389-3487 (b)(6)

# California Service Center

## I-129 Cap Report

### As of 11:30 P.M.

### 06/02/16

## California Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr |
|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th |
| Regular CAP(CRN) | 1,795 | 5,380 | 4,176 | 426 |
| Regular Premium(CRP) | 811 | 2,855 | 759 | 48 |
| Regular Masters(CMN) | 855 | 3,645 | 1,506 | 253 |
| Premium Masters(CMP) | 0 | 2,499 | 415 | 26 |
| **Total** | **3,461** | **14,379** | **6,856** | **753** |

## California Receipts By Day (Estimate based on 600 per cage / 22.5 per box /

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th |
|---|---|---|---|---|
| Regular CAP(CRN) | 10,577 | 774 | 426 | 416 |
| Regular Premium(CRP) | 4,310 | 119 | 48 | 38 |
| Regular Masters(CMN) | 5,609 | 393 | 253 | 119 |
| Premium Masters(CMP) | 2,853 | 61 | 26 | 15 |
| Total | 23,349 | 1,347 | 753 | 588 |

| | | | | |
|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | 0 |
| Estimate Grand total received | 23,349 | 1,347 | 753 | 588 |
| Received last year | 42,380 | 10,478 | 1,850 | 1,827 |
| Difference from last year | <45% | <87% | <59% | <68% |

| | |
|---|---|
| 7-Apr | |
| Bar Coded on 7th | **Total** |
| 948 | **12,725** |
| 73 | **4,546** |
| 333 | **6,592** |
| 30 | **2,970** |
| **1,384** | **26,833** |

| 20 per bucket) | |
|---|---|
| Received on 7th | Total |
| 532 | |
| 35 | |
| 214 | |
| 15 | |
| 796 | 26,833 |

| | |
|---|---|
| 0 | 26,037 |
| 2,287 | 58,822 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Tuesday, April 07, 2009 11:43:45 AM
**Attachments:** Cap Report 2.xls

---

Here is the updated report. I plugged in CSC's numbers as well so all tabs should be updated. The only numbers I don't have yet are the mail numbers for today. So far I know we received approximately 6,515 pieces of mail.

Question for you....Do we need to continue to bar code the cases if we aren't going to need to run the RNG? If we could stop this step it would save time.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, April 07, 2009 10:32 AM
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

Is this what you are looking for?

Lisa

# California & Vermont Service Center

## I-129 Cap Report

### 06/02/16

| California/Vermont Bar Coding Progress | | | | | | |
|---|---|---|---|---|---|---|
| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP | 2,035 | 6,737 | 12,779 | 6,942 | | 28,493 |
| Regular Premium | 3,559 | 5,679 | 795 | 967 | | 11,000 |
| Regular Masters | 855 | 5,683 | 5,166 | 2655 | | 14,359 |
| Premium Masters | 1,123 | 4,221 | 443 | 487 | | 6,274 |
| **Total** | **7,572** | **22,320** | **19,183** | **11,051** | | **60,126** |

| California/Vermont Mail Receipts By Day | | | | | | |
|---|---|---|---|---|---|---|
| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
| Regular CAP | 23,189 | 3,011 | 1,384 | 1,109 | | 28,693 |
| Regular Premium | 10,041 | 658 | 159 | 162 | | 11,020 |
| Regular Masters | 11,897 | 1505 | 616 | 381 | | 14,399 |
| Premium Masters | 5,828 | 319 | 75 | 54 | | 6,276 |
| Total | 50,955 | 5,493 | 2,234 | 1,706 | | 60,388 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

| | |
|---|---|
| **From:** | Sweeney, Shelly A |
| **To:** | Bentley, Christopher S; Rhatigan, Chris; Wright, William G |
| **Cc:** | Velarde, Barbara O; Kruszka, Robert F; Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J; Hale, Paola Rodriguez; Williams, Carol L; Peck, Denis R |
| **Subject:** | Draft H1B Update |
| **Date:** | Tuesday, April 07, 2009 11:17:24 AM |
| **Attachments:** | H-1B FY 2010 Cap Not Reached 4-7-09.doc |

Chris,

Attached is SCOPS draft of an Update notifying the public that we have not yet reached the FY10 H1B cap.

Thanks!

Shelly

Shelly Sweeney
*Adjudications Officer*
*Business Operations Branch*
*Service Center Operations*
*Phone: (202) 272-1562*
*Fax: (202) 272-1542*

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# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 6,516 | | 16,691 |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 919 | | 6,508 |
| Regular Masters(VMN) | | 2,032 | 3,665 | 2418 | | 8,115 |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 461 | | 3,332 |
| Total | 4,107 | 7,910 | 12,315 | 10,314 | | 34,646 |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| [illegible] | | | | | | |
| [illegible] | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | 1,185 | | 30,815 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | <73% | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

4/6 - 1002 Regular
183 PP

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; cced@communityconnection211.com
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** Fw: VSC 2009 H1B CAP Report - Day 4
**Date:** Tuesday, April 07, 2009 9:41:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: Upton, Mandy L <mandy.upton@dhs.gov>; VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Tue Apr 07 09:27:27 2009
Subject: VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 6, 2009.

**Please note that all mail has been opened as of COB 04/06/09 and we hare completed the verification/barcoding of all mail in SCOSS possession.

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|([redacted]
: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 06, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,595 | 5,888 | 9,028 | | 46,312 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | | 16,691 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | | 8,115 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | | 6,508 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | | 3,332 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 0 | 34,646 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Subject:** FW: CSC 2009 H1B CAP Report - Day 4
**Date:** Monday, April 06, 2009 7:05:57 PM
**Attachments:** 2009 H-1B Cap Report (4-6-09 3PM).xls

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 06, 2009 6:11 PM
**To:** Nicholson, Richard E; Peacock, Walter W.
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; CR Bobeng, John; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Collins, Thomas C.; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Attached is the best estimate of where CSC stands as of 3PM on 4/6/09. (Light day)

We plan on starting to assemble CRP & CMP tomorrow.

We will also call USPS to see if we need to make three mail runs tomorrow.

If the mail is light tomorrow, CSC should be CAP complete (Bar-coded; pallet/cage; and Lottery ready) NLT 5PM.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 03, 2009 4:21 PM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; 'Moulin, Kristen L.'; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P; Collins, Thomas C.
**Subject:** RE: CAP Report

Rich/Walter,

Best estimate of where CSC stands as of 4PM on 4/3/09 attached.

The first 2 days are complete (Bar-coded; pallet/cage; and Lottery ready) with the exception of less than a bucket of Day (2) petitions which needs CIS Review.

We plan on setting up for CMP and CRP possible assembly on Monday. (Depends on Monday's volume of mail.)

Regards,

Greg

---

**From:** Siesel, Gregory P

**Sent:** Friday, April 03, 2009 9:19 AM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; 'Moulin, Kristen L.'; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Best estimate of where we stand this morning attached.

We received One bucket of Possible CAP cases today.

We Should be completed (Lottery Ready) for ALL 3 days by end of 1st shift today.

I'll have an updated report by COB today that should be more accurate.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Thursday, April 02, 2009 3:53 PM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Attached is the best estimate of CSC CAP Day one received and CAP Day Two received. (Revision in RED for day one received)

Very low received petition count today! (Estimate 73% less than day two last year. Day 1 update/difference is also looking lower and around 45% less than day one last year.)

Estimate that night crew should be completed with PRESORTING of Day one and two by end of 2nd shift.)

I will try to revise the numbers on this report for Day one and two tomorrow morning.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Wednesday, April 01, 2009 5:46 PM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Attached is the best estimate for CSC CAP Day One.

Regards,

Greg

---

**From:** Nelson, Marvin E
**Sent:** Tuesday, March 31, 2009 11:38 PM
**To:** Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Please see attached...

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted] (b)(6)

# California Service Center

## I-129 Cap Report

### As of 3:00 P.M.

### 06/02/16

## California Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr |
|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th |
| Regular CAP(CRN) | 1,795 | 5,388 | 4,193 | 426 |
| Regular Premium(CRP) | 815 | 2,870 | 759 | 48 |
| Regular Masters(CMN) | 855 | 3,651 | 1,501 | 237 |
| Premium Masters(CMP) | 0 | 2,501 | 415 | 26 |
| **Total** | **3,465** | **14,410** | **6,868** | **737** |

## California Receipts By Day (Estimate based on 600 per cage / 22.5 per box /

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th |
|---|---|---|---|---|
| Regular CAP(CRN) | 10,585 | 791 | 426 | 200 |
| Regular Premium(CRP) | 4,325 | 119 | 48 | 20 |
| Regular Masters(CMN) | 5,615 | 392 | 237 | 40 |
| Premium Masters(CMP) | 2,855 | 61 | 26 | 2 |
| Total | 23,380 | 1,363 | 737 | 262 |
| Mail yet to be identified | 0 | 0 | 0 | 320 |
| Estimate Grand total received | 23,380 | 1,363 | 737 | 582 |
| Received last year | 42,380 | 10,478 | 1,850 | 1,827 |
| Difference from last year | <45% | <87% | <60% | <68% |

| | |
|---|---|
| 7-Apr | |
| Bar Coded on 7th | **Total** |
| | **11,802** |
| | **4,492** |
| | **6,244** |
| | **2,942** |
| | **25,480** |

| 20 per bucket) | |
|---|---|
| Received on 7th | Total |
| | |
| | |
| | |
| | |
| | 25,742 |

| | |
|---|---|
| 0 | 26,062 |
| 2,287 | 58,822 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Subject:** Fw: VSC 2009 H1B CAP Report - Day 3
**Date:** Monday, April 06, 2009 10:53:32 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Upton, Mandy L <mandy.upton@dhs.gov>
To: VSC STANLEY Admin <Admin@dhs.gov>; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
Cc: Manahan, Lisa F <lisa.manahan@dhs.gov>; Putnam, Anne F <anne.putnam@dhs.gov>; Yandow, Jackie D <jackie.yandow@dhs.gov>; Cullen, Janice L <janice.cullen@dhs.gov>; Stoddard, Becky M <becky.stoddard@dhs.gov>; Collins, Mary Lou E <mary-lou.collins@dhs.gov>
Sent: Mon Apr 06 09:07:42 2009
Subject: VSC 2009 H1B CAP Report

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you,

Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS [redacted]
[redacted]*: Mandy.Upton@dhs.gov <mailto:Mandy.Upton@dhs.gov>

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 03, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,593 | 5,888 | | | 37,282 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | | | 10,175 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | | | 5,697 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2744 | 2809 | 36 | | | 5,589 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1123 | 1720 | 28 | | | 2,871 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4107 | 7910 | 12315 | 0 | 0 | 24332 |

Rev: 3/4/08

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 06, 2009 9:19:00 AM
**Attachments:** VSC H1B Cap Report 2009.xls

---

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All.
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you.
Mandy L. Upton | Reports Analyst | Stanley Associates, Inc. | VSC - SCOSS | ☎ [redacted]
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 03, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,593 | 5,888 | | | 37,282 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | | | 10,175 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | | | 5,697 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2744 | 2809 | 36 | | | 5,589 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1123 | 1720 | 28 | | | 2,871 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4107 | 7910 | 12315 | 0 | 0 | 24332 |

Rev: 3/4/08

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** FW: CSC 2009 H1B CAP Report - Day 3
**Date:** Saturday, April 04, 2009 10:24:05 AM
**Attachments:** 2009 H-1B Cap Report (4-3-09 4PM).xls

---

In case you haven't already seen this...

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Friday, April 03, 2009 7:21 PM
**To:** Nicholson, Richard E; Peacock, Walter W.
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; CR Bobeng, John; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P; Collins, Thomas C.
**Subject:** RE: CAP Report

Rich/Walter,

Best estimate of where CSC stands as of 4PM on 4/3/09 attached.

The first 2 days are complete (Bar-coded; pallet/cage; and Lottery ready) with the exception of less than a bucket of Day (2) petitions which needs CIS Review.

We plan on setting up for CMP and CRP possible assembly on Monday. (Depends on Monday's volume of mail.)

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 03, 2009 9:19 AM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; 'Moulin, Kristen L.'; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Best estimate of where we stand this morning attached.

We received One bucket of Possible CAP cases today.

We Should be completed (Lottery Ready) for ALL 3 days by end of 1st shift today.

I'll have an updated report by COB today that should be more accurate.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Thursday, April 02, 2009 3:53 PM

**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Attached is the best estimate of CSC CAP Day one received and CAP Day Two received. (Revision in RED for day one received)

Very low received petition count today! (Estimate 73% less than day two last year. Day 1 update/difference is also looking lower and around 45% less than day one last year.)

Estimate that night crew should be completed with PRESORTING of Day one and two by end of 2nd shift.)

I will try to revise the numbers on this report for Day one and two tomorrow morning.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Wednesday, April 01, 2009 5:46 PM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** Benavente, Jessy J; Moulin, Kristen L.; Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Noll, Richard W; Payne, Christopher; Printup, Maurice ; Siesel, Gregory P
**Subject:** RE: CAP Report

Rich/Walter,

Attached is the best estimate for CSC CAP Day One.

Regards,

Greg

---

**From:** Nelson, Marvin E
**Sent:** Tuesday, March 31, 2009 11:38 PM
**To:** Akeo, Timothy; Benavente, Jessy J; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Please see attached...

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road

# California Service Center

## I-129 Cap Report

### As of 4:00 P.M.

### 06/02/16

## California Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr |
|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th |
| Regular CAP(CRN) | 1,795 | 5,388 | 4,193 | |
| Regular Premium(CRP) | 815 | 2,870 | 759 | |
| Regular Masters(CMN) | 855 | 3,651 | 1,501 | |
| Premium Masters(CMP) | 0 | 2,501 | 415 | |
| **Total** | **3,465** | **14,410** | **6,868** | |

## California Receipts By Day (Estimate based on 600 per cage / 22.5 per box /

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th |
|---|---|---|---|---|
| Regular CAP(CRN) | 10,585 | 791 | 420 | |
| Regular Premium(CRP) | 4,325 | 119 | 60 | |
| Regular Masters(CMN) | 5,615 | 392 | 200 | |
| Premium Masters(CMP) | 2,855 | 61 | 45 | |
| Total | 23,380 | 1,363 | 725 | |

| | | | | |
|---|---|---|---|---|
| Mail yet to be identified | 0 | 20 | 200 | |
| Estimate Grand total received | 23,380 | 1,383 | 925 | 0 |
| Received last year | 42,380 | 10,478 | 1,850 | 1,827 |
| Difference from last year | <45% | <87% | <50% | |

| | |
|---|---|
| 7-Apr | |
| Bar Coded on 7th | Total |
| | 11,376 |
| | 4,444 |
| | 6,007 |
| | 2,916 |
| | 24,743 |

| 20 per bucket) | |
|---|---|
| Received on 7th | Total |
| | |
| | |
| | |
| | |
| | 25,468 |

| | |
|---|---|
| 0 | 25,688 |
| 2,287 | 58,822 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.; Moulin, Kristen L.
**Subject:** FW: VSC 2009 H1B CAP Report - Day 2
**Date:** Friday, April 03, 2009 11:22:55 AM
**Attachments:** VSC H1B Cap Report 2009.xls

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Hi Denis, Julie, I'm sure you've already seen this but just in case...Thanks, Kristen

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**From:** Upton, Mandy L [mailto:mandy.upton@dhs.gov]
**Sent:** Friday, April 03, 2009 9:11 AM
**To:** VSC STANLEY Admin; Collins, Thomas C.; Peacock, Walter W.; Moulin, Kristen L.
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 2, 2009.

**Please note that of the 6,593 4/2 mail received we estimate that the following could be subject to CAP based on address:

| | |
|---|---|
| Premium | 937 |
| Other | 2580 |
| Total | 3517 pieces |

**Please also note that we are putting the barcoding of Masters cases as a priority per USCIS request.

Thank you,
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.| VSC - SCOSS| [redacted] :
Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 02, 2009

| Date | 4/1-4/7 |
|---|---|
| *All Mail Received - Not Opened* | |
| Number of Envelopes / Packages | 31,394 |

| *Opened and Barcoded* | |
|---|---|
| H1B CAP - Stanley Count VRN | 1,589 |
| H1B CAP - CIS Count | |
| H1B Masters - Stanley Count VMN | 2,032 |
| H1B Masters - CIS Count | |
| H1B CAP - Premium - Stanley Count VRP | 5553 |
| H1B CAP - Premium - CIS Count | |
| H1B Masters - Premium - Stanley Count VMP | 2843 |
| H1B Masters - Premium - CIS Count | |
| In Records for Review / Resolution | |
| Totals | 12017 |

**From:** Manahan, Lisa F
**To:** Peck, Denis R
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Thursday, April 02, 2009 12:28:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls

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TYPO – see below

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

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**From:** Manahan, Lisa F
**Sent:** Thursday, April 02, 2009 12:12 PM
**To:** Peck, Denis R; Shiflett, Julie M; Fitzsimmons, James
**Subject:** FW: VSC 2009 H1B CAP Report

Here are the correct numbers. Apparently the report clerk added some of the manifests that had already been counted and that is why the number jumped to 34,103. Please note that you should be seeing the number of opened and bar coded count jump up quite a bit from yesterday.

In summary we received 24,801 pieces of mail and of that 4,107 have been opened and bar coded.

Sorry for the confusion!

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

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**From:** Vincent, Sarah J
**Sent:** Thursday, April 02, 2009 11:53 AM
**To:** Upton, Mandy L; 'Collins, Thomas C.'; VSC STANLEY Admin
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

**Updated to reflect updated MR counts.**

Thank you,
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.| VSC - SCOSS|☎: [redacted]
Sarah.Vincent@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 01, 2009

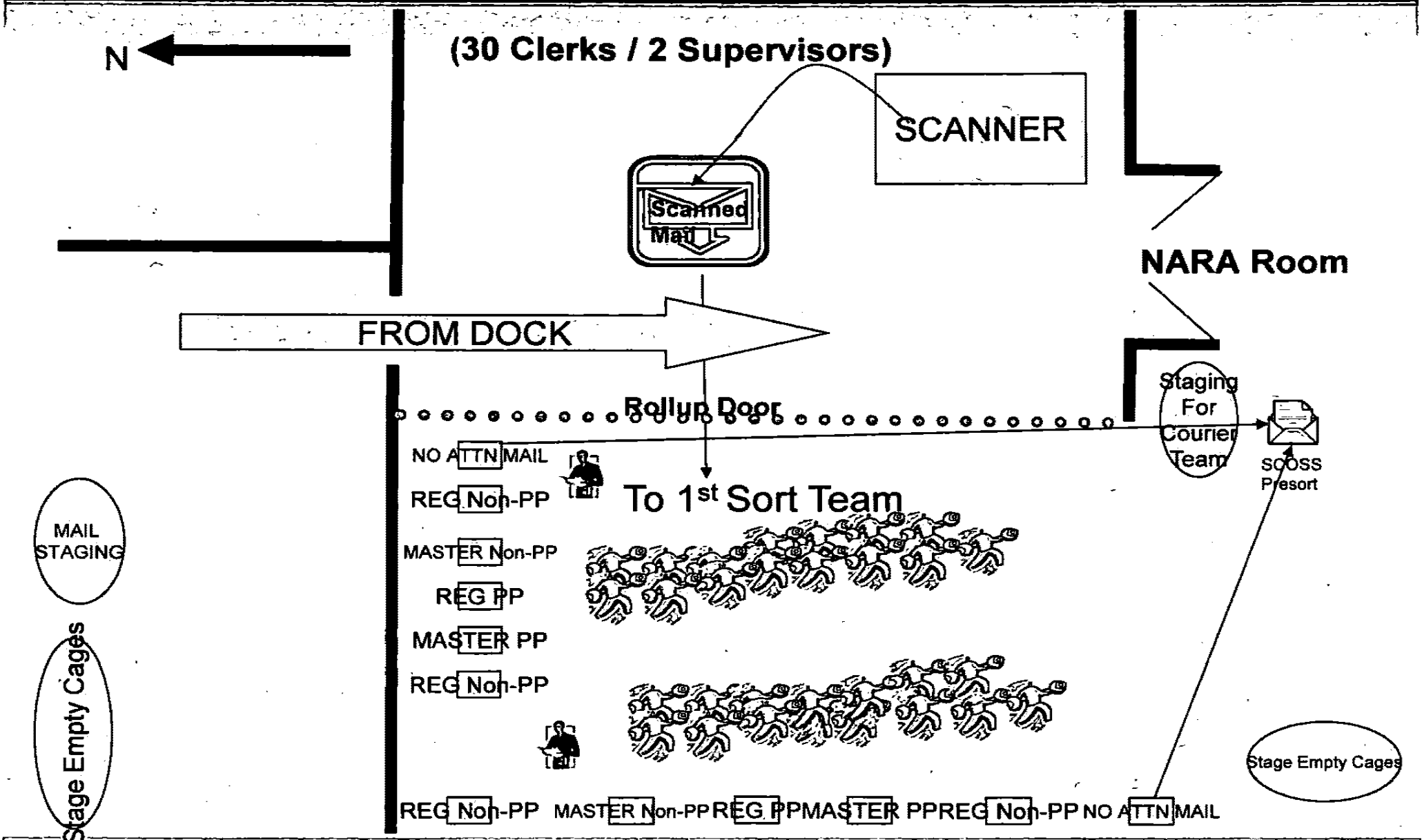
| Date | 4/1-4/7 |
|---|---|
| *All Mail Received - Not Opened* | |
| Number of Envelopes / Packages | 24,801 |

| *Opened and Barcoded* | |
|---|---|
| H1B CAP - Stanley Count VRN | 240 |
| H1B CAP - CIS Count | |
| H1B Masters - Stanley Count VMN | |
| H1B Masters - CIS Count | |
| H1B CAP - Premium - Stanley Count VRP | 2744 |
| H1B CAP - Premium - CIS Count | |
| H1B Masters - Premium - Stanley Count VMP | 1123 |
| H1B Masters - Premium - CIS Count | |
| In Records for Review / Resolution | |
| Totals | 4107 |

Rev: 3/4/08

# NARA ROOM – 1st SORT OPERATIONS

STANLEY



- **Cage identification Action Items**
  - **The 1st sort team will ensure cages are signed indicating whether the contents are:**
    - Regular Non-Premium CAP
    - Regular Premium CAP
    - Masters Non-Premium CAP
    - Masters Premium CAP
    - Miscellaneous (regular presort mail)
- **1st Sort Team Action Items**
  - The clerks will sort the mail from the scanners into the six designated areas (cages or the Wrong Address bucket)
- **Cage Refresh Action Items**
  - When a cage is full, the cage will be taken to the designated drop off point and an empty cage will replace it

# Documents from Dennis Peck

# FY10 H1B Related

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K |
| **Cc:** | Neufeld, Donald |
| **Subject:** | FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15. |
| **Date:** | Friday, April 16, 2010 10:29:00 AM |
| **Attachments:** | FY11 VSC H1B CAP Report.xls<br>FY11 Cap report (CSC 4-15-10).xls |

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

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**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!
Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
**Stanley Associates, Inc.**
(b)(6) office
mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

California Service Center

| Dates | | 4/7/10 | 4/8/10 |
|---|---|---|---|
| Pending Data Entry | Daily Receipts | | |
| (CRN) H1B CAP | 5,373 | 5373 | 5373 |
| (CRP) H1B CAP - Premium | 1,323 | 790 | 162 |
| (CMN) H1B Masters | 2,108 | 2108 | 1881 |
| (CMP) H1B Masters - Premium | 718 | 527 | 74 |
| Totals | 9,522 | 8,798 | 7,490 |

| Data Entry | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 511 | 600 |
| (CMN) H1B Masters | 0 | 222 |
| (CMP) H1B Masters - Premium | 186 | 438 |
| Totals | 697 | 1260 |

| Rejects (System & Manual) | | |
|---|---|---|
| (CRN) H1B CAP | 0 | 0 |
| (CRP) H1B CAP - Premium | 22 | 28 |
| (CMN) H1B Masters | 0 | 5 |
| (CMP) H1B Masters - Premium | 5 | 15 |
| Totals | 27 | 48 |

| 4/9/10 | 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | 4/16/10 |
|---|---|---|---|---|---|
| 5338 | 4315 | 2816 | 1341 | 351 | 351 |
| 127 | 72 | 53 | 37 | 0 | 0 |
| 584 | 308 | 287 | 280 | 139 | 139 |
| 51 | 37 | 25 | 16 | 0 | 0 |
| 6,100 | 4,732 | 3,181 | 1,674 | 490 | 490 |
| | | | | | |
| 34 | 1005 | 1463 | 1,427 | 935 | |
| 33 | 54 | 18 | 16 | 37 | |
| 1249 | 262 | 17 | 7 | 131 | |
| 22 | 14 | 10 | 9 | 16 | |
| 1338 | 1335 | 1508 | 1459 | 1119 | 0 |
| | | | | | |
| 1 | 18 | 36 | 48 | 55 | |
| 2 | 1 | 1 | 0 | 0 | |
| 48 | 14 | 4 | 0 | 10 | |
| 1 | 0 | 2 | 0 | 0 | |
| 52 | 33 | 43 | 48 | 65 | 0 |

| 4/19/10 | 4/20/10 | 4/21/10 | 4/22/10 | 4/23/10 | 4/26/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 4/27/10 | 4/28/10 | 4/29/10 | 4/30/10 | 5/3/10 | 5/4/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/5/10 | 5/6/10 | 5/7/10 | 5/8/10 | 5/9/10 | 5/12/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/13/10 | 5/14/10 | 5/17/10 | 5/18/10 | 5/19/10 | 5/20/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |
| | | | | | |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 5/21/10 | 5/24/10 | 5/25/10 | 5/26/10 | 5/27/10 | 5/28/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/1/10 | 6/2/10 | 6/3/10 | 6/4/10 | 6/7/10 | 6/8/10 |
|---|---|---|---|---|---|
| 351 | 351 | 351 | 351 | 351 | 351 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 139 | 139 | 139 | 139 | 139 | 139 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 490 | 490 | 490 | 490 | 490 | 490 |
| 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 |

| 6/9/10 | 6/10/10 | etc | |
|---|---|---|---|
| 351 | 351 | 351 | |
| 0 | 0 | 0 | |
| 139 | 139 | 139 | |
| 0 | 0 | 0 | |
| 490 | 490 | 490 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |
| | | | |
| 0 | 0 | 0 | 0 |

| Dates | 4/7/10 | 4/8/10 | 4/9/10 |
|---|---|---|---|
| Pending Data Entry | Wednesday | Thursday | Friday |
| (VRN) H1B CAP | 6,134 | 6,311 | 5,452 |
| (VRP) H1B CAP - Premium | 441 | 57 | 0 |
| (VMN) H1B Masters | 2,218 | 1,569 | 717 |
| (VMP) H1B Masters - Premium | 711 | 0 | 7 |
| Totals | 9,504 | 7,937 | 6,176 |

| Data Entry Complete | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 4 | 892 |
| (VRP) H1B CAP - Premium | 1,159 | 415 | 67 |
| (VMN) H1B Masters | 0 | 715 | 856 |
| (VMP) H1B Masters - Premium | 228 | 639 | 27 |
| Totals | 1,387 | 1,773 | 1,842 |

| Completed Rejects (Manual) | Wednesday | Thursday | Friday |
|---|---|---|---|
| (VRN) H1B CAP | 0 | 0 | 0 |
| (VRP) H1B CAP - Premium | 0 | 0 | 0 |
| (VMN) H1B Masters | 0 | 0 | 0 |
| (VMP) H1B Masters - Premium | 0 | 0 | 0 |
| Totals | 0 | 0 | 0 |

ıter

| 4/12/10 | 4/13/10 | 4/14/10 | 4/15/10 | Totals |
|---|---|---|---|---|
| Monday | Tuesday | Wednesday | Thursday | |
| 4,133 | 2,189 | 680 | 50 | |
| 2 | 0 | 0 | 0 | |
| 225 | 293 | 165 | 60 | |
| 0 | 0 | 0 | 0 | |
| 4,360 | 2,482 | 845 | 110 | |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1,417 | 2,070 | 1,562 | 771 | 6,716 |
| 56 | 38 | 29 | 22 | 1,786 |
| 507 | 3 | 172 | 169 | 2,422 |
| 24 | 11 | 15 | 9 | 953 |
| 2,004 | 2,122 | 1,778 | 971 | 11,877 |

| Monday | Tuesday | Wednesday | Thursday | Totals |
|---|---|---|---|---|
| 1 | 3 | 3 | 44 | 51 |
| 11 | 24 | 24 | 0 | 59 |
| 1 | 0 | 15 | 21 | 37 |
| 21 | 15 | 1 | 0 | 37 |
| 34 | 42 | 43 | 65 | 184 |

Vermont Service Center

I-129 (H1B) CAP Report

As of 11:30pm on December 29, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Pending Data Entry* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP - Stanley Count VRN | 17952 | 18130 | 18419 | 18606 | 18606 | 18995 | 19302 | 19302 | 19622 | 19733 | 17602 | 15553 | 13441 | 11406 | 9750 | 7928 | 6324 | 4860 | 3071 | 1149 | 103 | 58 | 6 | 12 | 28 |
| H1B Masters - Stanley Count VMN | 8600 | 8672 | 8732 | 8780 | 8780 | 8780 | 6178 | 4247 | 2305 | 396 | 19 | 0 | 8 | 3 | 7 | 5 | 45 | 11 | 33 | 13 | 0 | 0 | 1 | 1 | 6 |
| H1B CAP - Premium - Stanley Count VRP | 6601 | 6611 | 5768 | 3327 | 2781 | 167 | 19 | 0 | 23 | 20 | 12 | 3 | 3 | 36 | 33 | 18 | 11 | 9 | 14 | 9 | 1 | 9 | 0 | 0 | 0 |
| H1B Masters - Premium - Stanley Count VMP | 2998 | 1481 | 118 | 20 | 10 | 20 | 13 | 0 | 3 | 3 | 6 | 2 | 1 | 19 | 7 | 15 | 2 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 8 |
| Totals | 36151 | 34894 | 33037 | 30733 | 30177 | 27962 | 25512 | 23549 | 21953 | 20152 | 17639 | 15558 | 13453 | 11464 | 9797 | 7966 | 6382 | 4880 | 3119 | 1172 | 105 | 67 | 7 | 13 | 42 |
| *Informational Counts(included in above pending)* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| Premium Cases Mis-sorted with Regulars | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Filings Found with No Barcodes | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 24 | 3 | 3 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *Data Entered* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP - Stanley Count | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2131 | 2049 | 2112 | 2035 | 1656 | 1822 | 1604 | 1582 | 1876 | 1976 | 1159 | 214 | 111 | 86 | 48 |
| H1B Masters - Stanley Count | 0 | 0 | 0 | 0 | 0 | 0 | 2602 | 1931 | 1988 | 1918 | 171 | 37 | 18 | 17 | 17 | 32 | 22 | 68 | 26 | 52 | 38 | 25 | 23 | 6 | 9 |
| H1B CAP - Premium - Stanley Count | 0 | 0 | 904 | 2441 | 546 | 2471 | 206 | 32 | 37 | 36 | 25 | 30 | 17 | 7 | 38 | 50 | 34 | 17 | 10 | 18 | 25 | 25 | 21 | 9 | 27 |
| H1B Masters - Premium - Stanley Count | 398 | 1513 | 1374 | 38 | 10 | 23 | 22 | 18 | 5 | 10 | 7 | 13 | 8 | 5 | 23 | 13 | 20 | 0 | 2 | 3 | 9 | 6 | 6 | 7 | 3 |
| Totals | 398 | 1513 | 2278 | 2479 | 556 | 2494 | 2830 | 1981 | 2031 | 1964 | 2334 | 2129 | 2155 | 2064 | 1734 | 1917 | 1680 | 1667 | 1914 | 2049 | 1231 | 270 | 161 | 108 | 87 |
| *Identified Pending Rejection* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| Selected - Stanley Count | 0 | 13 | 27 | 72 | 72 | 118 | 157 | 131 | 216 | 246 | 257 | 249 | 185 | 134 | 120 | 97 | 36 | 17 | 26 | 42 | 62 | 57 | 33 | 11 | 10 |
| *Completed Rejects* | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| Selected - Stanley Count | 0 | 0 | 0 | 0 | 0 | 12 | 72 | 77 | 69 | 48 | 53 | 49 | 107 | 102 | 88 | 113 | 30 | 33 | 17 | 16 | 33 | 51 | 41 | 30 | 11 |

| 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/26/09 | 5/27/09 | 5/28/09 | 5/29/09 | 6/1/09 | 6/2/09 | 6/3/09 | 6/4/09 | 6/5/09 | 6/8/09 | 6/9/09 | 6/10/09 | 6/11/09 | 6/12/09 | 6/15/09 | 6/16/09 | 6/17/09 | 6/18/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 117 | 84 | 62 | 123 | 51 | 76 | 59 | 35 | 43 | 34 | 67 | 37 | 29 | 39 | 42 | 54 | 25 | 27 | 44 | 46 | 55 | 35 | 39 | 72 | 51 | 39 | 27 | 31 |
| 17 | 8 | 11 | 15 | 12 | 17 | 10 | 20 | 18 | 10 | 14 | 16 | 15 | 9 | 17 | 7 | 13 | 10 | 4 | 20 | 14 | 9 | 16 | 14 | 17 | 13 | 12 | 13 |
| 21 | 14 | 20 | 15 | 12 | 13 | 23 | 8 | 20 | 14 | 20 | 21 | 14 | 19 | 18 | 25 | 23 | 11 | 26 | 30 | 14 | 16 | 15 | 22 | 17 | 15 | 21 | 22 |
| 13 | 5 | 6 | 10 | 9 | 4 | 5 | 1 | 3 | 8 | 3 | 6 | 2 | 4 | 11 | 6 | 6 | 2 | 4 | 0 | 8 | 4 | 7 | 7 | 10 | 2 | 1 | 5 |
| 168 | 111 | 99 | 163 | 84 | 110 | 97 | 64 | 84 | 66 | 104 | 80 | 60 | 71 | 88 | 90 | 67 | 50 | 78 | 96 | 91 | 64 | 77 | 115 | 95 | 69 | 61 | 71 |

| Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 6 | 14 | 0 | 14 | 6 | 7 | 10 | 15 | 24 | 12 | 1 | 11 | 22 | 15 | 20 | 27 | 20 | 25 | 20 | 0 | 24 | 10 | 16 | 13 | 8 | 19 | 36 | 37 |

| Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 8 | 0 | 2 | 0 | 15 | 5 | 7 | 6 | 0 | 11 | 8 | 4 | 0 | 17 | 0 | 0 | 22 | 0 | 12 | 14 | 0 | 22 | 0 | 16 | 0 | 0 | 0 | 0 |

| 6/19/09 | 6/22/09 | 6/23/09 | 6/24/09 | 6/25/09 | 6/26/09 | 6/29/09 | 6/30/09 | 7/1/09 | 7/2/09 | 7/6/09 | 7/7/09 | 7/8/09 | 7/9/09 | 7/10/09 | 7/13/09 | 7/14/09 | 7/15/09 | 7/16/09 | 7/17/09 | 7/20/09 | 7/21/09 | 7/22/09 | 7/23/09 | 7/24/09 | 7/27/09 | 7/28/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 14 | 0 | 1 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 2 | 0 | 2 | 0 | 0 | 0 | 0 |
| Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 34 | 57 | 27 | 32 | 64 | 41 | 53 | 34 | 38 | 29 | 57 | 21 | 26 | 23 | 23 | 47 | 35 | 24 | 41 | 28 | 119 | 23 | 50 | 23 | 18 | 39 | 28 |
| 13 | 20 | 18 | 7 | 9 | 14 | 12 | 13 | 18 | 12 | 17 | 10 | 10 | 7 | 5 | 8 | 4 | 2 | 9 | 2 | 6 | 4 | 14 | 13 | 3 | 5 | 9 |
| 17 | 27 | 19 | 23 | 17 | 27 | 14 | 24 | 18 | 27 | 22 | 8 | 15 | 11 | 9 | 8 | 10 | 8 | 19 | 12 | 17 | 12 | 9 | 16 | 18 | 23 | 16 |
| 5 | 4 | 2 | 3 | 2 | 8 | 9 | 6 | 10 | 6 | 3 | 2 | 2 | 1 | 2 | 7 | 2 | 2 | 3 | 4 | 7 | 3 | 6 | 5 | 7 | 5 | 6 |
| 69 | 108 | 66 | 65 | 92 | 90 | 88 | 77 | 84 | 74 | 99 | 41 | 53 | 42 | 39 | 70 | 51 | 36 | 72 | 46 | 149 | 42 | 79 | 57 | 46 | 72 | 59 |

| Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 53 | 17 | 36 | 2 | 12 | 10 | 8 | 13 | 0 | 3 | 0 | 3 | 6 | 2 | 0 | 5 | 9 | 6 | 10 | 17 | 3 | 19 | 11 | 6 | 3 | 0 | 17 |

| Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 0 | 24 | 0 | 41 | 7 | 11 | 10 | 9 | 12 | 8 | 2 | 0 | 6 | 15 | 6 | 0 | 6 | 5 | 1 | 4 | 16 | 2 | 3 | 20 | 8 | 2 | 2 |

| 7/29/09 | 7/30/09 | 7/31/09 | 8/3/09 | 8/4/09 | 8/5/09 | 8/6/09 | 8/7/09 | 8/10/09 | 8/11/09 | 8/12/09 | 8/13/09 | 8/14/09 | 8/17/09 | 8/18/09 | 8/19/09 | 8/20/09 | 8/21/09 | 8/24/09 | 8/25/09 | 8/26/09 | 8/27/09 | 8/28/09 | 8/31/09 | 9/1/09 | 9/2/09 | 9/3/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 |
| 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 2 | 0 | 1 | 0 |
| Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 28 | 40 | 26 | 34 | 34 | 106 | 20 | 28 | 129 | 44 | 81 | 15 | 20 | 62 | 27 | 29 | 23 | 56 | 29 | 69 | 23 | 24 | 17 | 29 | 84 | 48 | 17 |
| 8 | 15 | 13 | 11 | 14 | 7 | 9 | 7 | 16 | 11 | 12 | 10 | 5 | 14 | 7 | 10 | 12 | 8 | 5 | 16 | 7 | 12 | 5 | 9 | 11 | 13 | 8 |
| 19 | 13 | 14 | 32 | 17 | 16 | 14 | 28 | 16 | 12 | 17 | 14 | 18 | 27 | 23 | 22 | 30 | 20 | 24 | 18 | 15 | 27 | 22 | 18 | 16 | 25 | 28 |
| 5 | 13 | 6 | 8 | 8 | 2 | 4 | 4 | 4 | 8 | 2 | 7 | 2 | 4 | 3 | 3 | 4 | 11 | 11 | 8 | 8 | 8 | 6 | 8 | 6 | 6 | 6 |
| 60 | 81 | 59 | 85 | 73 | 131 | 47 | 67 | 165 | 75 | 112 | 46 | 45 | 107 | 60 | 64 | 69 | 95 | 69 | 111 | 53 | 71 | 50 | 64 | 117 | 92 | 59 |

| Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 3 | 4 | 0 | 18 | 11 | 20 | 32 | 12 | 8 | 18 | 20 | 12 | 6 | 2 | 26 | 26 | 11 | 4 | 9 | 12 | 8 | 8 | 15 | 17 | 28 | 12 | 9 |

| Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 17 | 2 | 0 | 7 | 19 | 0 | 3 | 16 | 17 | 2 | 7 | 16 | 4 | 3 | 2 | 0 | 19 | 9 | 4 | 4 | 10 | 7 | 1 | 3 | 0 | 0 | 10 |

| 9/4/09 | 9/8/09 | 9/9/09 | 9/10/09 | 9/11/09 | 9/14/09 | 9/15/09 | 9/16/09 | 9/17/09 | 9/18/09 | 9/21/09 | 9/22/09 | 9/23/09 | 9/24/09 | 9/25/09 | 9/28/09 | 9/29/09 | 9/30/09 | 10/1/09 | 10/2/09 | 10/5/09 | 10/6/09 | 10/7/09 | 10/8/09 | 10/9/09 | 10/13/09 | 10/14/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 4 | 1 | 3 | 0 | 2 | 7 | 3 | 2 | 2 | 0 | 1 | 8 | 4 | 11 | 7 | 5 | 7 | 3 | 3 | 9 | 6 | 4 | 5 | 1 | 3 | 21 | 5 |
| 0 | 4 | 2 | 0 | 6 | 0 | 0 | 3 | 0 | 0 | 2 | 2 | 3 | 3 | 4 | 2 | 1 | 2 | 2 | 3 | 4 | 0 | 9 | 6 | 1 | 5 | 2 |
| 4 | 5 | 5 | 0 | 8 | 7 | 3 | 5 | 2 | 0 | 3 | 10 | 7 | 14 | 11 | 7 | 8 | 5 | 5 | 12 | 10 | 4 | 14 | 7 | 4 | 26 | 7 |
| Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed |
| 27 | 48 | 25 | 67 | 28 | 44 | 34 | 30 | 82 | 34 | 49 | 36 | 68 | 46 | 35 | 62 | 39 | 34 | 78 | 49 | 59 | 25 | 36 | 33 | 67 | 40 | 30 |
| 9 | 22 | 10 | 10 | 9 | 16 | 16 | 10 | 9 | 18 | 19 | 4 | 12 | 17 | 17 | 20 | 14 | 8 | 29 | 17 | 21 | 18 | 11 | 12 | 12 | 24 | 11 |
| 38 | 46 | 29 | 28 | 48 | 58 | 42 | 44 | 57 | 60 | 59 | 41 | 35 | 49 | 43 | 64 | 44 | 64 | 68 | 74 | 66 | 59 | 53 | 58 | 44 | 89 | 115 |
| 6 | 9 | 9 | 9 | 12 | 16 | 14 | 13 | 15 | 17 | 12 | 9 | 11 | 11 | 22 | 19 | 12 | 8 | 14 | 14 | 13 | 25 | 7 | 16 | 13 | 16 | 17 |
| 80 | 125 | 75 | 114 | 97 | 134 | 106 | 97 | 163 | 129 | 139 | 90 | 126 | 123 | 117 | 165 | 109 | 114 | 189 | 154 | 159 | 127 | 107 | 119 | 136 | 169 | 173 |
| Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed |
| 6 | 4 | 12 | 3 | 15 | 26 | 12 | 22 | 5 | 21 | 15 | 26 | 11 | 6 | 24 | 14 | 29 | 17 | 23 | 9 | 27 | 4 | 10 | 9 | 10 | 8 | 12 |
| Fri | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Tue | Wed |
| 0 | 4 | 0 | 13 | 0 | 0 | 20 | 0 | 19 | 10 | 0 | 6 | 24 | 4 | 6 | 22 | 0 | 21 | 0 | 20 | 5 | 23 | 0 | 8 | 8 | 10 | 3 |

| 10/15/09 | 10/16/09 | 10/19/09 | 10/20/09 | 10/21/09 | 10/22/09 | 10/23/09 | 10/26/09 | 10/27/09 | 10/28/09 | 10/29/09 | 10/30/09 | 11/2/09 | 11/3/09 | 11/4/09 | 11/5/09 | 11/6/09 | 11/9/09 | 11/10/09 | 11/12/09 | 11/13/09 | 11/16/09 | 11/17/09 | 11/18/09 | 11/19/09 | 11/20/09 | 11/23/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 |
| 16 | 0 | 0 | 6 | 4 | 3 | 4 | 5 | 3 | 5 | 0 | 0 | 0 | 0 | 0 | 7 | 1 | 3 | 0 | 4 | 2 | 9 | 1 | 2 | 2 | 5 | 3 |
| 4 | 1 | 0 | 1 | 1 | 1 | 2 | 0 | 0 | 4 | 1 | 0 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 1 | 1 | 2 | 0 | 2 | 0 | 1 | 2 |
| 20 | 1 | 0 | 7 | 5 | 4 | 6 | 5 | 3 | 9 | 1 | 0 | 0 | 0 | 0 | 10 | 1 | 6 | 0 | 5 | 3 | 11 | 1 | 4 | 2 | 6 | 7 |
| Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| 37 | 33 | 120 | 36 | 23 | 33 | 44 | 68 | 45 | 43 | 24 | 70 | 44 | 20 | 43 | 29 | 93 | 48 | 25 | 46 | 41 | 97 | 37 | 37 | 46 | 44 | 63 |
| 19 | 13 | 17 | 13 | 10 | 17 | 10 | 17 | 12 | 16 | 12 | 13 | 15 | 5 | 8 | 20 | 8 | 17 | 7 | 14 | 16 | 14 | 15 | 9 | 13 | 16 | 26 |
| 71 | 83 | 67 | 79 | 67 | 47 | 63 | 71 | 52 | 65 | 50 | 51 | 64 | 65 | 72 | 59 | 70 | 72 | 47 | 77 | 53 | 79 | 63 | 51 | 65 | 65 | 86 |
| 7 | 8 | 12 | 13 | 12 | 12 | 17 | 14 | 9 | 20 | 18 | 12 | 14 | 6 | 5 | 10 | 11 | 14 | 20 | 16 | 20 | 19 | 17 | 19 | 15 | 12 | 15 |
| 134 | 137 | 216 | 141 | 112 | 109 | 134 | 170 | 118 | 144 | 104 | 146 | 127 | 96 | 128 | 118 | 182 | 151 | 99 | 153 | 130 | 209 | 132 | 116 | 139 | 137 | 190 |
| Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| 14 | 9 | 9 | 8 | 10 | 14 | 6 | 9 | 4 | 0 | 9 | 0 | 0 | 7 | 11 | 2 | 8 | 7 | 8 | 23 | 36 | 17 | 19 | 14 | 15 | 12 | 11 |
| Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| 0 | 18 | 13 | 13 | 6 | 9 | 14 | 6 | 7 | 12 | 0 | 5 | 14 | 2 | 9 | 15 | 1 | 6 | 9 | 8 | 0 | 14 | 8 | 11 | 14 | 9 | 10 |

| 11/24/09 | 11/25/09 | 11/27/09 | 11/30/09 | 12/1/09 | 12/2/09 | 12/3/09 | 12/4/09 | 12/7/09 | 12/8/09 | 12/9/09 | 12/10/09 | 12/11/09 | 12/14/09 | 12/15/09 | 12/16/09 | 12/17/09 | 12/18/09 | 12/21/09 | 12/22/09 | 12/23/09 | 12/24/09 | 12/28/09 | 12/29/09 | 12/30/09 | 12/31/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Tue | Wed | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Total |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 27 | 352 | 352 | 352 | 0 | 0 | 0 | | | |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 30 | 30 | 30 | 0 | 0 | 0 | | | |
| 8 | 8 | 10 | 0 | 10 | 8 | 5 | 3 | 9 | 18 | 5 | 4 | 6 | 12 | 0 | 11 | 3 | 0 | 154 | 152 | 152 | 0 | 0 | 0 | | | |
| 5 | 0 | 1 | 0 | 1 | 2 | 0 | 1 | 4 | 3 | 1 | 4 | 3 | 2 | 0 | 2 | 0 | 0 | 23 | 23 | 23 | 0 | 0 | 0 | | | |
| 13 | 8 | 11 | 0 | 11 | 10 | 5 | 4 | 13 | 23 | 6 | 8 | 9 | 18 | 0 | 13 | 3 | 27 | 559 | 557 | 557 | 0 | 0 | 0 | 0 | 0 | |
| Tue | Wed | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Total |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 50 |
| 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |

| Tue | Wed | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 79 | 133 | 90 | 48 | 81 | 85 | 139 | 121 | 147 | 84 | 70 | 74 | 80 | 262 | 77 | 77 | 98 | 162 | 24 | 2 | 2 | 93 | 2 | 9 | | | 28614 |
| 17 | 33 | 14 | 17 | 18 | 26 | 32 | 21 | 20 | 18 | 28 | 20 | 28 | 29 | 24 | 18 | 22 | 30 | 5 | 1 | 0 | 11 | 0 | 2 | | | 11111 |
| 69 | 88 | 110 | 62 | 97 | 122 | 139 | 96 | 197 | 113 | 117 | 92 | 107 | 120 | 145 | 93 | 119 | 133 | 15 | 1 | 0 | 47 | 2 | 7 | | | 13844 |
| 10 | 20 | 22 | 11 | 15 | 21 | 20 | 14 | 12 | 17 | 20 | 25 | 19 | 23 | 25 | 20 | 17 | 33 | 3 | 0 | 0 | 8 | 0 | 0 | | | 5056 |
| 175 | 274 | 236 | 138 | 211 | 254 | 330 | 252 | 376 | 252 | 235 | 211 | 234 | 434 | 271 | 208 | 256 | 358 | 47 | 4 | 2 | 159 | 4 | 18 | 0 | 0 | 58625 |

| Tue | Wed | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 24 | 4 | 9 | 35 | 34 | 22 | 35 | 14 | 26 | 52 | 47 | 17 | 6 | 33 | 21 | 17 | 60 | 55 | 83 | 83 | 49 | 0 | 0 | 0 | | | |

| Tue | Wed | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Mon | Tue | Wed | Thu | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 5 | 24 | 15 | 1 | 28 | 15 | 23 | 28 | 19 | 25 | 29 | 27 | 14 | 4 | 29 | 12 | 22 | 15 | 20 | 11 | 38 | 0 | 0 | 0 | | | 2486 |

## Worley, Jordan P

**From:** Nicholson, Richard E
**Sent:** Tuesday, September 15, 2009 2:32 PM
**To:** Manahan, Lisa F
**Subject:** FW: Masters Cap?

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

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**From:** Benavente, Jessy J
**Sent:** Thursday, September 10, 2009 12:15 PM
**To:** Siesel, Gregory P
**Cc:** Nicholson, Richard E; Ly, Pam P; Nelson, Marvin E; Mehta, Dilipkumar N; Robbins, Bonnie M; 'Villahermosa, April L'; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Hahn, Jerome; Valencia, Valerie L
**Subject:** FW: Masters Cap?

Greg,
In discussing the Master's cases with the ACD/COTR, his direction is to count all Masters cases as STD/regular cases and not to be concerned about Master numbers after today.

Jessy Benavente
SPA

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**From:** Benavente, Jessy J
**Sent:** Thursday, September 10, 2009 11:49 AM
**To:** Akeo, Timothy R; Bobeng Jr, John W; Ly, Pam P; Martin, James L; Nelson, Marvin E; Siesel, Gregory P
**Cc:** Mehta, Dilipkumar N; Robbins, Bonnie M; 'Villahermosa, April L'; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Hahn, Jerome; Valencia, Valerie L
**Subject:** FW: Masters Cap?

Stanley,
Please make the change effective today to key all Master cap cases as regular cases.

Jessy Benavente
SPA

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**From:** Nicholson, Richard E
**Sent:** Thursday, September 10, 2009 11:35 AM
**To:** Benavente, Jessy J
**Subject:** FW: Masters Cap?

Please implement the process change below for Masters...

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
[redacted] (b)(6)

**From:** Nguyen, Carolyn Q
**Sent:** Thursday, September 10, 2009 11:30 AM
**To:** Nicholson, Richard E; Gregg, Bret S
**Cc:** Tran, Helen
**Subject:** FW: Masters Cap?

Hi,

Since we had reached the 24,000 recommended cap for Masters, can the Contractor key these cases as regular cap cases from now on? That way we won't have to make the change at time of adjudication.

Also, do you have a more current count for regular cases?

Thanks, Rich.

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**From:** Nicholson, Richard E
**Sent:** Monday, August 03, 2009 11:58 AM
**To:** Poulos, Christina; Gregg, Bret S; Nguyen, Carolyn Q; Tran, Helen
**Subject:** CAP To Date

| | VSC | CSC | | Masters | Regular |
|---|---|---|---|---|---|
| H1B CAP - Stanley Count | 23,033 | 15,318 | 38,351 | 24,113 | 51,747 |
| H1B Masters - Stanley Count | 9,671 | 7,300 | 16,971 | | |
| H1B CAP - Premium - Stanley Count | 8,025 | 5,371 | 13,396 | PP | 20,538 |
| H1B Masters - Premium - Stanley Count | 3,834 | 3,308 | 7,142 | | |
| **Totals** | 44,563 | 31,297 | 75,860 | | |

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**From:** Fitzsimmons, James
**Sent:** Thursday, April 16, 2009 12:53 PM
**To:** Gregg, Bret S; Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R
**Subject:** RE: Masters Cap?

My recommendation is:

24,000 (Masters only) plus another 76,000 combining Regular and other (rolled over) Masters. Grand total is 100,000.

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**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 3:49 PM
**To:** Velarde, Barbara Q; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Makes sense rolling them into the regular cap.

We do need some type of cushion in the regular cap though because we will have denials/withdrawals, etc. What's our overall magic number?

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**From:** Velarde, Barbara Q
**Sent:** Thursday, April 16, 2009 12:46 PM
**To:** Gregg, Bret S; Peck, Denis R; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J; Peck, Denis R; Fitzsimmons, James
**Subject:** RE: Masters Cap?

Jim says our magic number is 24K for the masters so we are okay. We don't need a cushion because they just fold into the regular cap. It is my understanding we just close the cap when we hit it. I am including Jim in case I am saying something wrong. Also, Denis once we hit the master's cap do we update differently to roll into the regular cap?

Barbara Q. Velarde
Chief, Service Center Operations
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2132
Washington, DC 20529

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**From:** Gregg, Bret S
**Sent:** Thursday, April 16, 2009 12:58 PM
**To:** Peck, Denis R; Velarde, Barbara Q; Kruszka, Robert F
**Cc:** Nicholson, Richard E; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G; Renaud, Daniel M; Hazuda, Mark J
**Subject:** Masters Cap?

Hi,

Do we have a cushion number for Masters? I'm not sure if we have a strategy and when/if we need to rack and stack for a Masters RNG or if they should start being out into the regular cap?

---

**From:** Nicholson, Richard E
**Sent:** Thursday, April 16, 2009 9:41 AM
**To:** Gregg, Bret S; Poulos, Christina ; Nguyen, Carolyn Q; Gooselaw, Kurt G
**Subject:** CAP Numbers
**Importance:** High

| | CSC | VSC | Total | Masters |
|---|---|---|---|---|
| H1B CAP | 13230 | 19302 | 32532 | |
| H1B Masters | 6764 | 8842 | 15606 | 22031 |
| H1B CAP - Premium | 4581 | 6693 | 11274 | |
| H1B Masters - Premium | 3001 | 3424 | 6425 | |
| Totals | 27576 | 38261 | 65837 | |

## Worley, Jordan P

**From:** Peck, Denis R
**Sent:** Tuesday, June 23, 2009 11:16 AM
**To:** Manahan, Lisa F
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report

Jim says not to worry about it, just keep coding all you get as Masters as MAS. They don't plan to issue a press release about reaching the Masters 20,000 non-cap until they've actually issued all the visas. When that happens, they'll just begin issuing the Masters applicants the regular CAPed visas until 65,000 of them are issued. At that point we stop accepting any.

According to Jim we have some weeks to go before they will have issued the 20,000 Masters visas category.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Manahan, Lisa F
**Sent:** Tuesday, June 23, 2009 12:05 PM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report

Rob and I thought the reason why it was 24,000 instead of 20,000 was to account for the denials and rejects. Therefore we thought Jim was using the number received.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

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**From:** Peck, Denis R
**Sent:** Tuesday, June 23, 2009 12:04 PM
**To:** Manahan, Lisa F
**Cc:** Shiflett, Julie M; Nicholson, Richard E
**Subject:** RE: VSC 2009 H1B CAP Report

Not really; you are just counting up the data entered figures. Jim is querying C3 to determine how many are approved or pending. There have been about 600-700 denials already and these he's deducted from the totals. It could be a few more weeks before he give the word that we have enough.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Manahan, Lisa F
**Sent:** Tuesday, June 23, 2009 11:39 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

If my calculation is correct we will most likely hit the Master's cap today (24,000). Is Jim going to send a message to let us know when we should start entering STD instead of MAS for the Masters?

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

---

**From:** Bard, Shanna M
**Sent:** Tuesday, June 23, 2009 10:22 AM
**To:** Upton, Mandy L; VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

Attached is the VSC 2009 H1B CAP Report as of COB, June 22, 2009.
Thanks,
Shanna

Shanna M. Bard | VSC - Stanley | HR Generalist/Administrative Assistant | ☎: [redacted] ✉:
shanna.bard@dhs.gov

(b)(6)

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Wednesday, June 17, 2009 11:38:50 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls

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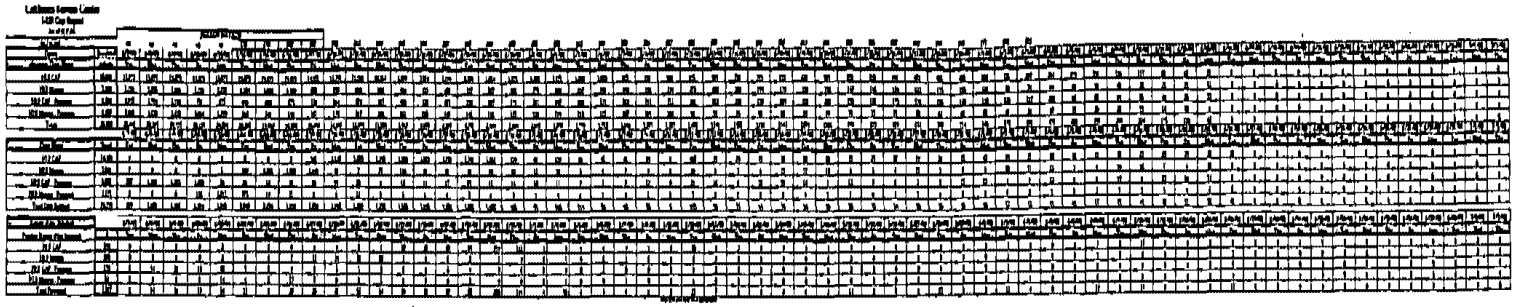
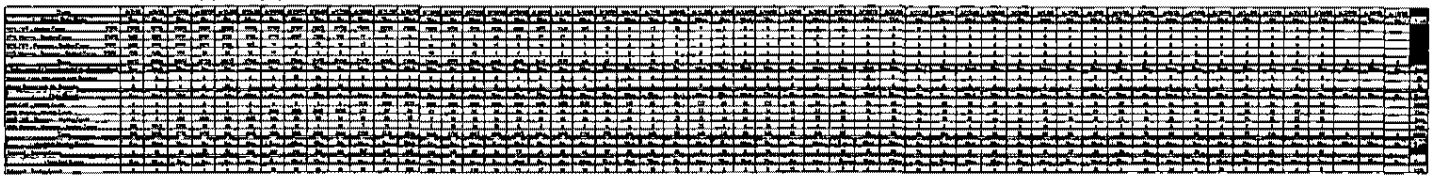
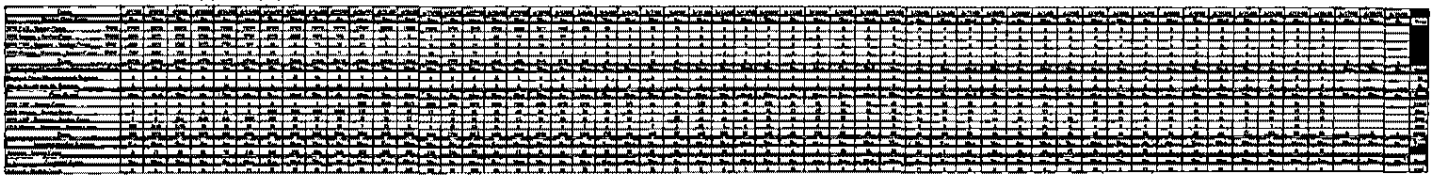
Hi Denis, Julie, please find the CAP reports as of COB Tuesday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com







**From:** Moulin, Kristen L.
**To:** Shiflett, Julie M; Peck, Denis R
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Tuesday, June 16, 2009 5:04:44 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls

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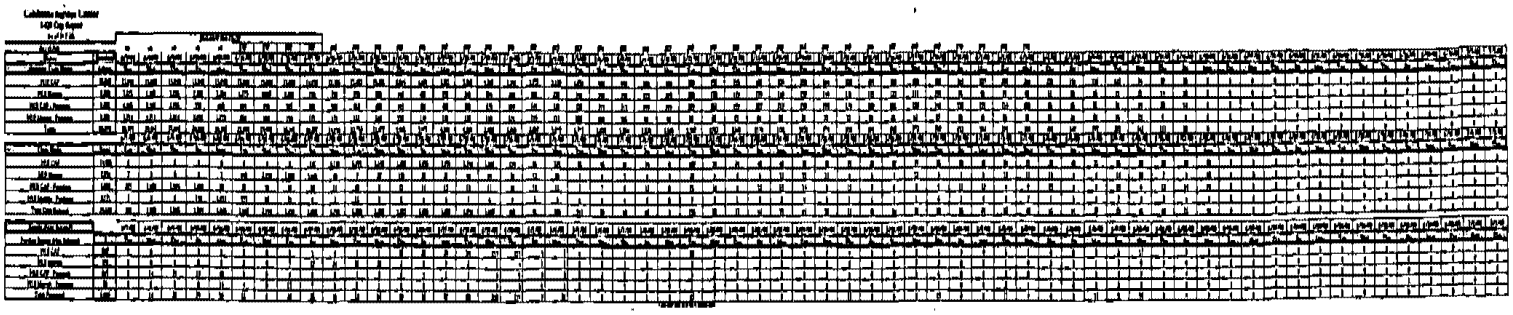
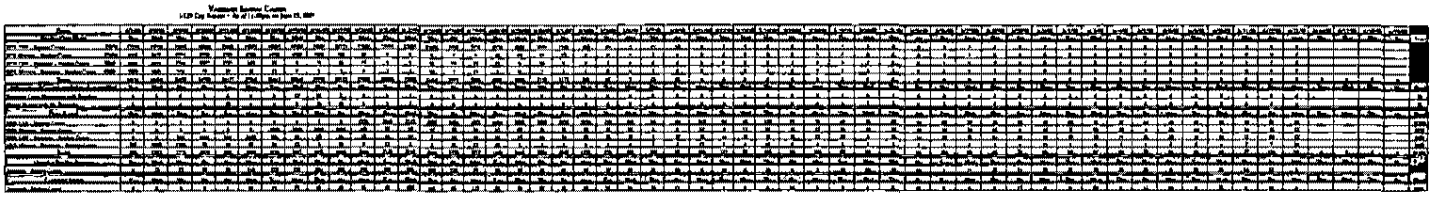
Hi Denis, Julie, please find the CAP reports as of COB Monday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com





**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Saturday, May 09, 2009 10:23:48 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (5-8-09 11 PM).xls

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Saturday, May 09, 2009 1:59 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted] (b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 05/08/09 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 |
| Date | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 34,843 | 14,135 | 14,135 | 14,135 | 14,135 | 14,135 | 14,135 | 14,135 | 14,135 | 13,993 | 11,861 | 10,567 | 9,376 | 7,959 | 6,076 | 4,256 | 2,456 | 676 | 457 | 367 | 233 | 131 | 80 | 33 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 7,009 | 7,002 | 7,002 | 7,002 | 7,002 | 7,001 | 6,930 | 3,784 | 2,225 | 567 | 493 | 435 | 350 | 220 | 198 | 169 | 123 | 93 | 57 | 45 | 28 | 23 | 17 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 6,095 | 4,606 | 3,483 | 1,887 | 440 | 366 | 335 | 317 | 264 | 225 | 203 | 163 | 156 | 144 | 127 | 110 | 87 | 76 | 60 | 50 | 36 | 29 | 20 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,123 | 3,116 | 3,116 | 3,116 | 3,060 | 1,335 | 158 | 140 | 92 | 77 | 74 | 63 | 62 | 57 | 51 | 45 | 38 | 32 | 23 | 20 | 13 | 9 | 8 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 29,268 | 28,859 | 27,736 | 26,140 | 24,597 | 22,837 | 20,670 | 18,376 | 16,716 | 14,862 | 12,631 | 11,228 | 9,952 | 8,380 | 6,452 | 4,580 | 2,704 | 877 | 577 | 482 | 312 | 192 | 125 | 59 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 |
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 13,628 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,293 | 1,190 | 1,380 | 1,855 | 1,791 | 1,746 | 1,561 | 126 | 86 | 129 | 96 | 45 | 41 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 4,824 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,552 | 1,646 | 40 | 7 | 27 | 136 | 20 | 21 | 44 | 29 | 32 | 12 | 16 | 5 | 6 | 7 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,762 | 287 | 1,109 | 1,365 | 1,429 | 36 | 26 | 18 | 49 | 39 | 19 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 16 | 10 | 11 | 7 | 7 | 8 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,078 | 7 | 0 | 0 | 156 | 1,811 | 973 | 18 | 31 | 8 | 3 | 11 | 0 | 5 | 6 | 6 | 7 | 0 | 9 | 3 | 4 | 6 | 1 | 4 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 28,292 | 309 | 1,109 | 1,365 | 1,584 | 1,846 | 1,948 | 2,294 | 1,632 | 1,834 | 2,190 | 1,350 | 1,222 | 1,533 | 1,895 | 1,835 | 1,816 | 1,607 | 181 | 91 | 160 | 114 | 59 | 60 | 58 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rejects (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 |
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 515 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 17 | 28 | 29 | 56 | 219 | 115 | 4 | 3 | 6 | 6 | 4 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 185 | 0 | 0 | 0 | 0 | 0 | -2 | 1 | 7 | 12 | 34 | 31 | 50 | 3 | 2 | 8 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 131 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 45 | 0 | 0 | 0 | 0 | 14 | 6 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 876 | 0 | 14 | 31 | 19 | 54 | 11 | 1 | 28 | 20 | 43 | 33 | 54 | 39 | 33 | 37 | 60 | 220 | 119 | 4 | 10 | 6 | 8 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report Revised
**Date:** Friday, May 08, 2009 5:11:51 PM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (5-7-09 11 PM) (revision with rejects).xls

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**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Friday, May 08, 2009 11:49 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice; Siesel, Gregory P; CR Nelson, Marvin
**Subject:** FW: CAP Report

Team,

Attached is the revised CAP report from yesterday. (This revision has the rejects listed for 5-7-09)

Regards,

Greg

---

**From:** Nelson, Marvin E
**Sent:** Thursday, May 07, 2009 11:02 PM
**To:** Akeo, Timothy R; Benavente, Jessy J; Bobeng Jr, John W; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; 'Peacock, Walter W.'; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted]
(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| 05/07/09 | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 |
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 |
| Ongoing Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 14,100 | 14,100 | 14,100 | 14,100 | 14,100 | 14,100 | 14,100 | 14,100 | 14,100 | 13,950 | 11,826 | 10,332 | 9,541 | 7,926 | 6,041 | 4,221 | 2,421 | 641 | 402 | 332 | 198 | 96 | 45 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 7,000 | 6,993 | 6,993 | 6,993 | 6,993 | 6,992 | 6,041 | 3,775 | 2,216 | 550 | 484 | 426 | 349 | 211 | 189 | 160 | 114 | 84 | 48 | 36 | 19 | 14 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 6,801 | 4,594 | 3,471 | 1,875 | 428 | 354 | 325 | 304 | 252 | 215 | 191 | 151 | 144 | 132 | 115 | 98 | 75 | 64 | 48 | 38 | 24 | 17 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,120 | 3,113 | 3,113 | 3,113 | 2,957 | 1,132 | 195 | 157 | 89 | 71 | 71 | 60 | 59 | 54 | 48 | 42 | 35 | 29 | 20 | 17 | 12 | 6 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 29,109 | 28,800 | 27,677 | 26,081 | 24,478 | 22,578 | 20,619 | 18,317 | 16,657 | 14,803 | 12,572 | 11,169 | 9,893 | 8,323 | 6,393 | 4,521 | 2,645 | 818 | 518 | 423 | 253 | 133 | 66 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 |
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 13,594 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,295 | 1,190 | 1,380 | 1,855 | 1,791 | 1,746 | 1,561 | 124 | 66 | 129 | 96 | 45 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,815 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,552 | 1,646 | 40 | 7 | 27 | 136 | 20 | 21 | 44 | 29 | 32 | 12 | 14 | 5 | 6 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,750 | 287 | 1,109 | 1,565 | 1,428 | 34 | 26 | 18 | 49 | 39 | 19 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 18 | 10 | 11 | 7 | 7 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,075 | 7 | 0 | 0 | 156 | 1,811 | 973 | 18 | 31 | 8 | 3 | 11 | 0 | 5 | 6 | 6 | 7 | 6 | 9 | 3 | 4 | 6 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 28,234 | 309 | 1,109 | 1,565 | 1,584 | 1,846 | 1,948 | 2,294 | 1,632 | 1,834 | 2,190 | 1,350 | 1,222 | 1,533 | 1,895 | 1,835 | 1,816 | 1,607 | 181 | 91 | 160 | 114 | 59 | 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 |
| Reports (Not Adjusted) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Pending Reports (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 634 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 37 | 28 | 29 | 34 | 219 | 115 | 4 | 5 | 6 | 6 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 185 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 12 | 34 | 51 | 50 | 3 | 2 | 0 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 131 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 45 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 975 | 0 | 14 | 31 | 19 | 54 | 11 | 8 | 28 | 20 | 41 | 53 | 54 | 39 | 33 | 29 | 60 | 220 | 119 | 4 | 10 | 6 | 8 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Friday, May 08, 2009 7:50:40 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (5-7-09 11 PM).xls

---

Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy R <timothy.akeo@associates.dhs.gov>; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri May 08 02:02:05 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

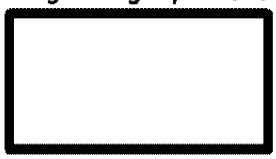
Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677



(b)(6)

California Service Center
I-129 Cap Report
As of 11 P.M.

| 05/07/09 | | (JULIAN DATES) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 122 | 126 | 128 | 131 | 135 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 |
| Dates | Received | 5/2/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 | 5/27/09 | 5/28/09 | 5/29/09 | 5/30/09 | 6/1/09 | 6/2/09 | 6/3/09 | 6/4/09 | 6/5/09 | 6/8/09 | 6/9/09 | 6/10/09 | 6/11/09 | 6/12/09 | 6/15/09 | 6/16/09 | 6/17/09 | 6/18/09 | 6/19/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 16,884 | 14,096 | 14,096 | 14,096 | 14,096 | 14,096 | 14,096 | 14,096 | 13,954 | 11,822 | 10,528 | 9,357 | 7,920 | 6,057 | 4,217 | 2,417 | 657 | 398 | 328 | 194 | 92 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,999 | 6,992 | 6,992 | 6,992 | 6,992 | 6,991 | 6,840 | 3,774 | 2,215 | 557 | 483 | 425 | 348 | 210 | 108 | 159 | 113 | 83 | 47 | 35 | 16 | 13 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 6,881 | 6,594 | 5,471 | 1,875 | 428 | 354 | 323 | 305 | 258 | 213 | 191 | 151 | 144 | 133 | 115 | 98 | 75 | 64 | 48 | 38 | 24 | 17 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,119 | 3,112 | 3,112 | 3,112 | 2,956 | 1,231 | 194 | 136 | 88 | 75 | 70 | 59 | 58 | 53 | 47 | 41 | 34 | 28 | 19 | 16 | 11 | 5 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 33,883 | 30,794 | 27,671 | 26,075 | 24,472 | 22,672 | 20,613 | 18,311 | 16,651 | 14,797 | 12,566 | 11,163 | 9,807 | 8,315 | 6,387 | 4,515 | 2,639 | 812 | 512 | 417 | 247 | 127 | 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 | 5/27/09 | 5/28/09 | 5/29/09 | 5/30/09 | 6/1/09 | 6/2/09 | 6/3/09 | 6/4/09 | 6/5/09 | 6/8/09 | 6/9/09 | 6/10/09 | 6/11/09 | 6/12/09 | 6/15/09 | 6/16/09 | 6/17/09 | 6/18/09 |
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 13,594 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,293 | 1,190 | 1,380 | 1,855 | 1,791 | 1,746 | 1,561 | 124 | 66 | 129 | 96 | 45 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,815 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,552 | 1,646 | 40 | 7 | 27 | 136 | 20 | 21 | 44 | 29 | 52 | 12 | 16 | 5 | 6 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,750 | 287 | 1,109 | 1,365 | 1,428 | 34 | 26 | 19 | 49 | 39 | 19 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 16 | 10 | 11 | 7 | 7 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 2,075 | 7 | 0 | 0 | 158 | 1,811 | 973 | 11 | 31 | 8 | 3 | 11 | 0 | 5 | 6 | 6 | 7 | 4 | 9 | 3 | 4 | 6 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 28,234 | 309 | 1,109 | 1,365 | 1,586 | 1,846 | 1,948 | 2,294 | 1,632 | 1,834 | 2,190 | 1,350 | 1,222 | 1,533 | 1,895 | 1,835 | 1,816 | 1,605 | 181 | 91 | 160 | 114 | 59 | 60 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 510 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 28 | 29 | 34 | 219 | 115 | 4 | 5 | 6 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 186 | 0 | 0 | 0 | 0 | 0 | 2 | 6 | 7 | 12 | 34 | 51 | 50 | 2 | 2 | 8 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 151 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 1 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 66 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 869 | 0 | 14 | 31 | 19 | 54 | 11 | 6 | 28 | 20 | 41 | 53 | 54 | 59 | 33 | 37 | 40 | 220 | 119 | 4 | 10 | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Thursday, May 07, 2009 10:05:25 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (5-6-09 11 PM).xls

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Thursday, May 07, 2009 1:51 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| 5/06/09 | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 |
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 14,063 | 14,055 | 14,055 | 14,055 | 14,055 | 14,055 | 14,055 | 14,055 | 14,055 | 13,913 | 13,783 | 13,487 | 9,296 | 7,879 | 5,996 | 4,176 | 2,376 | 596 | 357 | 287 | 193 | 51 | 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,992 | 6,985 | 6,985 | 6,985 | 6,984 | 6,033 | 3,767 | 2,308 | 550 | 476 | 416 | 341 | 205 | 101 | 152 | 108 | 78 | 40 | 28 | 11 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 6,875 | 6,586 | 5,983 | 1,847 | 420 | 346 | 315 | 297 | 244 | 205 | 185 | 145 | 136 | 120 | 107 | 90 | 67 | 56 | 40 | 30 | 16 | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,218 | 3,108 | 3,108 | 3,108 | 2,952 | 1,127 | 150 | 132 | 84 | 69 | 66 | 55 | 54 | 49 | 45 | 37 | 30 | 24 | 15 | 12 | 7 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 29,148 | 28,734 | 27,611 | 26,015 | 24,412 | 22,512 | 20,553 | 18,251 | 14,591 | 14,737 | 12,506 | 11,103 | 9,827 | 8,255 | 6,327 | 4,653 | 2,579 | 733 | 432 | 357 | 187 | 67 | 9 | 0 | 0 | 0 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | | | |
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | |
| H1B CAP | 13,533 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,126 | 1,795 | 1,192 | 1,580 | 1,855 | 1,791 | 1,746 | 1,541 | 124 | 68 | 129 | 96 | 45 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters | 6,808 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,552 | 1,446 | 60 | 7 | 27 | 136 | 20 | 31 | 64 | 39 | 32 | 12 | 16 | 5 | 6 | 0 | 0 | 0 | 0 | 0 | |
| H1B CAP - Premium | 4,747 | 387 | 1,109 | 1,565 | 1,426 | 34 | 26 | 18 | 49 | 39 | 19 | 39 | 5 | 12 | 14 | 17 | 19 | 11 | 16 | 10 | 11 | 7 | 7 | 0 | 0 | 0 | 0 | 0 | |
| H1B Masters - Premium | 3,071 | 7 | 0 | 0 | 136 | 1,811 | 973 | 10 | 31 | 0 | 3 | 11 | 0 | 5 | 6 | 6 | 7 | 6 | 9 | 3 | 6 | 6 | 1 | 0 | 0 | 0 | 0 | 0 | |
| Total Data Entered | 28,174 | 309 | 1,109 | 1,565 | 1,586 | 1,846 | 1,948 | 2,294 | 1,632 | 1,634 | 2,198 | 1,950 | 1,223 | 1,533 | 1,895 | 1,855 | 1,836 | 1,607 | 181 | 93 | 160 | 114 | 59 | 0 | 0 | 0 | 0 | 0 | |

| Rejects (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sat | Sat | Sat |
| H1B CAP | 510 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 28 | 39 | 94 | 219 | 115 | 4 | 5 | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 184 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 12 | 54 | 31 | 50 | 2 | 2 | 8 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 131 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 44 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 869 | 0 | 14 | 31 | 19 | 54 | 11 | 8 | 28 | 20 | 61 | 33 | 54 | 59 | 33 | 57 | 60 | 220 | 119 | 4 | 10 | 6 | 8 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Saturday, May 02, 2009 2:01:01 PM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (5-1-09 11 PM).xls

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Saturday, May 02, 2009 2:18 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Boberg, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA 92677
[redacted]

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| 06/05/16 | | JULIAN DATE(S) | | | | | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 13,976 | 13,768 | 13,768 | 13,768 | 13,768 | 13,768 | 13,768 | 13,768 | 13,768 | 13,626 | 11,694 | 10,200 | 9,009 | 7,592 | 5,709 | 3,889 | 2,689 | 308 | 70 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,964 | 6,957 | 6,957 | 6,957 | 6,956 | 6,005 | 5,759 | 2,180 | 522 | 448 | 390 | 315 | 175 | 155 | 134 | 78 | 48 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,843 | 4,536 | 3,433 | 1,837 | 590 | 316 | 295 | 267 | 214 | 175 | 153 | 113 | 106 | 94 | 77 | 60 | 37 | 28 | 10 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,075 | 3,056 | 3,056 | 3,056 | 2,940 | 1,115 | 158 | 120 | 72 | 57 | 56 | 43 | 42 | 37 | 31 | 25 | 18 | 12 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Totals | 28,858 | 28,377 | 27,254 | 25,658 | 24,055 | 22,155 | 20,196 | 17,854 | 14,234 | 14,340 | 12,149 | 10,744 | 9,470 | 7,898 | 5,870 | 4,098 | 2,222 | 395 | 93 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 13,293 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,293 | 1,190 | 1,380 | 1,855 | 1,791 | 1,746 | 1,561 | 126 | 66 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,781 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,592 | 1,666 | 60 | 7 | 27 | 136 | 20 | 21 | 64 | 29 | 32 | 12 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,717 | 287 | 1,109 | 1,565 | 1,428 | 54 | 26 | 11 | 49 | 39 | 19 | 59 | 5 | 12 | 14 | 17 | 19 | 13 | 14 | 10 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,060 | 7 | 0 | 0 | 156 | 1,811 | 973 | 18 | 31 | 8 | 3 | 11 | 0 | 5 | 6 | 6 | 7 | 4 | 9 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 27,851 | 309 | 1,109 | 1,565 | 1,584 | 1,866 | 1,948 | 2,294 | 1,672 | 1,854 | 2,190 | 1,370 | 1,222 | 1,533 | 1,895 | 1,835 | 1,816 | 1,607 | 181 | 91 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Entered) | | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Entered) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 492 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 37 | 28 | 29 | 54 | 219 | 115 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 183 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 13 | 34 | 51 | 50 | 2 | 2 | 0 | 2 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 126 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 1 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 845 | 0 | 14 | 31 | 19 | 54 | 11 | 0 | 25 | 21 | 41 | 53 | 54 | 39 | 33 | 29 | 60 | 220 | 119 | 4 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Friday, May 01, 2009 1:38:40 PM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-30-09 11 PM).xls

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Friday, May 01, 2009 2:31 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
T
F
(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

06/03/08

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | | | | | | | | | | | | |
| Dates | Received | 6/1/08 | 6/2/08 | 6/3/08 | 6/4/08 | 6/5/08 | 6/6/08 | 6/7/08 | 6/8/08 | 6/9/08 | 6/10/08 | 6/11/08 | 6/12/08 | 6/13/08 | 6/14/08 | 6/15/08 | 6/16/08 | 6/17/08 | 6/18/08 | 6/19/08 | 6/20/08 | 6/21/08 | 6/22/08 | 6/23/08 | 6/24/08 | 6/25/08 | 6/26/08 | 6/27/08 | 6/28/08 | 6/29/08 | 6/30/08 | 7/1/08 | 7/2/08 |
| Awaiting Data Entry | Adjusted | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue |
| H1B CAP | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 14,020 | 11,747 | 10,454 | 9,279 | 7,865 | 5,982 | 4,164 | 2,303 | 579 | 359 | | | |
| H1B Masters | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 6,916 | 442 | 306 | 307 | 169 | 147 | 118 | 72 | 44 | 9 | | | |
| H1B CAP - Premium | 4,920 | 4,920 | 3,600 | 1,819 | 574 | 301 | 270 | 252 | 199 | 160 | 138 | 99 | 93 | 80 | 66 | 47 | 25 | 12 | 4 | | | | | | | | | | | | |
| H1B Masters - Premium | 3,099 | 3,092 | 3,092 | 3,092 | 2,936 | 1,120 | 153 | 136 | 88 | 75 | 70 | 50 | 50 | 53 | 47 | 37 | 30 | 24 | 15 | | | | | | | | | | | | |
| Totals | 28,845 | 28,848 | 27,628 | 25,847 | 24,246 | 22,357 | 20,402 | 18,139 | 14,673 | 14,627 | 12,397 | 10,996 | 9,736 | 8,167 | 6,249 | 4,366 | 2,488 | 659 | 359 | | | | | | | | | | | | |

| | | 6/3/08 | 6/4/08 | 6/5/08 | 6/6/08 | 6/7/08 | 6/8/08 | 6/9/08 | 6/10/08 | 6/11/08 | 6/12/08 | 6/13/08 | 6/14/08 | 6/15/08 | 6/16/08 | 6/17/08 | 6/18/08 | 6/19/08 | 6/20/08 | 6/21/08 | 6/22/08 | 6/23/08 | 6/24/08 | 6/25/08 | 6/26/08 | 6/27/08 | 6/28/08 | 6/29/08 | 6/30/08 | 7/1/08 | 7/2/08 | 7/3/08 | 7/4/08 | 7/5/08 | 7/6/08 | 7/7/08 | 7/8/08 | 7/9/08 | 7/10/08 | 7/11/08 | 7/12/08 | 7/13/08 | 7/14/08 | 7/15/08 | 7/16/08 | 7/17/08 | 7/18/08 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 13,192 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,127 | 1,293 | 1,174 | 1,177 | 1,055 | 1,709 | 1,747 | 1,365 | 125 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,726 | 0 | 0 | 0 | 0 | 0 | 949 | 2,234 | 1,944 | 1,858 | 60 | 7 | 27 | 156 | 20 | 21 | 64 | 27 | 31 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,688 | 790 | 1,104 | 1,530 | 1,428 | 33 | 70 | 11 | 49 | 39 | 19 | 36 | 5 | 12 | 15 | 17 | 20 | 11 | 16 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,041 | 7 | 0 | 0 | 134 | 1,007 | 963 | 17 | 31 | 6 | 3 | 11 | 0 | 5 | 6 | 10 | 7 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 27,645 | 797 | 1,104 | 1,530 | 1,562 | 1,035 | 1,958 | 2,271 | 1,023 | 1,034 | 2,119 | 1,348 | 1,206 | 1,350 | 1,097 | 1,757 | 1,838 | 1,409 | 181 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Selected) | | 6/17/08 | 6/18/08 | 6/19/08 | 6/20/08 | 6/21/08 | 6/22/08 | 6/23/08 | 6/24/08 | 6/25/08 | 6/26/08 | 6/27/08 | 6/28/08 | 6/29/08 | 6/30/08 | 7/1/08 | 7/2/08 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 699 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 28 | 29 | 94 | 219 | 115 | 0 | 0 | | | | | | | | | | |
| H1B Masters | 163 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 15 | 54 | 51 | 50 | 2 | 2 | 0 | 2 | 1 | 1 | 0 | 0 | | | | | | | | | | |
| H1B CAP - Premium | 126 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 1 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| Total Processed | 941 | 0 | 14 | 31 | 19 | 54 | 11 | 0 | 28 | 23 | 61 | 53 | 54 | 59 | 33 | 29 | 97 | 220 | 116 | 0 | 0 | | | | | | | | | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report - yesterday"s report
**Date:** Friday, May 01, 2009 1:35:26 PM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-29-09 11 PM).xls

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Think I was remiss in sending this out yesterday morning. If it's a duplicate, please disregard. Thanks. Kristen

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Thursday, April 30, 2009 2:51 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted]

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

06/03/09

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 93 | 94 | 95 | 96 | 97 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 |
| Dates | Received | 4/3/09 | 4/4/09 | 4/5/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 |
| Awaiting Data Entry | Adjust. | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon |
| H1B CAP | 13,871 | 13,871 | 13,871 | 13,871 | 13,871 | 13,871 | 13,871 | 13,871 | 13,871 | 13,729 | 11,598 | 10,305 | 9,150 | 7,716 | 5,835 | 4,915 | 2,214 | 450 | 0 | | | | | | | | | | | | | |
| H1B Masters | 6,899 | 6,899 | 6,899 | 6,899 | 6,899 | 5,948 | 3,704 | 2,149 | 699 | 425 | 367 | 290 | 152 | 130 | 101 | 55 | 27 | 0 | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,803 | 4,515 | 3,395 | 1,812 | 367 | 294 | 263 | 245 | 193 | 153 | 131 | 92 | 85 | 73 | 53 | 40 | 16 | 3 | 0 | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,098 | 3,088 | 3,086 | 3,068 | 2,932 | 1,116 | 149 | 133 | 84 | 69 | 66 | 55 | 54 | 49 | 43 | 33 | 28 | 20 | 9 | | | | | | | | | | | | | |
| Totals | 28,668 | 28,371 | 27,251 | 25,678 | 24,069 | 22,180 | 20,231 | 17,992 | 16,296 | 14,450 | 12,220 | 10,819 | 9,559 | 7,980 | 6,063 | 4,189 | 2,311 | 482 | 0 | | | | | | | | | | | | | |

| | | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 | 184 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 | 5/25/09 | 5/26/09 | 5/27/09 | 5/28/09 | 5/29/09 | 5/30/09 | 5/31/09 | 6/1/09 | 6/2/09 | 6/3/09 | 6/4/09 | 6/5/09 | 6/6/09 |
| Data Entry | Total | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu |
| H1B CAP | 13,047 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,127 | 1,292 | 1,174 | 1,577 | 1,055 | 1,719 | 1,747 | 1,365 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,693 | 0 | 0 | 0 | 0 | 0 | 949 | 2,234 | 1,544 | 1,638 | 68 | 7 | 27 | 136 | 20 | 21 | 44 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,472 | 398 | 1,106 | 1,550 | 1,426 | 33 | 26 | 18 | 49 | 59 | 19 | 30 | 5 | 12 | 13 | 17 | 20 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,032 | 7 | 0 | 0 | 134 | 1,802 | 965 | 17 | 31 | 8 | 5 | 11 | 0 | 5 | 6 | 10 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 27,444 | 397 | 1,106 | 1,550 | 1,582 | 1,835 | 1,958 | 2,271 | 1,624 | 1,926 | 2,119 | 1,348 | 1,206 | 1,730 | 1,094 | 1,817 | 1,818 | 1,403 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Edited) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 574 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 28 | 29 | 54 | 219 | 0 | 0 | 0 |
| H1B Masters | 179 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 12 | 34 | 51 | 58 | 2 | 2 | 8 | 2 | 1 | 0 | 0 | 0 |
| H1B CAP - Premium | 126 | 0 | 14 | 51 | 19 | 60 | 5 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Reviewed | 922 | 0 | 14 | 51 | 19 | 54 | 11 | 8 | 28 | 20 | 43 | 53 | 54 | 59 | 33 | 37 | 60 | 220 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Wednesday, April 29, 2009 7:13:41 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-28-09 11 PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy R <timothy.akeo@associates.dhs.gov>; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Wed Apr 29 02:28:53 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| 06/03/10 | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 |
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
| Awaiting Data Entry | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed |
| H1B CAP | 13,718 | 13,718 | 13,718 | 13,718 | 13,718 | 13,718 | 13,718 | 13,718 | 13,718 | 13,578 | 13,445 | 10,152 | 2,976 | 7,541 | 1,675 | 5,857 | 2,056 | 0 | 0 | | | | | | | | | | | |
| H1B Masters | 6,873 | 6,873 | 6,873 | 6,873 | 6,873 | 5,922 | 3,678 | 2,125 | 675 | 599 | 341 | 264 | 117 | 99 | 66 | 20 | 0 | 0 | | | | | | | | | | | |
| H1B CAP - Premium | 4,796 | 4,506 | 3,386 | 1,805 | 360 | 287 | 256 | 231 | 185 | 144 | 124 | 85 | 76 | 66 | 51 | 34 | 11 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium | 3,088 | 3,081 | 3,081 | 3,081 | 2,925 | 2,109 | 142 | 125 | 77 | 63 | 59 | 46 | 47 | 42 | 36 | 28 | 19 | 0 | 0 | | | | | | | | | | | |
| Totals | 28,475 | 28,178 | 27,058 | 25,477 | 23,876 | 21,987 | 20,038 | 17,759 | 16,103 | 14,257 | 12,027 | 10,626 | 9,365 | 7,786 | 5,437 | 3,985 | 2,106 | 0 | 0 | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | |
| H1B CAP | 11,502 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,137 | 1,292 | 1,276 | 1,277 | 1,851 | 1,788 | 2,747 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters | 6,666 | 0 | 0 | 0 | 0 | 0 | 969 | 2,236 | 1,548 | 1,638 | 68 | 7 | 27 | 136 | 20 | 21 | 44 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B CAP - Premium | 1,660 | 290 | 1,106 | 1,550 | 1,426 | 53 | 26 | 18 | 49 | 39 | 19 | 36 | 5 | 12 | 15 | 17 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters - Premium | 3,026 | 7 | 0 | 0 | 136 | 1,807 | 963 | 17 | 31 | 8 | 3 | 11 | 0 | 5 | 6 | 10 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| Total Data Entered | 23,854 | 297 | 1,106 | 1,550 | 1,562 | 1,835 | 1,938 | 2,271 | 1,628 | 1,826 | 2,169 | 1,346 | 1,308 | 1,430 | 1,894 | 1,837 | 2,817 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |

| Rejects (Visa Issues) - | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Adjudicated) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 150 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 2 | 38 | 31 | 29 | 54 | 0 | 0 | 0 | 0 |
| H1B Masters | 107 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 13 | 34 | 51 | 60 | 11 | 2 | 8 | 2 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 128 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 2 | 0 | 4 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pretected | 345 | 0 | 14 | 31 | 19 | 54 | 11 | 0 | 28 | 20 | 41 | 53 | 55 | 49 | 35 | 37 | 60 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Tuesday, April 28, 2009 9:05:35 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-27-09 11 PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

---- Original Message ----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy R <timothy.akeo@associates.dhs.gov>; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Boberg, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Tue Apr 28 02:16:43 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

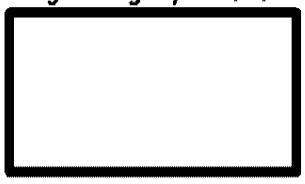
Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677



(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

06/05/09

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 |
| Date | Received | 4/3/09 | 4/4/09 | 4/5/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 |
| Awaiting Data Entry | Adjust. | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 13,609 | 11,535 | 10,046 | 8,867 | 7,453 | 3,566 | 3,731 | 0 | 0 | 0 | | | |
| H1B Masters | 6,855 | 6,855 | 6,855 | 6,855 | 6,855 | 6,855 | 5,099 | 3,648 | 2,085 | 452 | 379 | 321 | 244 | 98 | 76 | 61 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B CAP - Premium | 4,784 | 4,494 | 3,374 | 1,793 | 350 | 277 | 246 | 228 | 175 | 141 | 119 | 80 | 78 | 66 | 51 | 51 | 0 | 0 | 0 | | | | | | | | | | | |
| H1B Masters - Premium | 5,081 | 3,076 | 3,074 | 3,074 | 2,918 | 1,101 | 139 | 137 | 93 | 76 | 73 | 62 | 61 | 56 | 50 | 31 | 0 | 0 | 0 | | | | | | | | | | | |
| Totals | 28,329 | 28,033 | 26,913 | 25,333 | 25,252 | 21,842 | 19,093 | 17,614 | 15,960 | 14,130 | 11,906 | 10,513 | 9,250 | 7,672 | 5,743 | 3,674 | 0 | 0 | 0 | | | | | | | | | | | |

| | | 4/3/09 | 4/4/09 | 4/5/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu |
| H1B CAP | 9,772 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,120 | 1,246 | 1,179 | 1,277 | 1,055 | 1,004 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,609 | 0 | 0 | 0 | 0 | 954 | 2,251 | 1,546 | 1,621 | 39 | 7 | 27 | 135 | 20 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,612 | 298 | 1,106 | 1,648 | 1,526 | 35 | 36 | 18 | 49 | 36 | 19 | 38 | 0 | 12 | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 5,007 | 7 | 0 | 0 | 156 | 1,803 | 956 | 2 | 79 | 0 | 3 | 11 | 0 | 5 | 6 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 24,000 | 297 | 1,106 | 1,648 | 1,682 | 2,836 | 3,243 | 1,636 | 1,749 | 216 | 2,149 | 1,322 | 1,314 | 1,314 | 1,081 | 1,023 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | 4/3/09 | 4/4/09 | 4/5/09 | 4/6/09 | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rejects (Not Selected) | | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu |
| Pending Reports (Not Selected) | 0 | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon | Tue | Wed | Thu |
| H1B CAP | 106 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 2 | 38 | 31 | 29 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | |
| H1B Masters | 185 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 12 | 34 | 51 | 50 | 11 | 2 | 8 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | |
| H1B CAP - Premium | 122 | 0 | 14 | 31 | 19 | 40 | 3 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 6 | 0 | 17 | 7 | 6 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | |
| Total Processed | 456 | 0 | 14 | 31 | 19 | 54 | 11 | 0 | 28 | 20 | 41 | 53 | 55 | 49 | 35 | 37 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Monday, April 27, 2009 10:30:01 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-24-09 11 PM).xls

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**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Saturday, April 25, 2009 2:17 AM
**To:** Akeo, Timothy R; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted]
(949) 389-3487

(b)(6)

California Service Center
I-129 Cap Report
As of 11 P.M.

| 06/03/10 | JULIAN DATE(S) | | |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | Fw: CSC 2009 H1B CAP Report |
| **Date:** | Friday, April 24, 2009 9:36:44 AM |
| **Attachments:** | CRIS Rejects.xls<br>2009 H-1B Cap Report (4-23-09 11 PM).xls |

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy R <timothy.akeo@associates.dhs.gov>; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri Apr 24 02:46:24 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

| 06/05/09 | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 | 169 | 170 | 171 | 172 | 173 | 174 | 175 | 176 | 177 | 178 | 179 | 180 | 181 | 182 | 183 |
| Hours | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | |
| Awaiting Data Entry | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Sat | Sat | Sat | Sat | Sat | | | | | |
| H1B CAP | 13,538 | 13,538 | 13,538 | 13,538 | 13,538 | 13,538 | 13,538 | 13,538 | 13,538 | 13,398 | 11,264 | 9,977 | 8,796 | 7,581 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| H1B Masters | 6,788 | 6,785 | 6,785 | 6,785 | 6,785 | 5,829 | 3,670 | 2,015 | 342 | 309 | 251 | 174 | 98 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,744 | 4,454 | 3,334 | 1,795 | 310 | 237 | 206 | 144 | 135 | 101 | 79 | 49 | 38 | 26 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,069 | 3,063 | 3,062 | 3,062 | 2,904 | 1,089 | 127 | 125 | 79 | 64 | 41 | 30 | 19 | 14 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |
| Totals | 28,139 | 27,839 | 26,719 | 25,180 | 25,539 | 21,649 | 19,700 | 17,421 | 13,767 | 13,963 | 11,733 | 10,308 | 9,057 | 7,479 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | | |
| H1B CAP | 6,111 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,138 | 1,286 | 1,179 | 1,377 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 4,342 | 0 | 0 | 0 | 0 | 0 | 994 | 2,251 | 1,548 | 1,621 | 39 | 7 | 27 | 155 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,599 | 290 | 1,106 | 1,548 | 1,426 | 33 | 26 | 11 | 40 | 34 | 19 | 34 | 0 | 12 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 2,982 | 7 | 0 | 0 | 156 | 1,807 | 950 | 3 | 29 | 8 | 3 | 11 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 20,274 | 297 | 1,106 | 1,548 | 1,582 | 1,834 | 1,970 | 2,271 | 1,626 | 1,804 | 2,199 | 1,342 | 1,206 | 1,329 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Non Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 66 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 2 | 58 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 175 | 0 | 0 | 0 | 0 | 0 | 3 | 0 | 7 | 12 | 54 | 51 | 50 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 119 | 0 | 14 | 31 | 19 | 60 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 0 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 383 | 0 | 14 | 31 | 19 | 54 | 11 | 0 | 28 | 20 | 61 | 53 | 55 | 69 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Thursday, April 23, 2009 9:19:39 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-22-09 11 PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy R <timothy.akeo@associates.dhs.gov>; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Thu Apr 23 01:51:23 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

(b)(6)

7(949) 389-3487

California Service Center

I-129 Cap Report

As of 11 P.M.

06/01/11

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 122 | 123 | 124 | 125 | 126 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 |
| Anuity Data Entry | Actuals | 4/7/09 Tue | 4/8/09 Wed | 4/9/09 Thu | 4/10/09 Fri | 4/13/09 Mon | 4/14/09 Tue | 4/15/09 Wed | 4/16/09 Thu | 4/17/09 Fri | 4/20/09 Mon | 4/21/09 Tue | 4/22/09 Wed | 4/23/09 Thu | 4/24/09 Fri | 4/27/09 Mon | 4/28/09 Tue | 4/29/09 Wed | 4/30/09 Thu | 5/1/09 Fri | 5/4/09 Mon | 5/5/09 Tue | 5/6/09 Wed | 5/7/09 Thu | 5/8/09 Fri | 5/11/09 Mon | 5/12/09 Tue | 5/13/09 Wed | 5/14/09 Thu | 5/15/09 Fri |
| H1B CAP | 13,448 | 13,448 | 13,448 | 13,448 | 13,448 | 13,448 | 13,448 | 13,448 | 13,448 | 13,306 | 11,171 | 9,847 | 8,706 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| H1B Master | 6,798 | 6,798 | 6,798 | 6,798 | 6,798 | 5,842 | 3,843 | 2,070 | 595 | 322 | 264 | 187 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,731 | 4,441 | 3,331 | 1,743 | 297 | 224 | 193 | 173 | 122 | 88 | 66 | 27 | 27 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| H1B Master - Premium | 3,063 | 3,056 | 3,056 | 3,056 | 3,000 | 1,083 | 121 | 119 | 73 | 56 | 53 | 44 | 44 | 0 | 0 | 0 | | | | | | | | | | | | | | |
| Totals | 28,040 | 27,743 | 26,623 | 25,044 | 23,443 | 21,553 | 19,604 | 17,325 | 15,671 | 13,847 | 11,617 | 10,225 | 8,964 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 4,734 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,286 | 1,179 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 6,647 | 0 | 0 | 0 | 0 | 0 | 956 | 2,231 | 1,548 | 1,621 | 39 | 7 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,547 | 290 | 1,106 | 1,548 | 1,426 | 33 | 26 | 31 | 49 | 34 | 19 | 38 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Premium | 2,977 | 7 | 0 | 0 | 156 | 1,805 | 958 | 2 | 29 | 0 | 3 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 18,705 | 297 | 1,106 | 1,548 | 1,582 | 1,838 | 1,958 | 2,271 | 1,626 | 1,804 | 2,189 | 1,342 | 1,206 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Rejects (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 164 | 0 | 0 | 0 | 0 | 0 | 1 | 6 | 7 | 12 | 34 | 51 | 50 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 119 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 5 | 1 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Premium | 43 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pursued | 334 | 0 | 14 | 31 | 19 | 54 | 11 | 6 | 28 | 20 | 43 | 53 | 55 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | FW:CSC 2009 H1B CAP Report |
| **Date:** | Tuesday, April 21, 2009 10:12:27 AM |
| **Attachments:** | CRIS Rejects.xls<br>2009 H-1B Cap Report (4-20-09 11 PM).xls |

---

**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Tuesday, April 21, 2009 2:41 AM
**To:** Akeo, Timothy; Benavente, Jessy J; CR Bobeng, John; Goldberg, Melinda T; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
[redacted] (b)(6)
(949) 389-3487

California Service Center

I-129 Cap Report

As of 11 P.M.

06/01/16

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 93 | 94 | 95 | 96 | 97 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 |
| Users | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
| Awaiting Data Entry | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 13,298 | 13,298 | 13,298 | 13,298 | 13,298 | 13,298 | 13,298 | 13,298 | 13,298 | 13,154 | 11,974 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters | 6,765 | 6,765 | 6,765 | 6,765 | 6,765 | 5,809 | 2,591 | 1,995 | 360 | 287 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,693 | 4,693 | 3,293 | 1,794 | 259 | 196 | 155 | 157 | 84 | 30 | 28 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,049 | 3,042 | 3,042 | 3,042 | 2,886 | 1,069 | 107 | 105 | 57 | 42 | 39 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| Totals | 27,805 | 27,798 | 26,398 | 24,899 | 23,208 | 21,318 | 19,369 | 17,090 | 13,434 | 13,008 | 11,578 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | |
| H1B CAP | 2,260 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,119 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters | 6,413 | 0 | 0 | 0 | 0 | 0 | 994 | 2,251 | 1,548 | 1,621 | 99 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B CAP - Premium | 4,549 | 290 | 1,106 | 1,548 | 1,626 | 51 | 26 | 18 | 49 | 34 | 18 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters - Premium | 2,966 | 7 | 0 | 0 | 194 | 1,893 | 956 | 2 | 29 | 0 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| Total Data Entered | 16,197 | 297 | 1,106 | 1,548 | 1,820 | 2,944 | 1,976 | 2,271 | 1,626 | 1,894 | 2,119 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |

| Rejects (Non Selects) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Non Selects) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 66 | 0 | 0 | 0 | 0 | 0 | 2 | 5 | 7 | 14 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 118 | 0 | 14 | 51 | 19 | 40 | 3 | 0 | 4 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 44 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 19 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Rejected | 236 | 0 | 14 | 51 | 19 | 54 | 11 | 5 | 30 | 22 | 41 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Saturday, April 18, 2009 6:06:13 PM
**Attachments:** 2009 H-1B Cap Report (4-17-09 11 PM).xls
CRIS Rejects.xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Goldberg, Melinda T <melinda.goldberg@dhs.gov>; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Sat Apr 18 02:34:37 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

[redacted]

7(949) 389-3487

(b)(6)

California Service Center

I-129 Cap Report

As of 11 P.M.

06/01/10

| | | 123 | 124 | 125 | 126 | 127 | JULIAN DATE(S) forward | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
| Awaiting Data Entry | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Sat | Sat | Sat | Sat | Sat | | | | | |
| H1B CAP | 13,292 | 13,292 | 13,292 | 13,292 | 13,292 | 13,292 | 13,292 | 13,292 | PAUSE | -141 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters | 6,728 | 6,728 | 6,728 | 6,728 | 6,728 | 5,774 | 3,525 | 1,975 | 0 | -1,621 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,660 | 4,370 | 3,264 | 1,716 | 290 | 144 | 118 | 86 | 6 | 0 | -36 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,047 | 3,047 | 3,040 | 3,040 | 2,864 | 1,037 | 79 | 77 | 48 | 0 | -8 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| Totals | 27,727 | 27,437 | 26,324 | 24,776 | 23,194 | 21,291 | 19,263 | 14,978 | 15,321 | 0 | -1,804 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | | |
| H1B CAP | 141 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| H1B Masters | 6,370 | 0 | 0 | 0 | 0 | 0 | 950 | 2,251 | 1,348 | 1,621 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| H1B CAP - Premium | 4,430 | 290 | 1,104 | 1,548 | 1,426 | 33 | 26 | 18 | 49 | 36 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| H1B Masters - Premium | 2,963 | 7 | 0 | 0 | 156 | 1,805 | 950 | 2 | 79 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |
| Total Data Entered | 14,004 | 297 | 1,104 | 1,548 | 1,582 | 1,838 | 1,928 | 2,271 | 1,636 | 1,804 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |

| Rejects (Not Entered) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Entered) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 31 | 0 | 0 | 0 | 0 | 0 | 2 | 1 | 7 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 113 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 44 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 19 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 189 | 0 | 14 | 31 | 19 | 54 | 11 | 1 | 30 | 22 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | Fw: CSC 2009 H1B CAP Report |
| **Date:** | Friday, April 17, 2009 3:17:01 PM |
| **Attachments:** | CRIS Rejects.xls<br>2009 H-1B Cap Report (4-16-09 11 PM).xls |

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri Apr 17 02:31:24 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

[redacted] (b)(6)

7(949) 389-3487

California Service Center

I-129 Cap Report

As of 11 P.M.

| 06/03/16 | | | | | | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | 100 | 104 | 108 | 109 | 113 | Interrupted | | | | | | | | | | | | | | | | | | | | | | | | |
| Date | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | | | | | |
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sat | Sat | Sat | Sat | |
| H1B CAP | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters | 5,765 | 5,765 | 5,765 | 5,765 | 5,765 | 5,765 | 5,811 | 3,360 | 0 | -1,948 | -1,948 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B CAP - Premium | 4,604 | 4,314 | 3,208 | 1,660 | 234 | 88 | 62 | 10 | 0 | -49 | -49 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| H1B Masters - Premium | 3,048 | 3,048 | 3,041 | 3,041 | 2,885 | 1,045 | 97 | 65 | 0 | -29 | -29 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |
| Totals | 27,694 | 27,404 | 26,291 | 24,743 | 23,161 | 21,173 | 19,247 | 16,952 | 13,277 | 11,251 | 11,251 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters | 4,713 | 0 | 0 | 0 | 0 | 0 | 954 | 2,511 | 1,548 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B CAP - Premium | 4,496 | 290 | 1,106 | 1,568 | 1,426 | 11 | 26 | 11 | 69 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| H1B Masters - Premium | 2,935 | 7 | 0 | 0 | 156 | 1,803 | 958 | 2 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |
| Total Data Entered | 12,204 | 297 | 1,106 | 1,568 | 1,582 | 1,834 | 1,958 | 2,573 | 1,646 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | |

| Result (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Review (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue* | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 17 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 113 | 0 | 14 | 31 | 19 | 49 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 37 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 167 | 0 | 14 | 31 | 19 | 54 | 11 | 8 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** Fw: CSC 2009 H1B CAP Report
**Date:** Friday, April 17, 2009 3:17:01 PM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-16-09 11 PM).xls

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Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Fri Apr 17 02:31:24 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

[redacted] (b)(6)

7(949) 389-3487

California Service Center

I-129 Cap Report

As of 11 P.M.

06/03/16

| | | JULIAN DATE(S) | | | | | Jumped | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
| Awaiting Data Entry | Action | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Sat | Sun | Mon |
| H1B CAP | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 13,277 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B Masters | 6,765 | 6,765 | 6,765 | 6,765 | 6,765 | 6,765 | 5,011 | 3,660 | 0 | -1,548 | -1,548 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B CAP - Premium | 6,604 | 6,514 | 3,298 | 1,660 | 254 | 88 | 62 | 30 | 0 | -49 | -49 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B Masters - Premium | 3,048 | 3,048 | 3,041 | 3,041 | 2,805 | 1,045 | 87 | 35 | 0 | -29 | -29 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| Totals | 27,694 | 27,604 | 26,381 | 24,743 | 23,161 | 21,175 | 19,237 | 16,953 | 13,277 | 11,651 | 11,651 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 6,753 | 0 | 0 | 0 | 0 | 0 | 954 | 2,351 | 1,548 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 6,496 | 290 | 1,506 | 1,544 | 1,476 | 37 | 26 | 18 | 49 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 2,955 | 7 | 0 | 0 | 194 | 1,803 | 954 | 2 | 29 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 12,204 | 297 | 1,506 | 1,544 | 1,671 | 1,836 | 1,938 | 2,371 | 1,626 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Rejects (Not Selected) | | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| Pending Rejects (Non Selected) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 77 | 0 | 0 | 0 | 0 | 0 | 2 | 5 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 103 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 37 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 19 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 167 | 0 | 14 | 31 | 19 | 54 | 11 | 5 | 30 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | Fw: CSC 2009 H1B CAP Report |
| **Date:** | Thursday, April 16, 2009 12:16:16 PM |
| **Attachments:** | CRIS Rejects.xls<br>2009 H-1B Cap Report (4-15-09 11 PM).xls |

---

---
Sent from my BlackBerry Wireless 8703 Handheld

----- Original Message -----
From: Nelson, Marvin E <Marvin.Nelson@associates.dhs.gov>
To: Akeo, Timothy; Benavente, Jessy J <jessy.benavente@dhs.gov>; CR Bobeng, John; Ly, Pam P <Pam.Ly@associates.dhs.gov>; Martin, James L <Jack.Martin@associates.dhs.gov>; Moulin, Kristen L.; Nicholson, Richard E <richard.nicholson@dhs.gov>; Peacock, Walter W.; Printup, Maurice <maurice.printup@dhs.gov>; Siesel, Gregory P <Gregory.Siesel@associates.dhs.gov>
Sent: Thu Apr 16 02:34:05 2009
Subject: CAP Report

Regards,

Marvin E. Nelson

Stanley Associates, Inc.

Assistant Site Manager, 2nd Shift

USCIS SCOSS Project

24000 Avilla Road

Laguna Niguel, CA. 92677

[redacted] (b)(6)

7(949) 389-3487

California Service Center

I-129 Cap Report

As of 11 P.M.

06/03/11

JULIAN DATE(S)

| Hours | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Awaiting Data Entry | Adjust. | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 13,230 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B Masters | 6,764 | 6,764 | 6,764 | 6,764 | 6,764 | 6,764 | 3,010 | 0 | -2,251 | -2,251 | -2,251 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B CAP - Premium | 4,581 | 4,291 | 3,165 | 1,857 | 211 | 69 | 45 | 0 | -18 | -18 | -18 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| H1B Masters - Premium | 3,001 | 3,001 | 2,994 | 2,994 | 2,834 | 1,017 | 99 | 0 | -2 | -2 | -2 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |
| Totals | 27,576 | 27,286 | 26,153 | 24,625 | 23,043 | 21,080 | 19,142 | 13,230 | 10,959 | 10,959 | 10,959 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | |

| Data Entry | Total | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | | | | |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters | 3,285 | 0 | 0 | 0 | 0 | 0 | 954 | 2,331 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B CAP - Premium | 4,447 | 290 | 1,306 | 1,548 | 1,426 | 33 | 26 | 11 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| H1B Masters - Premium | 2,926 | 7 | 0 | 0 | 156 | 1,805 | 958 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |
| Total Data Entered | 10,878 | 297 | 1,306 | 1,548 | 1,582 | 1,836 | 1,938 | 2,371 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | |

| Rejects (Not Selected) | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Rejects (Not Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 10 | 0 | 0 | 0 | 0 | 0 | 2 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 109 | 0 | 14 | 31 | 19 | 40 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 18 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 137 | 0 | 14 | 31 | 19 | 54 | 11 | 8 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: CSC 2009 H1B CAP Report
**Date:** Wednesday, April 15, 2009 10:54:46 AM
**Attachments:** CRIS Rejects.xls
2009 H-1B Cap Report (4-14-09 11 PM).xls

---

**From:** Nelson, Marvin E [mailto:Marvin.Nelson@associates.dhs.gov]
**Sent:** Wednesday, April 15, 2009 2:41 AM
**To:** Akeo, Timothy; Benavente, Jessy J; CR Bobeng, John; Ly, Pam P; Martin, James L; Moulin, Kristen L.; Nicholson, Richard E; Peacock, Walter W.; Printup, Maurice ; Siesel, Gregory P
**Subject:** CAP Report

Regards,

Marvin E. Nelson
Stanley Associates, Inc.
Assistant Site Manager, 2nd Shift
USCIS SCOSS Project
24000 Avilla Road
Laguna Niguel, CA. 92677
☎ [redacted] (b)(6)
(949) 389-3487

## California Service Center

| Dates | Lottery | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| *Assembled* | Results | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | | | | | |
| Regular CAP(CRS) | 13,079 | | | | | | | | | | | | | | | | | | | |
| Regular Premium(CRP) | 4,613 | 1753 | 1482 | 1007 | 297 | | 1 | | | | | | | | | | | | | |
| Regular Master(CMN) | 6,749 | | | | | 66 | 1954 | | | | | | | | | | | | | |
| Premium Master(CMP) | 2,994 | 7 | | | 1207 | 1978 | | | | | | | | | | | | | | |
| Total | 27,435 | 1,760 | 1,482 | 1,007 | 1,504 | 2,044 | 1,955 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | |

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Perkins, Robert M
**Cc:** Bushey, Sandra T; Renaud, Daniel M
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 06, 2009 4:11:57 PM
**Attachments:** VSC H1B Cap Report 2009.xls
Cap Report 2.xls

---

Here is the latest.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Vincent, Sarah J
**Sent:** Monday, April 06, 2009 4:00 PM
**To:** 'Collins, Thomas C.'; Briggs, Shawn M; Stefaniak, Marcy M; Vincent, Sarah J; Manahan, Lisa F
**Subject:** FW: VSC 2009 H1B CAP Report

Lisa,

Reports updated with today's numbers as of COB first shift (thanks Shawn)

Estimated still on the floor mail dated 4/2-4/3 to bar-code

VRN 1200
VRP 100
VMN 400
VMP 300

CRU has approximately 420 cases to review.

(b)(6)

Thank you.
Sarah Vincent |Assistant Site Manager|Stanley Associates, Inc.| VSC - SCOSS| [redacted]
Sarah.Vincent@dhs.gov

---

**From:** Collins, Thomas C
**Sent:** Monday, April 06, 2009 3:29 PM
**To:** Vincent, Sarah J
**Cc:** Stefaniak, Marcy M
**Subject:** FW: VSC 2009 H1B CAP Report

Here are the reports

Thomas C. Collins
Acting Site Manager
Stanley SCOSS Team
Vermont Service Center
(D) [redacted] (b)(6)
(B

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 3:26 PM

**To:** Collins, Thomas C
**Subject:** FW: VSC 2009 H1B CAP Report

This is what I sent this morning. I had sent the Cap Report 2.xls on Saturday but I sent a modified copy this morning because I mixed the Reg. Master and PP Masters.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center (b)(6)
Phone: [redacted]

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:51 AM
**To:** Peck, Denis R; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report

Denis,

I modified the report I sent on Saturday (Cap Report2. xls) because I had flip-flopped the VSC numbers for Regular Masters and Premium Masters.

The combined totals for VSC & CSC,should be:

Reg. Cap – 21,551
PP Cap - 10,003
Total Reg. – 31,584

Reg. Masters – 11,704
PP Masters - 5,787
Total Master – 17,491

(b)(6)

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:19 AM
**To:** Peck, Denis R; Fitzsimmons, James; Shlflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted]

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

(b)(6)

All,

Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

(b)(6)

Thank you.

Mandy L. Upton | Reports Analyst | Stanley Associates, Inc. | VSC - SCOSS | [redacted] | ☎: 802.527.4869 | ✉: Mandy.upton@dhs.gov

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 2::30 PM.

April 06, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,593 | 5,888 | 9,026 | | 46,308 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 3,144 | | 13,319 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 533 | | 6,230 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2744 | 2809 | 36 | 1020 | | 6,609 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1123 | 1720 | 28 | 681 | | 3,552 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4107 | 7910 | 12315 | 5378 | 0 | 29710 |

Rev: 3/4/08

# Vermont Service Center

## I-129 Cap Report

### As of 11:30 PM

### 04/02/09

## Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP(VRN) | 240 | 1,349 | 8,586 | 3,144 | | 13,319 |
| Regular Premium(VRP) | 2,744 | 2,809 | 36 | 533 | | 6,122 |
| Regular Masters(VMN) | | 2,032 | 3,665 | 1020 | | 6,717 |
| Premium Masters(VMP) | 1,123 | 1,720 | 28 | 681 | | 3,552 |
| Total | 4,107 | 7,910 | 12,315 | 5,378 | | 29,710 |

## Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| [redacted] | | | | | | |
| [redacted] | | | | | | |
| Regular Masters(VMN) | | | | | | |
| Premium Masters(VMP) | | | | | | |
| Total | 24,801 | 3519* | 1310* | | | 29,630 |

| | | | | | | |
|---|---|---|---|---|---|---|
| Mail yet to be identified | 0 | 0 | 0 | | | |
| Estimate Grand total received | | | 0 | 0 | 0 | 0 |
| Received last year | 49,908 | 14,952 | 5,471 | 4,388 | 14,843 | 89,562 |
| Difference from last year | <50.4% | <76.5% | <76% | | | |

*4/2 - 2582 Regular
937 PP

4/3 - 1129 Regular
181 PP

**From:** Manahan, Lisa F
**To:** Peck, Denis R; Perkins, Robert M
**Subject:** FW: VSC 2009 H1B CAP Report
**Date:** Monday, April 06, 2009 9:51:13 AM
**Attachments:** VSC H1B Cap Report 2009.xls
Cap Report 2.xls

---

Denis,

I modified the report I sent on Saturday (Cap Report2. xls) because I had flip-flopped the VSC numbers for Regular Masters and Premium Masters.

The combined totals for VSC & CSC should be:

Reg. Cap – 21,551
PP Cap - 10,003
Total Reg. – 31,584

Reg. Masters – 11,704
PP Masters - 5,787
Total Master – 17,491

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Manahan, Lisa F
**Sent:** Monday, April 06, 2009 9:19 AM
**To:** Peck, Denis R; Fitzsimmons, James; Shiflett, Julie M; Perkins, Robert M
**Cc:** Collins, Mary Lou E
**Subject:** FW: VSC 2009 H1B CAP Report

Here is the official Cap report. It's the same information that I sent on Saturday.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone: [redacted] (b)(6)

---

**From:** Upton, Mandy L
**Sent:** Monday, April 06, 2009 9:08 AM
**To:** VSC STANLEY Admin; 'Collins, Thomas C.'; 'Peacock, Walter W.'; 'Moulin, Kristen L.'
**Cc:** Manahan, Lisa F; Putnam, Anne F; Yandow, Jackie D; Cullen, Janice L; Stoddard, Becky M; Collins, Mary Lou E
**Subject:** VSC 2009 H1B CAP Report

All,
Attached is the VSC 2009 H1B CAP report as of 11:30pm, April 3, 2009.

**Please note that all 4/1 mail has been opened and we are completing the verification/barcoding of 4/1 mail (approx 86 tubs). We have also started some staff on 4/2 mail. Estimated CAP filings in 4/2 and 4/3 are below.

*Of the 6,593 4/2 mail received, we estimate that the following could be subject to CAP based on address (envelope/box count):

| | |
|---|---|
| Premium | 937 |
| Other | 2582 |
| Total | 3519 pieces |

*Of the 5,888 4/3 mail received, the estimated count for possible CAP cases (envelope/box count)

| | |
|---|---|
| Premium | 181 |
| Others | 1129 |
| Total | 1310 pieces |

Thank you.
Mandy L. Upton |Reports Analyst|Stanley Associates, Inc.|VSC - SCOSS|☎: [redacted] 🖷: 802.527.4869| ✉: Mandy.Upton@dhs.gov

(b)(6)

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

April 03, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals |
|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | |
| Number of Envelopes / Packages | 24,801 | 6,593 | 5,888 | | | 37,282 |

| *Opened and Barcoded* | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | | | 10,175 |
| H1B CAP - CIS Count | | | | | | 0 |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | | | 5,697 |
| H1B Masters - CIS Count | | | | | | 0 |
| H1B CAP - Premium - Stanley Count VRP | 2744 | 2809 | 36 | | | 5,589 |
| H1B CAP - Premium - CIS Count | | | | | | 0 |
| H1B Masters - Premium - Stanley Count VMP | 1123 | 1720 | 28 | | | 2,871 |
| H1B Masters - Premium - CIS Count | | | | | | 0 |
| In Records for Review / Resolution | | | | | | 0 |
| Totals | 4107 | 7910 | 12315 | 0 | 0 | 24332 |

Rev: 3/4/08

# California & Vermont Service Center

## I-129 Cap Report

**06/03/16**

### California/Vermont Bar Coding Progress

| | 1-Apr | 2-Apr | 3-Apr | 6-Apr | 7-Apr | |
|---|---|---|---|---|---|---|
| | Bar Coded on 1st | Bar Coded on 2d | Bar Coded on 3d | Bar Coded on 6th | Bar Coded on 7th | Total |
| Regular CAP | 2,035 | 6,737 | 12,779 | | | 21,551 |
| Regular Premium | 3,559 | 5,679 | 795 | | | 10,033 |
| Regular Masters | 855 | 5,683 | 5,166 | | | 11,704 |
| Premium Masters | 1,123 | 4,221 | 443 | | | 5,787 |
| **Total** | **7,572** | **22,320** | **19,183** | | | **49,075** |

### California/Vermont Mail Receipts By Day

| | Received on 1st | Received on 2d | Received on 3d | Received on 6th | Received on 7th | Total |
|---|---|---|---|---|---|---|
| Regular CAP | | | | | | |
| Regular Premium | | | | | | |
| Regular Masters | | | | | | |
| Premium Masters | | | | | | |
| Total | 48,181 | 4,882 | 2,035 | | | 55,098 |

Mail yet to be identified

Estimate Grand total received

Received last year

Difference from last year

# Documents from Dennis Peck

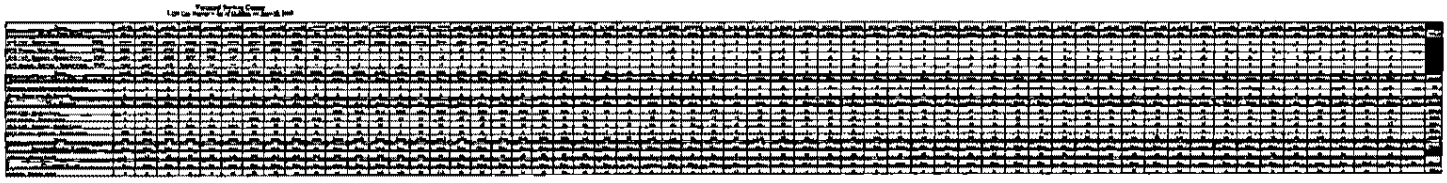
# FY10 H1B Related

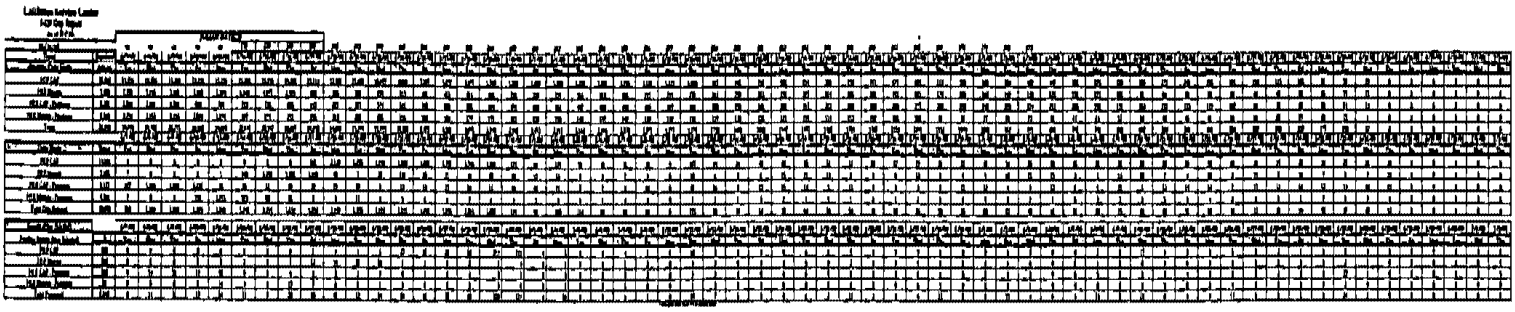
| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports - COB Thursday 6/25/09 |
| **Date:** | Friday, June 26, 2009 10:59:03 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Hi Denis, Julie, attached are the CAP reports as of COB yesterday (Thursday). Thanks and have a great weekend! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com





**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Friday, June 26, 2009 10:27:47 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

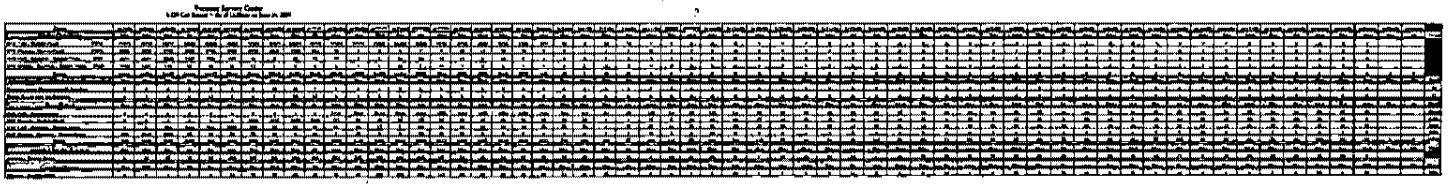
---

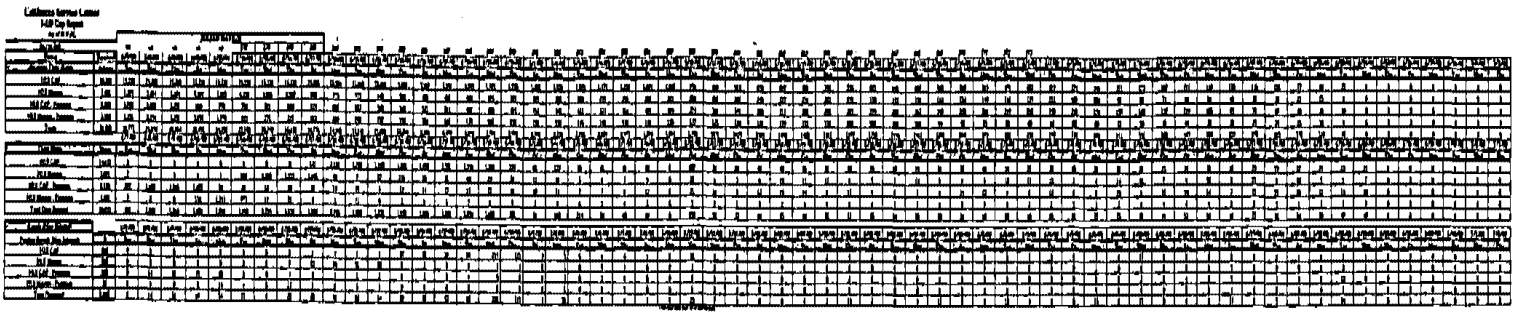
Denis, Julie, please see attached for the CAP reports as of COB Wednesday. I should be sending yesterday's report soon as well. Thanks. Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

(b)(6)





**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Wednesday, June 24, 2009 11:36:55 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Relects.xls

---

Hi Denis, Julie, please see attached for the CAP reports as of COB Tuesday. Thanks! Kristen

Kristen Moulin
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Email kristen.moulin@stanleyassociates.com

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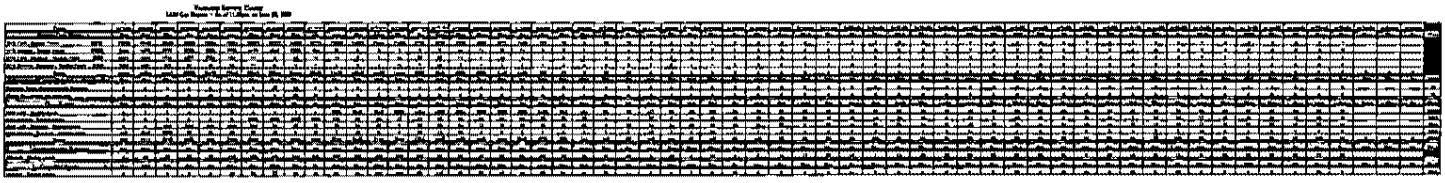

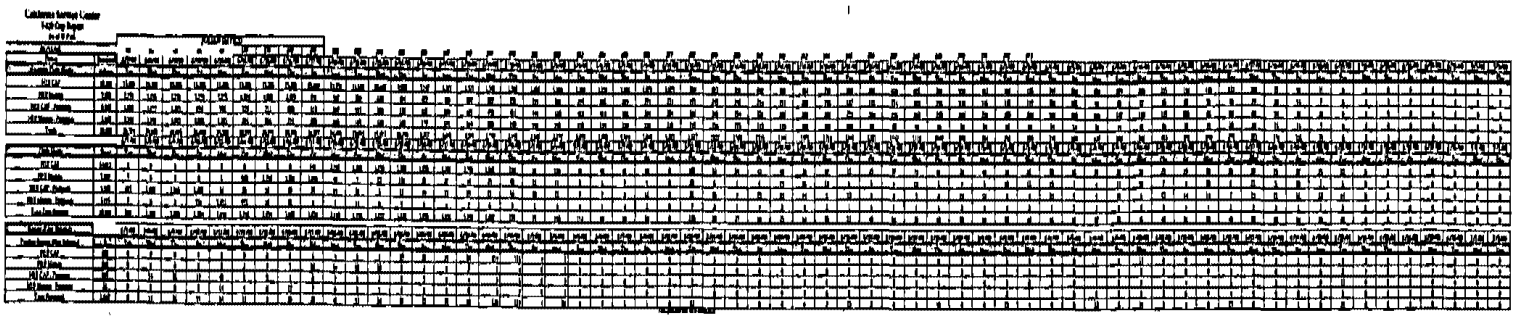

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Tuesday, June 23, 2009 12:25:22 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Hi Denis, Julie, please find the CAP reports as of COB Monday attached. Thanks! Kristen

Kristen Moulin
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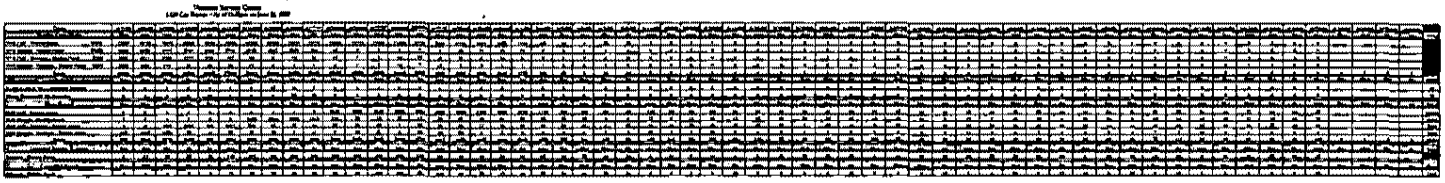

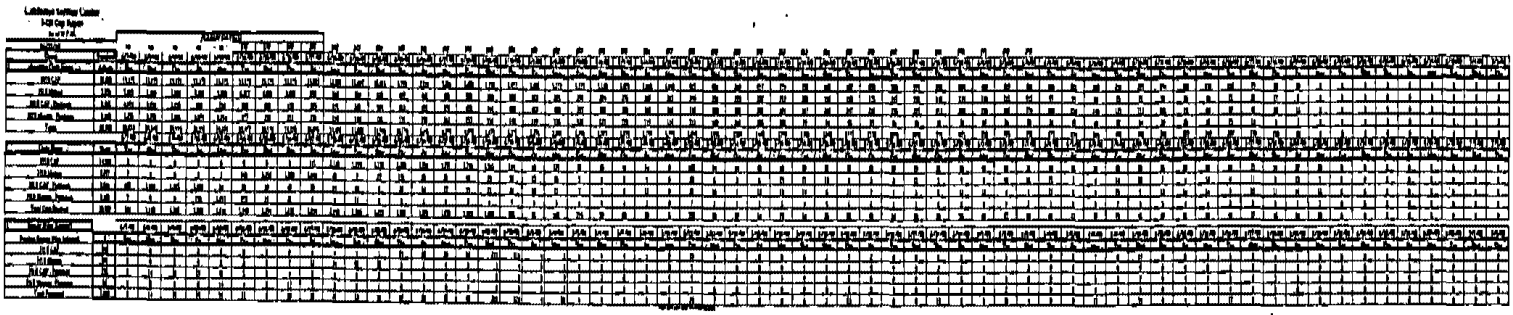

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Monday, June 22, 2009 11:03:39 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Hi Denis, Julie, please see attached for the CAP reports as of COB Friday. Thanks! Kristen

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Email kristen.moulin@stanleyassociates.com

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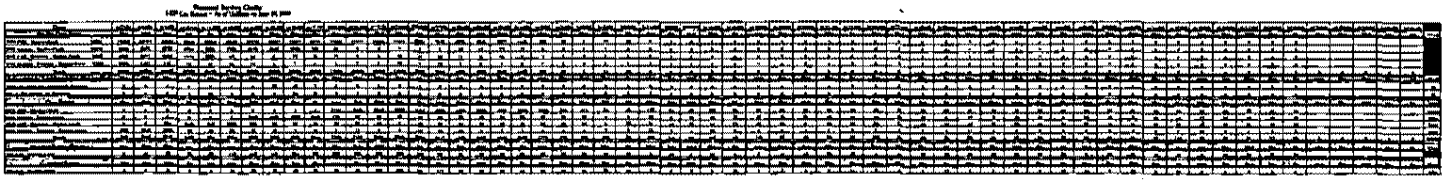

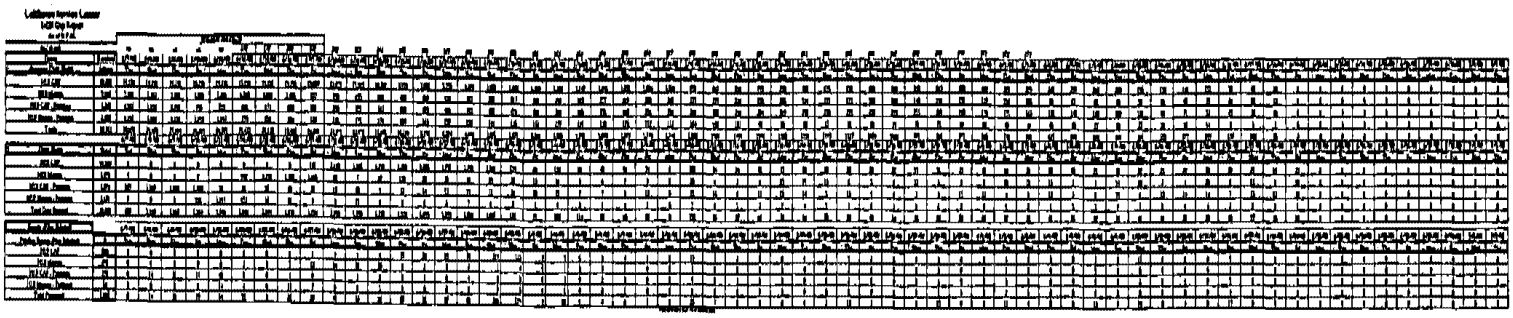

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Friday, June 19, 2009 1:21:17 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls<br>CSC H1B Cap Report 2009.xls |

---

Hi Denis, Julie, please find attached the CAP reports as of COB yesterday. Have a great weekend!
Thanks, Kristen

Kristen Moulin
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Email kristen.moulin@stanleyassociates.com

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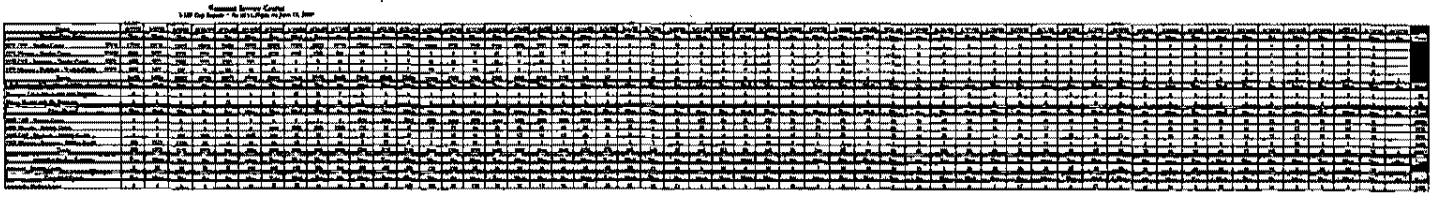

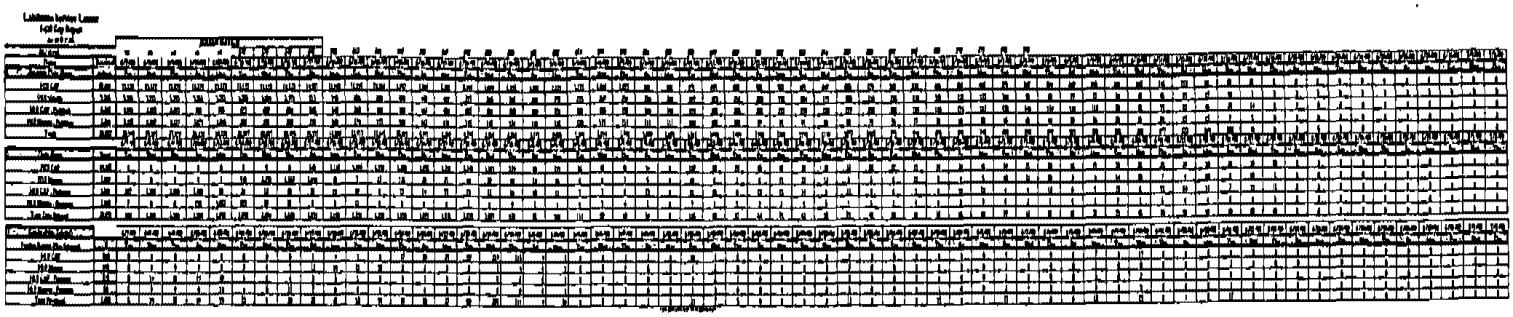

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, June 18, 2009 11:01:25 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Hi Denis, Julie, please find the CAP reports as of COB Wednesday attached. Thanks! Kristen

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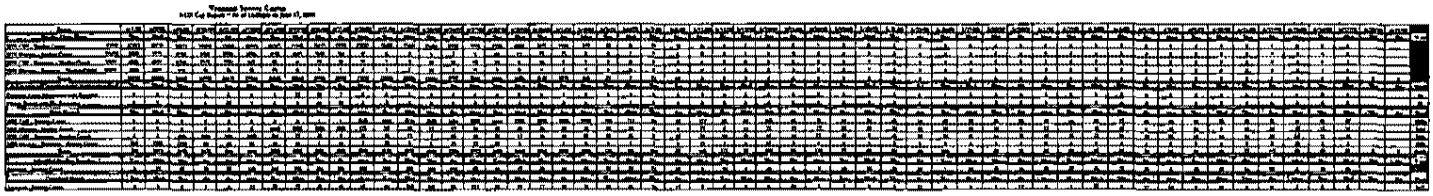

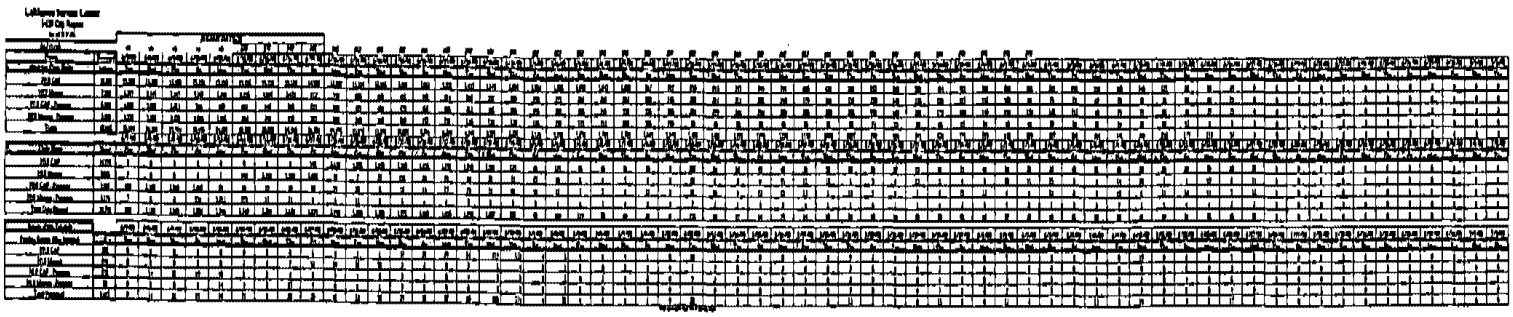

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Monday, June 15, 2009 11:02:23 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Good morning, Denis, Julie. Please find the CAP reports as of COB Friday 6/12/09 attached. Thanks!
Kristen

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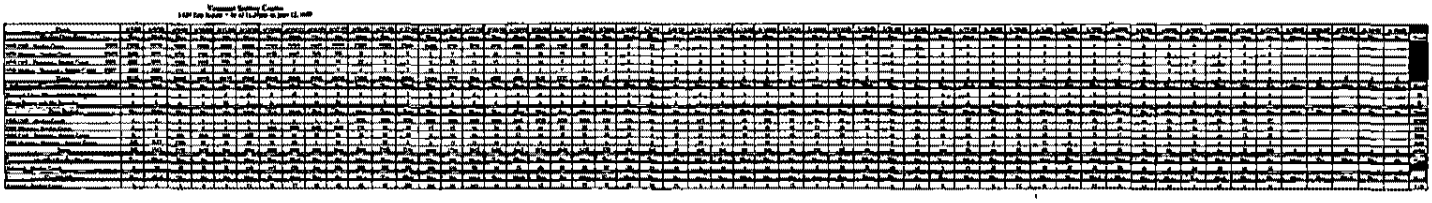

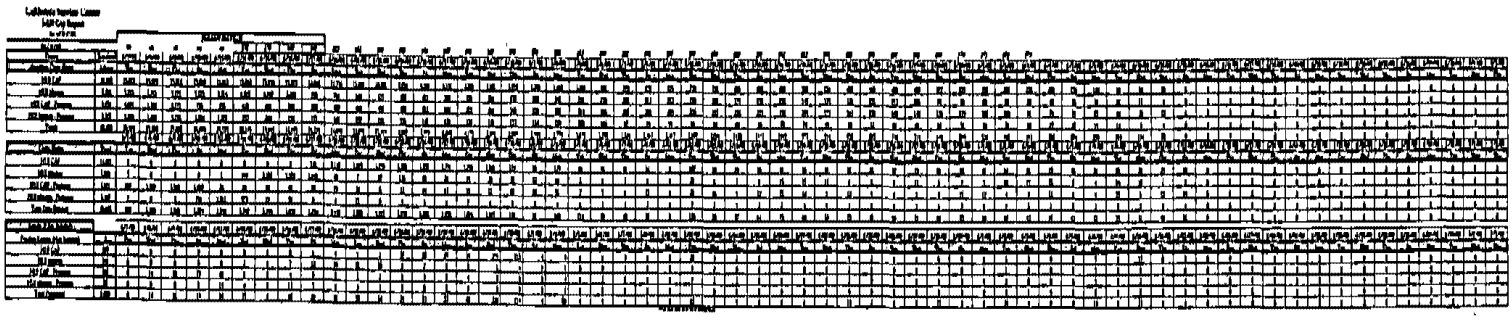

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Friday, June 12, 2009 9:51:26 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Hi Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks and have a great weekend! Kristen

Kristen Moulin
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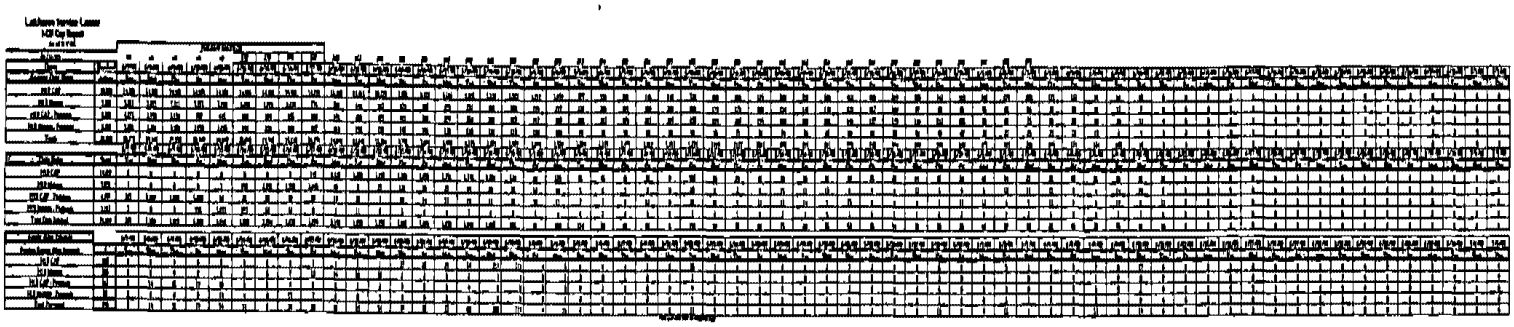

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, June 11, 2009 1:01:37 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls<br>CSC H1B Cap Report 2009.xls |

Hi Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
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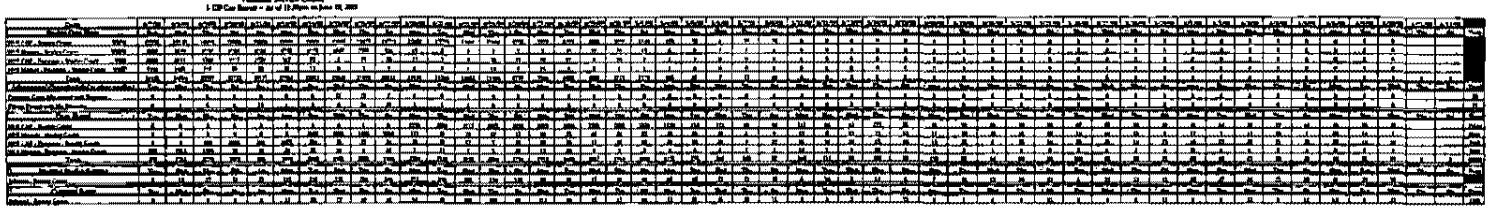

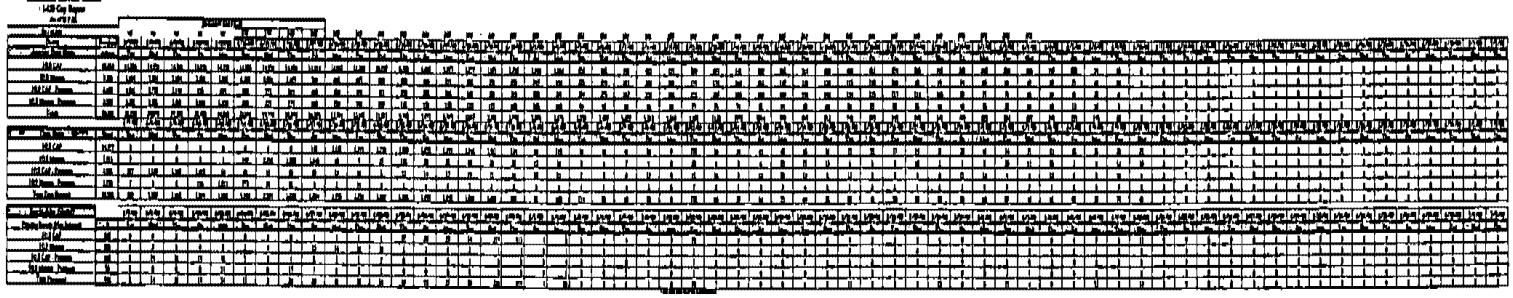

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** FW: 2009 H1B CAP Reports
**Date:** Wednesday, June 10, 2009 4:03:09 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

My apologies. I just realized that I failed to attach the CA reports. Please see attached. Thank you, Kristen

---

**From:** Moulin, Kristen L.
**Sent:** Wednesday, June 10, 2009 9:34 AM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports

Good morning, Denis, Julie. Please see attached for the CAP reports as of COB yesterday. Thanks! Kristen

Kristen Moulin
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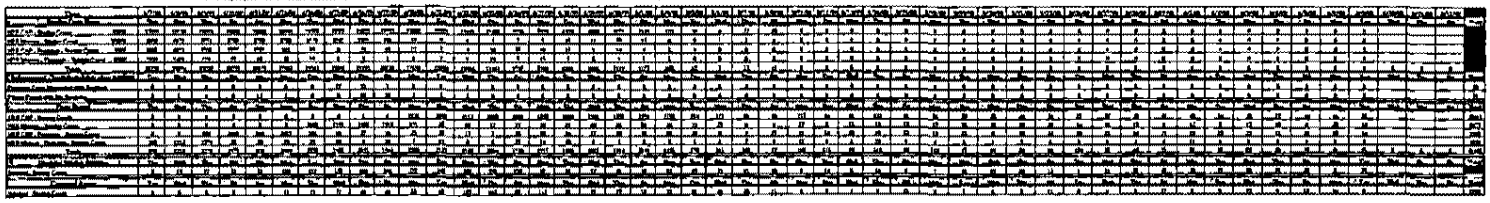

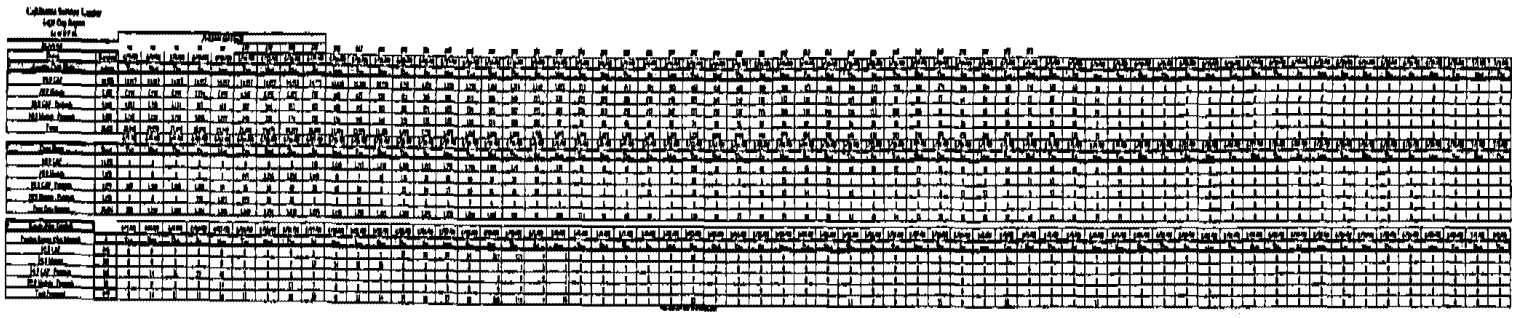

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Tuesday, June 09, 2009 11:47:48 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Hi Denis, Julie. Please find the CAP reports as COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
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6363 Walker Lane, Suite 401
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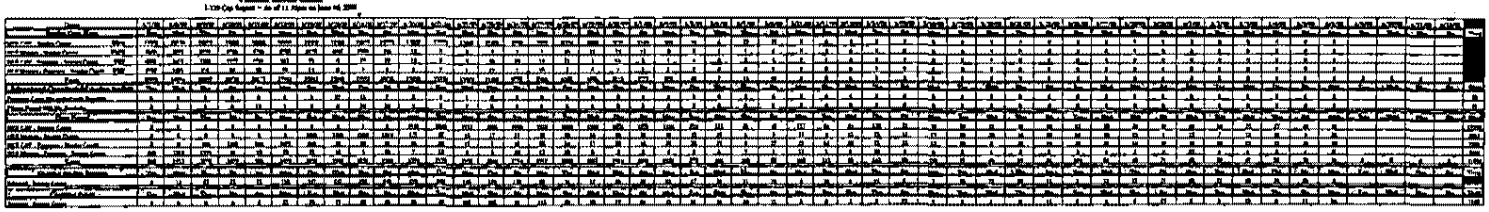

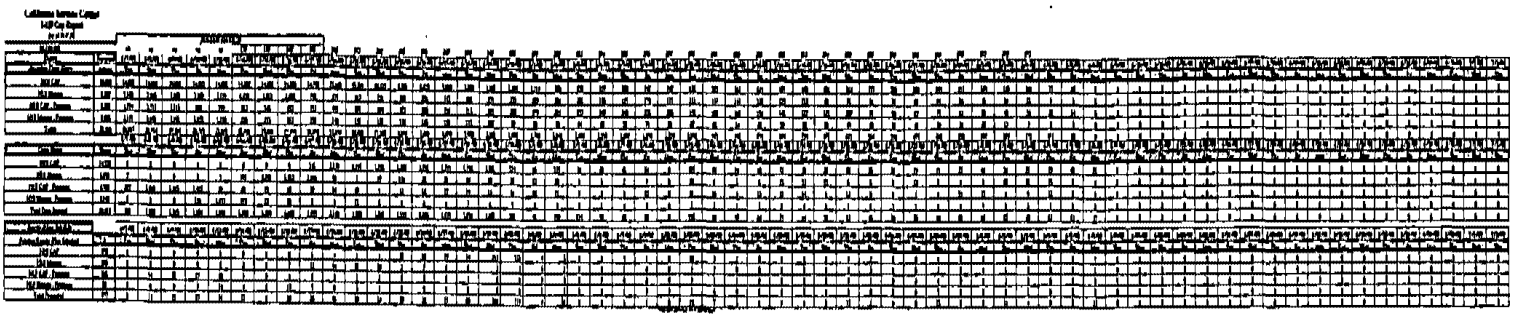

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Monday, June 08, 2009 11:33:52 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Good morning, Denis, Julie. Please see attached for the CAP reports as of COB Friday. Thanks!
Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
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Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

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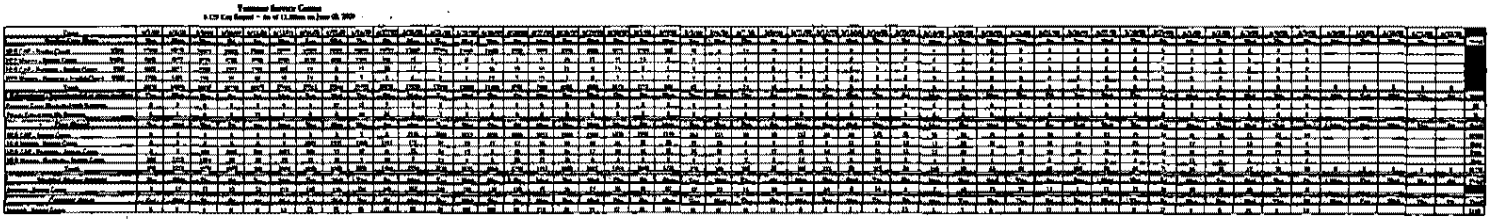

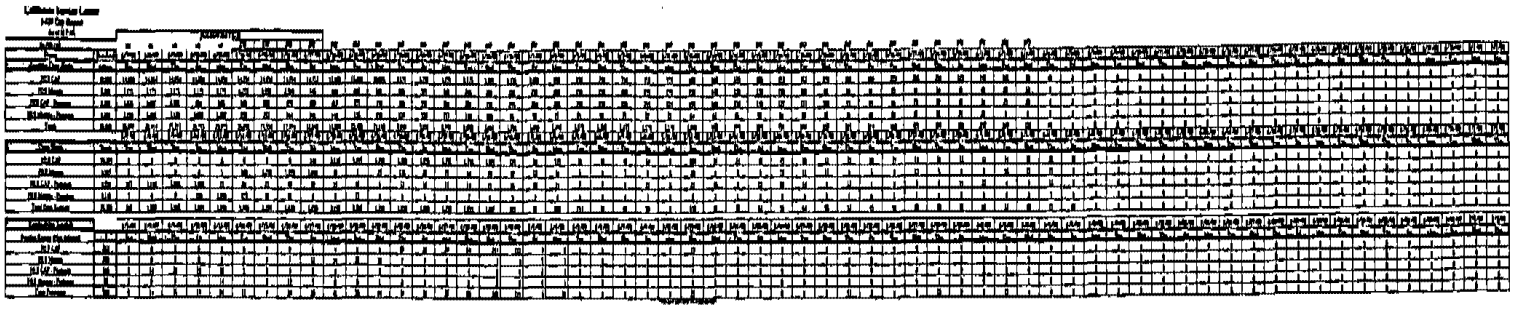

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Friday, June 05, 2009 3:28:09 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Hi Denis, Julie. Please see attached for the CAP reports as of COB yesterday. Thanks and have a great weekend! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
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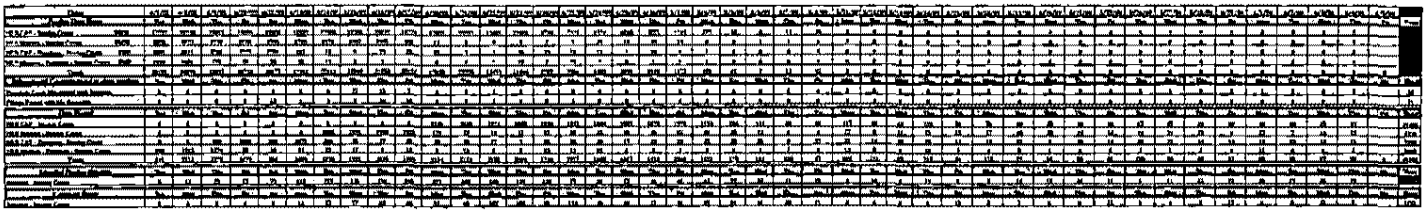

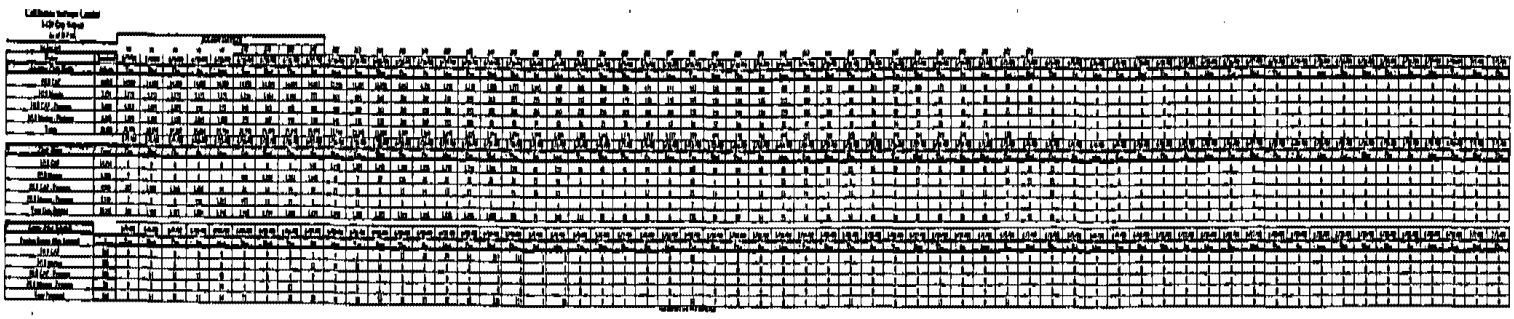

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Tuesday, June 02, 2009 3:40:38 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Hi Denis, Julie, please find the CAP reports as of COB 6/1/09 attached. Thanks! Kristen

Kristen Moulin
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# Vermont Service Center

## I-129 Cap Report ~ Cases Sent to CRU for Review

| | Master Cases | | Regular Cases | | Total Cases |
|---|---|---|---|---|---|
| Date | Accepted | Rejected | Accepted | Rejected | Reviewed |
| 4/9/2009 | 45 | 33 | 30 | 19 | 127 |
| 4/10/2009 | 20 | 30 | 53 | 40 | 143 |
| 4/13/2009 | 46 | 39 | 1 | 1 | 87 |
| 4/14/2009 | 31 | 22 | 35 | 27 | 115 |
| 4/15/2009 | 60 | 92 | 8 | 5 | 165 |
| 4/16/2009 | 41 | 73 | 38 | 37 | 189 |
| 4/17/2009 | 39 | 25 | 24 | 43 | 131 |
| 4/18/2009 | 6 | 11 | 20 | 26 | 63 |
| 4/20/2009 | 15 | 15 | 25 | 37 | 92 |
| 4/21/2009 | 4 | 2 | 63 | 53 | 122 |
| 4/22/2009 | 6 | 4 | 67 | 60 | 137 |
| 4/23/2009 | 0 | 0 | 52 | 35 | 87 |
| 4/24/2009 | 0 | 0 | 59 | 60 | 119 |
| 4/25/2009 | 1 | 2 | 50 | 61 | 114 |
| 4/27/2009 | 1 | 0 | 32 | 22 | 55 |
| 4/28/2009 | 4 | 3 | 48 | 35 | 90 |
| 4/29/2009 | 0 | 0 | 26 | 15 | 41 |
| 4/30/2009 | 0 | 0 | 24 | 18 | 42 |
| 5/1/2009 | 0 | 0 | 53 | 36 | 89 |
| 5/4/2009 | 0 | 0 | 70 | 52 | 122 |
| 5/5/2009 | 3 | 1 | 13 | 8 | 25 |
| 5/6/2009 | 1 | 1 | 94 | 12 | 108 |
| 5/7/2009 | 0 | 0 | 21 | 8 | 29 |
| 5/8/2009 | 6 | 1 | 4 | 9 | 20 |
| 5/11/2009 | 0 | 0 | 9 | 5 | 14 |
| 5/12/2009 | 3 | 3 | 9 | 10 | 25 |

Rev: 3/4/08

| | | | | | |
|---|---|---|---|---|---|
| 5/13/2009 | 0 | 0 | 2 | 4 | 6 |
| 5/14/2009 | 1 | 2 | 10 | 8 | 21 |
| 5/15/2009 | 3 | 2 | 5 | 3 | 13 |
| 5/18/2009 | 0 | 0 | 9 | 5 | 14 |
| 5/19/2009 | 2 | 1 | 7 | 4 | 14 |
| 5/20/2009 | 2 | 1 | 0 | 12 | 15 |
| 5/21/2009 | 0 | 0 | 0 | 0 | 0 |
| 5/22/2009 | 0 | 0 | 0 | 0 | 0 |
| 5/26/2009 | 1 | 2 | 7 | 1 | 11 |
| 5/27/2009 | 10 | 4 | 15 | 7 | 36 |
| 5/28/2009 | 5 | 3 | 20 | 6 | 34 |
| 5/29/2009 | 1 | 1 | 5 | 7 | 14 |
| 6/1/2009 | 5 | 0 | 4 | 2 | 11 |
| 6/2/2009 | | | | | 0 |
| 6/3/2009 | | | | | 0 |
| 6/4/2009 | | | | | 0 |
| 6/5/2009 | | | | | 0 |
| TOTALS | 362 | 373 | 1012 | 793 | 2540 |

California Service Center
I-129 Cap Report
As of 11 P.M.

| 01/31/05 | | |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Monday, June 01, 2009 12:08:19 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

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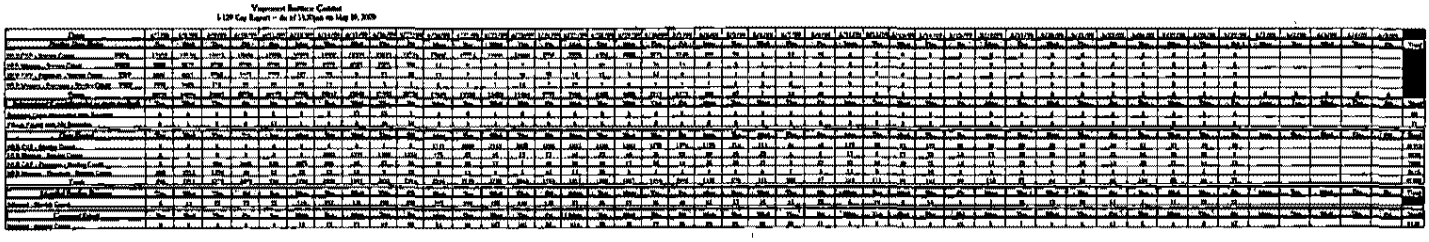
Denis, Julie, please find attached the CAP reports as of COB Friday 5/29/09. Thanks! Kristen

Kristen Moulin
Deputy Program Manager
DHS/USCIS SCOSS Project
Work
Cell [redacted]
(b)(6)



California Service Center
I-129 Cap Report
As of 11 P.M.

| 04/20/05 | | | | | | | FISCAL DAYS | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Name | Received | 45 | 46 | 47 | 48 | 49 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 | 140 | 141 | 142 | 143 | 144 | 145 | 146 | 147 | 148 | 149 | 150 | 151 | 152 | 153 | 154 | 155 | 156 | 157 | 158 | 159 | 160 | 161 | 162 | 163 | 164 | 165 | 166 | 167 | 168 |
| Receipt Date Entry | Actions | 4/5/05 | 4/6/05 | 4/7/05 | 4/8/05 | 4/11/05 | 4/12/05 | 4/13/05 | 4/14/05 | 4/15/05 | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B Cap | 16,000 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 | 11,671 |
| H1B Masters | 5,000 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 | 2,329 |
| H1B CAP - Process | 5,000 | 3,777 | 3,649 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 | 3,651 |
| H1B Masters - Process | 5,000 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 | 3,129 |
| Totals | 30,000 | 20,906 | 20,778 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 | 20,780 |

| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| H1B Cap | 14,134 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 113 | 3,335 | 1,273 | 1,119 | 1,299 | 1,073 | 1,191 | 1,139 | 1,237 | 111 | 14 | 129 | 99 | 13 | 11 | 24 | 0 | 197 | 24 | 11 | 43 | 11 | 14 | 13 | 31 | 25 | 27 | 19 | 23 | 23 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 4,993 | 1 | 0 | 0 | 0 | 1 | 949 | 1,073 | 1,731 | 1,649 | 46 | 1 | 17 | 134 | 20 | 21 | 15 | 29 | 12 | 13 | 11 | 3 | 6 | 7 | 3 | 8 | 20 | 6 | 6 | 15 | 11 | 13 | 6 | 3 | 6 | 11 | 5 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Process | 1,906 | 777 | 1,129 | 1,651 | 1,651 | 21 | 26 | 11 | 49 | 21 | 19 | 28 | 3 | 13 | 11 | 17 | 13 | 11 | 19 | 10 | 11 | 7 | 7 | 3 | 13 | 8 | 21 | 11 | 9 | 13 | 15 | 11 | 3 | 13 | 7 | 3 | 3 | 11 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Process | 3,119 | 1 | 0 | 0 | 136 | 1,911 | 973 | 11 | 21 | 0 | 3 | 11 | 0 | 3 | 0 | 3 | 7 | 0 | 0 | 3 | 3 | 3 | 1 | 3 | 1 | 3 | 7 | 1 | 3 | 3 | 3 | 1 | 3 | 1 | 0 | 1 | 1 | 3 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 29,151 | 779 | 1,129 | 1,651 | 1,651 | 1,933 | 2,959 | 1,171 | 1,913 | 5,005 | 1,339 | 1,175 | 1,319 | 1,223 | 1,223 | 1,195 | 1,311 | 1,151 | 1,097 | 155 | 111 | 31 | 160 | 111 | 31 | 69 | 51 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Result of Data Entered | | 4/7/05 | 4/8/05 | 4/9/05 | 4/10/05 | 4/11/05 | 4/12/05 | 4/13/05 | 4/14/05 | 4/15/05 | 4/16/05 | 4/17/05 | 4/18/05 | 4/19/05 | 4/20/05 | 4/21/05 | 4/22/05 | 4/23/05 | 4/24/05 | 4/25/05 | 4/26/05 | 4/27/05 | 4/28/05 | 4/29/05 | 4/30/05 | 5/1/05 | 5/2/05 | 5/3/05 | 5/4/05 | 5/5/05 | 5/6/05 | 5/7/05 | 5/8/05 | 5/9/05 | 5/10/05 | 5/11/05 | 5/12/05 | 5/13/05 | 5/14/05 | 5/15/05 | 5/16/05 | 5/17/05 | 5/18/05 | 5/19/05 | 5/20/05 | 5/21/05 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Issues With Material | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 116 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 27 | 20 | 29 | 64 | 219 | 115 | 1 | 3 | 6 | 4 | 1 | 0 | 10 | 1 | 3 | 0 | 0 | 4 | 3 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 256 | 0 | 0 | 0 | 0 | 0 | 7 | 0 | 7 | 13 | 34 | 51 | 30 | 1 | 7 | 0 | 3 | 1 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Process | 111 | 0 | 11 | 11 | 10 | 40 | 1 | 0 | 1 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Process | 27 | 0 | 0 | 0 | 0 | 11 | 0 | 0 | 11 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 510 | 0 | 11 | 11 | 10 | 54 | 11 | 0 | 20 | 18 | 41 | 53 | 54 | 21 | 39 | 65 | 223 | 116 | 1 | 10 | 10 | 4 | 1 | 1 | 10 | 1 | 4 | 1 | 0 | 4 | 4 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

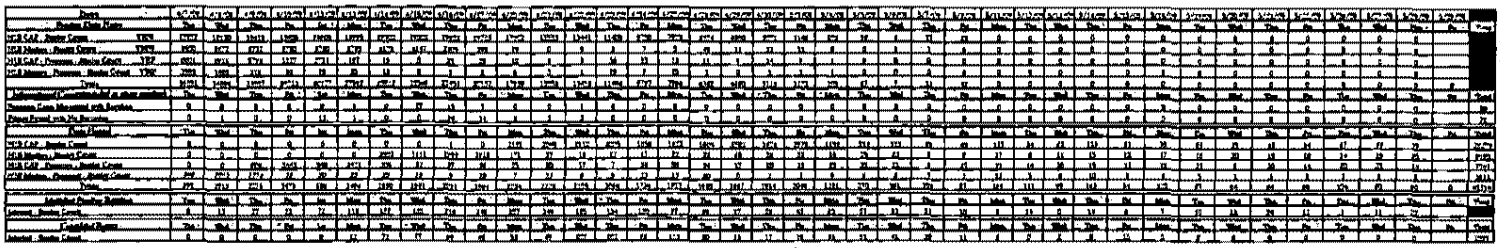
| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Friday, May 29, 2009 12:26:58 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Hi Denis, Julie, please see attached for the CAP reports as of COB Thursday 5/28/09. Thanks and have a great weekend! Kristen

Kristen Moulin
Deputy Program Manager
DHS/USCIS SCOSS Project
Work
Cell [redacted]

(b)(6)

Vancouver Services Centre
1-129 Cap Report – As of 11:30pm on May 28, 2008



California Service Center
I-129 Cap Report
As of 11 P.M.

| 24/24/24 | | |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 28, 2009 10:16:28 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls<br>CSC H1B Cap Report 2009.xls |

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Hi Denis, Julie, please find the CAP reports as of COB 5/27/09. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Wor[redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Wednesday, May 27, 2009 11:41:10 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

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Hi Denis, Julie, please find the CAP reports as of COB 5/26/09. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065
Cell [redacted] (b)(6)
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

California Service Center
I-129 Cap Report
As of 11 P.M.

| Receipts | 4/1/99 | 4/2/99 | 4/5/99 | 4/6/99 | 4/7/99 | 4/8/99 | 4/9/99 | 4/12/99 | 4/13/99 | 4/14/99 | 4/15/99 | 4/16/99 | 4/19/99 | 4/20/99 | 4/21/99 | 4/22/99 | 4/23/99 | 4/26/99 | 4/27/99 | 4/28/99 | 4/29/99 | 4/30/99 | 5/3/99 | 5/4/99 | 5/5/99 | 5/6/99 | 5/7/99 | 5/10/99 | 5/11/99 | 5/12/99 | 5/13/99 | 5/14/99 | 5/17/99 | 5/18/99 | 5/19/99 | 5/20/99 | 5/21/99 | 5/24/99 | 5/25/99 | 5/26/99 | 5/27/99 | 5/28/99 | 6/1/99 | 6/2/99 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Annual Limit Entry | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| H1B CAP | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 14,500 | 13,500 | 11,000 | 9,500 | 8,000 | 6,500 | 4,500 | 3,000 | 1,500 | 1,000 | 500 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 6,500 | 5,000 | 3,500 | 600 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 | 500 |
| H1B CAP - Premium | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| H1B Master - Premium | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 | 3,000 |
| Totals | 28,500 | 28,500 | 28,500 | 28,500 | 28,500 | 27,500 | 26,000 | 24,000 | 22,100 | 22,000 | 20,500 | 18,000 | 16,500 | 15,500 | 14,000 | 12,000 | 10,500 | 9,000 | 8,500 | 8,000 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 | 7,500 |

| Date Entry | 4/1/99 | 4/2/99 | 4/5/99 | 4/6/99 | 4/7/99 | 4/8/99 | 4/9/99 | 4/12/99 | 4/13/99 | 4/14/99 | 4/15/99 | 4/16/99 | 4/19/99 | 4/20/99 | 4/21/99 | 4/22/99 | 4/23/99 | 4/26/99 | 4/27/99 | 4/28/99 | 4/29/99 | 4/30/99 | 5/3/99 | 5/4/99 | 5/5/99 | 5/6/99 | 5/7/99 | 5/10/99 | 5/11/99 | 5/12/99 | 5/13/99 | 5/14/99 | 5/17/99 | 5/18/99 | 5/19/99 | 5/20/99 | 5/21/99 | 5/24/99 | 5/25/99 | 5/26/99 | 5/27/99 | 5/28/99 | 6/1/99 | 6/2/99 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 14,091 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 111 | 1,178 | 1,293 | 1,190 | 1,295 | 1,473 | 1,291 | 1,778 | 1,561 | 131 | 66 | 137 | 79 | 45 | 41 | 24 | 0 | 179 | 24 | 24 | 45 | 91 | 78 | 33 | 33 | 25 | 27 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 4,917 | 7 | 0 | 0 | 0 | 1 | 549 | 1,429 | 1,871 | 1,699 | 48 | 7 | 27 | 126 | 29 | 21 | 44 | 29 | 23 | 12 | 14 | 3 | 0 | 7 | 0 | 0 | 20 | 0 | 3 | 0 | 13 | 11 | 13 | 0 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,000 | 207 | 1,179 | 1,345 | 1,428 | 24 | 26 | 13 | 19 | 19 | 11 | 27 | 0 | 13 | 11 | 17 | 17 | 11 | 15 | 19 | 11 | 7 | 7 | 0 | 13 | 0 | 21 | 19 | 0 | 15 | 13 | 14 | 0 | 17 | 7 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Premium | 3,115 | 7 | 0 | 0 | 136 | 1,411 | 373 | 13 | 11 | 0 | 3 | 11 | 0 | 0 | 0 | 0 | 7 | 0 | 0 | 3 | 0 | 0 | 1 | 0 | 4 | 3 | 0 | 7 | 3 | 0 | 3 | 3 | 0 | 5 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 26,123 | 214 | 1,179 | 1,345 | 1,564 | 1,436 | 1,361 | 1,455 | 2,011 | 2,896 | 1,356 | 1,235 | 1,322 | 1,612 | 1,375 | 1,815 | 1,629 | 171 | 91 | 169 | 114 | 59 | 49 | 31 | 0 | 199 | 55 | 27 | 64 | 75 | 64 | 35 | 63 | 45 | 34 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| Receipts Were Entered | 4/1/99 | 4/2/99 | 4/5/99 | 4/6/99 | 4/7/99 | 4/8/99 | 4/9/99 | 4/12/99 | 4/13/99 | 4/14/99 | 4/15/99 | 4/16/99 | 4/19/99 | 4/20/99 | 4/21/99 | 4/22/99 | 4/23/99 | 4/26/99 | 4/27/99 | 4/28/99 | 4/29/99 | 4/30/99 | 5/3/99 | 5/4/99 | 5/5/99 | 5/6/99 | 5/7/99 | 5/10/99 | 5/11/99 | 5/12/99 | 5/13/99 | 5/14/99 | 5/17/99 | 5/18/99 | 5/19/99 | 5/20/99 | 5/21/99 | 5/24/99 | 5/25/99 | 5/26/99 | 5/27/99 | 5/28/99 | 6/1/99 | 6/2/99 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Entry (Not Entered) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu |
| H1B CAP | 389 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 57 | 29 | 29 | 94 | 219 | 115 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 583 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 247 | 0 | 14 | 21 | 19 | 48 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Premium | 96 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 994 | 0 | 14 | 21 | 19 | 48 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 57 | 29 | 29 | 94 | 219 | 115 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

May 26, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
| | | | | | | | | | | | | | |
| 34 | 13 | 18 | 9 | 43 | 23 | 10 | 16 | 31 | 29 | 51 | 34 | 41 | 37 |
| | | | | | | | | | | | | | |
| 35 | 9 | 36 | 33 | 19 | 21 | 19 | 39 | 35 | 41 | 16 | 21 | 21 | 17 |
| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | 4,416 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 141 | 97 | 91 | 39 | 63 | 101 | 83 | 60 | 123 | 41 | 83 | 38 | 33 | 32 |
| | | | | | | | | | | | | | |
| 24 | 14 | 21 | 4 | 13 | 14 | 7 | 16 | 15 | 11 | 19 | 12 | 21 | 16 |
| | | | | | | | | | | | | | |
| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | 28 |
| | | | | | | | | | | | | | |
| 9 | 8 | 9 | 12 | 10 | 7 | 4 | 9 | 11 | 7 | 5 | 6 | 5 | 4 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 201 | 161 | 139 | 68 | 115 | 149 | 108 | 107 | 182 | 76 | 128 | 89 | 72 | 80 |

| 5/22/09 | 5/26/09 | 5/27/09 | 5/28/09 | 5/29/09 | Grand Totals |
|---|---|---|---|---|---|
| | | | | | |
| 5,484 | 9,014 | | | | 229,648 |

| | | | | | |
|---|---|---|---|---|---|
| | | | | | |
| 26 | 65 | | | | 21,716 |
| | | | | | 0 |
| 9 | 20 | | | | 9,433 |
| | | | | | 0 |
| 13 | 23 | | | | 7,393 |
| | | | | | 0 |
| 10 | 4 | | | | 3,679 |
| | | | | | 0 |
| | | | | | 0 |
| 58 | 112 | | | | 42,221 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Friday, May 22, 2009 11:22:25 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Hi Denis, Julie, please see attached for the CAP reports as of COB Thursday 5/21/09. Have a great Memorial Day weekend. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

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California Service Center
I-129 Cap Report
As of 11 P.M.

04/30/08

| Query | Current | 4/1/08 | 4/2/08 | 4/3/08 | 4/4/08 | 4/5/08 | 4/6/08 | 4/7/08 | 4/8/08 | 4/9/08 | 4/10/08 | 4/11/08 | 4/12/08 | 4/13/08 | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/19/08 | 4/20/08 |

Vancouver Service Center
I-129 Cap Report – As of 11:30pm on May 21, 2009

| Query | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Receipt Date Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Regular Cases VSC | 17951 | 16138 | 18619 | 19008 | 18905 | 19997 | 19550 | 19581 | 19467 | 19720 | 13902 | 19550 | 18451 | 11975 | 9739 | 7928 | 6437 | 6990 | 8573 | 1149 | 979 | 98 | 6 | 17 | 20 | 6 | 8 | 9 | 9 | 8 | 5 | 6 | 8 | 9 | 6 | 5 | 6 | 8 | 9 | 6 | 5 | 6 | 8 | 9 | |
| H1B Masters - Regular Cases VSC | 1659 | 1673 | 1731 | 1739 | 1739 | 1739 | 1817 | 1917 | 1959 | 1976 | 13 | 6 | 3 | 3 | 3 | 1 | 3 | 45 | 11 | 33 | 13 | 3 | 3 | 1 | 1 | 0 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | |
| H1B CAP - Premium - Regular Cases VSC | 6959 | 6881 | 6769 | 6847 | 6739 | 687 | 57 | 8 | 35 | 38 | 11 | 6 | 3 | 36 | 35 | 16 | 11 | 3 | 11 | 7 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | |
| H1B Masters - Premium - Regular Cases VSC | 4979 | 1681 | 111 | 30 | 30 | 25 | 13 | 3 | 3 | 6 | 6 | 3 | 19 | 3 | 15 | 3 | 9 | 1 | 1 | 1 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | 3 | |
| Totals | 30171 | 26993 | 27937 | 28720 | 27779 | 27454 | 27433 | 27569 | 27473 | 28132 | 17478 | 19779 | 18453 | 11993 | 9777 | 7956 | 6992 | 7059 | 8719 | 1173 | 979 | 67 | 7 | 23 | 25 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | 9 | |
| * Endorsement (Consolidated or minor modified | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| Premium Cases Mis-coded with Regular | 0 | 0 | 0 | 1 | 0 | 0 | 2 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 80 |
| Other Found with No Receipts | 0 | 1 | 0 | 0 | 11 | 2 | 0 | 0 | 0 | 26 | 24 | 3 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2110 | 3047 | 2112 | 2055 | 1476 | 1325 | 1054 | 1952 | 1974 | 1975 | 1205 | 324 | 114 | 98 | 48 | 137 | 99 | 84 | 120 | 81 | 76 | 39 | 72 | 42 | | | | | | | | | | | 21512 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2002 | 1031 | 1009 | 1015 | 171 | 37 | 11 | 17 | 17 | 12 | 25 | 19 | 26 | 12 | 16 | 10 | 12 | 1 | 7 | 17 | 3 | 11 | 15 | 12 | 17 | 10 | 20 | 10 | | | | | | | | | | | 3525 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 884 | 3041 | 549 | 1471 | 838 | 11 | 37 | 30 | 28 | 10 | 11 | 1 | 26 | 20 | 24 | 17 | 19 | 11 | 15 | 12 | 21 | 1 | 5 | 21 | 11 | 10 | 11 | 11 | 11 | 5 | 8 | 20 | | | | | | | | | | | 7172 |
| H1B Masters - Premium - Regular Cases | 391 | 1511 | 1173 | 46 | 15 | 62 | 32 | 11 | 3 | 10 | 3 | 11 | 6 | 3 | 23 | 11 | 16 | 3 | 7 | 3 | 5 | 6 | 3 | 7 | 6 | 3 | 13 | 5 | 6 | 10 | 5 | 3 | 3 | 3 | | | | | | | | | | | 2597 |
| Totals | 391 | 1511 | 2057 | 3087 | 564 | 1533 | 2872 | 1053 | 1049 | 3165 | 3249 | 2170 | 2084 | 1497 | 1391 | 1097 | 2017 | 2013 | 2027 | 1231 | 358 | 142 | 134 | 57 | 149 | 141 | 99 | 152 | 97 | 109 | 67 | 93 | 73 | | | | | | | | | | | 35206 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| Selected - Awaiting Receipts | 0 | 12 | 27 | 7 | 71 | 118 | 187 | 131 | 314 | 248 | 287 | 279 | 178 | 135 | 120 | 57 | 36 | 37 | 40 | 42 | 47 | 23 | 11 | 10 | 6 | 19 | 8 | 11 | 6 | 7 | 10 | 15 | 15 | | | | | | | | | | | 1834 |
| Cancelled Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Total |
| Selected - Awaiting Cancel | 0 | 9 | 8 | 9 | 8 | 11 | 32 | 77 | 49 | 46 | 68 | 49 | 197 | 152 | 98 | 114 | 89 | 33 | 47 | 18 | 39 | 41 | 45 | 28 | 11 | 8 | 8 | 2 | 4 | 15 | 8 | 8 | 8 | 0 | | | | | | | | | | | 1270 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 21, 2009 12:18:17 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

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Hi Julie, Denis, please find the CAP reports as COB May 20th attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
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Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, May 21, 2009 12:18:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Hi Julie, Denis, please find the CAP reports as COB May 20th attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
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Cell [redacted]
Email [redacted]sociates.com

www.stanleyassociates.com

California Service Center
I-129 Cap Report
As of 11 P.M.

| | | JULIAN DATE(S) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 04/20/09 | | 98 | 99 | 100 | 101 | 102 | 103 | 104 | 105 | 106 | 107 | 108 | 109 | 110 | 111 | 112 | 113 | 114 | 115 | 116 | 117 | 118 | 119 | 120 | 121 | 122 | 123 | 124 | 125 | 126 | 127 | 128 | 129 | 130 | 131 | 132 | 133 | 134 | 135 | 136 | 137 | 138 | 139 |
| Form | Received | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 |
| Pending Data Entry | Actions | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 16,484 | 16,479 | 16,479 | 16,479 | 16,479 | 16,474 | 16,474 | 16,474 | 16,474 | 16,434 | 11,207 | 10,909 | 8,717 | 1,900 | 6,417 | 4,697 | 3,777 | 1,917 | 773 | 709 | 574 | 473 | 435 | 376 | 345 | 343 | 324 | 197 | 161 | 113 | 75 | 54 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 1,888 | 1,891 | 1,891 | 1,891 | 1,891 | 1,888 | 1,888 | 1,888 | 1,888 | 646 | 173 | 111 | 103 | 299 | 277 | 249 | 203 | 173 | 136 | 124 | 107 | 101 | 96 | 88 | 79 | 78 | 66 | 48 | 39 | 34 | 15 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Persons | 4,999 | 4,711 | 4,599 | 4,599 | 948 | 473 | 411 | 411 | 279 | 251 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 | 208 |
| H1B Master - Persons | 3,248 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 | 3,111 |
| Totals | 26,619 | 26,410 | 26,317 | 26,441 | 25,933 | 25,199 | 21,279 | 18,977 | 17,287 | 15,913 | 14,193 | 11,779 | 10,561 | 1,931 | 7,893 | 5,131 | 3,273 | 1,438 | 1,129 | 1,043 | 889 | 783 | 674 | 618 | 531 | 529 | 373 | 308 | 264 | 209 | 127 | 57 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 13,998 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 5,125 | 1,873 | 1,170 | 1,196 | 1,653 | 1,723 | 1,749 | 1,581 | 174 | 94 | 139 | 98 | 61 | 43 | 34 | 0 | 137 | 34 | 34 | 65 | 61 | 34 | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 6,878 | 1 | 0 | 0 | 0 | 1 | 347 | 3,754 | 1,573 | 1,666 | 45 | 7 | 57 | 174 | 28 | 21 | 41 | 29 | 33 | 13 | 16 | 9 | 6 | 7 | 9 | 0 | 28 | 6 | 3 | 9 | 15 | 11 | 13 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Persons | 4,854 | 207 | 1,109 | 1,491 | 1,128 | 24 | 38 | 16 | 49 | 29 | 19 | 29 | 0 | 13 | 11 | 17 | 19 | 11 | 16 | 18 | 11 | 7 | 7 | 6 | 11 | 0 | 31 | 16 | 9 | 13 | 15 | 14 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Persons | 3,247 | 7 | 0 | 0 | 156 | 1,011 | 673 | 10 | 21 | 0 | 0 | 11 | 0 | 6 | 0 | 0 | 7 | 0 | 0 | 3 | 1 | 0 | 1 | 1 | 1 | 2 | 0 | 7 | 3 | 7 | 3 | 3 | 4 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 31,977 | 214 | 1,109 | 1,491 | 1,284 | 1,036 | 1,058 | 3,770 | 1,643 | 1,836 | 5,189 | 1,913 | 1,227 | 1,389 | 1,692 | 1,761 | 1,816 | 1,621 | 223 | 128 | 166 | 114 | 75 | 57 | 55 | 2 | 196 | 59 | 46 | 87 | 94 | 62 | 32 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Entry Into Mainframe | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed |
| H1B CAP | 198 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 4 | 1 | 1 | 57 | 21 | 29 | 34 | 219 | 115 | 4 | 3 | 3 | 1 | 1 | 1 | 0 | 10 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master | 198 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 12 | 34 | 31 | 50 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Persons | 145 | 0 | 11 | 11 | 17 | 88 | 5 | 0 | 1 | 0 | 2 | 1 | 1 | 0 | 1 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Master - Persons | 46 | 0 | 0 | 0 | 0 | 14 | 1 | 0 | 17 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Pregnant | 395 | 0 | 11 | 11 | 17 | 94 | 11 | 0 | 19 | 20 | 41 | 33 | 54 | 58 | 23 | 30 | 37 | 60 | 220 | 119 | 3 | 10 | 0 | 0 | 0 | 1 | 0 | 10 | 2 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

* Indicates Data Not Yet Available

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

May 20, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
| | | | | | | | | | | | | | |
| 34 | 13 | 18 | 9 | 43 | 23 | 10 | 16 | 31 | 29 | 51 | 34 | 41 | 37 |
| | | | | | | | | | | | | | |
| 35 | 9 | 36 | 33 | 19 | 21 | 19 | 39 | 35 | 41 | 16 | 21 | 21 | 17 |
| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 141 | 97 | 91 | 39 | 63 | 101 | 83 | 60 | 123 | 41 | 83 | 38 | 33 | |
| | | | | | | | | | | | | | |
| 24 | 14 | 21 | 4 | 13 | 14 | 7 | 16 | 15 | 11 | 19 | 12 | 21 | |
| | | | | | | | | | | | | | |
| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | |
| | | | | | | | | | | | | | |
| 9 | 8 | 9 | 12 | 10 | 7 | 4 | 9 | 11 | 7 | 5 | 6 | 5 | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 201 | 161 | 139 | 68 | 115 | 149 | 108 | 107 | 182 | 76 | 128 | 89 | 72 | 0 |

| 5/22/09 | Grand Totals |
|---|---|
| | |
| | 210,734 |

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| | |
| | 21,593 |
| | 0 |
| | 9,388 |
| | 0 |
| | 7,329 |
| | 0 |
| | 3,661 |
| | 0 |
| | 0 |
| 0 | 41,971 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R.; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 21, 2009 12:18:17 PM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Hi Julie, Denis, please find the CAP reports as COB May 20th attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065 (b)(6)
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

California Service Center
I-129 Cap Report
As of 11 P.M.

| H1B Data | | |

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.
May 20, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
| | | | | | | | | | | | | | |
| 34 | 13 | 18 | 9 | 43 | 23 | 10 | 16 | 31 | 29 | 51 | 34 | 41 | 37 |
| | | | | | | | | | | | | | |
| 35 | 9 | 36 | 33 | 19 | 21 | 19 | 39 | 35 | 41 | 16 | 21 | 21 | 17 |
| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 141 | 97 | 91 | 39 | 63 | 101 | 83 | 60 | 123 | 41 | 83 | 38 | 33 | |
| | | | | | | | | | | | | | |
| 24 | 14 | 21 | 4 | 13 | 14 | 7 | 16 | 15 | 11 | 19 | 12 | 21 | |
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| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | |
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| 201 | 161 | 139 | 68 | 115 | 149 | 108 | 107 | 182 | 76 | 128 | 89 | 72 | 0 |

| 5/22/09 | Grand Totals |
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| | |
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| | |
| | 21,593 |
| | 0 |
| | 9,388 |
| | 0 |
| | 7,329 |
| | 0 |
| | 3,661 |
| | 0 |
| | 0 |
| 0 | 41,971 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, May 21, 2009 12:18:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Hi Julie, Denis, please find the CAP reports as COB May 20th attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
Fax 703-535-5065
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California Service Center

I-129 Cap Report

As of 11 P.M.

| 01/26/99 | JULIAN DATE(s) | | | | | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 | 101 | 102 | 103 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Date | Limit | 1/7/99 | 1/8/99 | 1/9/99 | 1/10/99 | 1/11/99 | 1/12/99 | 1/13/99 | 1/14/99 | 1/15/99 | 1/16/99 | 1/17/99 | 1/18/99 | 1/19/99 | 1/20/99 | 1/21/99 | 1/22/99 | 1/23/99 | 1/24/99 | 1/25/99 | 1/26/99 | 1/27/99 | 1/28/99 | 1/29/99 | 1/30/99 | 1/31/99 | 2/1/99 | 2/2/99 | 2/3/99 | 2/4/99 | 2/5/99 | 2/6/99 | 2/7/99 | 2/8/99 | 2/9/99 | 2/10/99 | 2/11/99 | 2/12/99 | 2/13/99 | 2/14/99 | 2/15/99 | 2/16/99 | 2/17/99 | 2/18/99 | 2/19/99 | 2/20/99 | 2/21/99 | 2/22/99 | 2/23/99 | 2/24/99 | 2/25/99 | 2/26/99 |
| Annual Cap Type | Actions | Thu | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 65,000 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 | 11,479 |
| H1B Masters | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 7,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 | 6,000 |
| H1B CAP - Premium | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 | 4,000 |
| H1B Masters - Premium | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 | 2,000 |
| Totals | 78,000 | 24,479 | 24,479 | 24,479 | 24,479 | 24,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 | 23,479 |

| Daily Data | 2/7/99 | 2/8/99 | 2/9/99 | 2/10/99 | 2/11/99 | 2/12/99 | 2/13/99 | 2/14/99 | 2/15/99 | 2/16/99 | 2/17/99 | 2/18/99 | 2/19/99 | 2/20/99 | 2/21/99 | 2/22/99 | 2/23/99 | 2/24/99 | 2/25/99 | 2/26/99 | 2/27/99 | 2/28/99 | 3/1/99 | 3/2/99 | 3/3/99 | 3/4/99 | 3/5/99 | 3/6/99 | 3/7/99 | 3/8/99 | 3/9/99 | 3/10/99 | 3/11/99 | 3/12/99 | 3/13/99 | 3/14/99 | 3/15/99 | 3/16/99 | 3/17/99 | 3/18/99 | 3/19/99 | 3/20/99 | 3/21/99 | 3/22/99 | 3/23/99 | 3/24/99 | 3/25/99 | 3/26/99 | 3/27/99 | 3/28/99 | 3/29/99 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 13,848 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 110 | 1,128 | 1,251 | 1,178 | 1,139 | 1,073 | 1,251 | 1,216 | 1,261 | 1,116 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 |
| H1B Masters | 4,000 | 2 | 0 | 0 | 0 | 1 | 0 | 1,000 | 1,000 | 1,000 | 0 | 2 | 22 | 110 | 20 | 21 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,000 | 207 | 1,000 | 1,000 | 1,000 | 24 | 20 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 2,000 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Data Entered | 23,848 | 209 | 1,000 | 1,000 | 1,000 | 1,025 | 1,020 | 1,000 | 1,000 | 1,110 | 1,128 | 1,253 | 1,200 | 1,249 | 1,093 | 1,272 | 1,216 | 1,261 | 1,116 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 | 1,111 |

| Keep Pace Table | 1/7/99 | 1/8/99 | 1/9/99 | 1/10/99 | 1/11/99 | 1/12/99 | 1/13/99 | 1/14/99 | 1/15/99 | 1/16/99 | 1/17/99 | 1/18/99 | 1/19/99 | 1/20/99 | 1/21/99 | 1/22/99 | 1/23/99 | 1/24/99 | 1/25/99 | 1/26/99 | 1/27/99 | 1/28/99 | 1/29/99 | 1/30/99 | 1/31/99 | 2/1/99 | 2/2/99 | 2/3/99 | 2/4/99 | 2/5/99 | 2/6/99 | 2/7/99 | 2/8/99 | 2/9/99 | 2/10/99 | 2/11/99 | 2/12/99 | 2/13/99 | 2/14/99 | 2/15/99 | 2/16/99 | 2/17/99 | 2/18/99 | 2/19/99 | 2/20/99 | 2/21/99 | 2/22/99 | 2/23/99 | 2/24/99 | 2/25/99 | 2/26/99 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Percent Keep Pace Needed | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri |
| H1B CAP | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 27 | 29 | 29 | 34 | 719 | 113 | 1 | 0 | 0 | 0 | 1 | 0 | 19 | 1 | 1 | 0 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 12 | 24 | 11 | 50 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 1 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.

May 20, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
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| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
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| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
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| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | |
| | | | | | | | | | | | | | |
| 9 | 8 | 9 | 12 | 10 | 7 | 4 | 9 | 11 | 7 | 5 | 6 | 5 | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
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| 5/22/09 | Grand Totals |
|---|---|
| | |
| | 210,734 |

| | |
|---|---|
| | |
| | 21,593 |
| | 0 |
| | 9,388 |
| | 0 |
| | 7,329 |
| | 0 |
| | 3,661 |
| | 0 |
| | 0 |
| 0 | 41,971 |

# Vermont Service Center
## I-129 Cap Report ~ Pre-Random Generator
As of 11:30 PM.
May 20, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
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| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
| | | | | | | | | | | | | | |
| 34 | 13 | 18 | 9 | 43 | 23 | 10 | 16 | 31 | 29 | 51 | 34 | 41 | 37 |
| | | | | | | | | | | | | | |
| 35 | 9 | 36 | 33 | 19 | 21 | 19 | 39 | 35 | 41 | 16 | 21 | 21 | 17 |
| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 141 | 97 | 91 | 39 | 63 | 101 | 83 | 60 | 123 | 41 | 83 | 38 | 33 | |
| | | | | | | | | | | | | | |
| 24 | 14 | 21 | 4 | 13 | 14 | 7 | 16 | 15 | 11 | 19 | 12 | 21 | |
| | | | | | | | | | | | | | |
| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | |
| | | | | | | | | | | | | | |
| 9 | 8 | 9 | 12 | 10 | 7 | 4 | 9 | 11 | 7 | 5 | 6 | 5 | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 201 | 161 | 139 | 68 | 115 | 149 | 108 | 107 | 182 | 76 | 128 | 89 | 72 | 0 |

| 5/22/09 | Grand Totals |
|---|---|
| | |
| | 210,734 |

| | |
|---|---|
| | |
| | 21,593 |
| | 0 |
| | 9,388 |
| | 0 |
| | 7,329 |
| | 0 |
| | 3,661 |
| | 0 |
| | 0 |
| 0 | 41,971 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, May 21, 2009 12:18:17 PM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Hi Julie, Denis, please find the CAP reports as COB May 20th attached. Thanks! Kristen

Kristen Moulin
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Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
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Cell [redacted]
Email kristen.moulin@stanleyassociates.com

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California Service Center

I-129 Cap Report

As of 11 P.M.

| 10/31/99 | | |

# Vermont Service Center

## I-129 Cap Report ~ Pre-Random Generator

As of 11:30 PM.
May 20, 2009

| Date | 4/1/09 | 4/2/09 | 4/3/09 | 4/6/09 | 4/7/09 | Totals First 5 Days | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 |
|---|---|---|---|---|---|---|---|---|---|---|
| *All Mail Received - Not Opened* | | | | | | | | | | |
| Number of Envelopes / Packages | 25,610 | 7,849 | 6,927 | 10,391 | 7,778 | 58,555 | 2,433 | 3,416 | 4,565 | 7,367 |
| *Opened and Barcoded* | | | | | | | | | | |
| H1B CAP - Stanley Count VRN | 240 | 1,349 | 8,586 | 6,516 | 1,261 | 17,952 | 178 | 289 | 187 | 389 |
| H1B CAP - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Stanley Count VMN | 0 | 2,032 | 3,665 | 2,418 | 485 | 8,600 | 72 | 60 | 38 | 38 |
| H1B Masters - CIS Count | | | | | | 0 | | | | |
| H1B CAP - Premium - Stanley Count VRP | 2,744 | 2,809 | 36 | 919 | 93 | 6,601 | 10 | 13 | 34 | 0 |
| H1B CAP - Premium - CIS Count | | | | | | 0 | | | | |
| H1B Masters - Premium - Stanley Count VMP | 1,123 | 1,720 | 28 | 461 | 64 | 3,396 | 1 | 6 | 5 | 2 |
| H1B Masters - Premium - CIS Count | | | | | | 0 | | | | |
| In Records for Review / Resolution | | | | | | 0 | | | | |
| Totals | 4,107 | 7,910 | 12,315 | 10,314 | 1,903 | 36,549 | 261 | 368 | 264 | 429 |

Rev: 3/4/08

| 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 5,056 | 2,480 | 4,143 | 4,875 | 8,339 | 5,786 | 3,234 | 4,528 | 5,198 | 7,632 | 5,902 | 2,396 | 4,102 | 5,044 |

| | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 307 | 175 | 145 | 111 | 143 | 49 | 87 | 53 | 92 | 110 | 112 | 75 | 44 | 102 |
| | | | | | | | | | | | | | |
| 34 | 13 | 18 | 9 | 43 | 23 | 10 | 16 | 31 | 29 | 51 | 34 | 41 | 37 |
| | | | | | | | | | | | | | |
| 35 | 9 | 36 | 33 | 19 | 21 | 19 | 39 | 35 | 41 | 16 | 21 | 21 | 17 |
| | | | | | | | | | | | | | |
| 14 | 12 | 7 | 10 | 8 | 11 | 7 | 23 | 14 | 21 | 8 | 1 | 10 | 3 |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 390 | 209 | 206 | 163 | 213 | 104 | 123 | 131 | 172 | 201 | 187 | 131 | 116 | 159 |

| 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | |
| 7,503 | 6,064 | 2,785 | 3,396 | 4,791 | 6,093 | 5,976 | 2,726 | 3,621 | 5,214 | 7,643 | 6,793 | 3,078 | |
| | | | | | | | | | | | | | |
| 141 | 97 | 91 | 39 | 63 | 101 | 83 | 60 | 123 | 41 | 83 | 38 | 33 | |
| | | | | | | | | | | | | | |
| 24 | 14 | 21 | 4 | 13 | 14 | 7 | 16 | 15 | 11 | 19 | 12 | 21 | |
| | | | | | | | | | | | | | |
| 27 | 42 | 18 | 13 | 29 | 27 | 14 | 22 | 33 | 17 | 21 | 33 | 13 | |
| | | | | | | | | | | | | | |
| 9 | 8 | 9 | 12 | 10 | 7 | 4 | 9 | 11 | 7 | 5 | 6 | 5 | |
| | | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| 201 | 161 | 139 | 68 | 115 | 149 | 108 | 107 | 182 | 76 | 128 | 89 | 72 | 0 |

| 5/22/09 | Grand Totals |
|---|---|
| | |
| | 210,734 |

| | |
|---|---|
| | |
| | 21,593 |
| | 0 |
| | 9,388 |
| | 0 |
| | 7,329 |
| | 0 |
| | 3,661 |
| | 0 |
| | 0 |
| 0 | 41,971 |

| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Friday, May 15, 2009 10:11:15 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H-1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Hi Denis, Julie, please find CAP reports as of COB yesterday attached. Thanks and have a great weekend! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
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California Service Center

I-129 Cap Report

As of 11 P.M.

| 03/16/09 | | (JULIAN DATE(S)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Dates | Received | 93 | 94 | 95 | 96 | 97 | 100 | 101 | 102 | 103 | 104 | 107 | 108 | 109 | 110 | 111 | 114 | 115 | 116 | 117 | 118 | 121 | 122 | 123 | 124 | 125 | 128 | 129 | 130 | 131 | 132 | 133 |
| Awaiting Data Entry | - Adjust. | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 |
| | | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| H1B CAP | 14,325 | 14,315 | 14,315 | 14,315 | 14,315 | 14,315 | 14,315 | 14,315 | 14,173 | 12,041 | 10,747 | 9,556 | 8,159 | 6,256 | 4,436 | 2,636 | 856 | 617 | 547 | 413 | 311 | 260 | 215 | 180 | 180 | 63 | 26 | 0 | 0 | 0 | 0 |
| H1B Masters | 7,043 | 7,036 | 7,036 | 7,036 | 7,035 | 6,004 | 3,018 | 2,259 | 601 | 527 | 469 | 392 | 254 | 232 | 205 | 157 | 127 | 91 | 79 | 62 | 53 | 51 | 43 | 34 | 34 | 11 | 3 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,953 | 4,668 | 3,543 | 1,967 | 900 | 426 | 395 | 377 | 324 | 289 | 263 | 223 | 216 | 204 | 187 | 170 | 147 | 136 | 120 | 110 | 96 | 89 | 80 | 72 | 60 | 60 | 30 | 12 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,154 | 3,127 | 3,127 | 3,127 | 2,971 | 1,146 | 169 | 151 | 105 | 88 | 85 | 74 | 73 | 68 | 62 | 56 | 49 | 43 | 34 | 31 | 26 | 20 | 19 | 14 | 11 | 11 | 3 | 1 | 0 | 0 | 0 | 0 |
| Totals | 29,475 | 29,144 | 28,021 | 26,425 | 24,822 | 22,922 | 20,963 | 18,661 | 17,201 | 15,147 | 12,916 | 11,513 | 10,217 | 8,665 | 6,737 | 4,865 | 2,989 | 1,162 | 862 | 767 | 597 | 477 | 410 | 344 | 285 | 285 | 107 | 42 | 0 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 |
| Data Entry | Total | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| H1B CAP | 13,795 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 141 | 2,128 | 1,293 | 1,190 | 1,380 | 1,855 | 1,791 | 1,760 | 1,561 | 124 | 66 | 129 | 96 | 45 | 41 | 34 | 0 | 107 | 34 | 26 | 0 | 0 | 0 |
| H1B Masters | 6,853 | 7 | 0 | 0 | 0 | 1 | 949 | 2,258 | 1,592 | 1,646 | 40 | 7 | 27 | 156 | 20 | 21 | 44 | 29 | 33 | 12 | 16 | 5 | 6 | 7 | 9 | 0 | 20 | 6 | 3 | 0 | 0 | 0 |
| H1B CAP - Premium | 4,808 | 207 | 1,109 | 1,565 | 1,428 | 34 | 26 | 11 | 49 | 39 | 19 | 39 | 5 | 12 | 14 | 17 | 10 | 11 | 16 | 10 | 11 | 7 | 7 | 8 | 12 | 0 | 21 | 16 | 0 | 0 | 0 | 0 |
| H1B Masters - Premium | 3,088 | 7 | 0 | 0 | 156 | 1,811 | 973 | 16 | 31 | 8 | 5 | 11 | 0 | 5 | 6 | 6 | 7 | 6 | 9 | 5 | 6 | 6 | 1 | 4 | 5 | 0 | 7 | 2 | 1 | 0 | 0 | 0 |
| Total Data Entered | 28,542 | 309 | 1,109 | 1,565 | 1,584 | 1,846 | 1,948 | 2,294 | 1,632 | 1,834 | 2,190 | 1,350 | 1,222 | 1,553 | 1,895 | 1,835 | 1,816 | 1,607 | 181 | 93 | 160 | 114 | 59 | 60 | 58 | 0 | 155 | 58 | 37 | 0 | 0 | 0 |
| | | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 |
| Pending Rejects (Non Selected) | 0 | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue |
| H1B CAP | 530 | 0 | 0 | 0 | 0 | 0 | 0 | 9 | 0 | 1 | 4 | 1 | 1 | 37 | 28 | 29 | 54 | 219 | 115 | 4 | 5 | 4 | 4 | 4 | 1 | 0 | 10 | 3 | 2 | 0 | 0 | 0 |
| H1B Masters | 190 | 0 | 0 | 0 | 0 | 0 | 2 | 0 | 7 | 12 | 34 | 51 | 50 | 2 | 2 | 0 | 2 | 1 | 4 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 2 | 0 | 0 | 0 | 0 |
| H1B CAP - Premium | 145 | 0 | 14 | 51 | 19 | 40 | 5 | 0 | 4 | 0 | 3 | 1 | 2 | 0 | 3 | 0 | 4 | 0 | 0 | 0 | 3 | 0 | 2 | 0 | 0 | 0 | 9 | 2 | 3 | 0 | 0 | 0 |
| H1B Masters - Premium | 46 | 0 | 0 | 0 | 0 | 14 | 4 | 0 | 17 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 |
| Total Processed | 911 | 0 | 14 | 51 | 19 | 54 | 11 | 9 | 28 | 20 | 41 | 53 | 54 | 39 | 33 | 37 | 60 | 220 | 119 | 4 | 10 | 6 | 6 | 6 | 1 | 0 | 23 | 7 | 5 | 0 | 0 | 0 |

*DID NOT KEY DUE TO IT PROBLEMS

Vermont Service Center
I-129 Cap Report – As of 11:30pm on May 14, 2009

| Days | 4/7/08 | 4/8/08 | 4/9/08 | 4/10/08 | 4/11/08 | 4/12/08 | 4/13/08 | 4/14/08 | 4/15/08 | 4/16/08 | 4/17/08 | 4/18/08 | 4/19/08 | 4/20/08 | 4/21/08 | 4/22/08 | 4/23/08 | 4/24/08 | 4/25/08 | 4/26/08 | 4/27/08 | 4/28/08 | 4/29/08 | 4/30/08 | 5/1/08 | 5/2/08 | 5/3/08 | 5/4/08 | 5/5/08 | 5/6/08 | 5/7/08 | 5/8/08 | 5/9/08 | 5/10/08 | 5/11/08 | 5/12/08 | 5/13/08 | 5/14/08 | 5/15/08 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Service Center VSC | 17952 | 18138 | 18418 | 18958 | 18958 | 18995 | 17995 | 17995 | 17995 | 17922 | 17753 | 17603 | 17553 | 13541 | 11456 | 9780 | 7928 | 6229 | 4560 | 3071 | 1189 | 197 | 58 | 8 | 12 | 58 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B Masters - Service Center VSC | 8670 | 8672 | 8732 | 8780 | 8780 | 8780 | 6178 | 1247 | 2995 | 506 | 19 | 0 | 8 | 3 | 7 | 6 | 45 | 11 | 33 | 13 | 9 | 0 | 1 | 1 | 8 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B CAP - Processing - Service Center VSC | 6691 | 6411 | 5788 | 3277 | 2371 | 147 | 19 | 0 | 25 | 20 | 12 | 3 | 1 | 1 | 36 | 23 | 16 | 11 | 9 | 14 | 9 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| H1B Masters - Processing - Service Center VSC | 2996 | 1491 | 110 | 26 | 10 | 20 | 13 | 6 | 3 | 3 | 6 | 2 | 1 | 19 | 7 | 13 | 2 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| Totals | 36311 | 34994 | 33921 | 31773 | 30177 | 27942 | 25113 | 25349 | 27993 | 20183 | 17830 | 17558 | 17563 | 13564 | 11504 | 9797 | 7990 | 6252 | 4603 | 3117 | 1217 | 205 | 67 | 9 | 13 | 43 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| Informational Count Included in above headings | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Processed with Regular | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 27 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 99 |
| Filings Passed with No Receipts | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 24 | 3 | 0 | 2 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2711 | 2699 | 2112 | 2595 | 1656 | 1832 | 1604 | 1182 | 1771 | 1773 | 1139 | 214 | 111 | 68 | 98 | 117 | 84 | 63 | 121 | | | | | | | | | | | 25849 |
| H1B Masters - Service Center | 0 | 0 | 0 | 0 | 0 | 0 | 2672 | 1724 | 1578 | 1518 | 171 | 17 | 19 | 17 | 17 | 33 | 22 | 68 | 36 | 53 | 35 | 23 | 6 | 9 | 12 | 8 | 13 | 15 | | | | | | | | | | | | | 8091 |
| H1B CAP - Processing - Service Center | 0 | 0 | 954 | 2451 | 849 | 2471 | 876 | 22 | 17 | 26 | 25 | 20 | 17 | 7 | 18 | 20 | 24 | 17 | 10 | 10 | 25 | 23 | 21 | 9 | 27 | 21 | 14 | 20 | 15 | | | | | | | | | | | | | 3706 |
| H1B Masters - Processing - Service Center | 259 | 1513 | 1374 | 26 | 10 | 20 | 22 | 10 | 5 | 19 | 7 | 10 | 8 | 3 | 23 | 13 | 20 | 0 | 2 | 3 | 9 | 6 | 6 | 7 | 3 | 13 | 3 | 6 | 10 | | | | | | | | | | | | | 1570 |
| Totals | 259 | 1513 | 2328 | 2477 | 859 | 2491 | 3570 | 1756 | 2011 | 1564 | 2724 | 2146 | 2156 | 2622 | 1714 | 1898 | 1670 | 1267 | 1819 | 1839 | 1208 | 266 | 144 | 93 | 150 | 161 | 99 | 104 | 146 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 39196 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Service Center | 8 | 13 | 37 | 71 | 72 | 110 | 177 | 181 | 216 | 244 | 287 | 249 | 195 | 154 | 120 | 97 | 54 | 17 | 28 | 47 | 62 | 37 | 33 | 11 | 10 | 6 | 14 | 9 | 14 | | | | | | | | | | | | 1892 |
| Completed Rules | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Service Center | 8 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 48 | 53 | 49 | 107 | 102 | 98 | 113 | 20 | 35 | 17 | 16 | 33 | 31 | 41 | 20 | 12 | 8 | 9 | 3 | 5 | | | | | | | | | | | | 1049 |

**From:** Moulin, Kristen L.
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, May 14, 2009 10:57:51 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H-1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

**From:** Moulin, Kristen L.
**To:** Peck, Denis R.; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 2009 H1B CAP Reports
**Date:** Thursday, May 14, 2009 10:57:51 AM
**Attachments:** VSC H1B Cap Report 2009.xls
CSC H-1B Cap Report 2009.xls
CSC CRIS Rejects.xls

---

Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
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Email kristen.moulin@stanleyassociates.com

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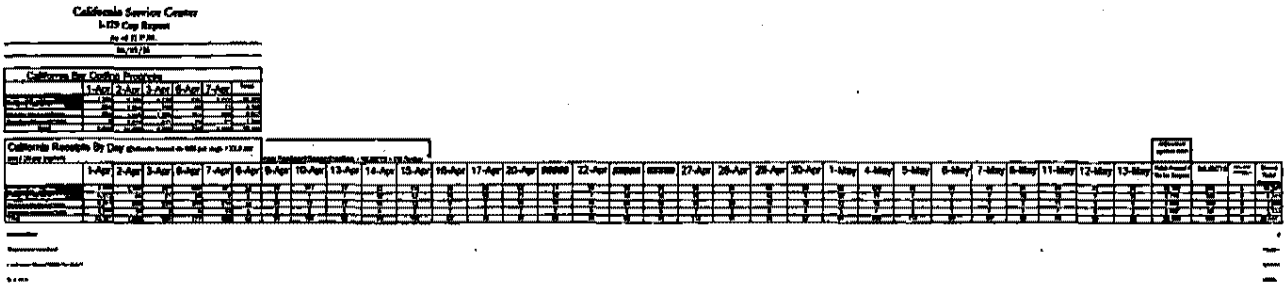
California Service Center
I-129 Cap Report
California Receipts By Day
1-Apr
2-Apr
3-Apr
6-Apr
7-Apr
8-Apr
9-Apr
10-Apr
13-Apr
14-Apr
15-Apr
16-Apr
17-Apr
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24-Apr
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30-Apr
1-May
4-May
5-May
6-May
7-May
8-May
11-May
12-May
13-May

Vermont Service Center

I-129 Cap Report - As of 11:30pm on May 15, 2009

| Dates | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Corner VRN | 17951 | 18130 | 18419 | 18604 | 18604 | 18604 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | 19973 | [redacted] |
| H1B Masters - Stanley Corner VMN | 8070 | 8172 | 8732 | 8739 | 8739 | 8739 | 8178 | 4317 | 2595 | 978 | 79 | 0 | 0 | 3 | 3 | 7 | 8 | 8 | 75 | 11 | 11 | 12 | 0 | 0 | 1 | 1 | 4 | 9 | 7 | 9 | 8070 | 8172 | 8732 | 8739 | 8739 | 8739 | 8178 | 4317 | 2595 | 978 | [redacted] |
| H1B CAP - Presearch - Stanley Corner VRP | 6681 | 6611 | 5716 | 5127 | 5781 | 167 | 79 | 0 | 15 | 10 | 12 | 3 | 3 | 16 | 23 | 15 | 11 | 3 | 14 | 9 | 1 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 6681 | 6611 | 5716 | 5127 | 5781 | 167 | 79 | 0 | 15 | 10 | [redacted] |
| H1B Masters - Presearch - Stanley Corner VMP | 2979 | 1491 | 118 | 30 | 10 | 29 | 13 | 9 | 3 | 3 | 6 | 2 | 1 | 19 | 7 | 14 | 3 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 2979 | 1491 | 118 | 30 | 10 | 29 | 13 | 9 | 3 | 3 | [redacted] |
| Totals | 36171 | 34804 | 32927 | 32123 | 32137 | 27963 | 25512 | 25454 | 23953 | 20152 | 17639 | 15556 | 13453 | 11984 | 8797 | 7996 | 6583 | 4989 | 3117 | 1173 | 175 | 87 | 1 | 12 | 12 | 0 | 0 | 0 | 0 | 0 | 36171 | 34804 | 32927 | 32123 | 32137 | 27963 | 25512 | 25454 | 23953 | 20152 | [redacted] |
| Informational Cases(included in above numbers) | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Petitions Cases Not stored with Stanley | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 13 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 50 |
| Filings Found with No Barcodes | 0 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 24 | 11 | 3 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Data Entred | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Stanley Corner | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2151 | 2095 | 2118 | 2075 | 1856 | 1522 | 1609 | 1092 | 1174 | 877 | 1139 | 211 | 111 | 89 | 48 | 117 | 84 | 82 | [redacted] | 20775 |
| H1B Masters - Stanley Corner | 0 | 0 | 0 | 0 | 0 | 0 | 2012 | 1991 | 1998 | 1918 | 171 | 17 | 18 | 17 | 17 | 22 | 22 | 64 | 26 | 53 | 38 | 23 | 25 | 6 | 9 | 17 | 8 | 11 | [redacted] | 8536 |
| H1B CAP - Presearch - Stanley Corner | 0 | 0 | 904 | 2941 | 546 | 3671 | 809 | 32 | 17 | 26 | 25 | 20 | 17 | 7 | 26 | 30 | 25 | 17 | 10 | 10 | 25 | 25 | 21 | 9 | 27 | 23 | 14 | 29 | [redacted] | 7981 |
| H1B Masters - Presearch - Stanley Corner | 595 | 1512 | 1471 | 55 | 19 | 27 | 32 | 19 | 5 | 19 | 7 | 15 | 9 | 5 | 22 | 13 | 20 | 0 | 2 | 3 | 5 | 5 | 6 | 7 | 2 | 12 | 3 | 6 | [redacted] | 2569 |
| Totals | 595 | 1512 | 2375 | 2996 | 565 | 3698 | 2853 | 2042 | 2021 | 1963 | 2354 | 2127 | 2162 | 2104 | 1921 | 1587 | 1676 | 1173 | 1212 | 943 | 1207 | 264 | 163 | 104 | 86 | 169 | 109 | 128 | [redacted] | 40061 |
| Identified Pending Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Corner | 9 | 15 | 57 | 72 | 72 | 118 | 137 | 121 | 216 | 244 | 257 | 249 | 195 | 134 | 120 | 97 | 54 | 17 | 20 | 52 | 82 | 57 | 23 | 11 | 10 | 6 | 11 | 5 | [redacted] | 2000 |
| Completed Reports | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Stanley Corner | 0 | 0 | 0 | 0 | 0 | 13 | 72 | 77 | 69 | 68 | 53 | 69 | 107 | 102 | 68 | 113 | 30 | 13 | 17 | 16 | 33 | 11 | 13 | 10 | 11 | 8 | 9 | 3 | [redacted] | 1063 |

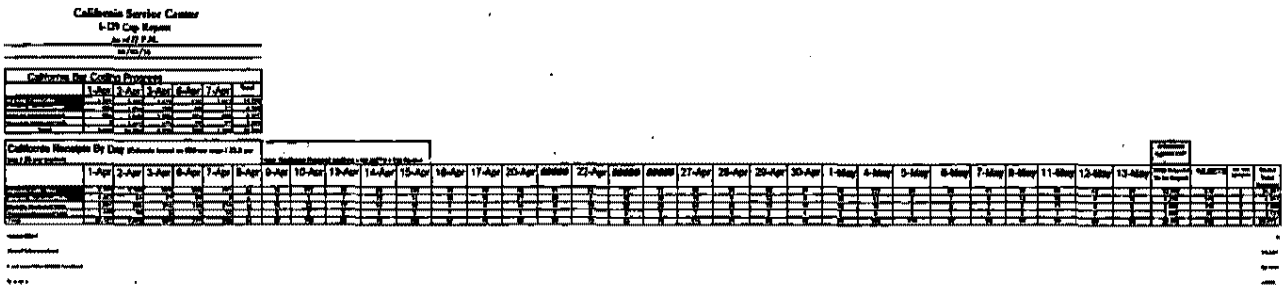
| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 14, 2009 10:57:51 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H-1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Wor[redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com



| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 14, 2009 10:57:51 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H-1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

---

Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted]
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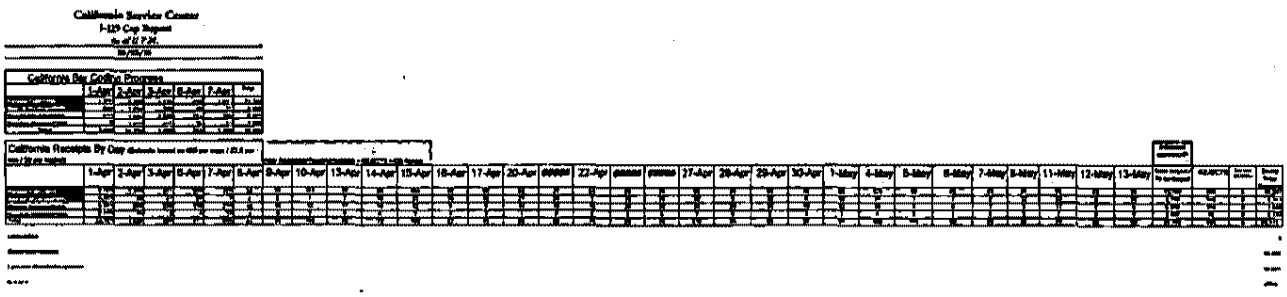
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

www.stanleyassociates.com

Vermont Service Center

I-129 Cap Report – As of 11:30pm on May 13, 2009

| Days | 4/7/09 | 4/8/09 | 4/9/09 | 4/10/09 | 4/11/09 | 4/12/09 | 4/13/09 | 4/14/09 | 4/15/09 | 4/16/09 | 4/17/09 | 4/18/09 | 4/19/09 | 4/20/09 | 4/21/09 | 4/22/09 | 4/23/09 | 4/24/09 | 4/25/09 | 4/26/09 | 4/27/09 | 4/28/09 | 4/29/09 | 4/30/09 | 5/1/09 | 5/2/09 | 5/3/09 | 5/4/09 | 5/5/09 | 5/6/09 | 5/7/09 | 5/8/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 17912 | 18350 | 18615 | 19076 | 19076 | 19095 | 19307 | 19507 | 19638 | 19753 | 17492 | 15353 | 13441 | 11494 | 9750 | 7973 | 6324 | 4980 | 3973 | 3149 | 193 | 48 | 8 | 13 | 28 | 0 | 0 | 6 | | | | | | | |
| H1B Masters - Regular Cases | 8699 | 9172 | 8723 | 8778 | 8780 | 8789 | 6178 | 4247 | 3295 | 398 | 19 | 0 | 0 | 3 | 7 | 5 | 15 | 11 | 21 | 12 | 0 | 0 | 1 | 1 | 4 | 0 | 0 | 0 | | | | | | | |
| H1B CAP - Premium - Regular Cases | 4491 | 4411 | 3748 | 3387 | 3781 | 167 | 19 | 0 | 23 | 30 | 13 | 3 | 3 | 36 | 23 | 19 | 11 | 9 | 14 | 9 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| H1B Masters - Premium - Regular Cases | 2978 | 1491 | 119 | 20 | 19 | 20 | 13 | 0 | 3 | 5 | 4 | 2 | 1 | 19 | 7 | 15 | 3 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | |
| Totals | 36151 | 34991 | 33917 | 30773 | 30177 | 27961 | 25512 | 23857 | 23057 | 20153 | 17528 | 15358 | 13453 | 11561 | 9787 | 7968 | 6353 | 5001 | 4137 | 3171 | 195 | 47 | 7 | 13 | 32 | 0 | 0 | 0 | 0 | 0 | | | | | |
| Informational Consideration or others awaiting | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases Not entered with Receipts | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 27 | 18 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | 86 |
| Filings Pended with Pre Receipts | 5 | 1 | 0 | 0 | 13 | 1 | 0 | 0 | 21 | 21 | 3 | 3 | 2 | 5 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | 75 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 2069 | 2112 | 2073 | 1856 | 1825 | 1654 | 1342 | 1178 | 1273 | 1187 | 213 | 111 | 88 | 48 | 117 | 89 | 63 | | | | | | | | 20725 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 2693 | 1971 | 1798 | 1918 | 173 | 37 | 18 | 17 | 17 | 33 | 22 | 68 | 38 | 32 | 19 | 33 | 22 | 6 | 0 | 17 | 9 | 11 | | | | | | | | 9770 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 894 | 1961 | 598 | 3171 | 398 | 32 | 67 | 56 | 29 | 30 | 17 | 3 | 28 | 30 | 34 | 17 | 17 | 18 | 23 | 83 | 6 | 0 | 27 | 23 | 14 | 20 | | | | | | | | 7881 |
| H1B Masters - Premium - Regular Cases | 378 | 1513 | 1274 | 34 | 19 | 23 | 22 | 13 | 8 | 10 | 7 | 13 | 0 | 5 | 23 | 13 | 20 | 0 | 2 | 2 | 9 | 0 | 0 | 7 | 2 | 13 | 5 | 6 | | | | | | | | 1589 |
| Totals | 378 | 1513 | 2168 | 2000 | 617 | 3194 | 3113 | 2033 | 1874 | 2084 | 2330 | 2149 | 2147 | 2098 | 1924 | 1901 | 1730 | 1527 | 1235 | 1325 | 1238 | 329 | 139 | 101 | 77 | 170 | 117 | 100 | 0 | 0 | | | | | | 40025 |
| Identified Problem Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 5 | 17 | 27 | 71 | 72 | 218 | 157 | 121 | 216 | 229 | 257 | 279 | 195 | 154 | 120 | 97 | 58 | 37 | 38 | 43 | 63 | 87 | 32 | 11 | 19 | 8 | 14 | 6 | | | | | | | | 2466 |
| Completed Reads | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 0 | 0 | 0 | 0 | 12 | 73 | 77 | 69 | 18 | 13 | 27 | 177 | 193 | 89 | 113 | 59 | 53 | 17 | 16 | 33 | 31 | 21 | 39 | 13 | 8 | 0 | 3 | | | | | | | | 1063 |



| | |
|---|---|
| **From:** | Moulin, Kristen L. |
| **To:** | Peck, Denis R; Shiflett, Julie M |
| **Cc:** | Peacock, Walter W. |
| **Subject:** | 2009 H1B CAP Reports |
| **Date:** | Thursday, May 14, 2009 10:57:51 AM |
| **Attachments:** | VSC H1B Cap Report 2009.xls<br>CSC H-1B Cap Report 2009.xls<br>CSC CRIS Rejects.xls |

Denis, Julie, please find the CAP reports as of COB yesterday attached. Thanks! Kristen

Kristen Moulin
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
6363 Walker Lane, Suite 401
Alexandria, VA 22310
Work [redacted] (b)(6)
Fax 703-535-5065
Cell [redacted]
Email kristen.moulin@stanleyassociates.com

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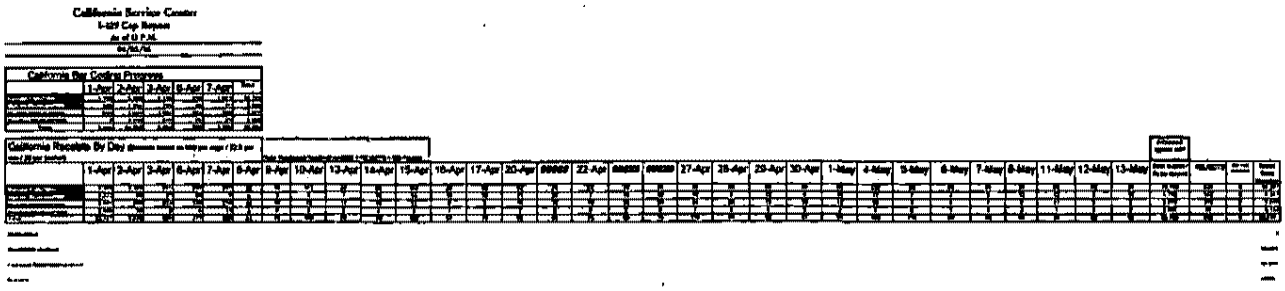

Vermont Service Center

I-129 Cap Report ~ As of 11:30pm on May 13, 2009

| Dates | 5/7/09 | 5/8/09 | 5/9/09 | 5/10/09 | 5/11/09 | 5/12/09 | 5/13/09 | 5/14/09 | 5/15/09 | 5/16/09 | 5/17/09 | 5/18/09 | 5/19/09 | 5/20/09 | 5/21/09 | 5/22/09 | 5/23/09 | 5/24/09 | 5/25/09 | 5/26/09 | 5/27/09 | 5/28/09 | 5/29/09 | 5/30/09 | 5/31/09 | 6/1/09 | 6/2/09 | 6/3/09 | 6/4/09 | 6/5/09 | 6/6/09 | 6/7/09 | 6/8/09 | 6/9/09 | 6/10/09 | 6/11/09 | 6/12/09 | 6/13/09 | 6/14/09 | 6/15/09 | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Pending Data Entry | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases VRP4 | 19953 | 18139 | 18419 | 19604 | 19978 | 19995 | 19997 | 19997 | 19623 | 19739 | 17003 | 15950 | 13441 | 11076 | 8730 | 7228 | 6324 | 5260 | 3971 | 3109 | 595 | 98 | 6 | 13 | 23 | 2 | 0 | 0 | 0 | | | | | | | | | | |
| H1B Masters - Regular Cases VRP5 | 8670 | 8672 | 8723 | 8790 | 8790 | 8790 | 8178 | 4247 | 2267 | 329 | 79 | 0 | 0 | 1 | 1 | 1 | 0 | 11 | 13 | 11 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B CAP - Premium - Regular Cases VRP | 1671 | 6811 | 5798 | 3137 | 1721 | 167 | 13 | 0 | 23 | 20 | 12 | 3 | 3 | 36 | 23 | 18 | 11 | 9 | 14 | 9 | 1 | 9 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| H1B Masters - Premium - Regular Cases VRP6 | 2998 | 1491 | 118 | 31 | 10 | 30 | 15 | 0 | 1 | 1 | 0 | 1 | 1 | 10 | 7 | 13 | 2 | 0 | 1 | 1 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | | | | | | | | | | | | |
| Totals | 33151 | 34894 | 33957 | 33733 | 30177 | 27982 | 28113 | 24349 | 21993 | 20152 | 17453 | 15954 | 13453 | 11164 | 8797 | 7260 | 6347 | 5280 | 3999 | 3119 | 1172 | 109 | 67 | 7 | 12 | 47 | 0 | 0 | 0 | 0 | 0 | | | | | | | | |
| Advanced Cases Identified in above numbers | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Premium Cases like served with Regular | 9 | 0 | 0 | 0 | 0 | 0 | 0 | 37 | 15 | 7 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 90 |
| Pilots Piqued with the Barcodes | 0 | 1 | 0 | 0 | 15 | 1 | 0 | 0 | 21 | 21 | 3 | 3 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 71 |
| Data Entered | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| H1B CAP - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 2121 | 2049 | 2112 | 2015 | 1650 | 1522 | 1095 | 1193 | 1079 | 1078 | 1150 | 214 | 111 | 98 | 48 | 117 | 89 | 68 | | | | | | | | | | | | | 20773 |
| H1B Masters - Regular Cases | 0 | 0 | 0 | 0 | 0 | 0 | 8092 | 1921 | 1998 | 1218 | 171 | 57 | 18 | 17 | 17 | 58 | 33 | 68 | 38 | 33 | 34 | 25 | 23 | 6 | 8 | 17 | 1 | 11 | | | | | | | | | | | | | 8796 |
| H1B CAP - Premium - Regular Cases | 0 | 0 | 504 | 2491 | 546 | 2473 | 376 | 33 | 17 | 26 | 25 | 30 | 17 | 3 | 28 | 30 | 34 | 17 | 19 | 18 | 25 | 28 | 23 | 9 | 17 | 11 | 14 | 10 | | | | | | | | | | | | | 7091 |
| H1B Masters - Premium - Regular Cases | 899 | 1113 | 1271 | 36 | 10 | 23 | 12 | 18 | 8 | 10 | 7 | 13 | 8 | 3 | 12 | 14 | 20 | 0 | 2 | 3 | 9 | 8 | 6 | 7 | 8 | 12 | 4 | 0 | | | | | | | | | | | | | 1560 |
| Totals | 899 | 1113 | 1775 | 2527 | 556 | 2496 | 8480 | 1972 | 2024 | 1254 | 2324 | 2149 | 2155 | 2038 | 1707 | 1624 | 1182 | 1286 | 1138 | 1132 | 1218 | 275 | 163 | 120 | 81 | 157 | 108 | 89 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 37324 |
| Identified Premium Receipts | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 0 | 35 | 27 | 73 | 72 | 118 | 172 | 151 | 218 | 248 | 257 | 249 | 195 | 134 | 120 | 97 | 58 | 17 | 20 | 42 | 62 | 37 | 11 | 11 | 10 | 6 | 14 | 7 | | | | | | | | | | | | | 1954 |
| Completed Cases | Tue | Wed | Thu | Fri | Sat | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Mon | Tue | Wed | Thu | Fri | Total |
| Selected - Regular Cases | 8 | 0 | 0 | 0 | 0 | 12 | 73 | 77 | 89 | 98 | 53 | 89 | 107 | 102 | 88 | 112 | 89 | 33 | 17 | 16 | 33 | 81 | 41 | 90 | 11 | 8 | 0 | 3 | | | | | | | | | | | | | 1062 |

# Documents from Dennis Peck

# FY10 H1B Related

**From:** Manahan, Lisa F
**To:** Shiflett, Julie M; Summers, Janice D
**Cc:** Peck, Denis R
**Subject:** FW: CAP CDR
**Date:** Tuesday, May 26, 2009 2:14:55 PM
**Attachments:** CDR Form#10.doc
CDR#10.doc
CDR DATA (2).xls
CDR #10 Cover Memo.doc

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I recommend a CDR be issued for 44 H1B Cap cases that were accepted in error. This resulted in refunding approximately $93,000.

Lisa F. Manahan
Assistant Center Director Records/COTR
Vermont Service Center
Phone [redacted] (b)(6)

**U.S. Department of Homeland Security**
Vermont Service Center
75 Lower Welden Street
St. Albans, VT 05479-0001

**U.S. Citizenship and Immigration Services**

# Interoffice Memorandum

To: Heidi M. Salter, Contract Specialist
DHS, USCIS – Contracting Officer

Through: Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS

From: Lisa Manahan
Assistant Center Director Records/On-Site COTR
Vermont Service Center

Date: May 26, 2008

Re: Contract Discrepancy Report – VSC-09-010

Please review the attached CDR. The contractor accepted forty-four H1B Cap filings in error. These filings should have been rejected due to incorrect start dates (dates prior to 10/1/09). As the result of these errors the Vermont Service Center had to refund close to $93,000. See attached documentation.

(b)(6)

| EAC# | DATE | VSC-09-010 DIRECTIVE | CLASS | REASON | FEE PAID |
|---|---|---|---|---|---|
| | 3/25/2009 | MANDY | HIB | CAP CASE -VALIDITY DATES | $1,570.00 |
| | 3/25/2009 | PAM B | HIB | CAP CASE -FILED TOO LATE | $1,570.00 |
| | 3/25/2009 | MANDY | HIB | CAP CASE- VALIDITY DATES | $1,570.00 |
| | 4/2/2009 | MACK | H1B | CAP CASE VALIDITY DATES | $820.00 |
| | 4/6/2009 | in work p/p | H1B | CAP CASE VALIDITY DATES | $2,570.00 |
| | 4/20/2009 | on desk | H1B | prior to 10/1/2009 | $1,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $1,820.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 4/29/2009 | TANYA | H1B | prior to 10/1/2009 | $3,320.00 |
| | 5/12/2009 | TANYA | H1B | more than 6months -too early | $2,320.00 |
| | 5/12/2009 | TANYA | H1B | more than 6months -too early | $2,320.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $2,320.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $2,320.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $2,570.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $1,570.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $1,570.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $1,570.00 |
| | 5/12/2009 | TANYA | H1B | taken in error-too early | $1,570.00 |
| | 5/12/2009 | TANYA | HIB | taken in error-too early | $2,320.00 |
| | 5/12/2009 | KATIE | H1B | too early-bounced checks | $2,320.00 |
| | 5/26/2009 | TANYA | HIB | Prior to 10/1/2009 | $2,320.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $820.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $2,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $2,320.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | 5/26/2009 | TANYA | H1B | prior to 10/1/2009 | $1,570.00 |
| | | | | | |
| | | | | | |
| | | | | | $92,330.00 |
| | | | | | |
| | | | | | |

VSC-09-010

As of May 22nd the Records unit at the Vermont Service Center has processed forty four refunds on CAP filings that were taken in error. All forty four of the filings had start dates prior to 10/1/09, therefore should not have been accepted.

These cases were data entered before the errors were discovered, therefore the applicants received a receipt notice and in some cases a final action was granted. This causes unnecessary confusion for the applicants, their cases end up needing to be administratively closed and there monies are returned at a later date by the Burlington Finance Center.

As a result of these errors, the Vermont Service Center has had to refund close to $93,000. Attached you will find an excel spreadsheet containing the receipt numbers and the amount refunded for each filing.

**From:** Richardson, Gregory A
**To:** Arroyo, Susan K; Davis, Marla J
**Cc:** Kruszka, Robert F; Velarde, Barbara Q; Cummings, Kevin J; Young, Claudia F; Peck, Denis R; Christian, Bryan P
**Subject:** FW: Updates for the April 2009 Operational Overview Binder - DOMO
**Date:** Thursday, April 30, 2009 1:51:58 PM
**Attachments:** Pages from USCIS_Operational_Overview_March_27_2009_MILNATZ.pdf
Pages from USCIS_Operational_Overview_March_27_2009_H-1B.pdf
Pages from USCIS_Operational_Overview_March_27_2009_I-551.pdf
H-1B Section sas edits.doc
**Importance:** High

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Susan,

SCOPS reviewed and no updates needed on the USCIS Operational Overviews on I-551 and Military Natz. **Please updates for H1B (word doc).**

Thank you,

Greg Richardson
Chief of Staff SCOPS

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**From:** Young, Claudia F
**Sent:** Thursday, April 30, 2009 11:20 AM
**To:** Arroyo, Susan K; Davis, Marla J
**Cc:** Cummings, Kevin J; Richardson, Gregory A
**Subject:** Updates for the April 2009 Operational Overview Binder - DOMO
**Importance:** High

Susan and Marla,
Please find attached the edits for the H1B.
Thanks,
Claudia

Claudia F Young
Branch Chief (Business Operations)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

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This email and any attachments are to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO. This information shall not be distributed beyond the original addressees without prior authorization of the originator.

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**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Wednesday, April 29, 2009 4:33 PM

**To:** Richardson, Gregory A; Young, Claudia F; Cummings, Kevin J
**Cc:** Kruszka, Robert F; Velarde, Barbara Q
**Subject:** RE: Updates for the April 2009 Operational Overview Binder - DOMO

Greg,

I reviewed the H1B and Dee and I both reviewed the MILNATAZ. No comments for changes to MILNATZ>

For H1B, no specific changes. My general comment would be that the language is accurate for years before 2009. It is not current with this year's filing numbers. If they want to have an overview completely up to date they may want to adjust some of the language in that regard. (The CAP is routinely exhausted well before the end of the fiscal year....usually within the first few days....etc.)

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
(b)(6) 20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted]
202-272-1542 FAX

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**From:** Christian, Bryan P
**Sent:** Tuesday, April 28, 2009 11:55 AM
**To:** Arroyo, Susan K
**Cc:** Kruszka, Robert F; Richardson, Gregory A; Davis, Marla J
**Subject:** FW: Updates for the April 2009 Operational Overview Binder - DOMO

Susan,

SCOPS has no updates on the I-551 piece for the Operational Binder (please see below). I've asked another of my team members to take a look at the Military Natz piece, and I'll get you his answer as soon as possible.

Bryan P. Christian
Branch Chief, Adjustment and Naturalization
USCIS Office of Service Center Operations
(b)(6) [redacted]
Bryan.Christian@dhs.gov

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**From:** Richardson, Gregory A
**Sent:** Tuesday, April 28, 2009 9:51 AM
**To:** 'Peck, Denis R'; Young, Claudia F; Cummings, Kevin J
**Cc:** Kruszka, Robert F; Velarde, Barbara Q
**Subject:** FW: Updates for the April 2009 Operational Overview Binder - DOMO
**Importance:** High

Claudia, Denis, and Kevin:

DUE by Thursday, April 30, 2009:

Please review the USCIS Operational Overview (H1B and Military Natz) and provide any necessary comments/edits(updates).

Thank you,

Greg Richardson
Chief of Staff SCOPS

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**From:** Arroyo, Susan K
**Sent:** Tuesday, April 28, 2009 8:20 AM
**To:** Kruszka, Robert F; Richardson, Gregory A; Cummings, Kevin J; Krebs, Kristie; Mura, Elizabeth E; Howie, Craig S; Zaragoza, Conrad J; Hernandez, Efren
**Cc:** Velarde, Barbara Q; Bulger, Jack M; Sahli, Evelyn R; Davis, Marla J; Rogers, Debra A
**Subject:** FW: Updates for the April 2009 Operational Overview Binder - DOMO
**Importance:** High

Good Morning Everyone,

We need to update the Operational Binder. Please review and provide any updates to Marla and me by COB, Thursday, April 30th. If no update is needed please provide a negative response.

THANKS!

Susan

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**From:** Bentley, Christopher S
**Sent:** Tuesday, April 28, 2009 7:24 AM
**To:** Neufeld, Donald; Rogers, Debra A; Arroyo, Susan K; Davis, Marla J
**Cc:** Ash, Matthew L; Alfonso-Royals, Angelica M
**Subject:** Updates for the April 2009 Operational Overview Binder - DOMO

Don, Debbie, Susan, Marla –

The Office of Communications has assumed responsibility for compiling the USCIS Operational Overview Binder from the GMOU team. We are requesting your assistance to complete this document in a timely manner for review by senior management.

Can you please provide OCOMM with updates for the attached documents by the end of the week? Please review the information attached and reply to the Operational Overview mailbox with any edits to the material.

Thank you very much for your cooperation.

Respectfully, Chris

**Christopher S. Bentley**
Acting Chief
Office of Communications
U.S. Citizenship and Immigration Services
Department of Homeland Security
(b)(6) [redacted]

# Documents from Dennis Peck

# FY10 H1B Related

DATABASICS

**Timesheet Report**

Run Date/Time: 06/07/2009 04:18 PM

Employee: [234989] Wilkison, Lori — Period From: 03/14/2009 To: 03/27/2009 — Status: Approved
Entity Code: NGTSI — Location: Laguna Niguel - 24000 Avila Ro — Validation: Passed
Cost Center: CIS SSC STANELY OH — Function: Default — Date/Time: 03/27/2009 04:04 PM
Employee Type: Hourly Full Time — Exempt: No

| ID | TC | Network/Order | Activity | Job Code | Stat Order | Cost Center | SAT | SUN | MON | TUE | WED | THU | FRI | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | REG | TB4174988 | N/A | N/A | N/A | TB573A | | | | | | | | |
| ✓ | REGULAR PAY> *CA Ops Yr 1 Dec Abv Pte | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 8.00 | 40.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 2.50 | 8.00 | 8.00 | 34.50 |
| | | | | | | Total per Line: | | | | | | | | 74.50 |
| 2 | VAC | N/A | N/A | N/A | N/A | TB573A | | | | | | | | |
| ✓ | VACATION | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Total per Line: | | | | | | | | 0.00 |
| | | | | | | Totals for Week: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 8.00 | 40.00 |
| | | | | | | Totals for Week: 03/21/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 8.00 | 40.00 |
| | | | | | | Total per Timesheet: | | | | | | | | 80.00 |

**Timesheet Summary**

| Time Code | Total |
|---|---|
| [REG] REGULAR PAY | 74.50 |
| [VAC] VACATION | 5.50 |

**How to interpret the report:** The Timesheets for each randomly selected employee are verified to ensure only Fileroom Operation hours are counted and compared to the hours billed in the Fileroom Invoice.

(b)(6)

DATABASICS

Timesheet Report

Run Date/Time: 03/27/2009 04:16 PM

Employee: [234892] Williston, Lori
Entity Code: NGTSI
Cost Center: CIS SSC STANELY ON
Employee Type: Hourly Full Time

Period From: 03/14/2009 To: 03/27/2009
Location: Laguna Niguel - 24000 Avila Rd
Function: Default
Exempt: No

Status: Approved
Validation: Passed
Date/Time: 03/27/2009 04:04 PM

| ID | TC | Activity Code | Activity | Job Code | Shop Code | Cost Center | SAT | SUN | MON | TUE | WED | THU | FRI | TOTAL |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | REG | TB417489 | N/A | | N/A | TBS73A | | | | | | | | |
| ✓ | [REGULAR PAY]=CA Opt Yr 1 Case Mgr Rte | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 7.50 | 8.00 | 8.00 | 8.00 | 8.00 | 4.00 | 43.50 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 1.00 | 8.00 | 8.00 | 2.00 | 8.00 | 8.00 | 31.00 |
| | | | | | | Total per Line: | | | | | | | | 74.50 |
| | VAC | N/A | N/A | N/A | N/A | TBS73A | | | | | | | | |
| ✓ | VACATION | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5.00 | 5.00 |
| | | | | | | Total per Line: | | | | | | | | 5.00 |
| | | | | | | Totals for Week: 03/14/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 43.50 |
| | | | | | | Totals for Week: 03/21/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 5.00 | 36.00 |
| | | | | | | Total per Timesheet: | | | | | | | | 79.50 |

Timesheet Summary

| Time Code | Total |
|---|---|
| [REG] REGULAR PAY | 74.50 |
| [VAC] VACATION | 5.00 |

**Additional Comments:** None.

## I-129 H1B CRIS (CAP Receipt Information System) Database:

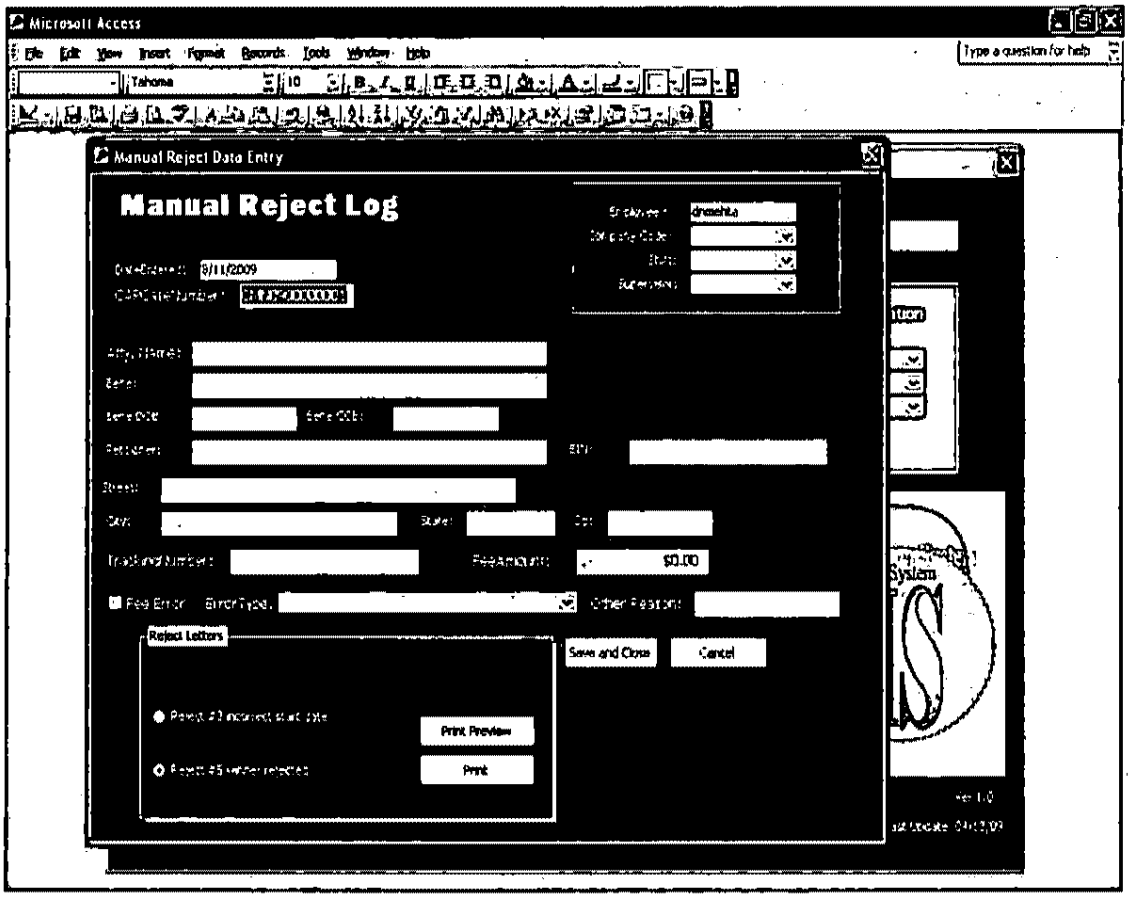
**Purpose of Report:** The CRIS database was designed to aid the California Service Center (CSC) in the tracking and processing of H1B CAP cases. The CRIS database is an Access database that require the Contractor to input the RNG number and/or receipt number of the respective H1B CAP case and input the H1B cap case data information such as petitioner, attorney and beneficiary name, address, DOB, COB, EIN number and reason for rejection when rejecting the H1B cap cases. CRIS information is also used to respond to the inquiries from the petitioner and the attorneys. The database has a search capability to search for a H1B cap case by CAP number, petitioner/beneficiary's name and box number etc. The database has capability to produce reject and/or acknowledgement letters.

**Type of report:** Database.

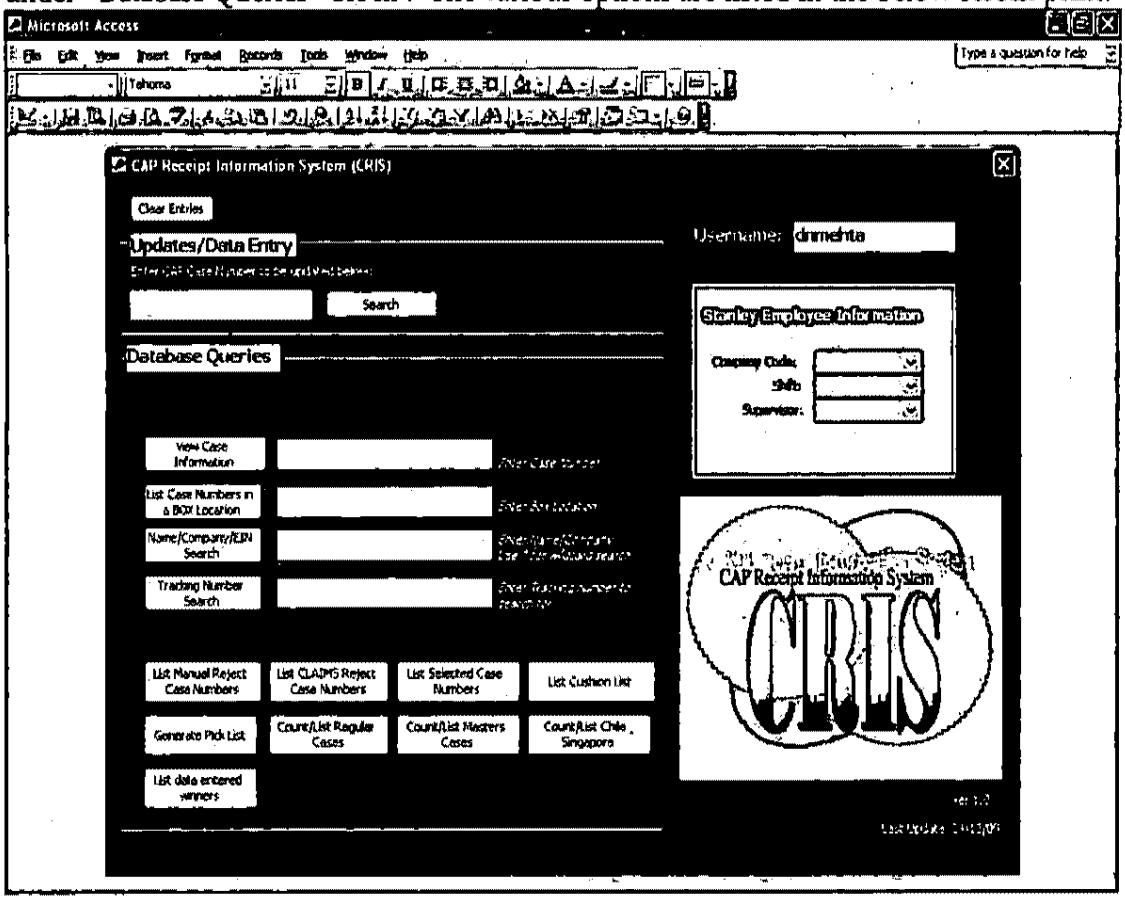
**Report Name/number:** CSC- CRIS

**Frequency:** Daily during the H1B CAP open season.

**How to print the report:** The contractor will maintain the RNG lottery CAP number information and the other case information into CRIS database to ensure that all H1B CAP cases received at CSC are accounted for. The information relating to the rejected cap cases is entered into CRIS database. The Contractor selects the appropriate reject letter stored in the CRIS database and then prints the reject letter by clicking the print button.



**How to interpret the database:** The CAP case number information is updated in "Updates/Data Entry block and various queries are performed by selecting the fields listed under "Database Queries" block . The various options are listed in the below screen print.




**Additional Comments:** The CRIS database can import and export data as necessary. The administrators have a capability to control the data and protect the database by restricting and/or granting permissions, such as read/write or read only access. This database can be upgraded and managed without interrupting users. This database can be utilized by multiple users. This CRIS database has features to run automated queries to list non-selected, winners, masters, regular cap and PP cases and to produce Pick-lists with Box locations. The database has the flexibility for administrators to customize additional queries as needed. This database can be used as a workflow management tool by USCIS and the contractor.

## JIT Report:

**Purpose of Report:** The JIT Report was created to enable Adjudications management to view pending file counts on the file room shelves on a weekly or daily basis. The JIT report is an Access database that requires the contractor to maintain RPC code descriptions of what is currently on the shelves and staging areas in the file room. The database will group RPC codes with like descriptions and produce a count.

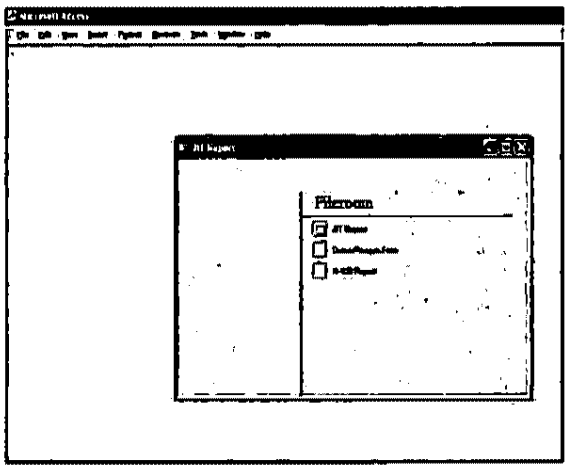
**Type of report:** Database.

**Report number:** CSC-1

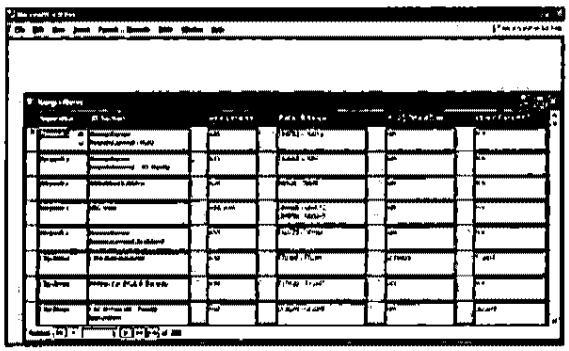
**Frequency:** Weekly (Tuesday).

**How to print the report:** The contractor will maintain the RPC code tables in the JIT report database to ensure the RPC descriptions are accurate and current. The contractor will run the JIT report and access the reports tab to generate the report. The JIT report will be emailed every Tuesdays to the designated ACDS and Records employees in the center.

**JIT Report Entry**

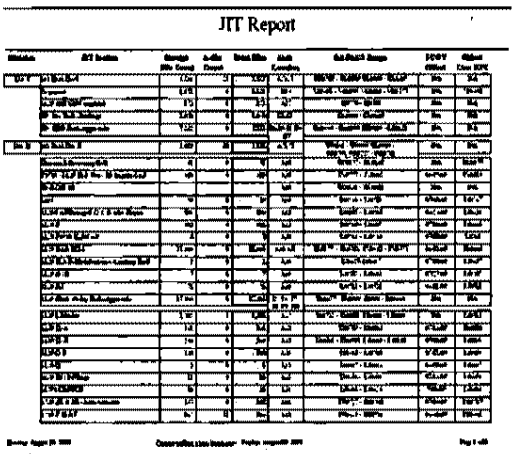



**RPC Maintenance by Supervisor**



**How to interpret the report:** This report shows file counts grouped by RPC description. The report will display a receipt file count, and A-file count and a total file count for the RPC. The RPC descriptions are grouped by the Division that process the work.

**Sample of Finished JIT Report**


JIT Report

**Additional Comments:** The database needs to be monitored to ensure it is up to date and accurate. The JIT report database will also update and Excel spreadsheet on the common drive that has file counts for every RPC in the center. This report can be used as a workflow management tool by USCIS and the contractor.

## Duplicate Receipt Notices:

**Purpose of Report:** The Duplicate Receipt Notice database was created to enable the contractor to print duplicate notices upon request. When Adjudications or Records receives a request for a duplicate notice, the receipt number is updated on a designated spreadsheet on the common drive. Each evening on second shift, the contractor will run the duplicate receipt notice database which will access the receipt numbers in the spreadsheet, query the number against CLAIMS 3 and generate the notices. Once all the receipt notices have been printed and verified, the receipt numbers on the spreadsheet on the common drive can be deleted. Receipt notices that are not generated through claims will need to be keyed manually using the templates in the database

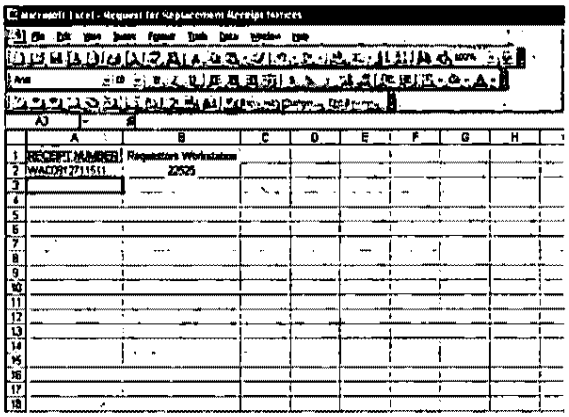
**Type of report:** Database.

**Report number:** CSC-2

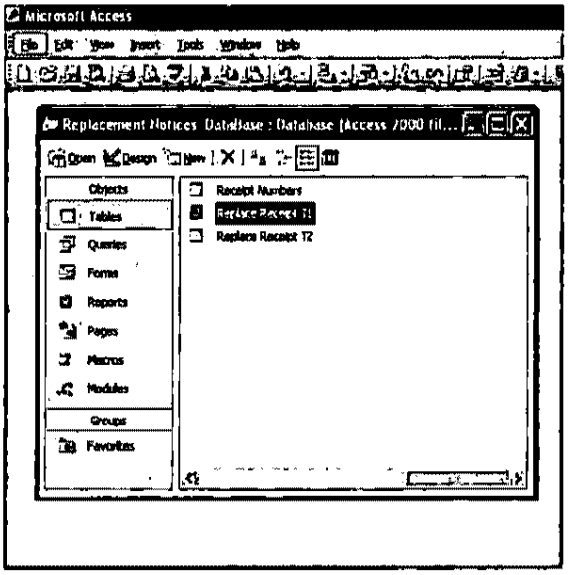
**Frequency:** Daily.

**How to print the report:** The contractor will access the Duplicate Receipt Notice database on the common drive and select run. Verify the number of notices matches the number of receipt numbers in the spreadsheet on the common drive. There may be additional receipt notices if there is a G28.

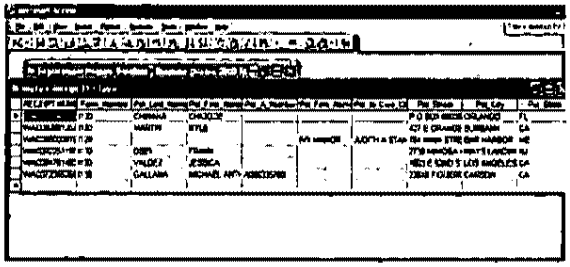
**Spreadsheet Listing Receipt Numbers**




**Duplicate Receipt Notice Database**




**Duplicate Receipt Notice Receipt Number Entry**



**How to interpret the report:** This database uses templates of receipt notices in the reports tab of the database to generate the notices. The templates will need to be updated from time to time depending on changes from USCIS.

**Additional Comments:** The database needs to be monitored to ensure templates are up to date and the contractor is correctly generating the notices.

## Closed File Verification Report:

**Purpose of Report:** The Closed File Verification Report (CFV) was created to enable the identification of open cases prior to them being shipped to file storage facilities. The CFV report is an Access database that requires the contractor to maintain RPC code descriptions (referred to as "box" codes) for boxes of adjudicated files that have been prepared for shipment. The database will identify open cases within each "box code" so that they may be removed and properly updated prior to shipment.

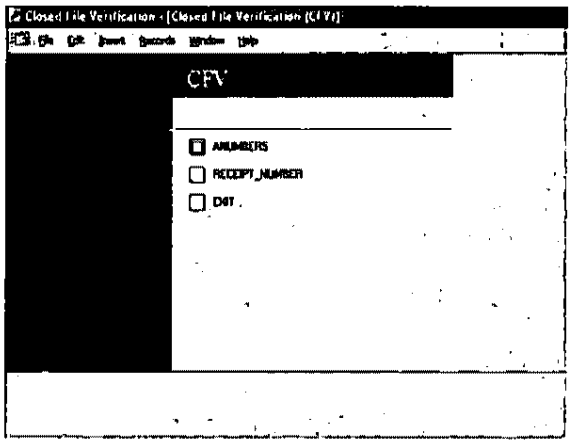
**Type of report:** Database.

**Report number:** CSC-3

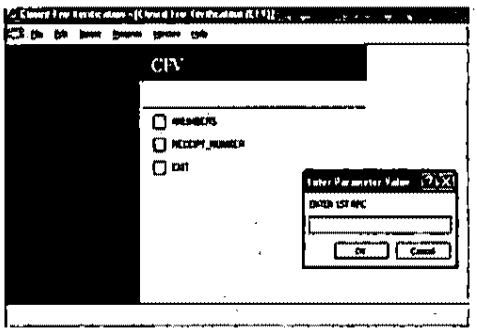
**Frequency:** Each time a full pallet of boxed approved cases is prepared and daily for denied cases.

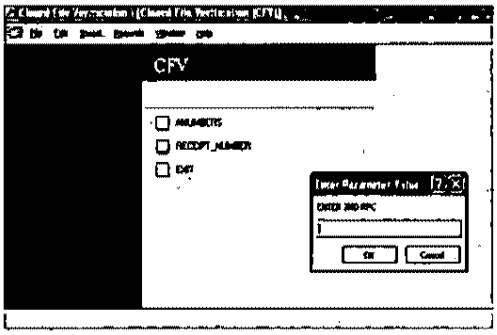
**How to print the report:** The contractor will reconcile the RPC codes for each box to ensure that no files are charged to that RPC prior to placing files in the box. The contractor then enters the RPC range into the CFV database which generates the CFV report. The report will be printed and used as a manifest to remove the listed files from their boxes.

**Closed File Verification Database**



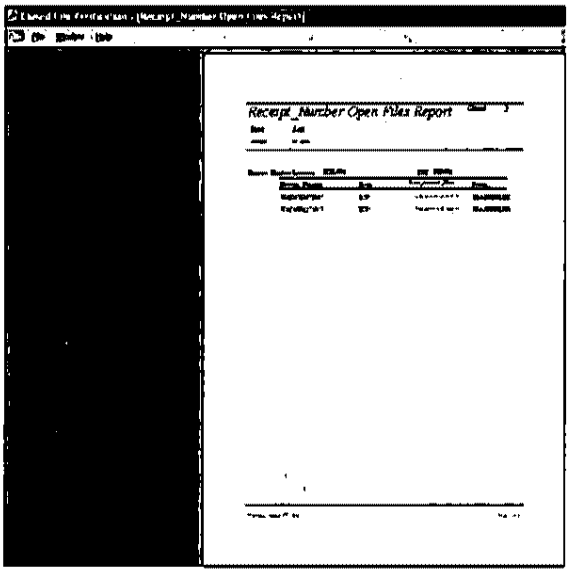
**Entering RPC Ranges into the Database**




**How to interpret the report:** This report shows open files grouped by RPC description (box). The report will display the receipt or A-File number, the Form type, the last active date, and status. The files are pulled from the RPC/box and returned to the appropriate division for action.

**Final Closed File Verification Report**




**Additional Comments:** The box codes need to be monitored to ensure that each is properly reconciled after each use.

## CSC Backlog Reduction Fact Worksheet:

**Purpose of Report:** The CSC Backlog Reduction Report was created to enable the contractor to accurately estimate the amount of time and number of resources needed to reduce their backlogs. This report is an Excel spreadsheet that requires the contractor to accurately account for their pending backlog counts, oldest processing dates, anticipated incoming volumes, and number of available resources. In addition to this, targeted completion dates for brining these areas into compliance are provided.

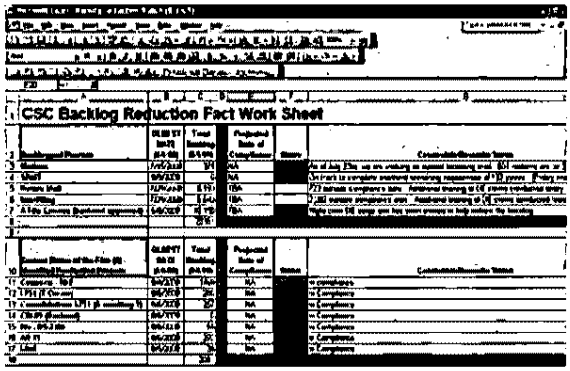
**Type of report:** Spreadsheet

**Report number:** CSC-4

**Frequency:** Submitted to COTR every Thursday night

**How to print the report:** The contractor maintains this spreadsheet on the common drive.

**CSC Backlog Reduction Fact Worksheet**




**How to interpret the report:** This report tracks backlogged processes, oldest dates, total backlog volume, projected date of compliance, and status. The top five areas of concern are indicated at the bottom of this report.

**Additional Comments:** This report can be used as a workflow management tool by the contractor.

## Semi-Annual Audit Plan Report:

**Purpose of Report:** The Semi-Annual Audit Plan Report was created to enable the contractor to plan their file audits and track their progress. This report requires the contractor to maintain an audit record for each RPC in their areas of responsibility. The progress of their "rolling" audit is projected in order to calculate a date of completion.

**Type of report:** Database/spreadsheet

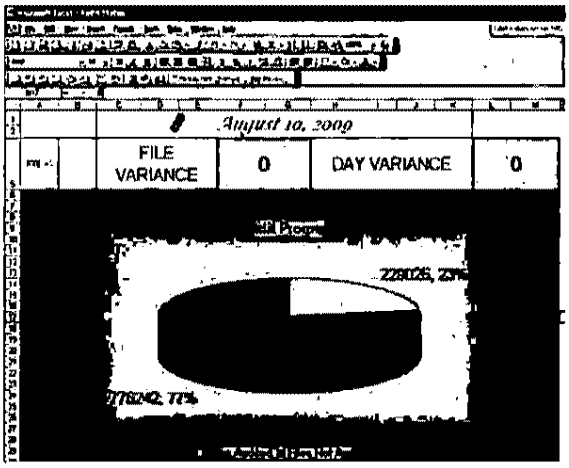
**Report number:** CSC-5

**Frequency:** Weekly

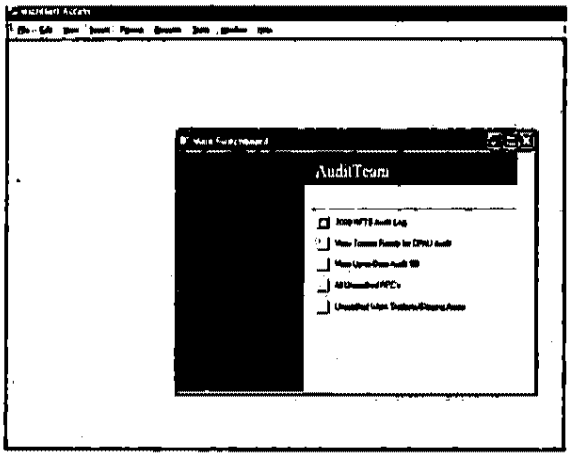
**How to print the report:** The contractor maintains an accurate listing of each of their RPC's and its audit history. The report is run through Access. The database records the date of the audit, which clerk performed the audit, and the results of any reconciliatory actions taken on the audit reports from their portable scanning devices.

Auditing sheets (cover signs) are used during the physical audits to identify the areas currently being audited. After each area is audited, the portable scanning device is downloaded to NFTS and the audit report is printed and reconciled. Each report is annotated to indicate what actions were taken during the reconciliation process.

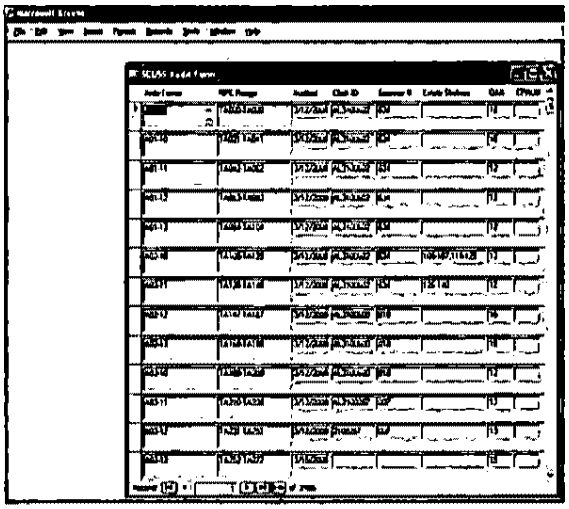
**Semi-Annual Audit Status Report (Excel)**



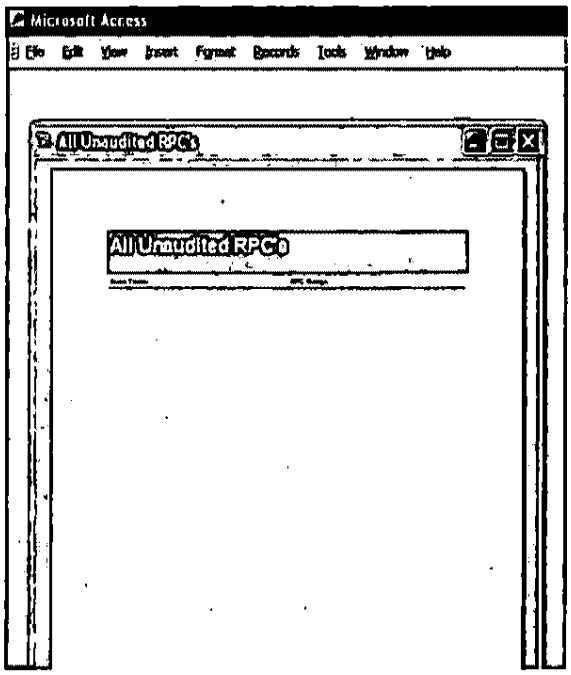

**Audit Plan (Access)**



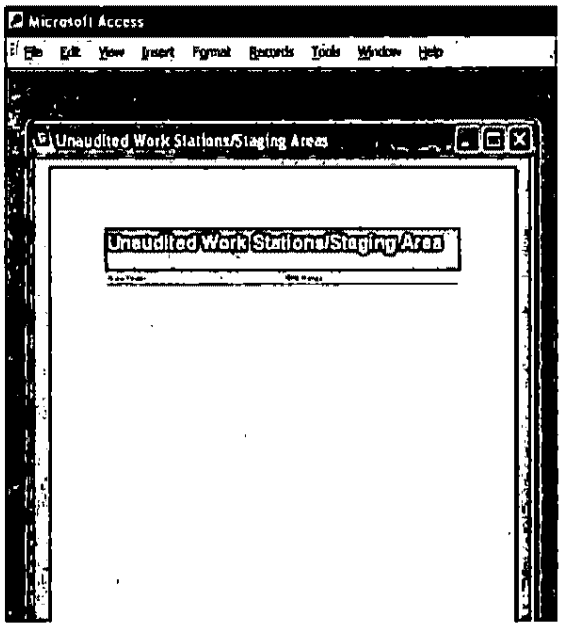

**NFTS Audit Log**



**All Unaudited RPC's**




**Unaudited Workstations/Staging Areas**




**How to interpret the report:** This report shows file audit progress by RPC in a sequential order. The database is color coded; an entry with a white background indicates an area that has not been audited.

**Additional Comments:** The database needs to be monitored to ensure the RPC's are up to date and accurate. It also must be monitored to ensure that enough resources are being allocated to reach targeted completion dates. This report can be used as a workflow management tool by the contractor.

## I-130 Upfront RFE Process:

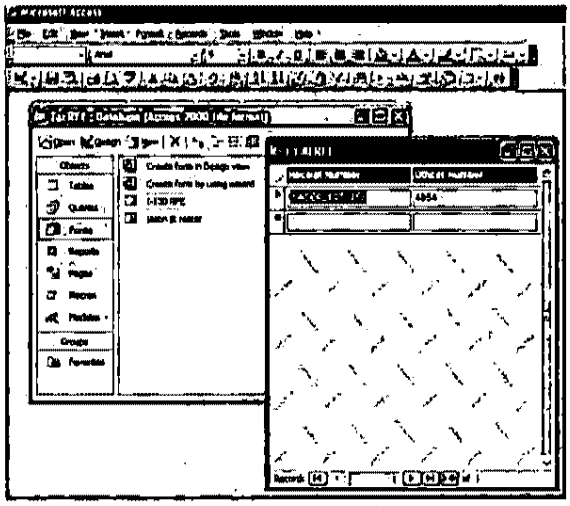
**Purpose of Report:** The contractor has an automated system for generating/printing RFE notices for I-130's. The report is run through Access. The receipt numbers for these cases are run through a database which pulls data from CLAIMS. The database then produces the RFE notice which is then prepared for mailing.

**Type of report:** Database.

**Report number:** CSC-7

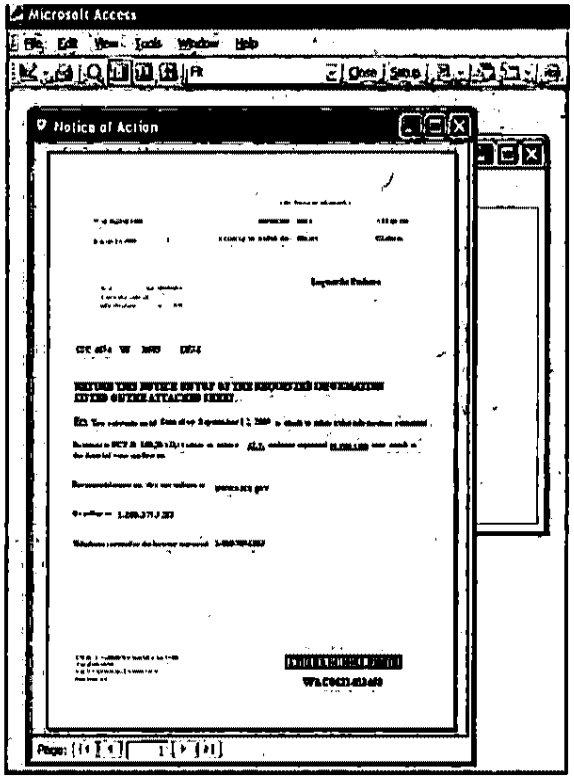
**Frequency:** Daily

**I130 Upfront RFE Process (Access)**



**How to print the report:** The contractor will input the I-130 receipt numbers and officer stamp numbers into the database. After bouncing against CLAIMS, the notices are printed.

**Printed RFE Notice**




**How to interpret the report: Additional Comments:** None.

## I-129 Auto Revocation/Withdrawal Process:

**Purpose of Report:** The I-129 Auto Rev/Withdrawal process was created to enable the contractor to generate Auto Revocation and Withdrawal notices in batches. The report is an Access database that requires the contractor to input receipt numbers related to Auto Revocations or Withdrawals into the database which are then bounced off of CLAIMS. The contractor also notifies local IT of the receipt numbers being prepared so that CLAIMS can be updated as well. After receiving confirmation from local IT that CLAIMS has been updated, the contractor prints the notices and prepares them for mailing.

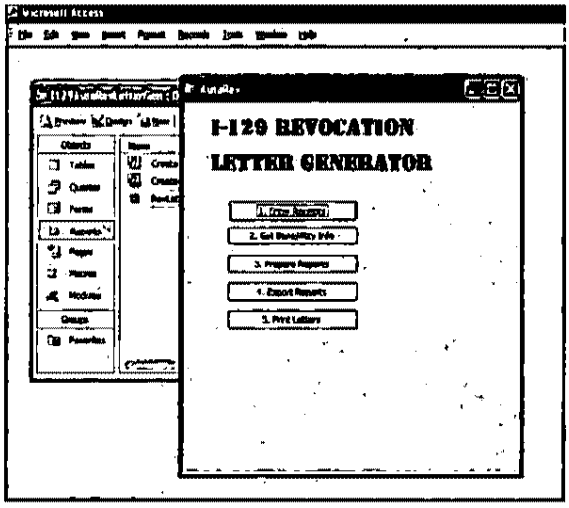
**Type of report:** Database.

**Report number:** CSC-8

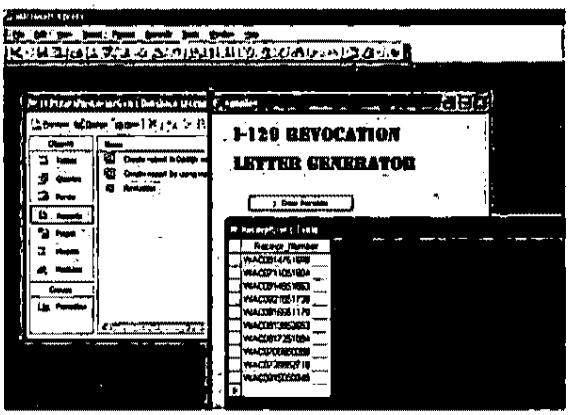
**Frequency:** Daily

**How to print the report:** The contractor reviews correspondence received which requests a withdrawal and enters these receipt numbers into the database. After entering the receipt numbers, the receipts are bounced off of CLAIMS to gather beneficiary and attorney information. Then the report is prepared/exported. A copy of this report is sent to local IT via email so that CLAIMS can be updated. Local IT confirms the updates were successful and then the contractor physically prints the notices and mails them out.

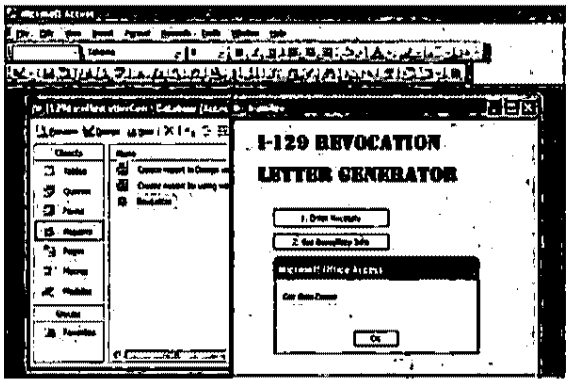
### I129 Auto Revocation Letter Generator (Access)



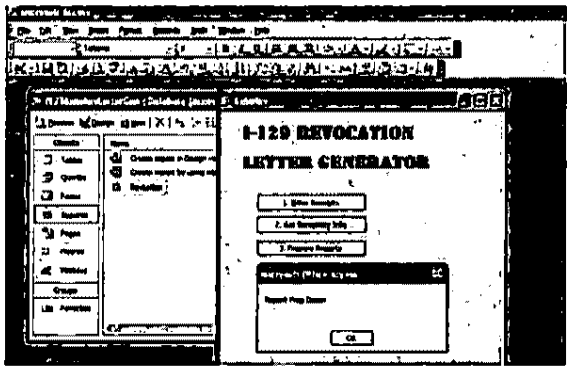

### Enter Receipts



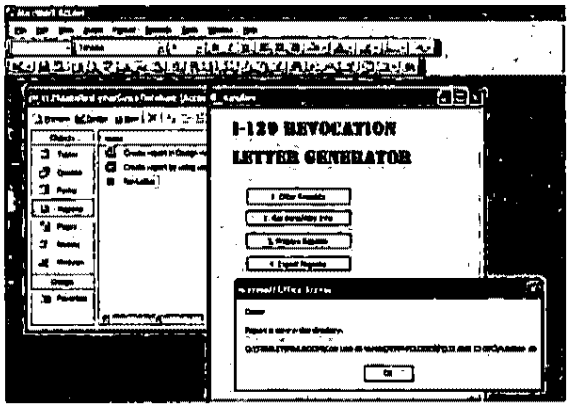

**Get Bene/Atty Info**



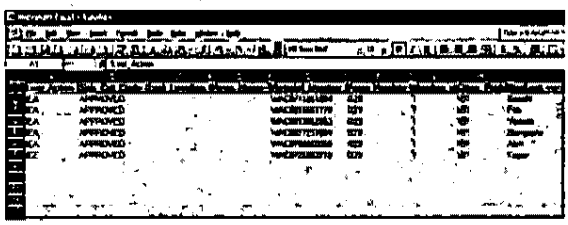

**Prepare Reports**



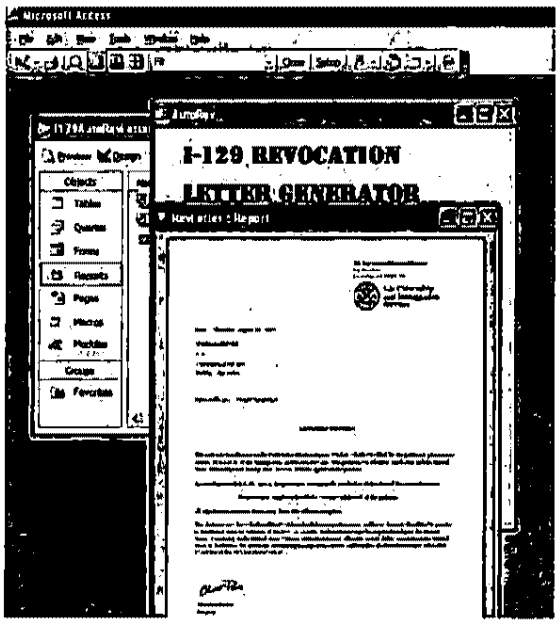

**Export Reports**



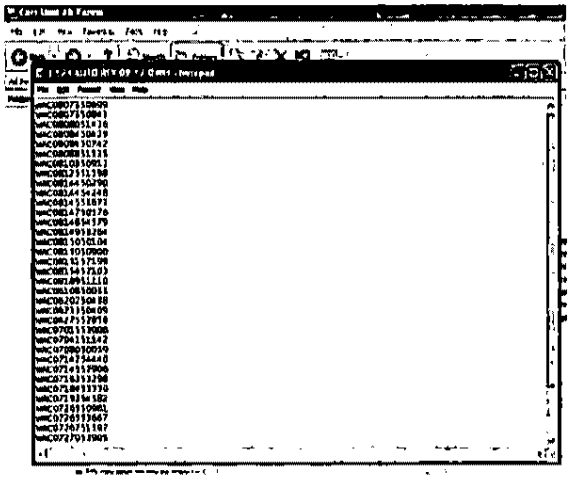

**Prepared and Exported Report**



**Final Letter**




**I129 Auto Revocation Text File to Local IT**



(Please include a screen captures and the steps needed to generate the report here)

**How to interpret the report:** The finished report lists receipt numbers by status; approved, denied, and other. It also lists beneficiary information, class of admission, and last action. These lists are stored as text files for record keeping.

**Additional Comments:** None.

**DELIVERABLES**

6.1 Monthly Records Operation Workload Activity Report (G-23)
6.2 Daily Workload Activity Report
6.3 Weekly Workload Activity Report
6.4 Monthly Workload Activity Report
6.5 Annual Workload Activity Report
6.6 Program Status Report
6.7 Report of Accident, Theft, or Robbery
6.8 Postage Transaction Report
6.9 Overnight Courier Report
6.10 Daily Deposit Report
6.11 Cost/Schedule Status Report (C/SSR)
6.12 Contract Funds Status Report (CFSR)
6.13 Work Breakdown Structure (WBS)

## 6.14 System Generated Reports

System generated reports are generated manually or automatically depending on which USICS system is being accessed. System generated reports need to be reconciled and monitored in accordance with USCIS guidance for each individual system to ensure accuracy of electronic records. System generated reports can be categorized as one of the following:
Informational - Informational reports are generated when needed to verify data, get counts or monitor a process.
Reoccurring - Reoccurring reports are generated on a daily, weekly or monthly basis and require reconciliation to ensure the accuracy of system data. Most reoccurring reports will grow in size when not reconciled since these reports are cumulative.
Error Report - Error Reports are usually generated automatically or by OIT when two USCIS systems try to interface and update data. When the data from one system does not match the data from the other system an error report is generated to show which records were not updated. These reports are usually daily and not cumulative.
(See Attachment 7.6)

6.14.1 - Unaudited Files Report
6.14.2 - A & T Report
6.14.3 - Active Duplicate Files Report (150)
6.14.4 - Duplicate FRC/Active Files Report
6.14.5 - Pending Files Report
6.14.6 - Search CIS Missing Files Report (Matched Missing Report)(Automated A-file Circular Report) (220)
6.14.7 - CIS-Records Rejected by CIS (350)
6.14.8 - CIS Error Report
6.14.8 - CIS Pending Request Report
6.14.9 - Outstanding Pending Report
6.14.10 - CIS - Unsuccessful Transfer Request Process (330)
6.14.11 - CIS - CIS Mismatch Report
6.14.12 - Pull Tickets
6.14.12 - Pending File Requests Report
6.14.13 - CIS Batch File Transfer Error Report

6.14.14 - Adjustment of Status Pending Data
6.14.15 - Claims 4.0 CIS/Claims Mismatch Report
6.14.16 - Picklists
6.14.17 - Claims Upload Records Rejected by RNACS
6.14.18 - Claims Upload Records Rejected by SEVIS
6.14.19 - HBG Shipping Report

## 6.15 Service Center Specific Reports

Xxx (See Attachment 7.7)

**CSC**

6.15.1 - PMI Report
6.15.2 - Employee Timesheets
6.15.3 - I-129 H1B CRIS (CAP Receipt Information System) Database:
6.15.4 - JIT Report
6.15.5 - Duplicate Receipt Notices
6.15.6 - Closed File Verification Report
6.15.7 - CSC Backlog Reduction Fact Worksheet
6.15.8 - Semi-Annual Audit Plan Report
6.15.9 - I-130 Upfront RFE Process
6.15.10 - I-129 Auto Revocation/Withdrawal Process

**NSC**

6.15.11 - I192 Master List - (database for name check requests).
Manual Reject Log
6.15.12 - G-254 Manifest - (spreadsheet of all the unclaimed money and undeliverable returns that they receive. The system rejects have barcodes so they are audited to the file drawers but the manual rejects don't so we had Serco develop this spreadsheet in order to be able to locate these when the applicants follow-up with questions on why they haven't been processed.)
6.15.13 - SI File Pull Log- (spreadsheet listing the file pulls Serco receives either from Records or exams. It has a description of the pull, the number of files and where they need to go.)
6.15.14 - Fee Collection Report- (spreadsheet showing the deposit from C3 and C4 each day. It also lists the number of petitions keyed each day.)
6.15.15 - SWEEPS Log - SWEEPS Log used to record completed SWEEPs.
In/out Board – (spreadsheet showing status of cases pending and completed.)
6.15.16 - DART Board
6.15.17 - CHAMPS ?

**TSC**

6.15.18 - Report 200, Files in Transit Report
6.15.19 - Report 230, External Pending Files Report
6.15.20 - Report 190, Internal Pending Files Request Report

6.15.21 - Lost File Report - Printed 23rd of each month. Is this the missing A-file circular report (220) or are you printing a different lost file report?
6.15.22 - CIS - A-Files missing Summary Is this the missing A-file circular report (220) or are you printing a different lost file report?
6.15.23 - I-485 EB Work Order Tracking (WOTS) – Daily
6.15.24 - Asylum & I-730 WOTS – Daily
6.15.25 - Miscellaneous WOTS – Daily
6.15.26 - WDU – Weekly
6.15.27 - A & T Consolidations - I-485 / I-730 – Daily
6.15.28 - Unresolved Pending / SSC Pending
6.15.29 - File Room Responsibility Chart – Weekly
6.15.30 - Monthly Time Centre Audit Report
6.15.31 - CHAMPS ?

**VSC**

6.15.32 - CAP Report
6.15.33 - SF-215 to Jen Martin
6.15.34 - Voided log
6.15.35 - Reject log – (Check log this is to make sure that SCOSS and CPAU match daily if so we then sign off on both)
6.15.36 - Claims 3 and Claims 4 reports send in email daily (?)
6.15.37 - Deposit log - A log book with today's number, deposit & receipt date, manual & access numbers and the total amount of money taken and the number that TGanet generates.
6.15.38 - Return Mail log - A log book of all return mail
6.15.39 - A courier log that says what time the money goes in the safe, how many bags, how many bundles and 2 deposit clerks initials, then a place where the courier that picks up the money initials would go.
6.15.40 - A copy of each report for that days deposit and the summary page of the c3 report is given to the CPAU auditors. They also get the deposit slips that go into the money bags before it is locked up. They also get a copy of all pulled checks that were pulled for the day and a copy of the skip memos.
6.15.41 - The CPAU auditor also gets a copy of the TGanet paperwork.
6.15.42 - H2B log that we track how many we get each day.
I don't know if Access, MSWord and Lowery apply? Yes

## I192 Master List

**Purpose of Report:** The I192 Master List is a spreadsheet maintained by the contractor to track cases submitted for FBI name check validation. When a name check request is electronically created on the I192 and submitted, via e-mail, the contractor checks the spreadsheet to see if the name has already been submitted. If the name has not been submitted, the information is then updated on the I192 Master List spreadsheet. The I192 Master List spreadsheet is located on the J drive and has limited access and update capabilities. At the end of the week, the contractor submits the weekly requests to Headquarters.

**Type of report:** Spreadsheet **Report number:**

**Frequency:** Daily

**How to print the report:** The spreadsheet or any relevant portion can be printed in Excel using the print function on the computer.

**How to interpret the report:** The spreadsheet is self explanatory by column headers. The user can search by A # or other category, to determine if and/or when the case was submitted for a name check

| ANUMBER | LAST NAME | *LAST NAME- use for second or hyphenated last name | FIRST NAME | MIDDLE NAME | SEX | RACE | Date of Birth | PLACE OF BIRTH | PLACE OF CITIZENSHIP | Date Submitted to HQ |
|---|---|---|---|---|---|---|---|---|---|---|
| A089314309 | AVELOITT | | AICHA | | F | U | 12/31/1992 | MRTN | XXXX | 8/18/2009 |
| A200037189 | ZHENG | | SHUJAN | | M | U | 12/28/1985 | CHIN | XXXX | 8/18/2009 |
| A089313987 | ZAYA | | RIYADH | | M | U | 01/10/1945 | IRAQ | XXXX | 8/18/2009 |
| A089313994 | HENNAWI | | INAS | | F | U | 01/12/1986 | EGYP | XXXX | 8/18/2009 |
| A089313995 | MUWANINAS | | MANAL | | F | U | 01/24/1962 | JORD | XXXX | 8/18/2009 |
| A099440059 | WANG | | YUN | | M | U | 09/01/1963 | CHIN | XXXX | 8/18/2009 |
| A089314377 | TOURE | | ABRAHAM | | M | U | 08/02/1984 | FRAN | XXXX | 8/18/2009 |
| A097114882 | BUDHATHOKI | | POONAM | | F | U | 07/07/1976 | NPAL | XXXX | 8/18/2009 |
| A089314378 | HOSSAIN | | AFZAL | | M | U | 01/10/1988 | BANG | XXXX | 8/18/2009 |
| A089314379 | HOSSAIN | | FARZANA | | F | U | 09/01/1985 | BANG | XXXX | 8/18/2009 |
| A096169733 | SINIGIRIRA | | ZUWENA | | F | U | 01/01/1983 | BURU | XXXX | 8/18/2009 |
| A089314383 | DE LOS SANTOS | GALVAN | FRANCISCO | | M | U | 05/17/1991 | MEX | XXXX | 8/18/2009 |
| A089314384 | GALVAN | | MARIA | | F | U | 05/18/1969 | MEX | XXXX | 8/18/2009 |
| A089314341 | CANALES | | MELIZA | | F | U | 07/30/1984 | MEX | XXXX | 8/18/2009 |
| A089314340 | MKRTCHYAN | | GAGIK | | M | U | 09/08/1991 | ARM | XXXX | 8/18/2009 |
| A089314396 | ZARATE | M | GABRIELA | | F | U | 11/16/1969 | MEX | XXXX | 8/18/2009 |
| A087349773 | DIALLO | | OUMOU | | F | U | 12/11/1993 | GNE | XXXX | 8/18/2009 |
| A087359718 | PERDOMO | | LUIS | | M | U | 06/03/1991 | VEN | XXXX | 8/18/2009 |
| A075564623 | CHEN | | XIAOJIAN | | F | U | 11/25/1962 | CHIN | XXXX | 8/18/2009 |
| A097104365 | WENG | | XINLONG | | M | U | 03/22/1966 | CHIN | XXXX | 8/18/2009 |
| A097104366 | WENG | | MIAOLONG | | M | U | 04/16/1988 | CHIN | XXXX | 8/18/2009 |

**Additional Comments:** On a weekly basis, the current I192 Master List is posted to the NSC home page for use by other Center employees. The site is "read only" and can be searched for reference use.

## G-254 Manifest

**Purpose of Report:** Record location of rejected applications returned as undeliverable.

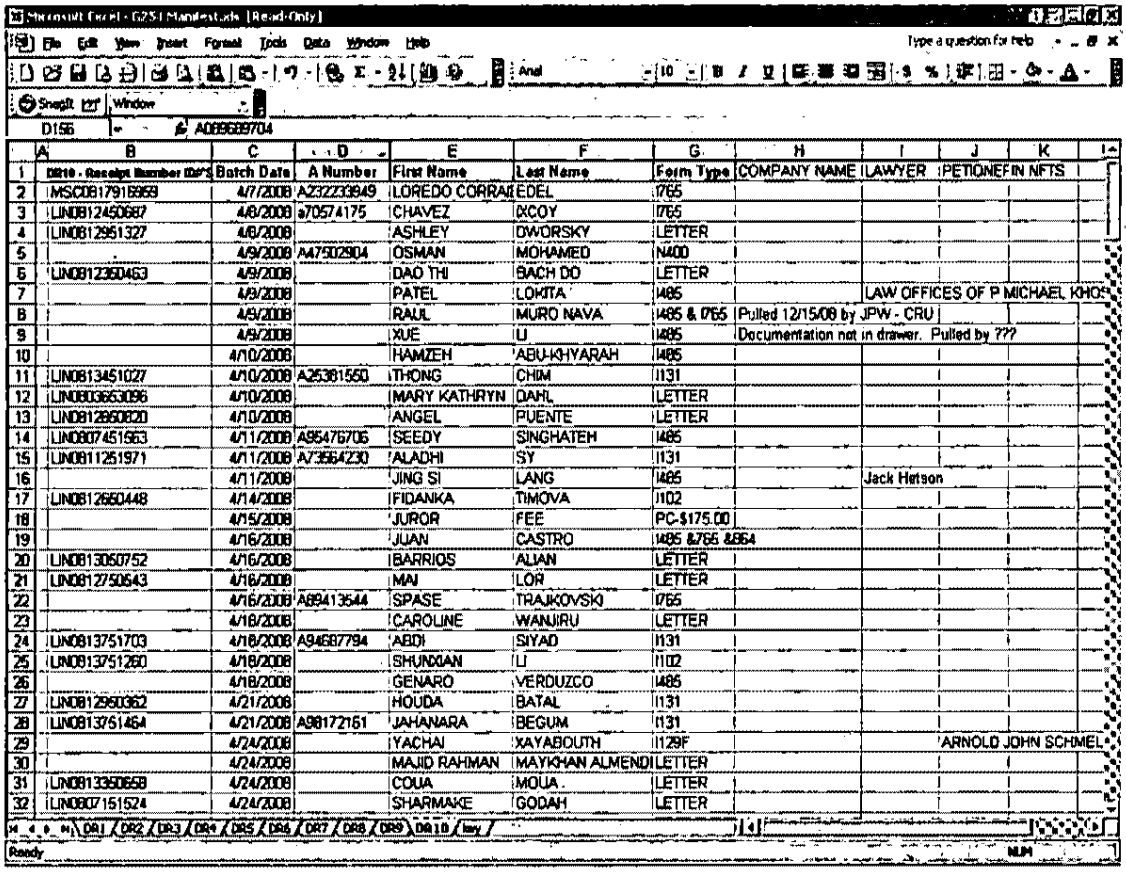
**Type of report:** Excel spreadsheet **Report number:**

**Frequency:** Daily

**How to print the report:** The spreadsheet or any relevant portion can be printed in Excel using the print function on the computer.

Listed on local drive J:\APPS\Excel\G254 Manifest.

**How to interpret the report:**



| | A | B | C | D | E | F | G | H | I | J | K |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | [illegible] | Batch Date | A Number | | First Name | Last Name | Form Type | COMPANY NAME | LAWYER | PETIONEF | IN NFTS |
| 2 | MSC0817916969 | 4/7/2008 | A232233949 | | LOREDO CORRAL | EDEL | I765 | | | | |
| 3 | LIN0812450687 | 4/8/2008 | a70574175 | | CHAVEZ | OCOY | I765 | | | | |
| 4 | LIN0812951327 | 4/8/2008 | | | ASHLEY | DWORSKY | LETTER | | | | |
| 5 | | 4/9/2008 | A47502904 | | OSMAN | MOHAMED | N400 | | | | |
| 6 | LIN0812350463 | 4/9/2008 | | | DAO THI | BACH DO | LETTER | | | | |
| 7 | | 4/9/2008 | | | PATEL | LOKITA | I485 | | LAW OFFICES OF P MICHAEL KHOS | | |
| 8 | | 4/9/2008 | | | RAUL | MURO NAVA | I485 & I765 | Pulled 12/15/08 by JPW - CRU | | | |
| 9 | | 4/9/2008 | | | XUE | LI | I485 | Documentation not in drawer. Pulled by ??? | | | |
| 10 | | 4/10/2008 | | | HAMZEH | ABU-KHYARAH | I485 | | | | |
| 11 | LIN0813451027 | 4/10/2008 | A25361550 | | THONG | CHIM | I131 | | | | |
| 12 | LIN0803653096 | 4/10/2008 | | | MARY KATHRYN | DAHL | LETTER | | | | |
| 13 | LIN0812850820 | 4/10/2008 | | | ANGEL | PUENTE | LETTER | | | | |
| 14 | LIN0807451963 | 4/11/2008 | A95476705 | | SEEDY | SINGHATEH | I485 | | | | |
| 15 | LIN0811251971 | 4/11/2008 | A73564230 | | ALADHI | SY | I131 | | | | |
| 16 | | 4/11/2008 | | | JING SI | LANG | I485 | | Jack Hetson | | |
| 17 | LIN0812650448 | 4/14/2008 | | | FIDANKA | TIMOVA | I102 | | | | |
| 18 | | 4/15/2008 | | | JUROR | FEE | PC-$175.00 | | | | |
| 19 | | 4/16/2008 | | | JUAN | CASTRO | I485 &I765 &I864 | | | | |
| 20 | LIN0813050752 | 4/16/2008 | | | BARRIOS | ALIAN | LETTER | | | | |
| 21 | LIN0812750543 | 4/16/2008 | | | MAI | LOR | LETTER | | | | |
| 22 | | 4/16/2008 | A89413544 | | SPASE | TRAJKOVSKI | I765 | | | | |
| 23 | | 4/16/2008 | | | CAROLINE | WANJIRU | LETTER | | | | |
| 24 | LIN0813751703 | 4/16/2008 | A94687794 | | ABDI | SIYAD | I131 | | | | |
| 25 | LIN0813751260 | 4/16/2008 | | | SHUNXIAN | LI | I102 | | | | |
| 26 | | 4/16/2008 | | | GENARO | VERDUZCO | I485 | | | | |
| 27 | LIN0812950362 | 4/21/2008 | | | HOUDA | BATAL | I131 | | | | |
| 28 | LIN0813751464 | 4/21/2008 | A98172161 | | JAHANARA | BEGUM | I131 | | | | |
| 29 | | 4/24/2008 | | | YACHAI | XAYABOUTH | I129F | | | ARNOLD JOHN SCHMEL | |
| 30 | | 4/24/2008 | | | MAJID RAHMAN | MAYKHAN ALMENDI | LETTER | | | | |
| 31 | LIN0813350658 | 4/24/2008 | | | COUA | MOUA | LETTER | | | | |
| 32 | LIN0807151524 | 4/24/2008 | | | SHARMAKE | GODAH | LETTER | | | | |

System rejects have barcodes that are audited to the drawers they have been placed in. Manual rejects without barcodes are also placed in the drawers and recorded on the spreadsheet to show the location and listing the name of the applicant and any G-28 lawyer. The batch date is the date of the G-254 created for the unclaimed money deposit for the fees returned with the undeliverable applications.

**Additional Comments:** Files pulled for processing or return to the applicant are updated on the spreadsheet and lined off of the G-254 if necessary.

## SI File Pull Log

**Purpose of Report:** Record of multiple file pull requests received by contractor from CPAU or exams.

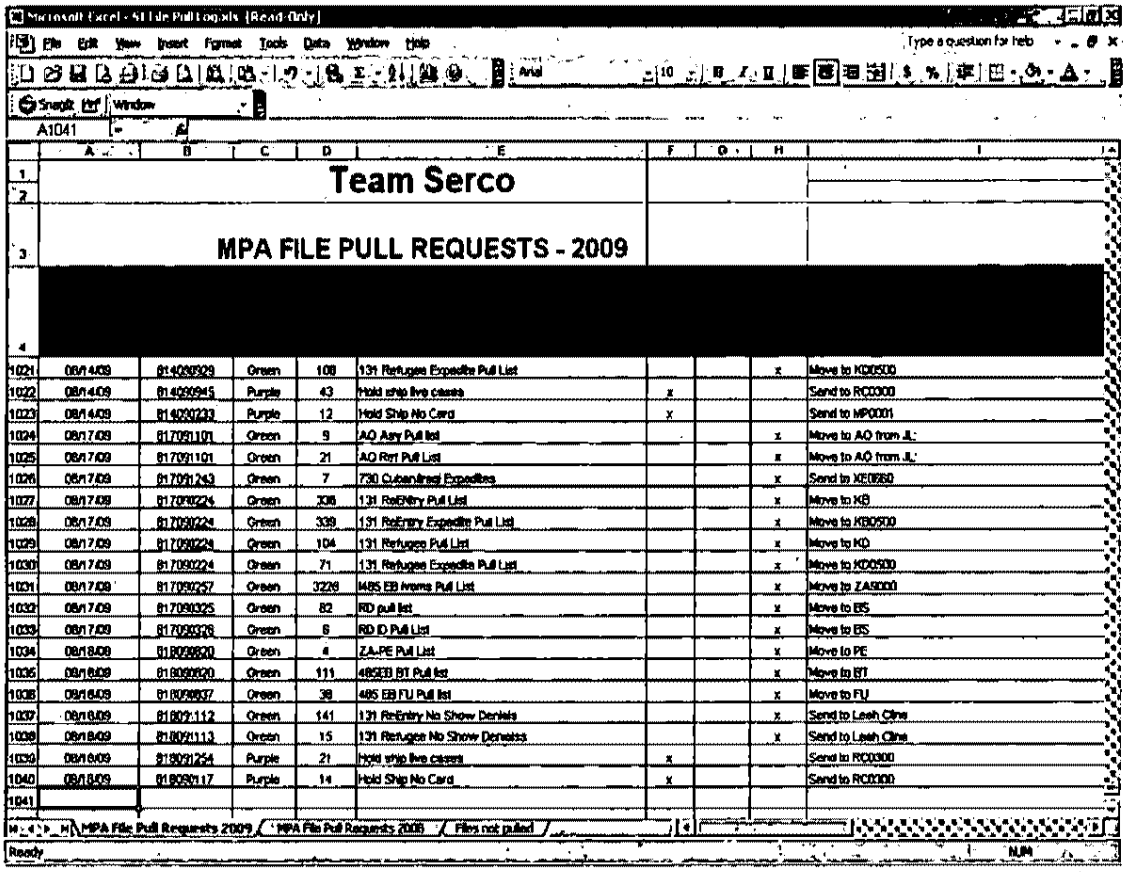
**Type of report:** Spreadsheet **Report number:**

**Frequency:** Daily

**How to print the report:** The spreadsheet or relevant portion can be printed in Excel using the print function on the computer.

Spreadsheet located on local drive. J:\SCOT\SOP\Sweep Log\SI File Pull Log

**How to interpret the report:**



Team Serco

MPA FILE PULL REQUESTS - 2009

[redacted]

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| 1021 | 08/14/09 | 814090929 | Green | 100 | 131 Refugee Expedite Pull List | | | x | Move to KD0500 |
| 1022 | 08/14/09 | 814090945 | Purple | 43 | Hold ship five cases | x | | | Send to RC0300 |
| 1023 | 08/14/09 | 814090233 | Purple | 12 | Hold Ship No Card | x | | | Send to MP0001 |
| 1024 | 08/17/09 | 817091101 | Green | 9 | AQ Asy Pull list | | | x | Move to AQ from JL |
| 1025 | 08/17/09 | 817091101 | Green | 21 | AQ Rrf Pull List | | | x | Move to AQ from JL |
| 1026 | 08/17/09 | 817091243 | Green | 7 | 730 Cuban/Iraqi Expedites | | | x | Send to XE0950 |
| 1027 | 08/17/09 | 817090224 | Green | 306 | 131 ReEntry Pull List | | | x | Move to KB |
| 1028 | 08/17/09 | 817090224 | Green | 339 | 131 ReEntry Expedite Pull List | | | x | Move to KB0500 |
| 1029 | 08/17/09 | 817090224 | Green | 104 | 131 Refugee Pull List | | | x | Move to KD |
| 1030 | 08/17/09 | 817090224 | Green | 71 | 131 Refugee Expedite Pull List | | | x | Move to KD0500 |
| 1031 | 08/17/09 | 817090257 | Green | 3226 | 485 EB Ivanna Pull List | | | x | Move to ZA9000 |
| 1032 | 08/17/09 | 817090325 | Green | 82 | RD pull list | | | x | Move to BS |
| 1033 | 08/17/09 | 817090326 | Green | 6 | RD ID Pull List | | | x | Move to BS |
| 1034 | 08/18/09 | 818090920 | Green | 4 | ZA-PE Pull List | | | x | Move to PE |
| 1035 | 08/18/09 | 818090920 | Green | 111 | 485(B) BT Pull list | | | x | Move to BT |
| 1036 | 08/18/09 | 818090937 | Green | 38 | 485 EB FU Pull list | | | x | Move to FU |
| 1037 | 08/18/09 | 818091112 | Green | 141 | 131 ReEntry No Show Denials | | | x | Send to Leah Cline |
| 1038 | 08/18/09 | 818091113 | Green | 15 | 131 Refugee No Show Denials | | | x | Send to Leah Cline |
| 1039 | 08/18/09 | 818091254 | Purple | 21 | hold ship five cases | x | | | Send to RC0300 |
| 1040 | 08/18/09 | 818090117 | Purple | 14 | Hold Ship No Card | x | | | Send to RC0300 |
| 1041 | | | | | | | | | |

Lists of multiple files that need to be pulled and moved to other locations or sent to the requester are e-mailed to the contractor. The contractor records these pulls on the spreadsheet and forwards the request on to the team responsible based on the file location. The log records the number of files to be pulled, the type of file, where they are to be delivered, if screen prints are needed, and when the pull must be completed. The list ID links to the original e-mail.

**Additional Comments:** CPAU audits a sample of the pulls to ensure all files are timely pulled and correctly delivered.

## Fee Collection Report

**Purpose of Report:** Record the number of fee instruments received and the amount of deposits made each day along with the number of applications keyed in CLAIMS.

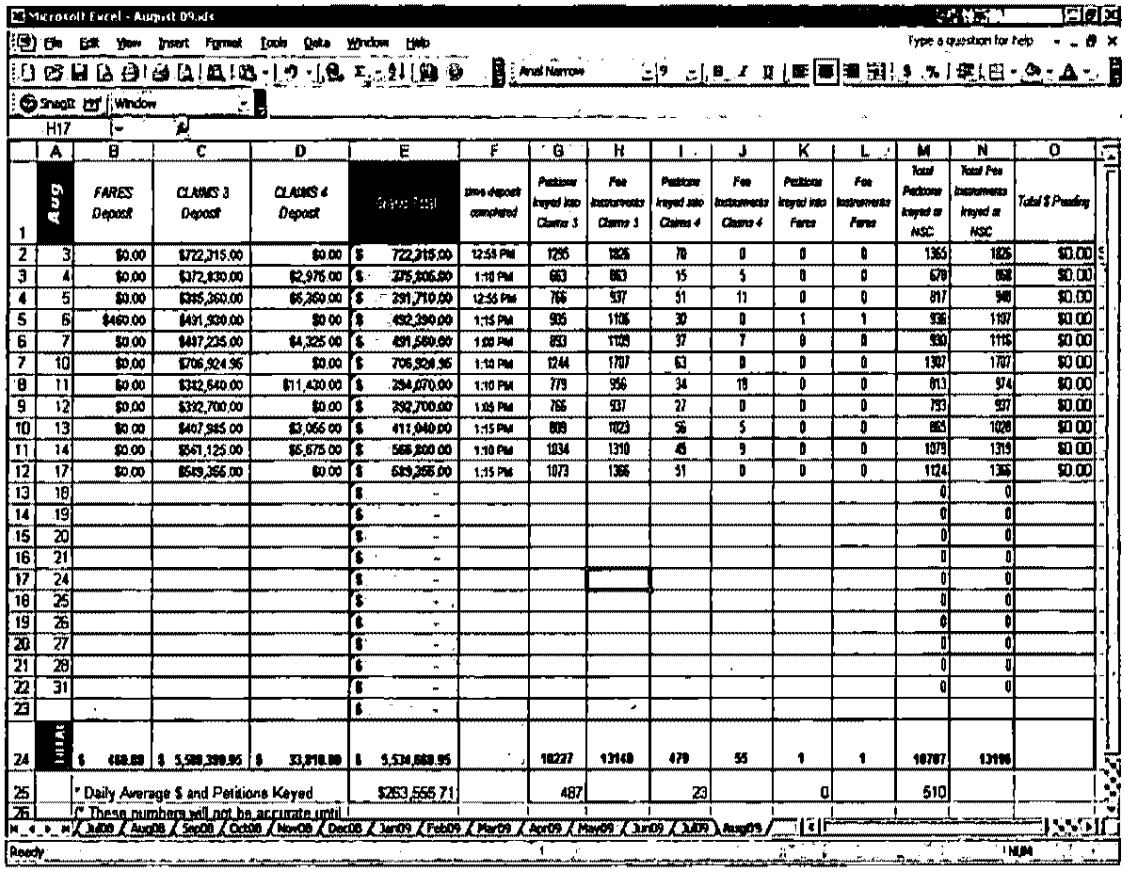
**Type of report:** Spreadsheet **Report number:**

**Frequency:** Daily

**How to print the report:** The spreadsheet or relevant portion can be printed in Excel using the print function on the computer.

Spreadsheet located on local drive. J:\DAU\COMMON\Reports-Fee Collection 2009

**How to interpret the report:**



| | A | B | C | D | E | F | G | H | I | J | K | L | M | N | O |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Aug | FARES Deposit | CLAIMS 3 Deposit | CLAIMS 4 Deposit | Gross Total | time deposit completed | Petitions keyed into Claims 3 | Fee Instruments Claims 3 | Petitions keyed into Claims 4 | Fee Instruments Claims 4 | Petitions keyed into Forms | Fee Instruments Forms | Total Petitions keyed at NSC | Total Fee Instruments keyed at NSC | Total $ Pending |
| 2 | 3 | $0.00 | $722,715.00 | $0.00 | $ 722,715.00 | 12:59 PM | 1295 | 1826 | 78 | 0 | 0 | 0 | 1365 | 1826 | $0.00 |
| 3 | 4 | $0.00 | $372,830.00 | $2,975.00 | $ 375,805.00 | 1:10 PM | 663 | 863 | 15 | 5 | 0 | 0 | 678 | 868 | $0.00 |
| 4 | 5 | $0.00 | $385,360.00 | $6,350.00 | $ 391,710.00 | 12:55 PM | 766 | 937 | 51 | 11 | 0 | 0 | 817 | 948 | $0.00 |
| 5 | 6 | $460.00 | $491,930.00 | $0.00 | $ 492,390.00 | 1:15 PM | 935 | 1106 | 30 | 0 | 1 | 1 | 936 | 1107 | $0.00 |
| 6 | 7 | $0.00 | $487,235.00 | $4,325.00 | $ 491,560.00 | 1:00 PM | 853 | 1128 | 37 | 7 | 0 | 0 | 890 | 1115 | $0.00 |
| 7 | 10 | $0.00 | $706,924.95 | $0.00 | $ 706,924.95 | 1:10 PM | 1244 | 1707 | 63 | 0 | 0 | 0 | 1307 | 1707 | $0.00 |
| 8 | 11 | $0.00 | $312,640.00 | $11,430.00 | $ 294,070.00 | 1:10 PM | 779 | 956 | 34 | 18 | 0 | 0 | 813 | 974 | $0.00 |
| 9 | 12 | $0.00 | $392,700.00 | $0.00 | $ 392,700.00 | 1:05 PM | 766 | 937 | 27 | 0 | 0 | 0 | 793 | 937 | $0.00 |
| 10 | 13 | $0.00 | $407,985.00 | $3,055.00 | $ 411,040.00 | 1:15 PM | 809 | 1023 | 56 | 5 | 0 | 0 | 865 | 1028 | $0.00 |
| 11 | 14 | $0.00 | $561,125.00 | $5,675.00 | $ 566,800.00 | 1:10 PM | 1034 | 1310 | 45 | 9 | 0 | 0 | 1079 | 1319 | $0.00 |
| 12 | 17 | $0.00 | $549,356.00 | $0.00 | $ 549,356.00 | 1:15 PM | 1073 | 1366 | 51 | 0 | 0 | 0 | 1124 | 1366 | $0.00 |
| 13 | 18 | | | | $ - | | | | | | | | 0 | 0 | |
| 14 | 19 | | | | $ - | | | | | | | | 0 | 0 | |
| 15 | 20 | | | | $ - | | | | | | | | 0 | 0 | |
| 16 | 21 | | | | $ - | | | | | | | | 0 | 0 | |
| 17 | 24 | | | | $ - | | | | | | | | 0 | 0 | |
| 18 | 25 | | | | $ - | | | | | | | | 0 | 0 | |
| 19 | 26 | | | | $ - | | | | | | | | 0 | 0 | |
| 20 | 27 | | | | $ - | | | | | | | | 0 | 0 | |
| 21 | 28 | | | | $ - | | | | | | | | 0 | 0 | |
| 22 | 31 | | | | $ - | | | | | | | | 0 | 0 | |
| 23 | | | | | $ - | | | | | | | | | | |
| 24 | TOTAL | $ 460.00 | $ 5,588,390.95 | $ 33,810.00 | $ 5,534,888.95 | | 10227 | 13148 | 479 | 55 | 1 | 1 | 10707 | 13186 | |
| 25 | | * Daily Average $ and Petitions Keyed | | | $253,555.71 | | 487 | | 23 | | 0 | | 510 | | |
| 26 | | (* These numbers will not be accurate until | | | | | | | | | | | | | |

Contractor records the amount of the daily deposit of fees collected and the number of applications keyed. Totals recorded are also used for invoice purposes each month.

**Additional Comments:** Audits are conducted each day to verify the deposits match the figures recorded on the spreadsheet.

## DART Board

**Purpose of Report:** To provide CIS personnel with the number of live cases coming in to and leaving Work Distribution, by form-type. This report also lets CIS personnel know the date of the oldest case (by form-type) currently in WD and the number of files waiting to be recycled.

**Type of report:** Spreadsheet **Report number:**

**Frequency:** Daily

**How to print the report:** The spreadsheet or relevant portion can be printed in Excel using the print function on the computer.

**How to interpret the report:**

| DART Board - August 19, 2009 | | Live Cases - Work Distribution | | | | | Recycles | |
|---|---|---|---|---|---|---|---|---|
| **BUSINESS LINE** | **NFTS** | **Yday** | **In** | **Out** | **Today** | **Old Date** | **Today** | **Old Date** |
| 140 A | KT | 410 | 15 | | 425 | 4/4/08 | | |
| 140 B | KU | 316 | 14 | 10 | 320 | 3/23/09 | 2 | 1/8/09 |
| 140 C | KV | 1135 | 51 | | 1186 | 3/18/09 | | |
| 140 D | KW | 1773 | 92 | | 1865 | 6/4/09 | 4 | 7/2/07 |
| 140 E | KY | 996 | 56 | | 1052 | 6/2/09 | 61 | 4/25/06 |
| 140 G | JV | 96 | 3 | 50 | 49 | 10/23/06 | 10 | 12/3/07 |
| 140 I (NIWs) | KZ | 1127 | 12 | | 1139 | 9/23/08 | 3 | 9/26/07 |
| 140 Schedule A | KX | 43 | 10 | | 53 | 6/23/08 | | |
| **ASYLEE/REFUGEE LINE** | **NFTS** | **Yday** | **In** | **Out** | **Today** | **Old Date** | **Today** | **Old Date** |
| **130 4th Preference** | WS | 61551 | 36 | 500 | 61087 | 4/1/2001 | | |
| 130 Yemen | WS8000s | 42 | | | 42 | 10/1/2000 | | |
| 130 Haiti | WS9000s | 2811 | | | 2811 | 7/1/2001 | | |
| **485 ASYLUM (ADJ Ready)** | **BS** | 99 | 114 | | 213 | 11/20/06 | | |
| Pre-Adjudicated | AS | 298 | | | 298 | N/A | | |
| Pre-WD | RD | 529 | 39 | 114 | 454 | N/A | | |
| Roof | LA | 115 | | | 115 | N/A | | |
| 485 ASYLUM/730 CON | AO | 3 | 11 | | 14 | N/A | | |
| **485 REFUGEE (ADJ Ready)** | **BR** | 2001 | 26 | 180 | 1847 | 6/1/09 | 2 | 3/13/08 |
| Pre-Adjudicated | AY | 160 | | 3 | 157 | N/A | | |
| Pre-WD | ZB | 6077 | 177 | | 6254 | N/A | | |
| Roof | LA | 753 | 57 | | 810 | N/A | | |
| 485 REFUGEE/730 CON | AO | 0 | 24 | | 24 | N/A | | |
| 485 Refugee Liberian Hold | LP | 1056 | | | 1056 | N/A | | |

For each product line/form-type, the Contractor is responsible for updating all of the columns listed under "Live Cases – Work Distribution" and "Recycles".

**Additional Comments:** For form-types that cannot be re-filed in date order, a CIS person runs a sweep to update the "Oldest Date" column.

| | |
|---|---|
| **From:** | Lundquist, Mark E |
| **To:** | Anderson, Toni D; Bamford, Reno C; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Garner, Deanna L; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Manahan, Lisa F; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Watts, Noel J; Yandow, Jackie D. |
| **Cc:** | Summers, Janice D; Barrows, Angela K; Bushey, Sandra T; Drumheller, Mamie K; Grego, Bret S; Hazuda, Mark J; Jacobson, Neil M; McMahon, Gerald K; Wiles, Marilyn P |
| **Subject:** | Please Respond by 11/15: Last Opportunity: Service Center Specific Deliverables |
| **Date:** | Friday, November 06, 2009 4:32:13 PM |
| **Attachments:** | CSC(2) CRIS Database.doc<br>CSC(3) Center Specific Deliverables SCOSS Contract.doc<br>DELIVERABLES draft.doc<br>NSC Deliverables.doc<br>CSC(1) Center Specific Deliverables SCOSS Contract.doc |
| **Importance:** | High |

Records ACDs,

This is a last call for any reports that you would like included as a deliverables in the next SCOSS contract. Please review the reports you submitted previously below (and attached) and verify if there is anything that you need to modify or add. Each report listed below must also have a detailed procedure in the format of the attachments. The drop dead date to finalize the list of reports and the attached procedures is COB 11/15/09.

## CSC

6.15.1 - PMI Report
6.15.2 - Employee Timesheets
6.15.3 - I-129 H1B CRIS (CAP Receipt Information System) Database:
6.15.4 - JIT Report
6.15.5 - Duplicate Receipt Notices
6.15.6 - Closed File Verification Report
6.15.7 - CSC Backlog Reduction Fact Worksheet
6.15.8 - Semi-Annual Audit Plan Report
6.15.9 - I-130 Upfront RFE Process
6.15.10 - I-129 Auto Revocation/Withdrawal Process

## NSC

6.15.11 - I192 Master List - (database for name check requests).
Manual Reject Log
6.15.12 - G-254 Manifest - (spreadsheet of all the unclaimed money and undeliverable returns that they receive. The system rejects have barcodes so they are audited to the file drawers but the manual rejects don't so we had Serco develop this spreadsheet in order to be able to locate these when the applicants follow-up with questions on why they haven't been processed.)
6.15.13 - SI File Pull Log- (spreadsheet listing the file pulls Serco receives either from Records or exams. It has a description of the pull, the number of files and where they need to go.)
6.15.14 - Fee Collection Report- (spreadsheet showing the deposit from C3 and C4 each day. It also lists the number of petitions keyed each day.)
6.15.15 - SWEEPS Log - SWEEPS Log used to record completed SWEEPs.
In/out Board – (spreadsheet showing status of cases pending and completed.)
6.15.16 - DART Board

6.15.17 - CHAMPS ?

**TSC**

6.15.18 - Report 200, Files in Transit Report
6.15.19 - Report 230, External Pending Files Report
6.15.20 - Report 190, Internal Pending Files Request Report
6.15.21 - Lost File Report - Printed 23rd of each month. Is this the missing A-file circular report (220) or are you printing a different lost file report?
6.15.22 - CIS - A-Files missing Summary Is this the missing A-file circular report (220) or are you printing a different lost file report?
6.15.23 - I-485 EB Work Order Tracking (WOTS) – Daily
6.15.24 - Asylum & I-730 WOTS – Daily
6.15.25 - Miscellaneous WOTS – Daily
6.15.26 - WDU – Weekly
6.15.27 - A & T Consolidations - I-485 / I-730 – Daily
6.15.28 - Unresolved Pending / SSC Pending
6.15.29 - File Room Responsibility Chart – Weekly
6.15.30 - Monthly Time Centre Audit Report
6.15.31 - CHAMPS ?

**VSC**

6.15.32 - CAP Report
6.15.33 - SF-215 to Jen Martin
6.15.34 - Voided log
6.15.35 - Reject log – (Check log this is to make sure that SCOSS and CPAU match daily if so we then sign off on both)
6.15.36 - Claims 3 and Claims 4 reports send in email daily (?)
6.15.37 - Deposit log - A log book with today's number, deposit & receipt date, manual & access numbers and the total amount of money taken and the number that TGanet generates.
6.15.38 - Return Mail log - A log book of all return mail
6.15.39 - A courier log that says what time the money goes in the safe, how many bags, how many bundles and 2 deposit clerks initials, then a place where the courier that picks up the money initials would go.
6.15.40 - A copy of each report for that days deposit and the summary page of the c3 report is given to the CPAU auditors. They also get the deposit slips that go into the money bags before it is locked up. They also get a copy of all pulled checks that were pulled for the day and a copy of the skip memos.
6.15.41 - The CPAU auditor also gets a copy of the TGanet paperwork.
6.15.42 - H2B log that we track how many we get each day.
I don't know if Access, MSWord and Lowery apply? Yes

Thanks,
Mark Lundquist
Management & Program Analyst / COTR
Service Center Operations / Records Management
(b)(6) 20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529
Phone: [redacted] Fax: (202) 272-1542

**From:** Lundquist, Mark E
**Sent:** Tuesday, August 04, 2009 1:41 PM
**To:** Anderson, Toni D; Bamford, Reno C; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Garner, Deanna L; Gydesen, Justyn J; Lutz, Brian C; Manahan, Lisa F; Montalto, Fred J; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Watts, Noel J; Yandow, Jackie D
**Subject:** Please Respond by COB 8/17/09: Service Center Specific Deliverables

Records ACDS,

Besides the deliverables listed below that are already required under the current contract, we need to create a list of all Service Center Specific reports, databases and/or spreadsheets that the contractor is being asked to maintain or generate locally for USCIS. Please use the attached template to describe each report, database or spreadsheet that involves the contractor. Include screen captures of each step needed to complete the deliverable as well as a screen capture of the complete report (if report is created).

## DELIVERABLES

*6.1 Monthly Records Operation Workload Activity Report (G-23)*

*6.2 Daily Workload Activity Report*

*6.3 Weekly Workload Activity Report*

*6.4 Monthly Workload Activity Report*

*6.5 Annual Workload Activity Report*

*6.6 Program Status Report*

*6.7 Report of Accident, Theft, or Robbery*

*6.8 Postage Transaction Report*

*6.9 Overnight Courier Report*

*6.10 Daily Deposit Report*

*6.11 Cost/Schedule Status Report (C/SSR)*

*6.12 Contract Funds Status Report (CFSR)*

*6.13 Work Breakdown Structure (WBS)*

Thanks,

**Mark Lundquist** | Management Program Analyst / COTR | Records Division | USCIS /

SCOPS
|☎ [redacted] (202) 272-1542 |✉ Mark.Lundquist@dhs.gov

(b)(6)

## PMI Report

**Purpose of Report:** The PMI Report is provided by the Contractor to validate the hours logged by employees conducting Fileroom Operation tasks against the hours billed in the Contractor's Fileroom Invoice. The report is requested from the Contractor via email and hard copy memo letter. The Contractor is provided 4 business days to supply the PMI Report for the randomly selected employees to compare the PMI hours to the billed Fileroom hours.

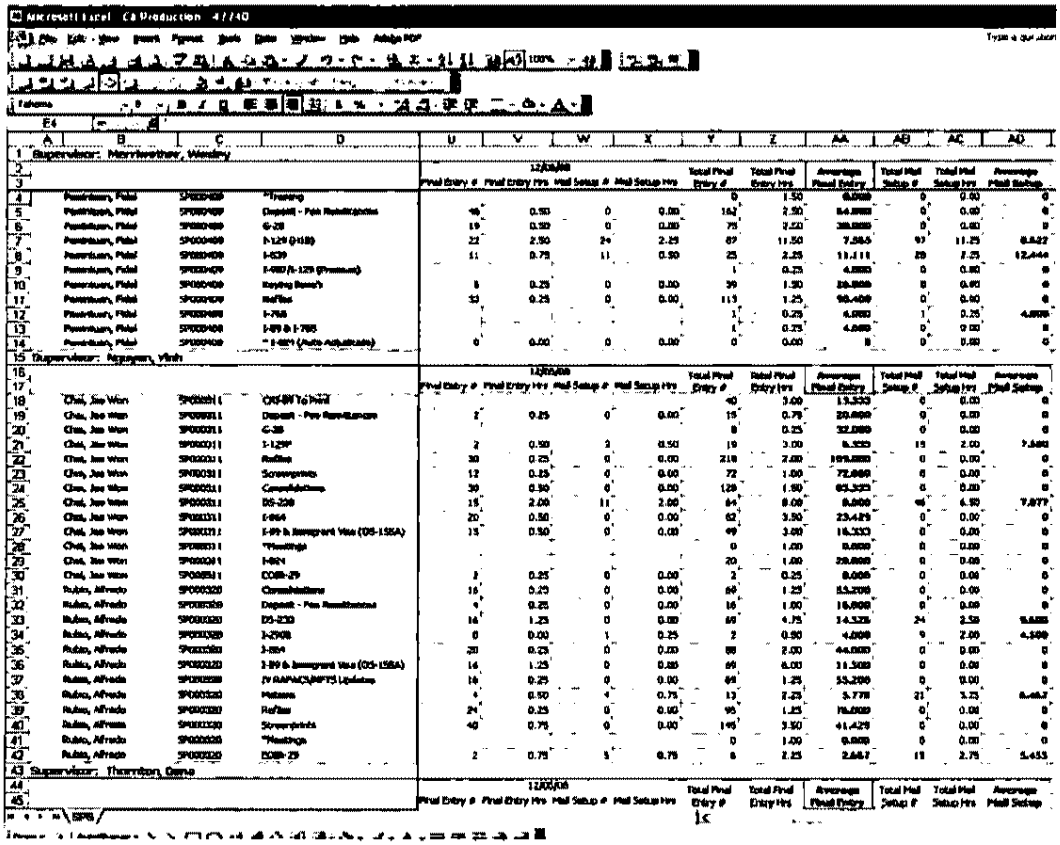
The PMI Report is provided to CPAU in Excel format electronically and contains the employee's name, employee number, tasks performed, date, production for the day, and time spent on the operation. The report includes all tasks completed in Fileroom, Data Entry, Fee Collection and Mailroom Operations. This includes meetings and training sessions.

**Type of report:** Excel Database.

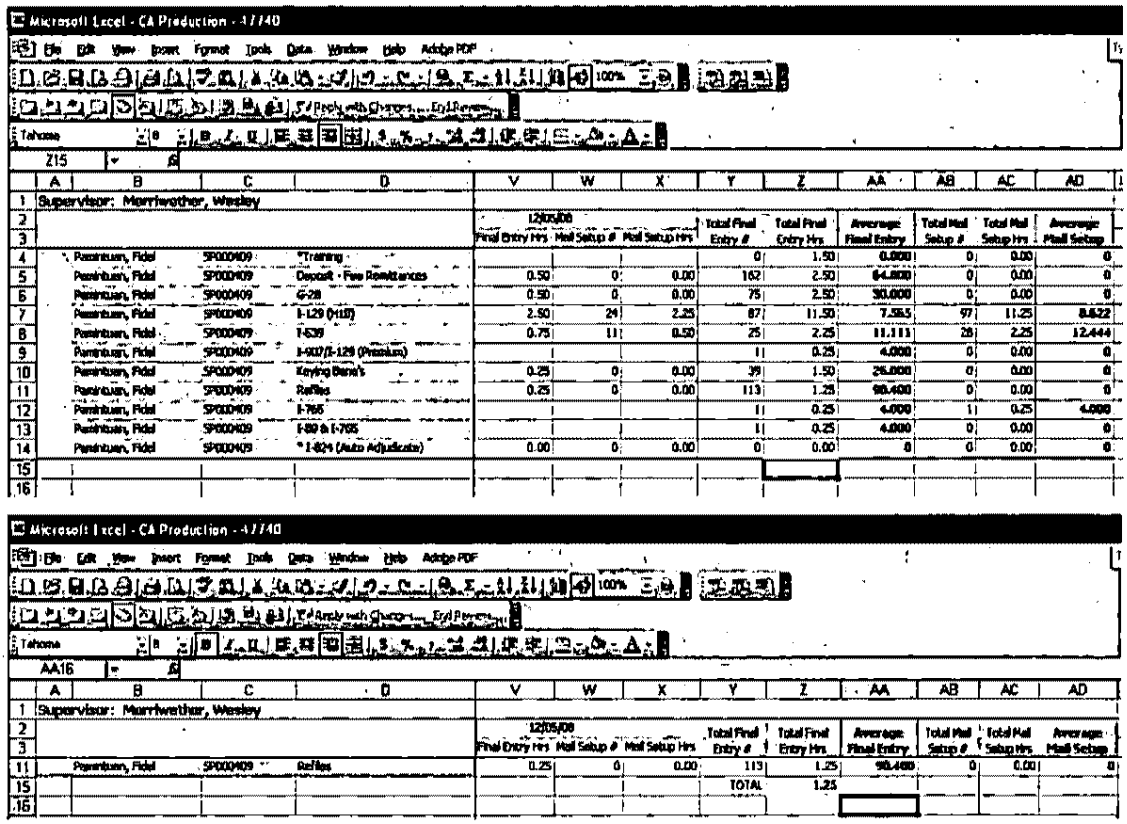
**Report number:**

**Frequency:** Varies based on the number of invoices billed.

**How to print the report:** The Contractor will forward the report with the randomly selected employees electronically, and CPAU with verify all of the selected employees are included in the report, and print the report as needed.



**How to interpret the report:** This report provides the tasks worked on by employees, their production and time on their tasks. The tasks identify the specific Fileroom and non-Fileroom work completed and the time logged on these tasks. Only the hours logged working on Fileroom Operations are counted to validate against the employees' Timesheets and Fileroom Invoice.



| | A | B | C | D | V | W | X | Y | Z | AA | AB | AC | AD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Supervisor: Merriwether, Wesley | | | | | | | | | | | | |
| 2 | | | | | 12/05/08 | | | Total Final | Total Final | Average | Total Mail | Total Mail | Average |
| 3 | | | | | Final Entry Hrs | Mail Setup # | Mail Setup Hrs | Entry # | Entry Hrs | Final Entry | Setup # | Setup Hrs | Mail Setup |
| 4 | Pasintuan, Fidel | SP000409 | *Training - | | | | | 0 | 1.50 | 0.000 | 0 | 0.00 | 0 |
| 5 | Pasintuan, Fidel | SP000409 | Deposit - Fee Remittances | | 0.50 | 0 | 0.00 | 162 | 2.50 | 64.800 | 0 | 0.00 | 0 |
| 6 | Pasintuan, Fidel | SP000409 | G-28 | | 0.50 | 0 | 0.00 | 75 | 2.50 | 30.000 | 0 | 0.00 | 0 |
| 7 | Pasintuan, Fidel | SP000409 | I-129 (H1B) | | 2.50 | 24 | 2.25 | 87 | 11.50 | 7.565 | 97 | 11.25 | 8.622 |
| 8 | Pasintuan, Fidel | SP000409 | I-539 | | 0.75 | 11 | 0.50 | 25 | 2.25 | 11.111 | 28 | 2.25 | 12.444 |
| 9 | Pasintuan, Fidel | SP000409 | I-907(I-129 (Premium) | | | | | 1 | 0.25 | 4.000 | 0 | 0.00 | 0 |
| 10 | Pasintuan, Fidel | SP000409 | Keying Bank's | | 0.25 | 0 | 0.00 | 39 | 1.50 | 26.000 | 0 | 0.00 | 0 |
| 11 | Pasintuan, Fidel | SP000409 | Refiles | | 0.25 | 0 | 0.00 | 113 | 1.25 | 90.400 | 0 | 0.00 | 0 |
| 12 | Pasintuan, Fidel | SP000409 | I-765 | | | | | 1 | 0.25 | 4.000 | 1 | 0.25 | 4.000 |
| 13 | Pasintuan, Fidel | SP000409 | I-90 & I-765 | | | | | 1 | 0.25 | 4.000 | 0 | 0.00 | 0 |
| 14 | Pasintuan, Fidel | SP000409 | * I-824 (Auto Adjudicate) | | 0.00 | 0 | 0.00 | 0 | 0.00 | 0 | 0 | 0.00 | 0 |
| 15 | | | | | | | | | | | | | |
| 16 | | | | | | | | | | | | | |



| | A | B | C | D | V | W | X | Y | Z | AA | AB | AC | AD |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | Supervisor: Merriwether, Wesley | | | | | | | | | | | | |
| 2 | | | | | 12/05/08 | | | Total Final | Total Final | Average | Total Mail | Total Mail | Average |
| 3 | | | | | Final Entry Hrs | Mail Setup # | Mail Setup Hrs | Entry # | Entry Hrs | Final Entry | Setup # | Setup Hrs | Mail Setup |
| 11 | Pasintuan, Fidel | SP000409 | Refiles | | 0.25 | 0 | 0.00 | 113 | 1.25 | 90.400 | 0 | 0.00 | 0 |
| 15 | | | | | | | | TOTAL | 1.25 | | | | |
| 16 | | | | | | | | | | | | | |

**Additional Comments:** The Month At A Glance Reports (MAAGs) may be verified to confirm if there are any new logging additions to Fileroom Operations.

## Employee Timesheets:

**Purpose of Report:** Contractor Employees Timesheets are requested from the Contractor to validate the Fileroom hours worked by employees against the Fileroom Operation hours billed on the Fileroom Invoice. The Timesheets are provided electronically to CPAU, and the Timesheets indicate the hour spent on Fileroom, Data Entry and Mailroom Operations.

**Type of report:** Reports.

**Report number:**

**Frequency:** Varies based on the number of invoices billed.

**How to print the report:** The Contractor will forward the Timesheets with the randomly selected employees electronically, and CPAU with verifies all Timesheets for the selected employees are included, verify the dates of the Timesheets correspond to the billing period, and print the Timesheets. The format of each Timesheet will vary based on Contractor and Sub-contractor record keeping, but all identify the Fileroom, Mailroom and Data Entry hours worked by employees.

(b)(6)

DATABASICS

**Timesheet Report**

Run Date/Time: 08/07/2009 04:18 PM

Employee: [234989] Wilkison, Lori — Period From: 03/14/2009 To: 03/27/2009 — Status: Approved
Entity Code: NGTSI — Location: Laguna Niguel - 24000 Avila Rd — Validation: Passed
Cost Center: CIS SSC STANELY OH — Function: Default — Date/Time: 03/27/2009 04:04 PM
Employee Type: Hourly Full Time — Exempt: No

| ID | TC | Network Order | Activity | Job Code | Short Order | Cost Center | SAT | SUN | MON | TUE | WED | THU | FRI | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | REG | TB4174389 | N/A | N/A | N/A | TBS73A | | | | | | | | |
| ✓ | REGULAR PAY - HCA Opt Yr 1 Dec-Nov File | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 3.50 | 40.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 2.50 | 8.00 | 8.00 | 34.50 |
| | | | | | | Total per Line: | | | | | | | | 74.50 |
| 2 | VAC | N/A | N/A | N/A | N/A | TBS73A | | | | | | | | |
| ✓ | VACATION | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Total per Line: | | | | | | | | 0.00 |
| | | | | | | Totals for Week: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 3.50 | 40.00 |
| | | | | | | Totals for Week: 03/21/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 2.50 | 8.00 | 8.00 | 34.50 |
| | | | | | | Total per Timesheet: | | | | | | | | 80.00 |

**Timesheet Summary**

| Time Code | Total |
|---|---|
| [REG] REGULAR PAY | 74.50 |
| [VAC] VACATION | 5.50 |

**How to interpret the report:** The Timesheets for each randomly selected employee are verified to ensure only Fileroom Operation hours are counted and compared to the hours billed in the Fileroom Invoice.

(b)(6)

DATABASICS

**Timesheet Report**

Run Date/Time: 03/27/2009 04:18 PM

Employee: [234562] Williston, Lori
Entity Code: NGTSI
Cost Center: CIS SSC STANELY Q4
Employee Type: Hourly Full Time

Period From: 03/14/2009 To: 03/27/2009
Location: Laguna Niguel - 24000 Avila Rd
Function: Default
Exempt: No

Status: Approved
Validation: Passed
Date/Time: 03/27/2009 04:04 PM

| ID | Task | Work Order | Activity | Job Code | Time Grade | Cost Center | SAT | SUN | MON | TUE | WED | THU | FRI | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | REG | 13417489 | N/A | | N/A | TSS734 | | | | | | | | |
| | REGULAR PAY-CA Qtr Yr 1 Dec-Nov Rls | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 8.00 | 40.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 2.00 | 8.00 | 34.00 |
| | | | | | | Total per Line: | | | | | | | | 74.00 |
| 2 | VAC | N/A | N/A | N/A | N/A | TSS734 | | | | | | | | |
| | VACATION | | | | | | | | | | | | | |
| | | | | | | Week Beginning: 03/14/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Week Beginning: 03/21/2009 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | Total per Line: | | | | | | | | 0.00 |
| | | | | | | Totals for Week: 03/14/2009 | 0.00 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 8.00 | 40.00 |
| | | | | | | Totals for Week: 03/21/2009 | 0.00 | 8.00 | 8.00 | 8.00 | 8.00 | 2.00 | 8.00 | 34.00 |
| | | | | | | Total per Timesheet: | | | | | | | | 80.00 |

**Timesheet Summary**

| Time Code | Total |
|---|---|
| [REG] REGULAR PAY | 74.00 |
| [VAC] VACATION | 6.00 |

**Additional Comments:** None.

## I-129 H1B CRIS (CAP Receipt Information System) Database:

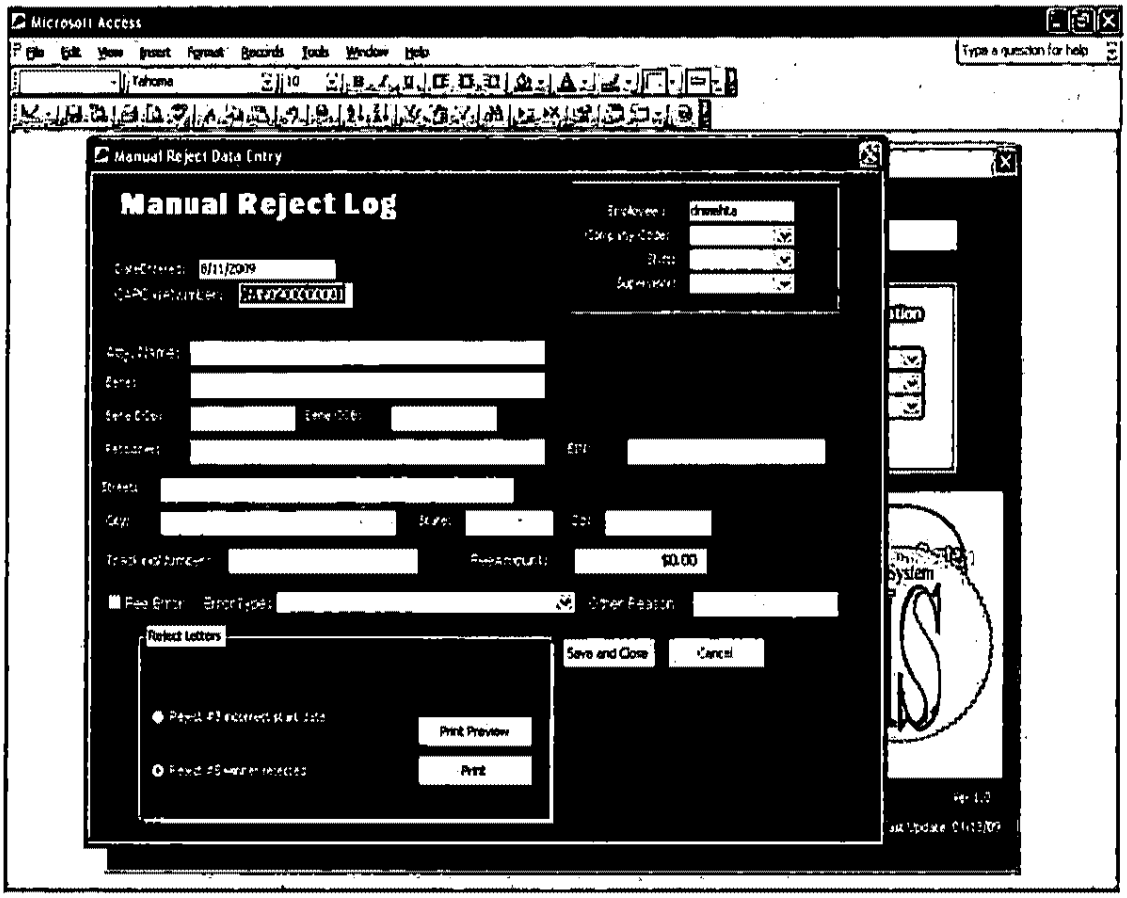
**Purpose of Report:** The CRIS database was designed to aid the California Service Center (CSC) in the tracking and processing of H1B CAP cases. The CRIS database is an Access database that require the Contractor to input the RNG number and/or receipt number of the respective H1B CAP case and input the H1B cap case data information such as petitioner, attorney and beneficiary name, address, DOB, COB, EIN number and reason for rejection when rejecting the H1B cap cases. CRIS information is also used to respond to the inquiries from the petitioner and the attorneys. The database has a search capability to search for a H1B cap case by CAP number, petitioner/beneficiary's name and box number etc. The database has capability to produce reject and/or acknowledgement letters.

**Type of report:** Database.

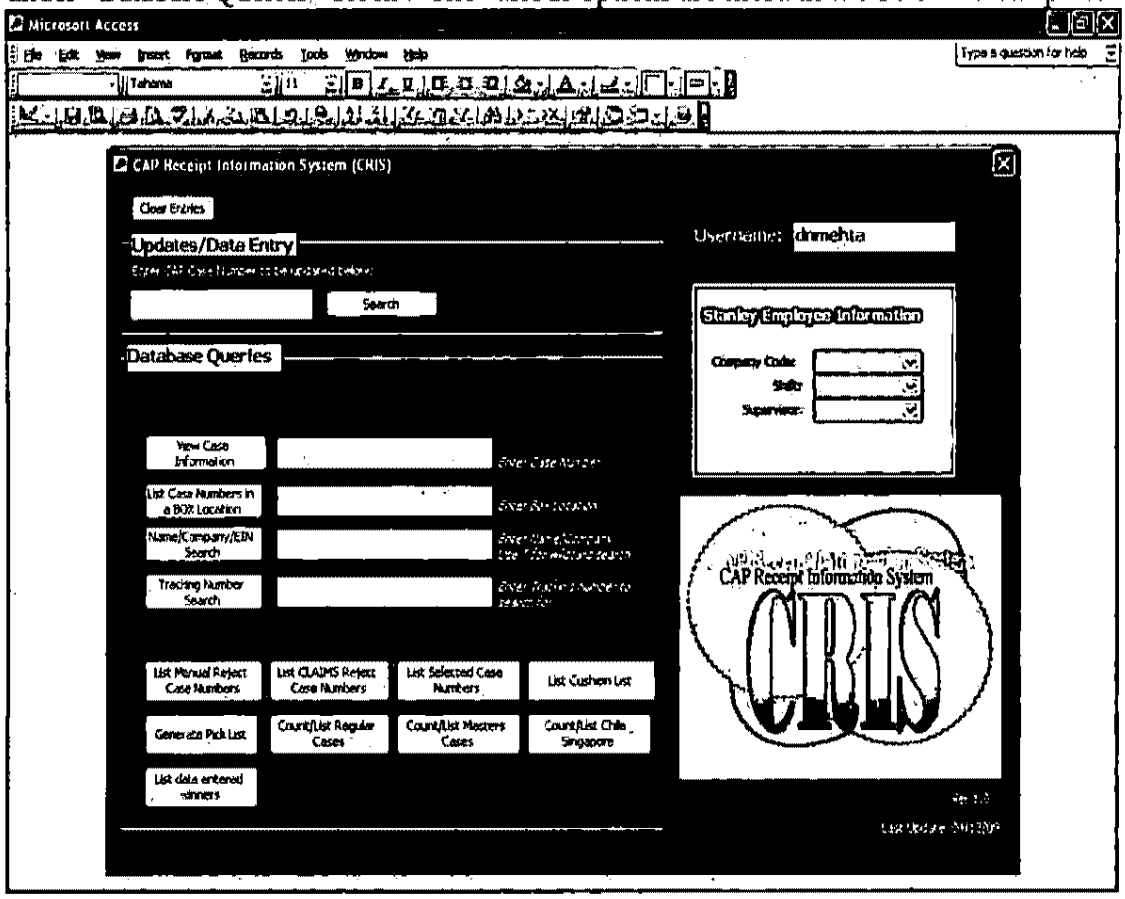
**Report Name/number:** CSC- CRIS

**Frequency:** Daily during the H1B CAP open season.

**How to print the report:** The contractor will maintain the RNG lottery CAP number information and the other case information into CRIS database to ensure that all H1B CAP cases received at CSC are accounted for. The information relating to the rejected cap cases is entered into CRIS database. The Contractor selects the appropriate reject letter stored in the CRIS database and then prints the reject letter by clicking the print button.



**How to interpret the database:** The CAP case number information is updated in "Updates/Data entry block and various queries are performed by selecting the fields listed under "Database Queries" block . The various options are listed in the below screen print.




**Additional Comments:** The CRIS database can import and export data as necessary. The administrators have a capability to control the data and protect the database by restricting and/or granting permissions, such as read/write or read only access. This database can be upgraded and managed without interrupting users. This database can be utilized by multiple users. This CRIS database has features to run automated queries to list non-selected, winners, masters, regular cap and PP cases and to produce Pick-lists with Box locations. The database has the flexibility for administrators to customize additional queries as needed. This database can be used as a workflow management tool by USCIS and the contractor.

## JIT Report:

**Purpose of Report:** The JIT Report was created to enable Adjudications management to view pending file counts on the file room shelves on a weekly or daily basis. The JIT report is an Access database that requires the contractor to maintain RPC code descriptions of what is currently on the shelves and staging areas in the file room. The database will group RPC codes with like descriptions and produce a count.

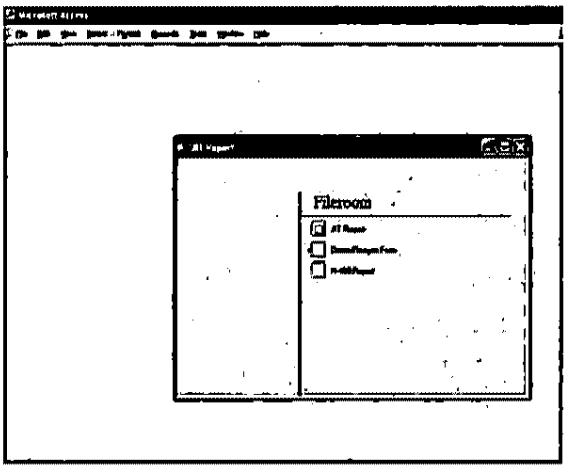
**Type of report:** Database.

**Report number:** CSC-1

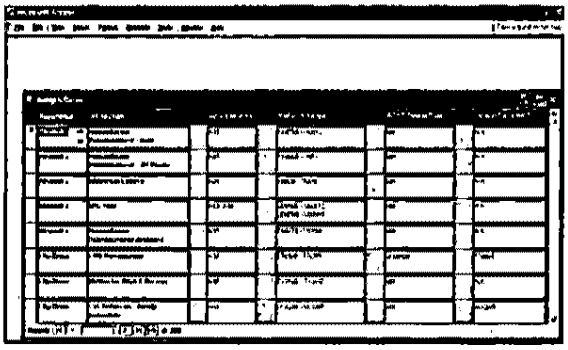
**Frequency:** Weekly (Tuesday).

**How to print the report:** The contractor will maintain the RPC code tables in the JIT report database to ensure the RPC descriptions are accurate and current. The contractor will run the JIT report and access the reports tab to generate the report. The JIT report will be emailed every Tuesdays to the designated ACDS and Records employees in the center.

**JIT Report Entry**

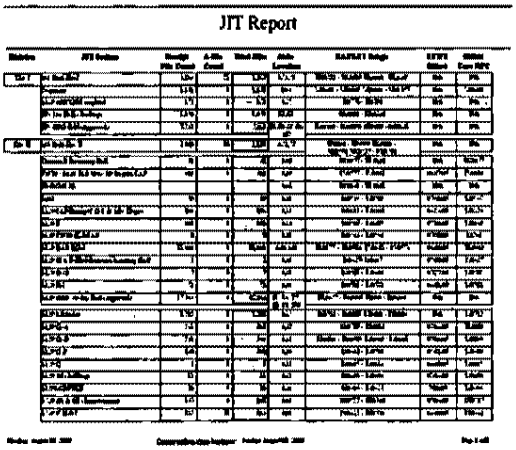



**RPC Maintenance by Supervisor**



**How to interpret the report:** This report shows file counts grouped by RPC description. The report will display a receipt file count, and A-file count and a total file count for the RPC. The RPC descriptions are grouped by the Division that process the work.

**Sample of Finished JIT Report**


JIT Report

**Additional Comments:** The database needs to be monitored to ensure it is up to date and accurate. The JIT report database will also update and Excel spreadsheet on the common drive that has file counts for every RPC in the center. This report can be used as a workflow management tool by USCIS and the contractor.

## Duplicate Receipt Notices:

**Purpose of Report:** The Duplicate Receipt Notice database was created to enable the contractor to print duplicate notices upon request. When Adjudications or Records receives a request for a duplicate notice, the receipt number is updated on a designated spreadsheet on the common drive. Each evening on second shift, the contractor will run the duplicate receipt notice database which will access the receipt numbers in the spreadsheet, query the number against CLAIMS 3 and generate the notices. Once all the receipt notices have been printed and verified, the receipt numbers on the spreadsheet on the common drive can be deleted. Receipt notices that are not generated through claims will need to be keyed manually using the templates in the database

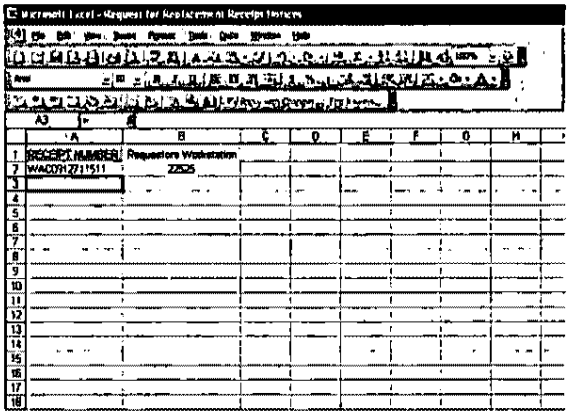
**Type of report:** Database.

**Report number:** CSC-2

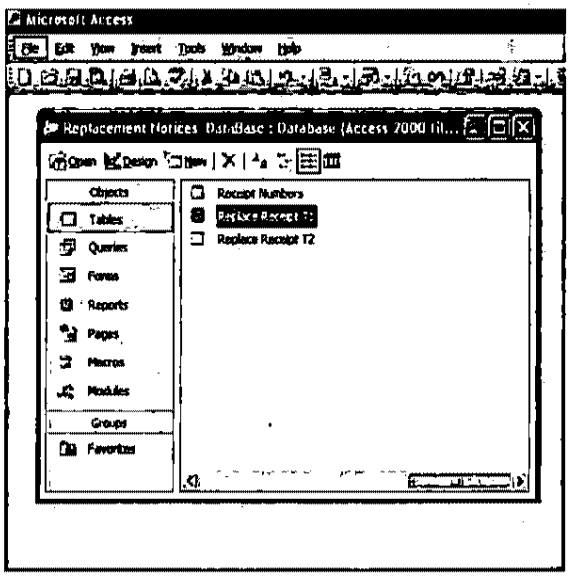
**Frequency:** Daily.

**How to print the report:** The contractor will access the Duplicate Receipt Notice database on the common drive and select run. Verify the number of notices matches the number of receipt numbers in the spreadsheet on the common drive. There may be additional receipt notices if there is a G28.

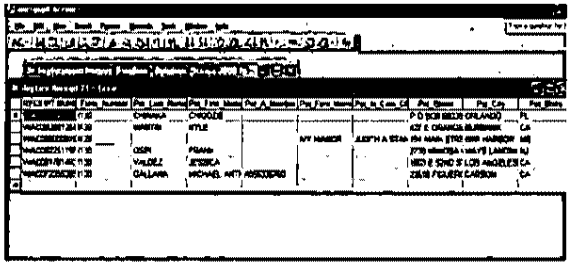
**Spreadsheet Listing Receipt Numbers**



**Duplicate Receipt Notice Database**




**Duplicate Receipt Notice Receipt Number Entry**



**How to interpret the report:** This database uses templates of receipt notices in the reports tab of the database to generate the notices. The templates will need to be updated from time to time depending on changes from USCIS.

**Additional Comments:** The database needs to be monitored to ensure templates are up to date and the contractor is correctly generating the notices.

## Closed File Verification Report:

**Purpose of Report:** The Closed File Verification Report (CFV) was created to enable the identification of open cases prior to them being shipped to file storage facilities. The CFV report is an Access database that requires the contractor to maintain RPC code descriptions (referred to as "box" codes) for boxes of adjudicated files that have been prepared for shipment. The database will identify open cases within each "box code" so that they may be removed and properly updated prior to shipment.

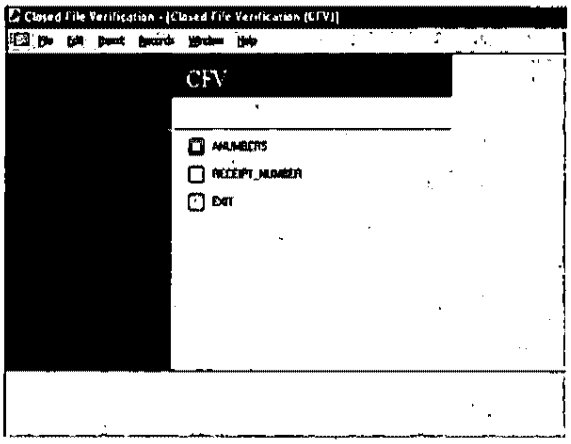
**Type of report:** Database.

**Report number:** CSC-3

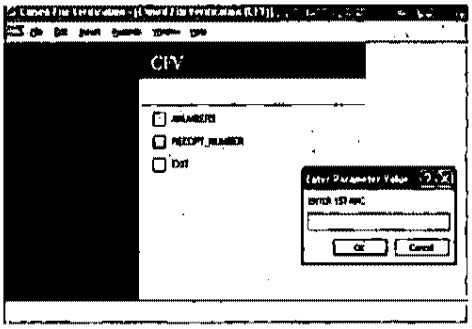
**Frequency:** Each time a full pallet of boxed approved cases is prepared and daily for denied cases.

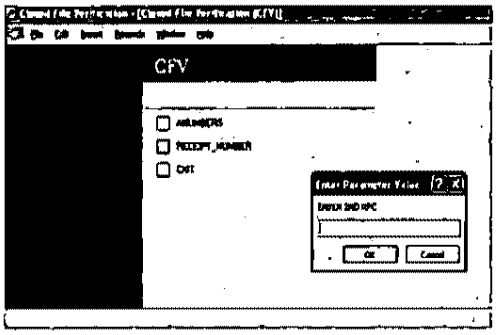
**How to print the report:** The contractor will reconcile the RPC codes for each box to ensure that no files are charged to that RPC prior to placing files in the box. The contractor then enters the RPC range into the CFV database which generates the CFV report. The report will be printed and used as a manifest to remove the listed files from their boxes.

**Closed File Verification Database**



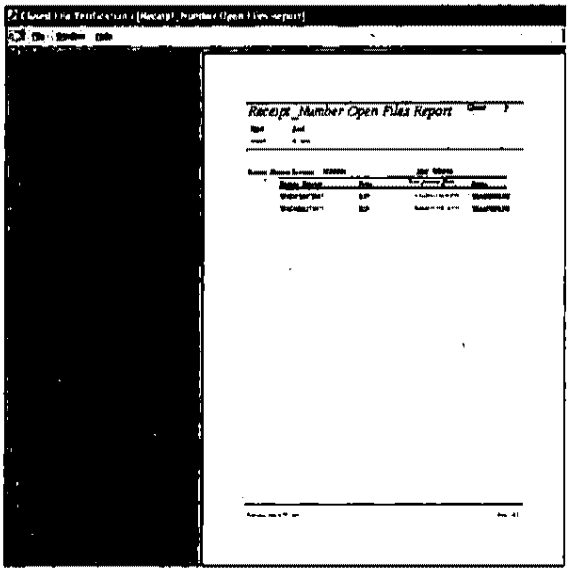
**Entering RPC Ranges into the Database**




**How to interpret the report:** This report shows open files grouped by RPC description (box). The report will display the receipt or A-File number, the Form type, the last active date, and status. The files are pulled from the RPC/box and returned to the appropriate division for action.

**Final Closed File Verification Report**




**Additional Comments:** The box codes need to be monitored to ensure that each is properly reconciled after each use.

## CSC Backlog Reduction Fact Worksheet:

**Purpose of Report:** The CSC Backlog Reduction Report was created to enable the contractor to accurately estimate the amount of time and number of resources needed to reduce their backlogs. This report is an Excel spreadsheet that requires the contractor to accurately account for their pending backlog counts, oldest processing dates, anticipated incoming volumes, and number of available resources. In addition to this, targeted completion dates for brining these areas into compliance are provided.

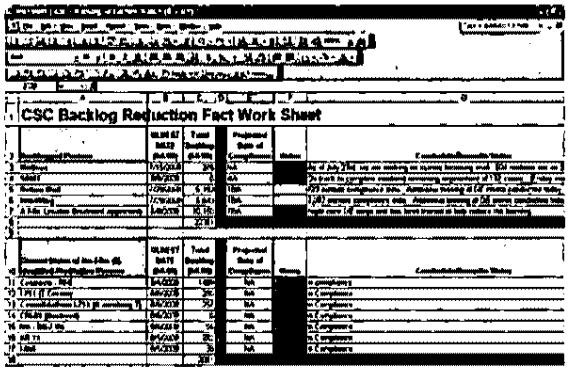
**Type of report:** Spreadsheet

**Report number:** CSC-4

**Frequency:** Submitted to COTR every Thursday night

**How to print the report:** The contractor maintains this spreadsheet on the common drive.

**CSC Backlog Reduction Fact Worksheet**




**How to interpret the report:** This report tracks backlogged processes, oldest dates, total backlog volume, projected date of compliance, and status. The top five areas of concern are indicated at the bottom of this report.

**Additional Comments:** This report can be used as a workflow management tool by the contractor.

## Semi-Annual Audit Plan Report:

**Purpose of Report:** The Semi-Annual Audit Plan Report was created to enable the contractor to plan their file audits and track their progress. This report requires the contractor to maintain an audit record for each RPC in their areas of responsibility. The progress of their "rolling" audit is projected in order to calculate a date of completion.

**Type of report:** Database/spreadsheet

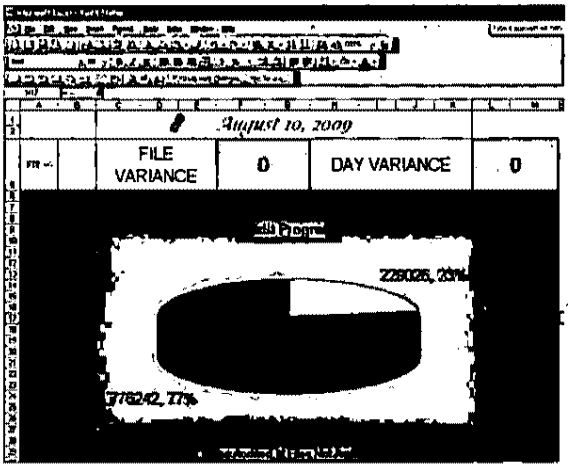
**Report number:** CSC-5

**Frequency:** Weekly

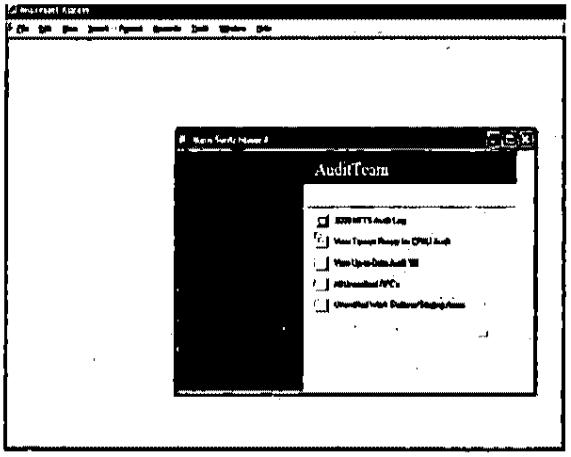
**How to print the report:** The contractor maintains an accurate listing of each of their RPC's and its audit history. The report is run through Access. The database records the date of the audit, which clerk performed the audit, and the results of any reconciliatory actions taken on the audit reports from their portable scanning devices.

Auditing sheets (cover signs) are used during the physical audits to identify the areas currently being audited. After each area is audited, the portable scanning device is downloaded to NFTS and the audit report is printed and reconciled. Each report is annotated to indicate what actions were taken during the reconciliation process.

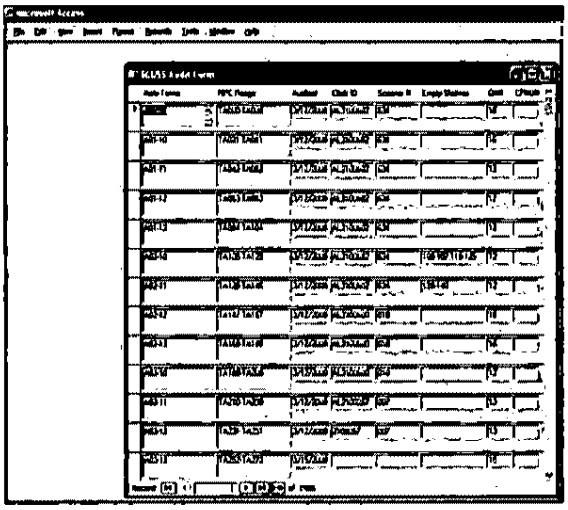
**Semi-Annual Audit Status Report (Excel)**



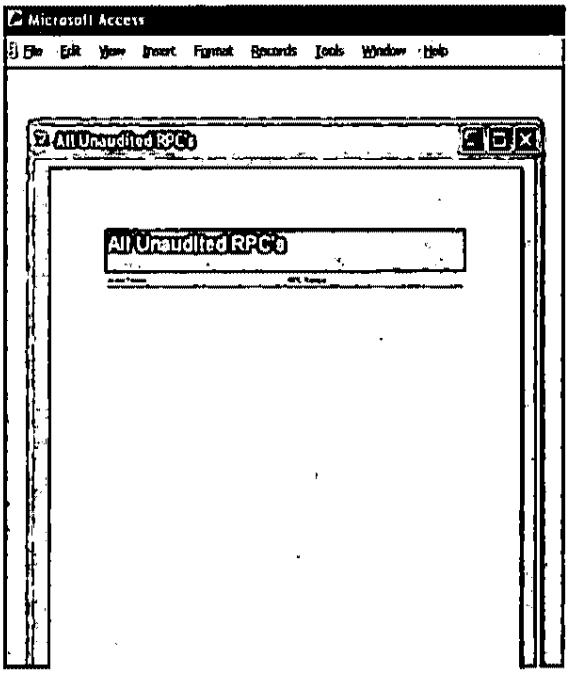

**Audit Plan (Access)**



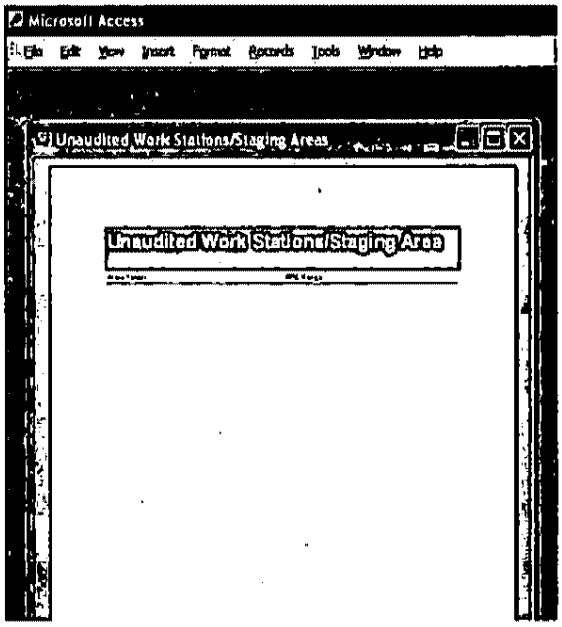

**NFTS Audit Log**



**All Unaudited RPC's**




**Unaudited Workstations/Staging Areas**




**How to interpret the report:** This report shows file audit progress by RPC in a sequential order. The database is color coded; an entry with a white background indicates an area that has not been audited.

**Additional Comments:** The database needs to be monitored to ensure the RPC's are up to date and accurate. It also must be monitored to ensure that enough resources are being allocated to reach targeted completion dates. This report can be used as a workflow management tool by the contractor.

## I-130 Upfront RFE Process:

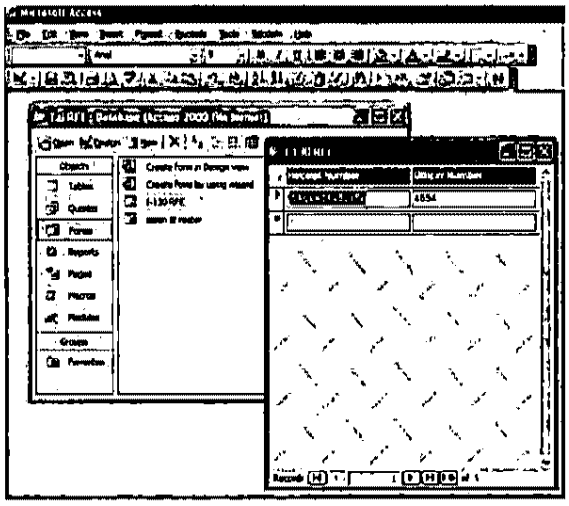
**Purpose of Report:** The contractor has an automated system for generating/printing RFE notices for I-130's. The report is run through Access. The receipt numbers for these cases are run through a database which pulls data from CLAIMS. The database then produces the RFE notice which is then prepared for mailing.

**Type of report:** Database.

**Report number:** CSC-7

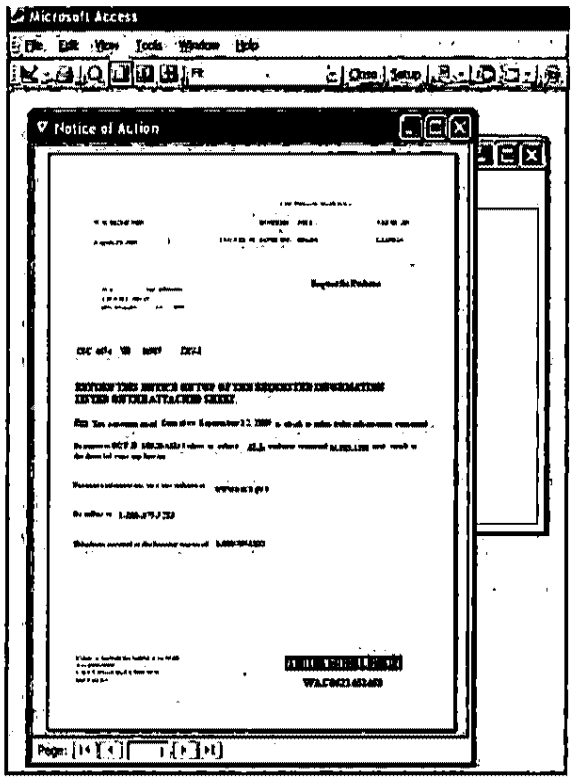
**Frequency:** Daily

**1130 Upfront RFE Process (Access)**



**How to print the report:** The contractor will input the I-130 receipt numbers and officer stamp numbers into the database. After bouncing against CLAIMS, the notices are printed.

**Printed RFE Notice**




**How to interpret the report: Additional Comments:** None.

## I-129 Auto Revocation/Withdrawal Process:

**Purpose of Report:** The I-129 Auto Rev/Withdrawal process was created to enable the contractor to generate Auto Revocation and Withdrawal notices in batches. The report is an Access database that requires the contractor to input receipt numbers related to Auto Revocations or Withdrawals into the database which are then bounced off of CLAIMS. The contractor also notifies local IT of the receipt numbers being prepared so that CLAIMS can be updated as well. After receiving confirmation from local IT that CLAIMS has been updated, the contractor prints the notices and prepares them for mailing.

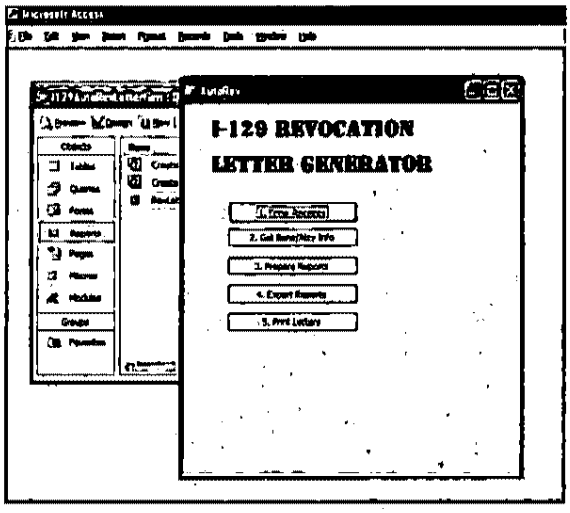
**Type of report:** Database.

**Report number:** CSC-8

**Frequency:** Daily

**How to print the report:** The contractor reviews correspondence received which requests a withdrawal and enters these receipt numbers into the database. After entering the receipt numbers, the receipts are bounced off of CLAIMS to gather beneficiary and attorney information. Then the report is prepared/exported. A copy of this report is sent to local IT via email so that CLAIMS can be updated. Local IT confirms the updates were successful and then the contractor physically prints the notices and mails them out.

**I129 Auto Revocation Letter Generator (Access)**




**Enter Receipts**

## Worley, Jordan P

**From:** Cox, Sophia
**Sent:** Tuesday, March 03, 2009 2:21 PM
**To:** Peck, Denis R; Williams, Carol L; Perkins, Robert M; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G; Collins, Mary Lou E; Collins, Mary Lou E; Bushey, Sandra T
**Cc:** Cummings, Kevin J
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

Thanks, Denis. Much appreciated. Let me know if there is anything I can do from my end.

---

**From:** Peck, Denis R
**Sent:** Tuesday, March 03, 2009 3:19 PM
**To:** Cox, Sophia; Williams, Carol L; Perkins, Robert M; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G; Collins, Mary Lou E; Collins, Mary Lou E; Bushey, Sandra T
**Cc:** Cummings, Kevin J
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

I'll contact them and see if all I-129s that go NSF during our data entry window can be reviewed by us before they send out a collection invoice.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

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**From:** Cox, Sophia
**Sent:** Tuesday, March 03, 2009 3:11 PM
**To:** Peck, Denis R; Williams, Carol L; Perkins, Robert M; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G; Collins, Mary Lou E; Collins, Mary Lou E; Bushey, Sandra T
**Cc:** Cummings, Kevin J
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

Denis – we have to find a way to make this happen because we pushed OCC and argued vehemently to be able to send the case back where the check is returned for NSF. It does absolutely no good for them to correct the fee deficiency, because at that point, they get credit for the date the deficiency is corrected, and by that time, the filing acceptance period will have closed. It also doesn't make the agency look good. We need to come up with ways to deal with this. –Sophia

---

**From:** Peck, Denis R
**Sent:** Tuesday, March 03, 2009 1:18 PM
**To:** Williams, Carol L; Perkins, Robert M; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G; Collins, Mary Lou E; Collins, Mary Lou E; Bushey, Sandra T
**Cc:** Cummings, Kevin J; Cox, Sophia
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

Carol – Sophia,

I am fine with Sunny's advisory on how to treat filings with an NSF. However, the Burlington Finance Center is just not wired to not try to collect on an NSF. If we want them to execute a special procedure to follow bullets 4 and 5 below, it is

something we would have to get them on board with beforehand. We would be asking the BSF to only send out invoices for the $30 NSF charge and not the application fee. This may not be possible to do in practice.

(1) Under the regulation you do have the opportunity to make the bad check good within 14 days.
(2) However, it's clear that you don't get the advantage of the date you filed the application with bad check.
(3) Normally, we would give you a filing date when we collect the good check.
**(4) However, in the H-1B context, where we already have more than enough petitions with earlier filing dates to take up all slots, it would be a fruitless action to have the petitioner make the check good, when we'd just have to return it again anyway because the petitioner's new filing date necessarily will be a date on which we are no longer accepting petitions.**
**(5) Therefore, it's most efficient and fair for all concerned, and consistent with the regulations, to reject any petition that turns out to have a bad check.**

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[redacted] (b)(6)
202-272-1542 FAX

---

**From:** Williams, Carol L
**Sent:** Tuesday, March 03, 2009 1:07 PM
**To:** Perkins, Robert M; Nicholson, Richard E; Nguyen, Carolyn Q; Gooselaw, Kurt G; Collins, Mary Lou E; Collins, Mary Lou E; Bushey, Sandra T
**Cc:** Williams, Carol L; Peck, Denis R; Cummings, Kevin J; Cox, Sophia
**Subject:** FW: H-1B Filing Tips/Bounced Checks and Degree Issue

All –

Please see below with respect to the following issues:

1. Bounced checks
2. Evidence for degree completion

If you have any questions, please let us know.

Thank you

Carol L. Williams

---

**From:** Choi, Sunny
**Sent:** Tuesday, March 03, 2009 11:44 AM
**To:** Cummings, Kevin J; Cox, Sophia
**Cc:** Williams, Carol L; Young, Claudia F; Tamanaha, Emisa T; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Salem, Claudia S; Busch, Philip B; Mcgee, Ramona L; Elder, Phillip D; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

Yes, we're ok with the evidence for the degree requirements.

Sunny Choi
Associate Counsel
Adjudications Law Division
Office of the Chief Counsel
U.S. Citizenship & Immigration Services
[redacted] (b)(6)

[redacted] (b)(6)
(206) 277-9080 - fax
sunny.choi@dhs.gov

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---

**From:** Cummings, Kevin J
**Sent:** Tuesday, March 03, 2009 8:40 AM
**To:** Choi, Sunny; Cox, Sophia
**Cc:** Williams, Carol L; Young, Claudia F; Tamanaha, Emisa T; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Salem, Claudia S; Busch, Philip B; Mcgee, Ramona L; Elder, Phillip D; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue
**Importance:** High

Thanks. What about evidence that the degree requirements have been met?

--Kevin

Kevin J. Cummings
Chief, EB-5 Investor Program
USCIS Service Center Operations
Department of Homeland Security
[redacted] (b)(6)
Fax: 202-272-1542
kevin.cummings@dhs.gov

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**From:** Choi, Sunny
**Sent:** Tuesday, March 03, 2009 11:36 AM
**To:** Cox, Sophia
**Cc:** Williams, Carol L; Cummings, Kevin J; Young, Claudia F; Tamanaha, Emisa T; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A; Salem, Claudia S; Busch, Philip B; Mcgee, Ramona L; Elder, Phillip D; Dalal-Dheini, Sharvari P; Gisser, Alex
**Subject:** RE: H-1B Filing Tips/Bounced Checks and Degree Issue

Hi Sophia

After reviewing the NSF issue, OCC agrees that H-1B cap subject petitions should be rejected if a NSF fee is remitted. To support this contention, Phil Busch provided the following analysis:

(6) Under the regulation you do have the opportunity to make the bad check good within 14 days.
(7) However, it's clear that you don't get the advantage of the date you filed the application with bad check.
(8) Normally, we would give you a filing date when we collect the good check.
(9) However, in the H-1B context, where we already have more than enough petitions with earlier filing dates to take up all slots, it would be a fruitless action to have the petitioner make the check good, when we'd just have to return it again anyway because the petitioner's new filing date necessarily will be a date on which we are no longer accepting petitions.

(10)Therefore, it's most efficient and fair for all concerned, and consistent with the regulations, to reject any petition that turns out to have a bad check.

We'll be on the lookout for the filing tips worksheet. Thanks again for your help.

Sunny Choi
Associate Counsel
Adjudications Law Division
Office of the Chief Counsel
U.S. Citizenship & Immigration Services

[redacted] (b)(6)
(206) 277-9080 - fax
sunny.choi@dhs.gov

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**From:** Cox, Sophia
**Sent:** Tuesday, March 03, 2009 7:52 AM
**To:** Salem, Claudia S; Choi, Sunny
**Cc:** Williams, Carol L; Cummings, Kevin J; Young, Claudia F; Tamanaha, Emisa T; Velarde, Barbara Q; Kruszka, Robert F; Richardson, Gregory A
**Subject:** H-1B Filing Tips/Bounced Checks and Degree Issue
**Importance:** High

Sunny and Claudia – We are about to send you the filing tips and worksheets this afternoon for OCC concurrence. We need to get them posted this week, because petitioners are preparing their 4/1 filings now. Also, we have a meeting with ACIP next week to review the filing tips and helpful hints.

In anticipation of these documents, and to facilitate quick clearance, I wanted to flag the 2 issues for you that have changed from last year:

1) **Bounced Checks:** If one or more of the fees remitted are returned, that will result in the petitioner's loss of consideration for an available slot under the FY '10 H-1B cap. This is based on the regulations at 8 CFR 103.2(a)()(I), which provide that an application or petition which is submitted with the wrong filing fee shall be rejected as improperly filed and that the rejected applications and petitions, and ones in which the checks or other financial instrument used to pay the filing fee is subsequently returned as non-payable with not retain a filing date. While we normally provide petitioners the opportunity to correct the fee deficiency, in all cases, the filing date is not established until the date the proper fee is remitted, i.e., the fee deficiency has been corrected. For an H-1B cap subject petition, any fee deficiency that is corrected would necessarily fall outside the filing acceptance period. As explained during prior meetings, this position is necessary because of the abuse we have found during last year. It is also necessary to ensure consistent treatment between H-1B petitions and all other immigration filings where a fee is returned for insufficient payment.

    - Petitioners are making speculative filings with insufficient fees and will correct them only if their petition is selected. This is costly for the agency and it is not fair to those petitioners who properly file with correct and sufficient fees during the filing acceptance period.

    - This treatment of insufficient fees puts H-1B filings on parity with how we accord filing (or priority dates) for other immigration filings across the board. For example, if an I-130 is filed with an insufficient fee, the petitioner is given the opportunity to correct the fee deficiency; however, the I-130 filing date is not established until the date that the fee deficiency has been corrected. Unlike H-1Bs, there is no limited filing window for I-130s, as there is for cap subject H-1B cases. Allowing H-1B petitioners to correct the fee deficiency and retain their H-1B slot would actually provide preferential and inconsistent treatment to H-1B petitioners that is not accorded to any other petitioner or applicant for any other immigration benefit.

2) **Degree Confirmation:** Based on our meeting, if all the requirements for the degree have been met, but the degree has not yet been awarded, we will accept:
   - A final transcript; OR
   - A letter from the Registrar; OR
   - A letter executed by the person in charge of the records of the educational institution where the degree was awarded.

The newly-enacted TARP provisions will be in a separate USCIS Update, which is also forthcoming.

Please let me know if you have any questions. --Sophia

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY-"10 H1B Draft Reject letters
**Date:** Tuesday, February 01, 2011 9:38:32 AM
**Attachments:** Reject letter #1 I-129 FY-"10 Master Cap Late Filed.doc
Reject letter #2 H1B Regular CAP FY-"10 Late Filed.doc
Reject letter #3 I-129 FY-"10 H1B CAP Incorrect start date reject.doc
Reject letter #4 I-129 FY-"10 H1B CAP Reject Not Selected.doc
Reject letter #5 I-129 FY-"10 H1B Winner Reject Letter.doc
Reject letter #6 I-129 FY10 H1B cap Filed too early other.doc
**Importance:** High

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Denis: Letter #4 and #5 with some editing as mentioned below....

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(b)(6) [redacted]

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**From:** Mehta, Dilipkumar N
**Sent:** Monday, February 02, 2009 2:44 PM
**To:** Gooselaw, Kurt G; Collins, Mary Lou E; Nicholson, Richard E; Benavente, Jessy J; Stoddard, Becky M; Lundquist, Mark E; Manahan, Lisa F; Perkins, Robert M; Robbins, Bonnie M
**Cc:** Cox, Sophia; Cummings, Kevin J; Williams, Carol L
**Subject:** FY-'10 H1B Draft Reject letters

Please review the attached draft FY-'10 H1B Cap reject letters that we could use them to reject FY-'10 H1B cap cases. VSC and HQ had concurred with the verbiage of each reject letter during our H1B Cap meeting that was held at Washington DC last year.

I have modified the verbiage of these reject letters so that we could use them to reject FY-'10 CAP cases. Please see the below description for each reject letter.

Reject letter # 1 refers to the rejection of late filed Master Cap case.

Reject letter # 2 refers to the rejection of late filed Regular Cap case.

Reject letter #3 refers to the rejection of incorrect employment start date for H1B cap case

Reject letter #4 refers to the rejection of "not selected" Cap case.

Reject letter #5 refers to the rejection of winner cap case that was filed improperly.

Reject letter # 6 refers to the rejection of "early filed" which is the same as reject letter # 5. The only difference is that I added the "Filed too early" reject reason in the block 9 of the reject letter. After the cap filing period, we may take off that reject reason and use the reject letter # 5. VSC and CSC each could use their Service Center mailing address in these draft reject letters.

Could you please all advise if you concur with the verbiage of these reject letters and concur with using them to reject FY-'10 H1B Cap cases?

Thanks,

Dilip Mehta

Immigration Services Analyst, CPAU,

California Service Center, Laguna Niguel, California

(b)(6) [redacted]

**From:** Perkins, Robert M
**To:** Williams, Carol L; Cox, Sophia; Cummings, Kevin J; Gooselaw, Kurt G; Nguyen, Carolyn Q; Peck, Denis R; Manahan, Lisa F; Nicholson, Richard E
**Cc:** Sweeney, Mark M; Whittier, Michelle J; Howrigan, Tanya L; Collins, Mary Lou E
**Subject:** FW: H1B Cap Fact Sheets and Helpful Hints
**Date:** Wednesday, January 28, 2009 7:44:33 AM
**Attachments:** H-1B helpful hints Non-mandatory worksheet-1-25-08 OCC CLEARED CLEAN.doc
H-1B helpful hints FY09 short OComm Final.doc
H-1B helpful hints FY09-LONG version OComm Final.doc
050908 Q&A RNG AND DUPLICATES.pdf
013008 CAP EXEMPT FILING LOCATION.pdf
031908 FACT SHEET.pdf
031908 NEWS RELEASE RNG AND DUPLICATES.pdf
040408 WAIVE JURISDICTION.pdf
041008 PRELIM CAP COUNT.pdf
041408 RNG RUN.pdf
041808 CAP GAP RULE.pdf

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All,

Attached are the pertinent H1B Cap Fact Sheets and Helpful Hints documents that were utilized last year. We should be able to dust most of these off with minor modifications. The VSC H1B cap team will be meeting tomorrow and will review these documents and offer recommendations for modification.

Thanks,

Rob

---

**From:** Howrigan, Tanya L
**Sent:** Wednesday, January 28, 2009 7:35 AM
**To:** Perkins, Robert M
**Subject:** Documents you requested

I have attached all the Press Releases that related to last years cap. I also saved them all to the FY09 Cap/Press Releases folder on the LAN. Also attached are the helpful hints (short and long version) and the H1B processing worksheet.

(b)(6)

**Tanya L. Howrigan | Senior Adjudications Officer | Vermont Service Center | USCIS | [redacted] ext [redacted] | 802.527.4843 | : tanya.howrigan@dhs.gov**

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# USCIS Update

January 30, 2008

## USCIS ANNOUNCES CENTRALIZED FILING LOCATION FOR CERTAIN H-1B CAP EXEMPT PETITIONERS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced today a new customer service initiative to streamline the adjudication of H-1B petitions. Effective today, USCIS will employ a special unit dedicated to processing these types of H-1B cap exempt petitions at the USCIS California Service Center (CSC). Aliens employed by certain types of educational, nonprofit or governmental organizations, as defined below (normally referred to as "cap exempt," aliens employed by such entities are not subject to the H-1B numerical limitations). *See* section 214(g)(5)(a) and (b) of the Immigration and Nationality Act (INA); and 8 CFR 214.2 (h)(8)(A).

H-1B "cap exempt" petitions, as referenced here, include petitions filed by:

- Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. 1001(a);
- Nonprofit organizations or entities related to or affiliated with institutions of higher education; and
- Nonprofit research organizations or governmental research organizations, as defined in 8 CFR 214.2(h)(19)(iii)(C).

Such institutions and organizations can indicate that their H-1B filing is cap exempt by marking Form I-129 (Petition of Non-Immigrant Worker) with a "yes" answer to questions 1, 2, or 3 in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (page 10).

H-1B petitioners are now encouraged to use the following special mailing address for qualifying H-1B cap exempt petitions. To determine if your petition qualifies, please make sure your institution or organization fits one of the categories listed above.

For Direct Mail:

**U. S. Citizenship and Immigration Services**
**California Service Center**
**ATTN: CAP EXEMPT H-1B Processing Unit**
**P.O. BOX 30040**
**Laguna Niguel, CA 92607-3004**

For non-United States Postal Service (USPS) deliveries (e.g. private couriers):

**U. S. Citizenship and Immigration Services**
**California Service Center**
**ATTN: CAP EXEMPT H-1B Processing Unit**
**24000 Avila Road, Room 2312**
**Laguna Niguel, CA 92677**

Each H-1B petitioner is encouraged to mark the outside of the envelope and the top margin of the I-129 form, with "EXEMPT." This will ensure quick identification of the H-1B filing throughout the petition's processing at CSC.

If a cap exempt H-1B petition is received at a different Service Center, that Service Center will expeditiously forward the petition to the CSC for processing. In the near future, USCIS will post special filing instructions to Form I-129 requiring all[1] qualifying H-1B cap exempt petitions to be filed at the CSC.

Please note, the highest volume of H-1B filings occurs during the month of April (Six months before the new fiscal year). This may result in longer than average receipting times or other interruptions in processing times. The public is reminded that petitioners may file a qualifying H-1B cap exempt petition at any time of the year dependent on the petitioner's need, and no earlier than six months ahead of the intended start date.

– USCIS –

[1] H-1B "cap exempt" petitions, as referenced here, do **not** cover H-1B petitions filed on behalf of beneficiaries requesting an exemption from the cap on account of holding a U.S. Master's degree or higher, requesting an extension of stay, or change of employer, or petitions requesting an amendment. These types of petitions, while also "exempt" should continue to be filed in accordance with the filing charts on uscis.gov and the Form I-129 instructions.

*Office of Communications*
U.S. Citizenship and Immigration Services

# Fact Sheet

March 19, 2008

## CHANGES TO THE FY2009 H-1B PROGRAM

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) issued an interim final rule today that prohibits employers from filing more than one petition for an H-1B visa for a single employee in a fiscal year. The change is intended to promote a fair and systematic process for H-1B petitioners. This rule ensures that companies filing H-1B petitions that are subject to numerical limits will have an equal chance to receive consideration for an H-1B worker.

The interim final rule will become effective upon publication in the *Federal Register* and may be accessed via USCIS' website at www.uscis.gov.

### BACKGROUND

U.S. businesses utilize the H-1B program to employ foreign workers in fields that require theoretical and practical expertise in specialized occupations requiring a bachelor's degree or higher (or its equivalent), such as scientists, engineers, or computer programmers. By law, USCIS cannot grant more than 65,000 new H-1B visas per fiscal year, subject to certain limited exceptions. The first 20,000 H-1B petitions filed on behalf of aliens with U.S.-earned masters' or higher degrees are exempt from the H-1B numerical limitation of 65,000. USCIS administers a separate "20,000 cap" for such exempt petitions.

USCIS will use a random selection process for all the master's degree or higher cap-exempt cases received on the first five business days available for filing H-1B petitions for a given fiscal year, if necessary. In the event that the U.S. master's exemption limit is reached on the first five business days, USCIS will first conduct the random selection process for such petitions before it begins random selection for petitions to be counted toward the 65,000 cap. Petitions eligible for the U.S. master's degree or higher exemption that are not selected to receive an H-1B visa number from the 20,000 cap will be considered with the other H-1B petitions in the random selection for the 65,000 cap filed on the first five business days.

### CAP-EXEMPT PETITION

USCIS also notes that petitions for new H-1B employment are exempt from the cap if the aliens will work at the defined institutions of higher education or a related or affiliated nonprofit entities, or at nonprofit research organizations or governmental research organizations. Thus, employers may continue to file petitions for these exempt H-1B categories regardless of H-1B visa number availability.

(more)

## CAP PROCEDURES

USCIS will use the following process for handling H-1B petitions subject to the FY 2009 cap:

- April 1, 2008 is the first day petitions may be received for an October 1, 2008 start date. When it is determined that the numerical limitations have been reached, USCIS employs a random selection process to choose among the petitions received on the "final receipt date." If the "final receipt date" falls within any one of the first five business days, the random selection will be run using all the cap-subject petitions received on those five days.

- USCIS will reject and return the filing fee(s) for all cap-subject H-1B petitions that are not selected in the process described above. The new rule clarifies that this provision only applies to petitions that indicate they are cap-subject. If a petitioner claims to be exempt from the cap and is later found to be subject to the cap, USCIS will not refund or return fees and that petition will be denied if no cap numbers are available.

- Petitions for the FY 2009 cap received before April 1, 2008 will be rejected. A petition is considered received when USCIS takes possession of and stamps the petition as received, not by the date the petition is postmarked.

In order to fully utilize its data entry and initial processing capacity, USCIS may choose to distribute filings received at one service center to other service centers for data entry. In the event that USCIS exercises this option, petitioners may receive receipt notices or other correspondence from a service center other than the one to which their H-1B petition was mailed.

## PREMIUM PROCESSING

Cap-subject petitions requesting premium processing that are received on the "final receipt date," or during the initial five business day period mentioned above, cannot be processed until after the random selection has been completed. The premium processing 15-day adjudication period (processing deadline) will not begin until such time as USCIS has completed the random selection process.

The number of master's exemption cases received cannot be determined until all the petitions have been sorted and counted. The same holds true for the master's exemption premium processing cases. In accordance with established guidelines, USCIS will refund premium processing fees for any filings for which it cannot meet processing deadlines. Even if USCIS issues a refund of the premium processing fee, it will continue to provide premium processing for these filings until completion.

**CURRENT H-1B WORKERS**

Petitions filed on behalf of current H-1B workers do not count towards the congressionally mandated H-1B cap. Accordingly, this rule does not affect USCIS processing of petitions filed to:

- Extend the amount of time a current H-1B worker may remain in the United States;
- Change the terms of employment for current H-1B workers;
- Allow current H-1B workers to change from one cap-subject position to a different cap-subject position with a different employer; or
- Allow current H-1B workers to work concurrently in a second H-1B position.

– USCIS –

*Office of Communications*

U.S. Citizenship and Immigration Services

# News Release

March 19, 2008

## USCIS ANNOUNCES INTERIM RULE ON H-1B VISAS

*Rule Modifies Selection Process and Prohibits Multiple Filings*

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) transmitted an interim final rule to the *Federal Register* today that prohibits employers from filing multiple H-1B petitions for the same employee. These changes will ensure that companies filing H-1B petitions subject to congressionally mandated numerical limits have an equal chance to employ an H-1B worker. To ensure a fair and orderly distribution of available H-1B visas, USCIS will deny or revoke multiple petitions filed by an employer for the same H-1B worker and will not refund the filing fees submitted with multiple or duplicative petitions.

This rule does not preclude related employers (such as a parent company and its subsidiary) from filing petitions on behalf of the same alien for different positions, based on a legitimate business need. The interim final rule becomes effective upon publication in the *Federal Register*.

Last August, President Bush announced that the Administration would be undertaking a series of immigration and border security reforms. The changes to the H-1B filing process under this rule are an important part of that initiative.

On April 1, 2008, employers may file petitions requesting H-1B workers for fiscal year 2009 employment starting on October 1, 2008. For fiscal year 2009, Congress has set a limit of 65,000 for most H-1B workers. Additionally, the first 20,000 H-1B workers who have a U.S. master's degree or higher are exempt from the cap. Under current procedures, which are not changed by this rule, once USCIS receives 20,000 petitions for aliens with a U.S. master's degree or higher, all other cases requesting the educational exemption are counted toward the 65,000 cap. Once the 65,000 cap is reached for a fiscal year, USCIS will announce that the cap has been filled and reject further petitions subject to the cap.

This rule also stipulates that if USCIS determines the number of H-1B petitions received meets the cap within the first five business days of accepting applications for the coming fiscal year, USCIS will apply a random selection process among all H-1B petitions received during this time period. If the 20,000 advanced degree limit is reached during the first five business days, USCIS will randomly select from those petitions ahead of conducting the random selection for the 65,000 limit. Petitions subject to the 20,000 limit that are not selected in that random selection will be considered with the other H-1B petitions in the random selection for the 65,000 limit.

The rule further clarifies that USCIS will deny petitions that incorrectly claim an exemption from any H-1B numerical limits. Those filing fees will not be returned.

This interim final rule can be viewed, along with additional information on this rule and the H-1B program, at USCIS' website at www.uscis.gov.

– USCIS –

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# USCIS Update

April 4, 2008

## USCIS TO ACCEPT H-1B PETITIONS SENT TO CALIFORNIA OR VERMONT SERVICE CENTERS

*Temporary Accommodation Made for FY-09 Cap-Subject H-1B Petitions*

**WASHINGTON** – U.S. Citizenship and Immigration Services (USCIS) announced today that it will not reject an H-1B petition that is subject to the fiscal year 2009 cap solely on the grounds that it was received at the wrong service center (e.g., the petition may have been inadvertently mailed to the California Service Center instead of the Vermont Service Center or vice versa).

It is important to note this accommodation does not apply if the petitions were sent to the Texas or Nebraska Service Centers.

USCIS is taking this limited, short-term measure to alleviate concerns from the public where an H-1B petition has been received by USCIS but at the incorrect Service Center. This measure applies only to H-1B petitions subject to the fiscal year 2009 cap that are received by USCIS before the close of business on the "final receipt date". USCIS will announce the final receipt date once the agency determines it has received the number of petitions needed to fill the congressionally mandated limitations of 65,000 new H-1B visas and 20,000 U.S. advanced degree exemptions per fiscal year. For more information on the H-1B program, please visit the USCIS website.

– USCIS –

*Office of Communications*

**U.S. Citizenship and Immigration Services**

# USCIS Update

April 10, 2008

## USCIS RELEASES PRELIMINARY NUMBER OF FY 2009 H-1B CAP FILINGS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced a preliminary number of nearly 163,000 H-1B petitions received during the filing period ending on April 7, 2008. More than 31,200 of those petitions were for the advanced degree exemption.

USCIS expects next week it will conduct the computer-generated random selection process, beginning with the selection of the 20,000 petitions under the advanced degree exemption. Those petitions not selected under the advanced degree exemption will join the random selection process for the regular 65,000 cap.

USCIS will reject, and return filing fees for all cap-subject petitions not randomly selected, unless found to be a duplicate. USCIS will handle duplicate filings in accordance with the interim final rule published on March 24, 2008 in the *Federal Register*.

USCIS will provide regular updates as the processing of FY 2009 H-1B cap cases continues.

– USCIS –

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www.uscis.gov

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# USCIS Update

April 14, 2008

## USCIS RUNS RANDOM SELECTION PROCESS FOR H-1B PETITIONS

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today conducted the computer-generated random selection processes on H-1B petitions, to select which H-1B petitions for fiscal year 2009 (FY 2009) would continue to full adjudication. If approved these H-1B petitions will be eligible to receive an H-1B visa number.

USCIS conducted two random selections, first on petitions qualifying for the 20,000 "master's or higher degree" (advanced degree) exemption, and second on the remaining advance degree petitions together with the general H-1B pool of petitions, for the 65,000 cap.

The approximately 163,000 petitions received on the first five days of the eligible filing period for FY 2009 (April 1 through April 7, 2008) were labeled with unique numerical identifiers. USCIS has notified the appropriate service centers which numerical identifiers have been randomly selected, so each center may continue with final processing of the petitions associated with those numerical identifiers.

Petitioners whose properly filed petitions have been selected for full adjudication should receive a receipt notice dated no later than June 2, 2008. USCIS will return unselected petitions with the fee(s) to petitioners or their authorized representatives. As previously announced, duplicate filings will be returned without the fee. The total adjudication process is expected to take approximately eight to ten weeks.

For cases selected through the random selection process and initially filed for premium processing, the 15-day premium processing period begins today (April 14), the day of the random selection process.

USCIS has "wait-listed" some H-1B petitions, meaning they may possibly replace petitions chosen to receive an FY-2009 cap number, but that subsequently are denied, withdrawn, or otherwise found ineligible. USCIS will retain these petitions until a decision is made whether they will replace a previously selected petition. USCIS will send a letter to the wait list petitioners to inform them of their status

USCIS expects that for each of these wait-listed petitions, it will either issue a receipt notice or return the petition with fees within six to eight weeks.

– USCIS –

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U.S. Citizenship and Immigration Services

# USCIS Update

April 18, 2008

## USCIS TO ALLOW F-1 STUDENTS OPPORTUNITY TO REQUEST CHANGE OF STATUS

*Short-term, Immediate Measure for Beneficiaries of Selected H-1B Petitions*

**WASHINGTON**—U.S. Citizenship and Immigration Services (USCIS) announced today that it would allow F-1 students who are the beneficiaries of selected H-1B petitions for fiscal year (FY) 2009 to request a change of status in lieu of consular notification.

This short-term measure follows an April 8, 2008 interim final rule that, among other actions, automatically extends the F-1 status of qualifying students who are the beneficiaries of approved H-1B petitions to cover the gap between the expiration of a student's F-1 status and the H-1B employment start date of October 1. To obtain the automatic extension, a student must be the beneficiary of an H-1B petition filed for the next fiscal year (with an October 1 employment start date) and have requested a change of status. For F-1 student beneficiaries of petitions that USCIS subsequently rejects, denies, or revokes, or for those who violate their status, the automatic extension terminates at that time.

Since the rule was published after the filing period had closed for new FY 2009 H-1B petitions, many petitioners of F-1 students did not include a request for a change of status with the H-1B petition. Instead, petitioners requested consular notification based on the assumption that these students would have been required to leave the United States to obtain an H-1B visa at a consular office abroad.

USCIS has determined that it will allow petitioners of F-1 students whose H-1B petitions were randomly selected to receive an H-1B visa number for FY2009 following the closure of the filing period, to now request a change of status on behalf of qualified beneficiaries, if such requests are received within 30 days of the issuance of the receipt notice.

To request a change of status in lieu of consular notification, petitioners (or authorized representatives) should send an e-mail with the request to the USCIS service center where their petition is pending within 30 days of the issuance of the receipt notice. Special email addresses for each service center have been established specifically for this purpose. These addresses are listed below and are posted on USCIS' website. Petitioners should e-mail their requests for change of status in lieu of consular notification upon receipt of the notice so the agency has the request before completing H-1B petition adjudication. The requests should include the receipt number and both the petitioner's and beneficiary's name, date of birth, I-94 (Arrival/Departure Record) number, and Student and Exchange Visitor Information System (SEVIS) number. Please do not contact the service center about requesting a change of status until after receiving the receipt notice.

E-mail addresses for requesting change of status are:

- Vermont Service Center
  - Premium Processing cases: VSCPPCAPGAP.Vscppcapgap@dhs.gov
  - Non-Premium cases: VSCNONPPCAPGAP.Vscnonppcapgap@dhs.gov
- California Service Center
  - Premium Processing cases: CSC.ppcapgap@dhs.gov
  - Non-Premium cases: CSC.nonppcapgap@dhs.gov

NOTE: If an F-1 student, who is the beneficiary of a selected 2009 H-1B petition, has a pending request to change to a status other than H-1B but now wants to file under the process outlined above, he or she should withdraw the previously filed change in accordance with established regulations.

– USCIS –

*Office of Communications*
U.S. Citizenship and Immigration Services

# Questions and Answers

Revised May 9, 2008

## USCIS ANNOUNCES INTERIM RULE ON H-1B VISAS

*Rule Modifies Petition Selection Process and Prohibits Multiple Filings*

**What is the H-1B visa program?**

The H-1B visa program is used by U.S. businesses to employ foreign workers in occupations that require theoretical and practical application of highly specialized knowledge and a bachelor's degree or higher (or its equivalent), such as scientists, engineers, or computer programmers.

**What is the purpose of the new rule?**

The overall goal of the new rule is to promote equal opportunity for prospective petitioners seeking visas for H-1B workers.

**What are the specific modifications under the new rule?**

1. USCIS will now either deny or revoke multiple petitions filed by an employer for the same H-1B worker.
2. USCIS will not refund filing fees for duplicative or multiple H-1B petitions.
3. In years when USCIS implements the random selection process for petitions, USCIS will include petitions in the random selection process that are filed during the first five business days available for filing H-1B petitions for a given fiscal year, rather than just the first two such days.
4. If a petition incorrectly indicates that it is exempt from any of the H-1B numerical limits, the petition will be denied if no H-1B visa numbers are available and the filing fees will not be returned.

**Do the new rules referencing multiple filings on behalf of one worker apply to a parent company and its affiliated entities?**

The rule does not prevent related employers (such as a parent company and its subsidiary) from filing petitions on behalf of the same alien for different positions, based on legitimate business need.

**How long did it take for the prior FY2008 congressionally mandated H-1B caps to be reached?**

April 2, 2007 was the first day H-1B petitions could be received for Fiscal Year 2008. On that day USCIS received enough petitions to fill the 65,000 cap for Fiscal Year 2008. On April 30, 2007, USCIS received enough petitions to fill the 20,000 advanced degree cap.

(more)

**What are the FY2009 congressionally mandated H-1B caps?**

By law, the congressionally mandated cap is 65,000 for new H-1B visas per fiscal year, subject to certain limited exceptions. The advanced degree exemption is 20,000 H-1B visas.

**When can employers file an H-1B petition for fiscal year 2009?**
April 1, 2008 is the first day petitions may be received for an October 1, 2008 start date.

**What happens when the cap is reached?**
When it is determined that the numerical limitations have been reached, USCIS employs a random selection process to choose among the petitions received on the "final receipt date." If the "final receipt date" falls within any one of the first five business days, the random selection will be run using all the cap-subject petitions received during those five days.

If the limits are reached during that period:

- 20,000 Reached - USCIS randomly selects from these petitions ahead of selection for the 65,000 limit.
- Over 20,000 Not Selected - Considered with other H-1B petitions in the random selection for the 65,000 limit.
- Under 20,000 – Ongoing approvals counted toward the 20,000 cap until the limit is reached.

**If USCIS finds out that an employer is filing multiple petitions for the same potential employee, will USCIS disqualify that employer entirely?**

USCIS will handle all duplicate filings in accordance with the interim final rule published on March 24, 2008 in the Federal Register. USCIS will deny or revoke all petitions filed by an employer for the same H-1B worker if more than one is filing is discovered. If duplicate or multiple petitions are discovered, whether one or more such petitions are approved, USCIS will data enter all those duplicative petitions, retain all fees, and either deny the petitions or, if a petition was approved, revoke the petition. The petitions will not be returned to the petitioner.

– USCIS –

## Helpful Hints for Filing a FY 2009 H-1B Cap Case

U.S. Citizenship and Immigration Services (USCIS), anticipating that April 1, 2008 will see a repeat of the mass filings from last year, wishes to offer this list of measures the petitioner can take to ensure that their petition is correctly filed.

For Fiscal Year 2009, the first filing date is **Tuesday, April 1, 2008.** Cap subject petitions received before that date will be rejected. Petitions are filed at Vermont and California Service Centers, depending on jurisdiction. See filing instructions. Both the forms and the instructions can be downloaded from our website at www.uscis.gov.

Here are some general tips on what to do to make sure that your petition is completed and filed properly.

**1. Clearly label all H-1B cap cases in red ink on top margin of Form I-129 petition. Use the following codes:**

- **Reg. Cap** (65,000 regular cap cases minus the C/S cap cases received)
- **C/S Cap** (Chile/Singapore H-1B1s)
- **U.S. Masters** (20,000 cap exemption for beneficiaries with U.S. Masters or higher degrees)
- **Exempt** (for petitions filed by certain institutions of higher education; nonprofit organizations; and nonprofit research organizations or governmental research organizations, as defined in USCIS regulations)

**2. Fill out Form I-129 and supplements correctly, consistently and completely.**

- **Form I-129 petition**
- **H classification supplement** (page 7)
- **H-1B Data Collection and Filing Fee Exemption Supplement** (pages 10 and 11)

Original signatures are required. **Tip**: blue ink makes it easy for us to confirm an original.

**3. Employer must submit the correct fees as seen on form instructions (separate checks for each are best).**

- **Form I-129 – $320.**
- **ACWIA** – **$1,500** if you have 26 or more full time equivalent employees
  – **$750** if you have 25 or less full time equivalent employees
- **Fraud fee** – **$500** (Not for Chile/Singapore cases)
- **Premium Processing fee – $1,000** (Form I-907 required)

See Fee Exemption and/or Determination (Page 10 and 11) for detailed instructions on fees.

**4. Please send only one petition per envelope.** (These may then be mailed together in one mailing package.)

- Regular Cap
- U.S. Master's Cap
- Regular Cap Premium Processing
- U.S. Master's Cap Premium Processing
- H-1B1 Chile/Singapore

**Please note that incorrectly completed or filed petitions may result in rejection or denial of the petition.**

- USCIS -

## HELPFUL INFORMATION FOR COMPLETING AND SUBMITTING A FY 2009 H-1B CAP CASE

U.S. Citizenship and Immigration Services (USCIS) uses the information in Part C of the H-1B Data Collection and Filing Fee Exemption Supplement (Form I-129, page 11) to determine whether a petition is subject to the 65,000 and 20,000 (U.S. master's degree or higher) H-1B numerical limitation caps. Please be sure to read these questions and answers carefully in advance of completing the petition.

**When can I file an H-1B Cap petition?**
H-1B petitions can be filed six months in advance of the requested start date. Therefore, petitions seeking an October 1, 2008 start date can be filed no sooner than April 1, 2008. This is when the majority of H-1B cap subject petitions are filed. Conversely, petitions that are cap exempt may be filed at any time during the year, dependent on the petitioner's need.

**Where should I mail my H-1B Cap subject petition?**
Specific mailing addresses have been established for purposes of identification and processing of H-1B cap subject cases. The specific filing addresses are listed on the accompanying filing charts. These filing charts are also available on USCIS website. **[OCOMM – Can you link to last year's filing chart please]** A separate mailing address has been established for certain types of educational or nonprofit organizations which file H-1B petitions on behalf of beneficiaries that are not counted against the H-1B numerical limitations. [See separate Public Update **OCOMM PLEASE INSERT LINK]**

**What is Premium Processing Service?**
For certain employment-based immigration benefits, petitioners may choose to file a Form I-907 with the accompanying filing fee of $1,000 to have their petition adjudicated within 15 calendar days (this fee is in addition to the required base filing and other applicable fees). H-1B petitions are eligible for the Premium Processing program. The Form I-907 can be filed at the same time as or subsequent to the filing of Form I-129. If filed subsequent to the Form I-129, please be sure to include the receipt number (i.e. EAC 08 123 51234) of the Form I-129 in the pertinent section of Form I-907. Please use the latest version of Form I-907. Versions prior to August 28, 2006 will not be accepted. For more information concerning the Premium Processing program, please visit our website at www.uscis.gov.

**How do I ensure that my H-1B Cap petition is considered properly filed and accepted?**
Be sure to complete all sections of the Form I-129 petition, the H Classification Supplement to Form I-129 (pages 7 and 8 of Form I-129), and the H-1B Data Collection and Filing Fee Exemption Supplement (pages 10 and 11). Original signatures are required on each form. Send the correct fee amount.

Checks should be payable to the Department of Homeland Security or U. S. Citizenship and Immigration Services dated within the last six months, and include the proper guarantee amount, and signature.

Here are the current fees that petitioning employers must pay:

**Base filing fee – $320**
**American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) fee** -- **$750** For employers with 1 to 25 full time equivalent employees unless exempt

– **$1,500** For employers with 26 or more full time equivalent employees unless exempt
(see H-1B Data Collection and Filing Fee Exemption Supplement, Part B)

**Fraud fee** – **$500** To be submitted with the initial H-1B petition filed on behalf of each beneficiary by a petitioner. (Not for Chile/Singapore H-1B1 cases)

**Premium Processing fee**
– **$1,000** For employers seeking Premium Processing Service

It is recommended that all signatures on the petition be in **blue ink** to readily identify the original signature.

A certified Labor Condition Application (Form ETA 9035) from the Department of Labor must be submitted at the time of filing. A copy of the Labor Condition Application is acceptable. If the Labor Condition Application from the Department of Labor is for multiple positions, provide the name, and USCIS case receipt number of any alien who has previously utilized it.

A duplicate copy of the petition must be submitted at the time of filing if the beneficiary will be seeking nonimmigrant visa issuance abroad. Please review the Department of State website at http://travel.state.gov/ to make sure that the consulate indicated on Form I-129 is able to process the beneficiary's nonimmigrant visa application and for any other consulate-specific special instructions.

**How do I organize my H-1B package?**
A separate check for each applicable filing fee (Form I-129, Premium Processing, Fraud Fee, and/or ACWIA fee) is preferred.

Here is the preferred order of documents at time of submission. Applicable fees should be stapled to the bottom right corner of the top document (Form I-907, Form G-28, or Form I-129).

- Form I-907 (if filing for Premium Processing Service);
- Form G-28 (if represented by attorney or accredited representative);
- Form I-129 ("Petition for a Nonimmigrant Worker");
- H Classification Supplement to Form I-129;
- H-1B Data Collection and Filing Fee Exemption Supplement;
- Provide a Table of Contents;
    - Tab items as listed in Table of Contents;
    - Arrival-Departure Record (Form I-94) (if the beneficiary is in the US);
    - and, if applicable, the SEVIS Form I-20 (if current or former F-1 student or F-2 dependent), SEVIS Form DS-2019 (if current or former J-1 or J-2) or Form I-566 (if current A or G nonimmigrant)
    - Certified Labor Condition Application, Form ETA 9035, from Department of Labor;
    - Employer/Attorney/Representative letter;
    - Other supporting documentation;
    - Duplicate copy of the petition if the beneficiary will be seeking nonimmigrant visa issuance abroad.

If multiple petitions will be included in the same courier service or Post Office package, please place individual petitions into separate envelopes within the package.

**FILING DOCUMENTATION**

**Notice of Entry of Appearance as Attorney or Representative (Form G-28)**
If the petitioner will be represented by an attorney or other accredited representative, a properly executed Form G-28 should be submitted. Each Form G-28 should include the following:

- All sections completed;
- The printed name and signature of the representative. The representative's signature can be either an original or a facsimile; and
- The original signature of the petitioner.

**Form I-129 Petition for a Nonimmigrant Worker**

- Please be sure to complete all sections of the form accurately. **[OComm—could we link somewhere to Main Errors tip sheet]**
- Be sure the beneficiary's name is spelled properly and that his/her date of birth is displayed in the proper format (mm/dd/yyyy). Also, country of birth/citizenship and the I-94 # (if applicable) should be reviewed for accuracy.
- If the beneficiary will ultimately be seeking issuance of a visa at a consular office abroad, a copy of the petition and supporting documentation should be included with the filing. For cases where the beneficiary will be seeking a change of status in the United States, a copy is not necessary.
- If the beneficiary is seeking an extension or change of status, the petition should include evidence (e.g. Form I-94 or Form I-797 approval notice) to establish that the beneficiary will have maintained a valid nonimmigrant status through the employment start date being requested.
- A copy of the beneficiary's valid passport.

**H Classification Supplement to Form I-129 (pages 7-8 of Form I-129)**

- Please be sure to complete all sections of the form accurately.
  In listing previous periods of stay in H/L classification (question 3), please also include the actual nonimmigrant classification (e.g. H-1B or H-4) held.
- Petitioner must sign the form, preferably in **blue ink.**

**H-1B Data Collection and Filing Fee Supplement form (pages 10-11 of Form I-129)**

- Please be sure to complete all sections of the form accurately.
- If the beneficiary has earned a Masters Degree or higher from a U.S. educational institution, be sure to answer accordingly in Part A, question 5 and Part C, question 7.
- If the petition does not involve a change of employer, Part C question 6 is not relevant. Thus, please answer "No" or provide an "N/A" in the margin of the form to the left of the question.
- Petitioner must sign the form, preferably in **blue ink.**

**Form I-907 Request for Premium Processing**

- Please be sure to complete all sections of the form accurately with original signatures.
- If there is a valid Form G-28 with the file and the attorney is signing the Form I-907, then the representative should sign in both Part 3 and 4 of the Form I-907. Otherwise, the petitioner's signature is required. We prefer that the signature(s) be in **blue ink.**
- When form I-907 is filed after the filing of Form I-129 please include a copy of the Form I-129 receipt notice along with the Form I-907.

Please visit www.uscis.gov frequently for filing updates or call the National Customer Service Center at (800) 375-5283 for up-to-date information.

- USCIS -

# Documents from Dennis Peck

# FY11 H1B Related

**From:** Peck, Denis R
**To:** Lundquist, Mark E
**Subject:** FW: 129 EFiling Questions
**Date:** Tuesday, April 26, 2011 2:56:00 PM
**Importance:** High

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Mark

Would you contact Stephanie and see that she knows that the e-filing template can't have any different fields than the Claims data screens for the I-129 do? And that changing any data fields in Claims is a year long – or longer – process?

Just loop back to me on this by Thursday when we know more.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Young, Claudia F
**Sent:** Tuesday, April 26, 2011 2:35 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** 129 EFiling Questions
**Importance:** High

Dennis and I met with efiling last week and we had a few get backs that I am late on:

1. Currently the following classification cannot be e-filed: H1B, H2B, L1, R1 and E3. I don't think we want any of these included now but I wanted to check with everyone. **Barbara and Greg**

2. Jurisdiction- Currently the e-filed 129s only go to CSC. We have the ability to have the 29s also go to VSC per the filing instructions if we would like to do this. What are your thoughts? **Barbara and Greg**

3. Denis- Stephanie Villaflor needs the data entry requirements that data entry uses in order to determine required and "good to have" data fields. **Denis**

4. CNMI- any issues with e-filing? I don't believe there is, but I am double checking **Claudia**

5. Jim- Stephanie was looking for if there were any new drop downs in CLAIMS since 2000. Could Patrick contact Stephanie and let her know? **Jim**

Thanks,
Claudia

Claudia F Young

Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060

(b)(6) [redacted]

**From:** Velarde, Barbara Q
**To:** Peck, Denis R; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** RE: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.
**Date:** Friday, April 16, 2010 10:35:26 AM

---

And the PP percentage?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

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**From:** Peck, Denis R
**Sent:** Friday, April 16, 2010 10:29 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Johnson, Bobbie L; Sweeney, Shelly A; Fitzsimmons, James; Arroyo, Susan K
**Cc:** Neufeld, Donald
**Subject:** FW: 4/15/10 CAP report: H1B filings are 97% processed through 4/15.

Of the 22,000 filings thus far, VSC had only 110 from Thursday and CSC 490 from Tuesday-Thursday remaining to data enter, so we are virtually current.

Thursday's mail was 236 VSC, 224 CSC.

This will be the last daily update. Some stats from this year's incoming –

The split of filings was 57% VSC 43% CSC, very similar to previous years.

The reject rate is 816/21,400 completed, a little under 4%

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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---

**From:** Treacy, Erin [mailto:Erin.Treacy@stanleyassociates.com]
**Sent:** Friday, April 16, 2010 10:04 AM
**To:** 'Peck, Denis R'; Shiflett, Julie M
**Cc:** Peacock, Walter W.
**Subject:** 4/15/10 CAP report

Denis and Julie, attached please find yesterday's CAP reports.

Have a good weekend!

Erin

Erin Treacy
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.
(b)(6) [redacted]office
[redacted]mobile
703-535-5065 fax
erin.treacy@stanleyassociates.com
***www.stanleyassociates.com***

**From:** Peck, Denis R
**To:** Neufeld, Donald; McConnell, James E
**Cc:** Velarde, Barbara Q
**Subject:** RE: Bullets on H1B CAP
**Date:** Saturday, January 29, 2011 10:36:00 AM

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I think I misused the term applications. I know we had more denials and revokes than that. Jim F's target in past years was over 90,000 applications total.

He'll be in on Monday, but what he told me was with the approvals we already had , 69,000, plus about 16,500 pendings, taking out the denials that will happen, we would end up with the 85,000 approvals. He also reserves about 1,000 of the 85,000 for chile Singapore and that factors into his calculations.

-----Original Message-----
From: Neufeld, Donald
Sent: Friday, January 28, 2011 6:56 PM
To: Peck, Denis R; McConnell, James E
Cc: Velarde, Barbara Q
Subject: Fw: Bullets on H1B CAP

Jim and Denis - can you get this info next week?

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Sent: Fri Jan 28 18:05:35 2011
Subject: RE: Bullets on H1B CAP

This is very helpful, Don. Thank you very much.

It appears that we grant the great majority of petitions, right? We accept 85,550 for 85,000 slots.

Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(b)(6) [redacted]

Alejandro.Mayorkas@dhs.gov

---

From: Neufeld, Donald
Sent: Friday, January 28, 2011 5:49 PM
To: Mayorkas, Alejandro N
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Subject: Bullets on H1B CAP

Ali,

I asked folks to put together just a few bullets that you might find informative relative to our reaching the cap:

* USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010

* On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.

* Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.

* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

Don

**From:** Neufeld, Donald
**To:** Peck, Denis R; McConnell, James E
**Cc:** Velarde, Barbara Q
**Subject:** Fw: Bullets on H1B CAP
**Date:** Friday, January 28, 2011 6:55:53 PM

---

Jim and Denis - can you get this info next week?

----- Original Message -----
From: Mayorkas, Alejandro N
To: Neufeld, Donald
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Sent: Fri Jan 28 18:05:35 2011
Subject: RE: Bullets on H1B CAP

This is very helpful, Don. Thank you very much.

It appears that we grant the great majority of petitions, right? We accept 85,550 for 85,000 slots.

Ali

Alejandro N. Mayorkas

Director

U.S. Citizenship and Immigration Services

20 Massachusetts Ave., N.W.

Washington, DC 20529

(b)(6) [redacted]

Alejandro.Mayorkas@dhs.gov

---

From: Neufeld, Donald
Sent: Friday, January 28, 2011 5:49 PM
To: Mayorkas, Alejandro N
Cc: Velarde, Barbara Q; Kielsmeier, Lauren
Subject: Bullets on H1B CAP

Ali,

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* USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010

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* Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.

* The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.

* Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be authorized in order to successfully service the large number of Premium Processing filings usually received during the initial days of the new filing period.

We have this down to a science now, but it wasn't always that way.

I hope this is helpful,

Don

**From:** Peck, Denis R
**To:** Neufeld, Donald
**Subject:** bullets on H1B CAP
**Date:** Friday, January 28, 2011 3:07:00 PM

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Don, here are some bullets you can pick and choose from for Ali; if there are some things I'm not thinking about respond back and I'll dig up the data.

- USCIS reached the FY2011 H1B Cap on January 26, 2011 vs. December 21, 2009 in FY2010
- On the final day we received 916 applications. 24 were rejected, 683 were randomly selected by programmed software and processed. 209 were not selected and will be rejected back.
- Our total target for applications accepted was 85,550. This allows us to deny some of the pending applications and still issue the CAP target of 85,000 visas.
- The 20,000 visas allotted to Master's Degree holders only was reached in late December; since then, all applications from Master's Degree holders have been applied to the 65,000 visa cap.
- Planning is underway for FY2012 CAP season beginning April 1. Overtime for some agency personnel may be necessary in order to successfully service the large number of Premium Processing filings usually received during the initial regulatory required five business day filing period.

Denis Peck
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20 Massachusetts Avenue, NW Room 2126
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[redacted]
202-272-1542 FAX

**From:** Young, Claudia F
**To:** McConnell, James E; Peck, Denis R; Moran, Karla; Sweeney, Shelly A
**Cc:** Harton, Frank A; Velarde, Barbara O; Richardson, Gregory A
**Subject:** FW: CAP 2012
**Date:** Wednesday, March 09, 2011 10:30:32 AM

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SCOPS,
I drafted the below response to questions I received regarding the Cap Season. To be honest, I don't know the difference between processing and cycle time and I am thinking cases should just be completed within 60 days. Please let me know if this response is okay or provide edits.
Thanks,
Claudia

VSC and CSC,
We were sent the following 2 questions regarding SCOPS' expectations during the H1B Cap Season in regards to processing of cases. In an effort to ensure consistency, I am sending SCOPS' responses to both centers. If you have any additional questions, please let us know.

1. With the earliest start date being 10/1/11, at what point in time do you expect us to be at 60 days processing and/or cycle time for cap FY12 cases? In that the benefit is not available until 10/1, I'd like to hear your thoughts on whether the expectation is to maintain the 60 day processing/cycle times at all times, as of a specific date prior to 10/1, as of 10/1, etc...
   SCOPS: As soon as possible. The focus should not be on the 10/1 start date, but rather on ensuring that all cases are adjudicated within 60 days. We understand that a center will be hit with a surge of cases at the beginning of the Cap season, however the expectation is to get back within the 60 day processing time as quickly as possible. The centers and SCOPS will be continuously monitoring processing/cycle times to ensure we meet our goals.

2. Please let us know if SCOPS is focused on the processing time, cycle time, or both when looking at I-129 processing goals?
   SCOPS: As stated above, there is an expectation that cases will be adjudicated within 60 days. Centers must also remain current with the EOS cases during this time so resources should be planned accordingly.

I hope this answers your questions. Please let us know if you have any follow up questions.

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

**From:** Nicholson, Richard E
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Devera, Jennie F
**Cc:** Peck, Denis R; Fitzsimmons, James
**Subject:** FW: CAP numbers
**Date:** Monday, April 05, 2010 9:24:28 AM

Chris: We do not have concrete numbers for cap yet, the contactor depends upon NFTS which was down Friday all day. The below numbers are estimates based on an average box numbers. As soon as the contractor downloads the numbers from the Dolphins we will get a solid count by category this morning.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

**From:** Collins, Mary Lou E
**To:** Peck, Denis R; Renaud, Daniel M; Bushey, Sandra T; Loughlin, Stephen J; Perkins, Robert M
**Subject:** RE: CAP numbers at CSC
**Date:** Monday, April 05, 2010 12:14:08 PM

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Dan –

Here are the numbers we have from Friday afternoon;

4/1 – 8293 true count
4/2 – 1232 true count
4/2 – 2071 pieces left to open (not yet identified as CAP)

Out of the 9525 from 4/1 and 4/2, 2276 are Premium Processing Cases.

Thanks
Mary-Lou

---

**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 10:01 AM
**To:** Collins, Mary Lou E
**Subject:** FW: CAP numbers at CSC

Anything updated at your place yet? I haven't seen a whole lot of data from the contractor regarding Vermont

Denis Peck
Branch Chief, Service Center Records Management
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(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 05, 2010 9:34 AM
**To:** Loughlin, Stephen J
**Subject:** FW: CAP numbers at CSC

Steve,

This is where they're holding at CSC; has Stanley provided anything complete to you yet?

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
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---

**From:** Nicholson, Richard E
**Sent:** Monday, April 05, 2010 9:24 AM
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn Q; Devera, Jennie F
**Cc:** Peck, Denis R; Fitzsimmons, James
**Subject:** FW: CAP numbers

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Rich Nicholson
Assistant Director Records/COTR
California Service Center

(b)(6) USCIS [redacted]

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Boberg Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up, Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

**From:** Peck, Denis R
**To:** Loughlin, Stephen J
**Subject:** RE: CAP Rejects - letter
**Date:** Tuesday, February 01, 2011 4:15:00 PM

---

When I send something out that will be read by the public, it gets checked. Within USCIS, depends on how important. There's not enough hours in a day to run a grammar check on every email I send.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, February 01, 2011 4:12 PM
To: Peck, Denis R
Subject: RE: CAP Rejects - letter

I hope you can take this with a sense of humor, but did you forget a "be' in your first sentence? Grammar check misses things at times.

Stephen J. Loughlin
Assistant Center Director, COTR
U.S. Citizenship & Immigration Services
(b)(6) U.S. Department of Homeland Security
[redacted]

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, February 01, 2011 3:19 PM
To: Nicholson, Richard E; Loughlin, Stephen J; Ashline, Heidi L
Subject: FW: CAP Rejects - letter

VSC-CSC

This should what goes out, with the changes added. But be sure to record the rejects from Jan 26 very carefully. If we get any problems from someone about why they weren't included it'll be from that day. You both have the spreadsheet with the 283 filings that weren't initially selected. We then processed the top 26 of those. The remaining ones were lottery losers.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

-----Original Message-----

From: Harton, Frank A
Sent: Tuesday, February 01, 2011 1:54 PM
To: Peck, Denis R
Cc: Young, Claudia F
Subject: FW: CAP Rejects - letter

I suggest two changes:

1. Change all instances of "H1-B" to "H-1B."
2. Change all instances of "CIS" to "USCIS."

Other than that, I think this is sufficient. I don't see any reason why a petitioner needs to know that they were "almost selected" for the cap. They should receive the same letter as all other petitioners who didn't make it.

Frank

-----Original Message-----
From: Young, Claudia F
Sent: Tuesday, February 01, 2011 9:54 AM
To: Harton, Frank A
Subject: FW: CAP Rejects - letter

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

-----Original Message-----
From: Peck, Denis R
Sent: Tuesday, February 01, 2011 9:19 AM
To: Sweeney, Shelly A
Cc: Young, Claudia F
Subject: FW: CAP Rejects - letter

Is there anything more you would want in the reject letters about to be used than this language? Is there any need for the lottery losers from Wednesday to have different language in the letter?

Denis Peck
Branch Chief, Service Center Records Management SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

-----Original Message-----
From: Ashline, Heidi L
Sent: Tuesday, February 01, 2011 9:14 AM
To: Peck, Denis R
Cc: Loughlin, Stephen J
Subject: RE: CAP Rejects

Denis,

Please find attached the Reject Letter we use here at VSC for CAP cases. We do not have a separate letter for cases received Wed. and cases received after that. Let me know what you think.

Thank you,

Heidi Ashline
VSC/SISA/CPAU
(b)(6) [redacted]

-----Original Message-----
From: Loughlin, Stephen J
Sent: Tuesday, February 01, 2011 9:11 AM
To: Ashline, Heidi L
Subject: Fw: CAP Rejects

Fyi
Stephen J. Loughlin
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6) [redacted]

----- Original Message -----
From: Peck, Denis R
To: Nicholson, Richard E
Cc: Loughlin, Stephen J
Sent: Tue Feb 01 09:08:47 2011
Subject: RE: CAP Rejects

First we need to see the reject letters. Do we have a different letter for those not selected from Wednesday's mail vs. all the days after Wednesday? There really should be a specific reject letter just for them.

I'm going to check here with Shelly Sweeney.

But in any case we were going to start Wednesday.

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6) [redacted]

202-272-1542 FAX

From: Nicholson, Richard E
Sent: Tuesday, February 01, 2011 8:40 AM
To: Peck, Denis R
Subject: CAP Rejects

Denis: We can start rejecting today correct?

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(b)(6) [redacted]

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: CAP report (4/5/10)
**Date:** Tuesday, April 06, 2010 10:40:58 AM

Thanks.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

**From:** Peck, Denis R
**Sent:** Tuesday, April 06, 2010 7:38 AM
**To:** Nicholson, Richard E; 'Peacock, Walter W.'
**Cc:** 'Shiflett, Julie M'; Loughlin, Stephen J
**Subject:** RE: CAP report (4/5/10)

We are not going to deviate from the April 7 start date. All filings received April 1-7 will have the received date set in Claims as April 7. Both centers will begin same day, and we should have all the Premiums finished by the end of Thursday. This was discussed this morning with Barbara and the branch chiefs and it is not to be changed.

Julie contact Rich about the clearances. No need to copy me on that.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

**From:** Nicholson, Richard E
**Sent:** Tuesday, April 06, 2010 10:16 AM
**To:** Peck, Denis R; 'Peacock, Walter W.'
**Cc:** 'Shiflett, Julie M'; Loughlin, Stephen J
**Subject:** RE: CAP report (4/5/10)
**Importance:** High

Denis: Could we start to key on second shift if we have the capability? The received date will be the same for all files currently racked and stacked, correct? Would it be 4/6 or 4/7? Also, we are still waiting on 38 DE clearances. Can you help push them through?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

**From:** Peck, Denis R
**Sent:** Tuesday, April 06, 2010 6:48 AM

**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** RE: CAP report (4/5/10)

Thanks Walter,

We'll start data entry then on the Premium filings tomorrow morning as planned. Take all the steps to downsize the project that can be done based on the first three days results, as we expect no change from here on. H1B season will continue for several months at least.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP report (4/5/10)

Morning,

Please find attached the updated CSC report which now includes Monday's receipts.

Thank you, Walter

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 05, 2010 10:15 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Payne, Christopher; Printup, Maurice; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L; Siesel, Gregory P
**Subject:** RE: CAP report (4/5/10)

Walter/Rich,

Attached is the CSC 4-5-10 CAP report.

Please let me know if you have any questions about the numbers.

Regards,

Greg

**From:** Nicholson, Richard E
**To:** Peck, Denis R; "Peacock, Walter W."
**Cc:** "Shiflett, Julie M"; Loughlin, Stephen J
**Subject:** RE: CAP report (4/5/10)
**Date:** Tuesday, April 06, 2010 10:16:28 AM
**Importance:** High

---

Denis: Could we start to key on second shift if we have the capability? The received date will be the same for all files currently racked and stacked, correct? Would it be 4/6 or 4/7? Also, we are still waiting on 38 DE clearances. Can you help push them through?


Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]


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**Sent:** Tuesday, April 06, 2010 6:48 AM
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**Cc:** Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
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Thanks Walter,

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Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX


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**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
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**Sent:** Monday, April 05, 2010 10:15 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Payne, Christopher; Printup, Maurice; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L; Siesel, Gregory P
**Subject:** RE: CAP report (4/5/10)

Walter/Rich,

Attached is the CSC 4-5-10 CAP report.

Please let me know if you have any questions about the numbers.

Regards,

Greg

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** RE: CAP report (4/5/10)
**Date:** Tuesday, April 06, 2010 9:51:52 AM

---

Morning Denis,

Sounds good.

I chatted with Julie this morning and let her know we were already taking actions on downsizing.

We'll plan on starting DE on Wednesday.

Thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Tuesday, April 06, 2010 9:48 AM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M; Loughlin, Stephen J; Nicholson, Richard E
**Subject:** RE: CAP report (4/5/10)

Thanks Walter,

We'll start data entry then on the Premium filings tomorrow morning as planned. Take all the steps to downsize the project that can be done based on the first three days results, as we expect no change from here on. H1B season will continue for several months at least.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Tuesday, April 06, 2010 6:52 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP report (4/5/10)

Morning,

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Thank you, Walter

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**Sent:** Monday, April 05, 2010 10:15 PM
**To:** Peacock, Walter W.; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Payne, Christopher; Printup, Maurice; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L; Siesel, Gregory P
**Subject:** RE: CAP report (4/5/10)

Walter/Rich,

Attached is the CSC 4-5-10 CAP report.

Please let me know if you have any questions about the numbers.

Regards,

Greg

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Cc:** Neufeld, Donald; Velarde, Barbara Q; Arroyo, Susan K; Young, Claudia F; Harton, Frank A; Tamanaha, Emisa T; Sweeney, Shelly A; Bolog, Marguerite M; Shiflett, Julie M; Lundquist, Mark E
**Subject:** CAP through day 3 count hits 9,300
**Date:** Wednesday, April 06, 2011 1:10:00 PM

---

Almost.....

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, April 06, 2011 1:05 PM
**To:** Peck, Denis R
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 91 | 104 | 3,302 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 118 | 133 | 2,843 |
| H1B Masters | 1,715 | 233 | 95 | 75 | 64 | 2,182 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 33 | 37 | 1,620 |
| Total | 7,294 | 1,410 | 588 | 318 | 337 | 9,947 |

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 1:01 PM
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M

**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | **3,191** |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | **2,789** |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | **2,177** |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | **1,605** |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | **9,762** |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Fitzsimmons, James
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:21:00 AM

Jim I think the contractor has reclassified their initial Premiums count and its lower than what you're showing. Your total and theirs is about the same (I get a difference of 1) but the 4 categories are different – do you want to recalculate?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:11 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | 2,857 |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | 2,179 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | 10,238 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile [redacted] (b)(6)
http://www.cgi.com/usfederal

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**From:** Peck, Denis R
**To:** Velarde, Barbara O; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902
**Date:** Thursday, April 07, 2011 10:29:00 AM

---

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | 2,249 |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | 2,788 |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | 1,662 |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | 10,239 |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
Mobile: [redacted] (b)(6)
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**From:** Peck, Denis R
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Stephens, Karen; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H; Shiflett, Julie M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP update through Day 5 = 10,456
**Date:** Friday, April 08, 2011 11:24:00 AM

---

Day 5 was the lightest yet with 554 filings. Data Entry was 1,059 at Vermont and 872 at California which had problems with C3 slowness much of the day.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

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Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | 3,541 |
| | | | | | | |

| | | | | | | |
|---|---|---|---|---|---|---|
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

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---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
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Washington, DC 20529
(b)(6) [redacted]
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---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
(b)(6) Mobile: [redacted]
http://www.cgi.com/usfederal
CONFIDENTIALITY NOTICE: Proprietary/Confidential Information belonging to CGI Group Inc. and its affiliates may be contained in this message. If you are not a recipient indicated or intended in this message (or responsible for delivery of this message to such person), or you think for any reason that this message may have been addressed to you in error, you may not use or copy or deliver this message to anyone else. In such case, you should destroy this message and are asked to notify the sender by reply e-mail.

**From:** Peck, Denis R
**To:** Young, Claudia F; Moran, Karla; Sweeney, Shelly A
**Cc:** Stoddard, Becky M; Ashline, Heidi L; Fitzsimmons, James
**Subject:** FW: Cap-exempt petitioner question
**Date:** Wednesday, February 09, 2011 1:18:00 PM
**Importance:** High

---

Claudia

This is a very precise question regarding eligibility.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
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---

**From:** Stoddard, Becky M
**Sent:** Wednesday, February 09, 2011 1:13 PM
**To:** Peck, Denis R
**Cc:** Ashline, Heidi L
**Subject:** Cap-exempt petitioner question
**Importance:** High

Denis,

This is regarding the conversation that took place last week during the H1B cap teleconference in reference to cap-exempt organizations that wish to be treated as subject to the H1B cap. We are seeing cases from cap-exempt petitioners that want to be treated as subject to the cap, but the issue we are seeing is that they are filling out the I-129 form in a contradictory manner. The details are as follows-

We just received eight cases mailed back to us as "improperly rejected".

-They are from Baltimore County Public School system.

-We rejected them for jurisdiction as they indicated on the data collection supplement question 3 as "Yes" that they are a nonprofit organization related to an institution of higher education. Our guidance states that if any questions 1, 2 or 3 of this section are marked "Yes" that they are cap exempt and need to file at CSC.

-The petitioner returned them as improperly rejected stating that they purposely filed the cases at VSC as they wish them to be worked at VSC and counted under the H1B cap.

-They have not paid the ACWIA fee, which would be needed if they are going to be treated as cap cases. (This is because they are marking question 3 as "Yes" as explained above which makes it look like they are exempt from the ACWIA fee)

What it boils down to is if they want to be treated as cap subject and worked at VSC they should *not* be marking "Yes" to question 3 stating that they are a nonprofit cap exempt organization, and they also should be paying the ACWIA fee. Any guidance on how to handle the following scenario would be very much appreciated. If you need further information please let me know.

Thank you,

Becky

Becky Stoddard
Immigration Services Analyst
(b)(6) VSC/CPAU
[redacted]

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Young, Claudia F; Lauver, Tinnina M
**Subject:** RE: Confirmation of Contractor Instructions
**Date:** Tuesday, July 26, 2011 9:02:00 AM

---

They are the same now. We stopped rejected for incorrect jurisdiction once we were current again on data entry. But Premium filings are never forwarded.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, July 26, 2011 9:00 AM
**To:** Peck, Denis R
**Cc:** Young, Claudia F; Lauver, Tinnina M
**Subject:** Confirmation of Contractor Instructions
**Importance:** High

Denis,

Can you confirm for me what the contractor's current instructions are for H-1B cap petitions filed at the wrong jurisdiction? Are the instructions the same for cap exempt H-1B petitions that are incorrectly mailed to VSC?

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

**From:** Peck, Denis R
**To:** "Walter.Peacock@stanleyassociates.com"
**Cc:** Shiflett, Julie M
**Subject:** Re: CSC Day #1 CAP estimates
**Date:** Sunday, April 03, 2011 12:40:23 PM

---

Walter

Can we get the most complete counts there are from each center?

Thanks,

Denis

----- Original Message -----
From: Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
To: Peck, Denis R <denis.peck@dhs.gov>
Cc: Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Fri Apr 01 16:24:06 2011
Subject: FW: CSC Day #1 CAP estimates

Latest from CSC...

From: Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
Sent: Friday, April 01, 2011 4:06 PM
To: Peacock, Walter W.
Cc: Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
Subject: CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

Estimated Daily Receipts

(Estimate based on 600 per cage / 22.5 per box / 20 per bucket)

| | |
|---|---|
| 4/1/11 | |
| 4/4/11 | |
| 4/5/11 | |
| 4/6/11 | |
| 4/7/11 | |
| 4/8/11 | |
| Total | |

| (CRN) H1B CAP | |
|---|---|
| 1,420 | |
| 0 | |
| 0 | |
| 0 | |
| 0 | |
| 0 | |
| 1,420 | |

| (CRP) H1B CAP - Premium | |
|---|---|
| 692 | |
| 0 | |
| 0 | |
| 0 | |
| 0 | |
| 0 | |

692

(CMN) H1B Masters

626

0

0

0

0

0

626

(CMP) H1B Masters - Premium

282

0

0

0

0

0

282

Total

3,020

0

0

0

0

0

3,020

Unidentified

0

Grand total received in FY 2012 cap season (Day 1)

3,020

Grand total received in FY 2011 cap season (Day 1)

6,623

% change: FY 2012 receipts over FY 2011 receipts

Decrease

54.40%

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Peck, Denis R
**To:** Villahermosa, April L
**Subject:** RE: CSC Fee Register - January 2011
**Date:** Thursday, February 03, 2011 10:42:00 AM

April

Looks like another decent month. Maybe we've bottomed out revenue-wise. Still the H1B CAP was reached later this year than last year. Will be interesting to see what you get on day one this year.

Be nice to CGI a little while longer,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Villahermosa, April L
**Sent:** Wednesday, February 02, 2011 3:28 PM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Nicholson, Richard E; Bennett, Linda J; Benavente, Jessy J; Fries, Juliet M; Tailor, Anisa M; Downing, Karen T; Phan, Huy V
**Subject:** CSC Fee Register - January 2011

Hi Denis and Julie,

Please see attached CSC Fee Register report.

Thank You,

*April L. Villahermosa*
Immigration Service Analyst | California Service Center | CPAU, WS24256 | ☑april.villahermosa@dhs.gov [redacted] (b)(6)

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Subject:** Re: Final H-1B Counts
**Date:** Friday, April 08, 2011 10:20:41 AM

---

Nope

----- Original Message -----
From: Sweeney, Shelly A
To: Peck, Denis R
Cc: Young, Claudia F; Bolog, Marguerite M
Sent: Fri Apr 08 10:05:50 2011
Subject: RE: Final H-1B Counts

Any news?

---

From: Peck, Denis R
Sent: Friday, April 08, 2011 8:19 AM
To: Sweeney, Shelly A
Cc: Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
Subject: RE: Final H-1B Counts

I asked to get it early; yesterday they sent it at 845. stand by

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6) [redacted]

202-272-1542 FAX

---

From: Sweeney, Shelly A
Sent: Friday, April 08, 2011 8:11 AM
To: Peck, Denis R
Cc: Young, Claudia F; Bolog, Marguerite M; Fitzsimmons, James
Subject: Final H-1B Counts

Denis,

Any word on when we can expect to have a final count of the filings through yesterday?

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Employment Services Team

Service Center Operations

20 Massachusetts Ave N.W., Ste 2000

Washington D.C. 20529-2060

**From:** Peck, Denis R
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---

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Denis Peck

Branch Chief, Service Center Records Management

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20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6) [redacted]

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Subject: Final H-1B Counts

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Any word on when we can expect to have a final count of the filings through yesterday?

Thanks!

Shelly

Shelly Sweeney

Adjudications Officer

Business Employment Services Team

Service Center Operations

20 Massachusetts Ave N.W., Ste 2000

Washington D.C. 20529-2060

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: FOIA data
**Date:** Wednesday, September 15, 2010 3:50:21 PM

---

Will do....

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Wednesday, September 15, 2010 12:49 PM
**To:** Nicholson, Richard E
**Cc:** Fitzsimmons, James
**Subject:** FW: FOIA data
**Importance:** High

Rich, send what you have from April 2008 (FY2009 CAP) when you have it to jim, and he'll let you know if it looks right.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Wednesday, September 15, 2010 3:37 PM
**To:** Peck, Denis R
**Subject:** RE: FOIA data
**Importance:** High

Denis: We have data for the 2008/2009. We are still looking for 2007...do want number rejected by companies? When do you need it?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Wednesday, September 15, 2010 12:29 PM
**To:** Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Bays, Sheila M; Lundquist, Mark E
**Subject:** FOIA data

Steve let me clarify what the FOIA is asking for as I just sat through the meeting on it.

In April 2007 and April 2008 we received more H1B apps than our CAP could accept; we ran lotteries

and rejected back those not selected. I think in 2007 we had to improvise at the last minute and I'm not sure how much data we retained. In 2008 we had a prepared database ready to record the rejects.

All we really need is the company name and how many rejects we mailed back to them. If queries could be done that would show "Peck Corporation – 55 rejects mailed back" that would be enough. Masters vs. Regular Cap, none of that is necessary.

So if this can be retrieved let me know.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Lundquist, Mark E
**Sent:** Wednesday, September 15, 2010 3:16 PM
**To:** Peck, Denis R
**Cc:** Bays, Sheila M
**Subject:** FW: Please Respond by 3:00pm EST

FYI

**Thanks,**
**Mark Lundquist**
***Management & Program Analyst / COTR***
***Service Center Operations / Records Management***
***20 Massachusetts Ave. NW Washington, DC. 20529***
***Mail Stop: 2060 Room: 2210***
(b)(6) **Phone:** [redacted] **Fax: (202) 272-1542**

---

**From:** Loughlin, Stephen J
**Sent:** Wednesday, September 15, 2010 3:12 PM
**To:** Lundquist, Mark E
**Subject:** RE: Please Respond by 3:00pm EST

Mark,

We have some data from late March 2007 up through 12/10 2008. In December of 2008 we transitioned to an IT database known as Lowery, which was part of a server crash April 5, 2010. The Lowery data could not be recovered at that time, in fact that server had to be scrubbed and re-imaged (IT Speak). No back ups were made of Lowery.

I believe IT has exhausted its search, but if anything is found in the next few hours we will get back to you.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6) [redacted]

**From:** Lundquist, Mark E
**Sent:** Wednesday, September 15, 2010 10:21 AM
**To:** Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; Bays, Sheila M; Peck, Denis R
**Subject:** Please Respond by 3:00pm EST

Records ACDs,

Due to a possible pending law suit, we need to determine the following regarding the 2007 and 2008 I-129 H1B CAP case season:

- Do you still have a database or record of which cases were reject during the 2007 and 2008 season?
- Does the reject database or record contain the employer's name?

Please respond by 3:00 EST

**Thanks,**

**Mark Lundquist**
*Management & Program Analyst / COTR*
*Service Center Operations / Records Management*
*20 Massachusetts Ave. NW Washington, DC. 20529*
*Mail Stop: 2060 Room: 2210*
(b)(6) **Phone:** [redacted] **Fax: (202) 272-1542**

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: FOIA data
**Date:** Wednesday, September 15, 2010 3:37:23 PM
**Importance:** High

---

Denis: We have data for the 2008/2009. We are still looking for 2007...do want number rejected by companies? When do you need it?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

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**Sent:** Wednesday, September 15, 2010 12:29 PM
**To:** Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Bays, Sheila M; Lundquist, Mark E
**Subject:** FOIA data

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So if this can be retrieved let me know.

Denis Peck
Branch Chief, Service Center Records Management
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(b)(6) [redacted]
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**Sent:** Wednesday, September 15, 2010 3:16 PM
**To:** Peck, Denis R
**Cc:** Bays, Sheila M
**Subject:** FW: Please Respond by 3:00pm EST

FYI

**Thanks,**

**Mark Lundquist**
***Management & Program Analyst / COTR***
***Service Center Operations / Records Management***
***20 Massachusetts Ave. NW Washington, DC. 20529***

Mail Stop: 2060 Room: 2210
(b)(6) Phone: [redacted] / Fax: (202) 272-1542

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I believe IT has exhausted its search, but if anything is found in the next few hours we will get back to you.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6) [redacted]

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**Sent:** Wednesday, September 15, 2010 10:21 AM
**To:** Nicholson, Richard E; Loughlin, Stephen J
**Cc:** Putnam, Anne F; Yandow, Jackie D; Collins, Mary Lou E; Bays, Sheila M; Peck, Denis R
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Records ACDs,

Due to a possible pending law suit, we need to determine the following regarding the 2007 and 2008 I-129 H1B CAP case season:

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Please respond by 3:00 EST

**Thanks,**
**Mark Lundquist**
*Management & Program Analyst / COTR*
*Service Center Operations / Records Management*
*20 Massachusetts Ave. NW Washington, DC. 20529*
*Mail Stop: 2060 Room: 2210*
(b)(6) Phone: [redacted] Fax: (202) 272-1542

**From:** Loughlin, Stephen J
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E; Bays, Sheila M; Lundquist, Mark E; Cullen, Janice L; Stoddard, Becky M
**Subject:** RE: FOIA data
**Date:** Wednesday, September 15, 2010 3:35:21 PM

---

I will have people look at it, it may be possible from the data that we still have.

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6) [redacted]

---

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Denis Peck
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*Service Center Operations / Records Management*
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U.S. Citizenship & Immigration Services
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(b)(6) [redacted]

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**Subject:** Please Respond by 3:00pm EST

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**Thanks,**

**Mark Lundquist**
*Management & Program Analyst / COTR*
*Service Center Operations / Records Management*
*20 Massachusetts Ave. NW Washington, DC. 20529*
*Mail Stop: 2060 Room: 2210*
(b)(6) **Phone:** [redacted] **Fax: (202) 272-1542**

**From:** Liang, Gwen
**To:** Johnson, Bobbie L; Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update
**Date:** Tuesday, September 07, 2010 9:46:25 AM

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,606 | 9/3/2010 |
| H-1B Master's Exemption | 20,000 | 13,387 | 9/3/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

**H-1B QUOTA EXHAUSTION TARGET - MARCH 2011**

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

***Gwen Liang***
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2246, Washington, DC 20529-2060
☎ [redacted]
(b)(6)

**From:** Liang, Gwen
**To:** Johnson, Bobbie L; Velarde, Barbara O; Richardson, Gregory A
**Cc:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update
**Date:** Monday, August 30, 2010 11:37:08 AM

All,

Please see the table for the updated numbers.

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,943 | 8/27/2010 |
| H-1B Master's Exemption | 20,000 | 13,029 | 8/27/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

**H-1B QUOTA EXHAUSTION TARGET - MARCH 2011**

Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

As of August 13th, 29,700 H-1Bs have been used in the 65,000 quota. 1200 H-1Bs were receipted last week which is about the same as the prior two weeks. That represents a pick up in usage over prior months where about 500 to 700 H-1Bs were used each week. This could represent a pick up in economic activity in the US. It might also reflect the fact that we're getting closer to October 1st and H-1B employers don't have to hire far in advance anymore. **Based on current usage, the H-1B quota will be exhausted in 29 weeks which is in March 2011.**

Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

*Gwen Liang*
Management and Program Analyst
Service Center Operations/U.S. Citizenship and Immigration Services.
20 Massachusetts Avenue, Room 2246, Washington, DC 20529-2060
[redacted]
(b)(6)

**From:** Fitzsimmons, James
**To:** Johnson, Bobbie L; Velarde, Barbara O; Richardson, Gregory A
**Cc:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec
**Subject:** FY 2011 H-1B cap update
**Date:** Monday, August 23, 2010 10:13:00 AM

All,
There was a surge in regular cap petitions last week: the count went from 29,700 to 33,900.

Also, the analysis in the blog below is sound in my judgment.

Jim

## *FY 2011 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 33,931 | 8/20/2010 |
| H-1B Master's Exemption | 20,000 | 12,645 | 8/20/2010 |

## Bloggings On Immigration Law And Policy
***by Greg Siskind***

**August 19, 2010**

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Something new I'm starting. USCIS puts out weekly data on the use of H-1B visas for the 2011 fiscal year which starts in October. I'm going to monitor that for readers and add my own projection on the months the caps are likely to be hit. The quota is 65,000 per fiscal year plus an additional 20,000 for folks with degrees from US advanced degree programs. Applications began being accepted on April 1st. In past years, the H-1B quota was exhausted almost immediately after the application period opened up. Last year, as a result of the recession and also as a result of USCIS and Congress' war on staffing companies, H-1B usage fell sharply and the general quota was not reached until December. This year, usage is even more anemic.

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Masters cap cases are at 12,300. The usage has been about 300 a week and this has been typical since April. **Based on current usage, that quota will be used up in 25 weeks which is in February 2011.**

**From:** Wright, William G
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing
**Date:** Monday, February 01, 2010 12:32:07 PM

---

Got it...thank you Denis.

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 11:51 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

Bill,

Both centers confirmed that no, they do not manually record that data in their logs. It has never been necessary for our purposes.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Wright, William G
**Sent:** Monday, February 01, 2010 9:52 AM
**To:** Peck, Denis R
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

ThanX Denis. I'm assuming there's no way of knowing from which countries the denials/rejections are attributed to?

r/
Bill

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 9:43 AM
**To:** Wright, William G
**Cc:** Kruszka, Robert F; McConnell, James E; Bentley, Christopher S; Young, Claudia F; Sweeney, Shelly A
**Subject:** FY2010 H1B CAP reject counts since December 21 closing

Bill,

In response to the reporter's inquiry, since CAP season closed on December 21, 2009, VSC has rejected 868 applications and CSC 748. This information is through last Friday January 29.

If you need any further information don't hesitate to contact me.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Stoddard, Becky M
**To:** Nicholson, Richard E; Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing
**Date:** Monday, February 01, 2010 10:22:48 AM

---

Same for VSC, we don't record this.

Thanks,
Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

---

**From:** Nicholson, Richard E
**Sent:** Monday, February 01, 2010 10:05 AM
**To:** Peck, Denis R; Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing

We do not capture that information. I

Rich Nicholson
Assistant Director Records/COTR
California Service Center
(b)(6) USCIS
[redacted]

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 6:58 AM
**To:** Nicholson, Richard E; Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY2010 H1B CAP reject counts since December 21 closing

Please see the question below and respond if that is anything you record.

Yes I know – why didn't he ask that in the first place – but this is how it normally works here.

Denis Peck
Branch Chief, Service Center Records Management
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(b)(6) [redacted]
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Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Loughlin, Stephen J
**To:** Peck, Denis R
**Cc:** Nicholson, Richard E
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing
**Date:** Monday, February 01, 2010 10:07:58 AM

---

We do not capture this information

*Stephen J. Loughlin*
Assistant Center Director
U.S. Citizenship & Immigration Services
U.S. Department of Homeland Security
(b)(6) [redacted]

---

**From:** Peck, Denis R
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(b)(6) [redacted]
202-272-1542 FAX

**From:** Nicholson, Richard E
**To:** Peck, Denis R; Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** RE: FY2010 H1B CAP reject counts since December 21 closing
**Date:** Monday, February 01, 2010 10:05:11 AM

---

We do not capture that information. I

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Monday, February 01, 2010 6:58 AM
**To:** Nicholson, Richard E; Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY2010 H1B CAP reject counts since December 21 closing

Please see the question below and respond if that is anything you record.

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Denis Peck
Branch Chief, Service Center Records Management
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Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: H1Bs held without LCA - - REJECT
**Date:** Monday, July 12, 2010 8:38:51 AM

---

Just a follow up, should we continue to hold or reject for these cases?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Friday, July 09, 2010 8:24 AM
**To:** Loughlin, Stephen J; Stoddard, Becky M; Nicholson, Richard E; Fries, Juliet M
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Young, Claudia F; Velarde, Barbara Q
**Subject:** H1Bs held without LCA - - REJECT

VSC/CSC,

Go ahead and reject those back for reason of no LCA. Thanks for the quick responses this morning.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Neufeld, Donald
**Sent:** Friday, July 09, 2010 11:15 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Johnson, Bobbie L; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: H1Bs held without LCA - 2 at VSC, 4 at CSC, 6 total

Yes.

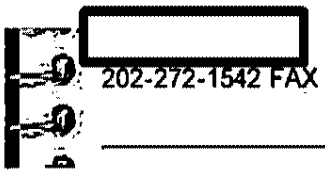
---

**From:** Peck, Denis R
**Sent:** Friday, July 09, 2010 11:12 AM
**To:** Neufeld, Donald; Velarde, Barbara Q; Johnson, Bobbie L; Young, Claudia F; Sweeney, Shelly A
**Subject:** H1Bs held without LCA - 2 at VSC, 4 at CSC, 6 total

The initial contractor report from last night was an error. Don, given this small number you indicated this morning we should have them rejected back?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

(b)(6)



**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Latest H-1B cap numbers
**Date:** Thursday, January 13, 2011 9:40:59 AM

---

Denis: Given that this years CAP will be the same or less than last year and a lottery not necessary, should we consider keying from day one?

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 6:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Maintaining same day currency with withdrawal requests
**Date:** Thursday, January 20, 2011 4:59:23 PM

Denis: Most of the withdrawals come in late in the day and are processed the next day, so there will always be front-log on the DAAG. But when you through in the IT process previously sent to Frank there could be a couple of days off for the update to occur and lag time between system uploading and downloading.

It interesting you bring this up this year, in the past we have never tried to update withdrawals in an expedited fashion...there are only a few hundred and certainly as slots became available we should be able to fill them. I would hazard to guess that Jim Fitzsimons has this anomaly in his CAP calculations.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 7:25 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 9:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E

**Subject:** FW: Latest H-1B cap numbers

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Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

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[1] moving average over last 4 weeks

**From:** Nicholson, Richard E
**To:** Harton, Frank A; Loughlin, Stephen J
**Cc:** Abram, John P; Canney, Keith J; Peck, Denis R; Sweeney, Shelly A
**Subject:** RE: Maintaining same day currency with withdrawal requests
**Date:** Thursday, January 20, 2011 4:46:38 PM

---

Frank: Our process does entail adjudications…see below:

I-129 withdrawals do not go to adjudication to be processed. The contractor creates a text file and sends the file to IT, then waits 30 day and then the contractor interfiles the letters.

Excerpts from SOP:

Access the O: Common drive and select the Microsoft Access file name "I-129 Auto Rev Letter Generator"

An e-mail containing the receipt number text files and ITSR will be sent to the IT Department POC. The IT POC will update the cases in CLAIMS 3 as "Revocation Notice Ordered" and "Revocation Notice Sent".

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Harton, Frank A
**Sent:** Thursday, January 20, 2011 12:13 PM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Abram, John P; Canney, Keith J; Peck, Denis R; Sweeney, Shelly A
**Subject:** RE: Maintaining same day currency with withdrawal requests

Rich and Stephen, would it be possible to send these withdrawals straight to John and Keith's division after they are processed so they can be immediately adjudicated?

*Frank Harton*
Acting Branch Chief
Business Employment Services Team 2
US Citizenship and Immigration Services
(b)(6) [redacted]

---

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**Sent:** Thursday, January 20, 2011 10:25 AM
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**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

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20 Massachusetts Avenue, NW Room 2126
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(b)(6) [redacted]
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**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Maintaining same day currency with withdrawal requests
**Date:** Thursday, January 20, 2011 3:18:34 PM

---

Thanks I will have someone take a look and correct.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 12:10 PM
**To:** Nicholson, Richard E
**Subject:** RE: Maintaining same day currency with withdrawal requests

I took it straight off their DAAG row 219. If it's not accurate, they should correct it.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Thursday, January 20, 2011 2:11 PM
**To:** Peck, Denis R
**Subject:** RE: Maintaining same day currency with withdrawal requests

Denis: We have looked into this and we have no backlog, all are processed daily. Where did you get the numbers? If you have some specific receipts numbers please send them to us.

Thanks,

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

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**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 9:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Maintaining same day currency with withdrawal requests
**Date:** Thursday, January 20, 2011 2:11:03 PM

Denis: We have looked into this and we have no backlog, all are processed daily. Where did you get the numbers? If you have some specific receipts numbers please send them to us.

Thanks,

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Thursday, January 20, 2011 7:25 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Cc:** Harton, Frank A
**Subject:** Maintaining same day currency with withdrawal requests

Steve, Rich,

Because we are nearing the CAP limit it's important that CGI prioritize processing withdrawal requests on the same day they are received, so that adjudications can immediately act on revoking prior approvals or denying pending cases. This will allow the maximum number of available visas to be used.

As of cob Tuesday there were 493 pending withdrawals of all cases at VSC and 120 at CSC. We want to see these numbers as close to 0 each day as they can get until CAP season is closed. Adjudications will be getting similar guidance on their responsibilities.

Thanks for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Thursday, January 13, 2011 9:05 AM
**To:** Loughlin, Stephen J; Nicholson, Richard E
**Subject:** FW: Latest H-1B cap numbers

Beginning this week we're doing twice weekly tabulations of the remaining visas for the 2011 H1B CAP. It's very important that the contractor keep current with the withdrawal requests coming in. These will impact the number of filings we can accept. At VSC, if they can't keep up with all requests they must at a minimum keep current with any impacting the CAP and process them within one day. Let me know if there are any problems with this.

Otherwise we remain on schedule to hit our limit on or about February 1.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, January 13, 2011 8:48 AM
**To:** Sweeney, Shelly A; Peck, Denis R
**Cc:** McConnell, James E; Harton, Frank A
**Subject:** Latest H-1B cap numbers

Shelly/Denis,
Below are latest numbers. We are still on track for reaching cap in two to three weeks. I expect receipts to gradually increase until then.
The next set of numbers will be tabulated on Tuesday.
The target is 85,550 based on allowing 1,000 denials on 16,000 petitions currently pending and 450 Chile/Singapore petitions.
Jim

| 85k | Approvals | Pending | Potential Cap | **Deficit** | TARGET | Weekly Receipts[1] | Weeks Left |
|---|---|---|---|---|---|---|---|
| 11-Jan | 63,704 | 16,022 | 79,726 | **5,824** | 85,550 | 1,807 | 3.2 |

[1] moving average over last 4 weeks

| | |
|---|---|
| **From:** | Nicholson, Richard E |
| **To:** | Lundquist, Mark E; Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D |
| **Cc:** | Johnson, Bobbie L; Sweeney, Shelly A; "Cervenka, Marvin E" |
| **Subject:** | RE: Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - Information requests - Manual rejects from 2000-2008 GAO data request |
| **Date:** | Thursday, February 04, 2010 8:43:15 AM |

We don't have records that go back that far. Its possible to go back a couple of years.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

**From:** Lundquist, Mark E
**Sent:** Thursday, February 04, 2010 4:39 AM
**To:** Anderson, Toni D; Bamford, Reno C; Clay, Janet P; Coleman, Roger D; Collins, Mary Lou E; Dean, Cindy A; Gydesen, Justyn J; Loughlin, Stephen J; Lutz, Brian C; Montalto, Fred J; Mosley, Caroline; Nicholson, Richard E; Peck, Denis R; Phillips, Donald; Putnam, Anne F; Schmidt, Bruce H; Shiflett, Julie M; Thacker, Larry D; Yandow, Jackie D
**Cc:** Johnson, Bobbie L; Sweeney, Shelly A; Cervenka, Marvin E
**Subject:** Please Respond by 2/18/10: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request
**Importance:** High

Records ACDs,

GAO and OSI would like counts for the number of manual rejects performed at each center for I-129 / I-129 H1B cases from year 2000 to 20008.
Please send me what counts you can put together for each year during this time frame by 2/18/10 if your center processed I-129 during this time frame.
If additional time is needed due to un-archiving records, please let me know.

**Thanks,**

**Mark Lundquist**
***Management & Program Analyst / COTR***
***Service Center Operations / Records Management***
**20 Massachusetts Ave. NW Room 2000 Washington, DC. 20529**
(b)(6) **Phone:** [redacted] **Fax: (202) 272-1542**

**From:** Peck, Denis R
**Sent:** Wednesday, January 27, 2010 2:04 PM
**To:** Lundquist, Mark E
**Cc:** Sweeney, Shelly A
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests - Manual rejects from 2000-2008 GAO data request

Mark,

We need to help BEST if we can to respond to the GAO data request below. Contact all four centers and ask them to have a thorough search done and respond with information they have for manual rejects done between fiscal years 2000- 2008 on the H1B petition, form I-129. If they can provide

numbers for the I-129 form as a whole only, have them provide that. If they have neither, they should provide that.

CSC and VSC should have I-129 H1B CAP reject data at least since FY2007. The request below is for all H1B during the entire year, not just the CAP filings.

Thanks – Shelly is your POC for any further information.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Jackson, Holly Jo
**Sent:** Tuesday, January 26, 2010 12:00 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Johnson, Bobbie L; Nemeth, Carmen M
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good morning Shelly-

I spoke with GAO and I hope this clarifies what they are looking for:

When we met last week, the officials we spoke to mentioned that there are manual logs of those petitions that are rejected during the sorting process in the mail room. Further, they said that they could compile data for us on how many petitions were manually rejected. We would be interested in getting this information for H-1B petitions for each year from fiscal year 2000 through fiscal year 2008.

Please let me know if this makes sense or if you need further clarification.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
(b)(6) Office: [redacted]
holly.j.jackson@dhs.gov

---

**From:** Sweeney, Shelly A
**Sent:** Thursday, January 21, 2010 3:10 PM
**To:** Jackson, Holly Jo
**Cc:** Peck, Denis R; Johnson, Bobbie L
**Subject:** FW: GAO 130916: H-1B Visa Cap - information requests

Holly,

We have a quick question regarding the data being requested in the third bullet for the January 19th meeting. Is GAO requesting data on manual rejects for each fiscal year's cap season or H-1B manual rejects during that fiscal year?

Thanks!

Shelly

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 12:55 PM
**To:** Zwiener, Sandra J; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

Good afternoon-

Thank you Sandra and OIT for you quick response and for all the information you have provided.

The 2 sub-bullets regarding the December 16th meeting have been addressed. The GAO is looking for further information regarding the following from December 16th:

- GAO is looking for standard operating procedures or regulations or guidance that describes the lottery process. During the meeting in December, it was mentioned that DHS has specific procedures for running a lottery in years such as April 2008 when a great deal more petitions were received beyond the number that were eligible for the cap. Further, it was stated that we would see what other guidance there might be for other years, such as those in which the cap has not been reached. The GAO is looking for documentation that would describe these types of processes in greater detail.

The below information is still needed regarding the January 19th meeting:

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

Thanks everyone for your assistance and please let me know if you have any questions or concerns.

Holly Jo

Holly Jo Jackson
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
(b)(6) Office [redacted]
holly.j.jackson@dhs.gov

---

**From:** Zwiener, Sandra J
**Sent:** Thursday, January 21, 2010 10:29 AM
**To:** Jackson, Holly Jo; Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** RE: GAO 130916: H-1B Visa Cap - information requests

December 16, 2010 Meeting (OIT)

In regards to question 1, are you looking for OIT to provide this information? The I-129 form captures the same fields no matter which "type". However, I do not think I have the information on how the business team DE's these cases.

January 19, 2010 Meeting (OIT)

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.

The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.

This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.

This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.

Thanks,
Sandra Zwiener, PMP, IPRC
C3/ICPS Program Manager
(b)(6) [redacted] sandra.zwiener@dhs.gov

---

**From:** Jackson, Holly Jo
**Sent:** Thursday, January 21, 2010 8:17 AM
**To:** Kruszka, Robert F; Velarde, Barbara Q; Holick, Heather D; Zwiener, Sandra J; Fitzsimmons, James; McConnell, James E; Johnson, Bobbie L; Young, Claudia F
**Cc:** Nemeth, Carmen M; Kvortek, Lissette E
**Subject:** GAO 130916: H-1B Visa Cap - information requests

Good morning everyone-

Acting on behalf of Carmen Nemeth while she is out of the office this week, I am following up in regards to requests for information from GAO following both the December 16th meeting, and the teleconference which took place Tuesday, January 19, 2010.

Outstanding items from the meeting held December 16, 2010 and subsequent emails:

- Documentation regarding the lottery process for the cap (e.g. standard operating procedures)

1) What fields from the I-129 L-Classification Supplement are captured in the CLAIMS3 data that was provided to GAO.

2) Based on the updated spreadsheet you provided, it looks like CLAIMS3 does not capture all fields from part C of the I-129 H-1B Data Collection and Filing Fee Exemption Supplement. How does DHS determine whether a firm (not a beneficiary) is exempt from the numerical limitation for the cap?

During the January 19, 2010 meeting, we agreed to provide the following information to GAO:

- Name of variable in CLAIMS3 mainframe data used to determine whether a petition is new, an extension, etc. The data is associated with the R2NISTAT table.

- *The field is FSRRCPT-APP-PART-2-2 which can be found in the RCPT.txt file.*

- Name of variable in CLAIMS3 mainframe data used to determine whether an individual is eligible for the higher education cap, and the associated table values for this variable.
  - *This would be the field where the Data would be stored on the Mainframe. However, the upload process does not capture this data. In reviewing the upload process, only data from questions 4, 5, and 6 of Part C (Numerical Limitation Exemption Information) would be uploaded question 7 is not.*
  - *This data is captured in CLAIMS 3 LAN but it NOT uploaded to the MF.*

- Information on whether an employer is required to complete the fields on part C of the H-1B Data Collection and Filing Fee Exemption Supplement (these questions pertain to the numerical limitation exemption information)
- Regulations, standard operating procedures, or guidance used to determine who is counted against the cap
- Data for fiscal year 2000 through 2008 on the number of manual rejections of I-129 petitions for H-1B workers

This information is needed ASAP for the December 16th information which has been previously requested. And the additional requests for information from the January 19th meeting are needed by **January 29, 2010**. Please let me know if you have any questions or concerns regarding the above requests.

Thank you!

*Holly Jo Jackson*
Program Support Analyst - Alutiiq
US Citizenship and Immigration Services
Office of Security & Integrity
Internal Review Division
(b)(6) Office [redacted]

holly.j.jackson@dhs.gov

http://osi.uscis.dhs.gov

***Securing America's Promise***

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**From:** Nicholson, Richard E
**To:** Velarde, Barbara Q; Nguyen, Carolyn Q; Johnson, Bobbie L
**Cc:** Peck, Denis R; Joseph, Michael C; Gregg, Bret S; Poulos, Christina
**Subject:** RE: Rejected H-1s with Uncertified LCAs
**Date:** Thursday, February 11, 2010 2:57:12 PM

---

I believe they think it should have been accepted, basically our word vs. theirs, but in this case we were able to make the determination it was rejected properly.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

-----Original Message-----
From: Velarde, Barbara Q
Sent: Thursday, February 11, 2010 11:54 AM
To: Nicholson, Richard E; Nguyen, Carolyn Q; Johnson, Bobbie L
Cc: Peck, Denis R; Joseph, Michael C; Gregg, Bret S; Poulos, Christina
Subject: Re: Rejected H-1s with Uncertified LCAs

If the rejection was proper I don't understand why we would be contemplating acceptance now

----- Original Message -----
From: Nicholson, Richard E
To: Nguyen, Carolyn Q; Velarde, Barbara Q; Johnson, Bobbie L
Cc: Peck, Denis R; Joseph, Michael C; Gregg, Bret S; Poulos, Christina
Sent: Thu Feb 11 14:43:58 2010
Subject: FW: Rejected H-1s with Uncertified LCAs

Here are our findings on the files sent to the Center for consideration. A couple have been processed and questions remain on the others, whether to process or not and a couple we have yet to recieve? Please let us know how you would like us to proceed.

Thanks,

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

-----Original Message-----
From: Mehta, Dilipkumar N
Sent: Thursday, February 11, 2010 11:37 AM
To: Nicholson, Richard E
Subject: RE: Rejected H-1s with Uncertified LCAs

Rich,

Please review the attachment that you had sent to me previously.

Here is the Re-cap of the H1B cap cases that were rejected.

We are still waiting for case #1 and 2 (highlighted in yellow) from the petitioners.

The petitioner resubmitted case # 3 and 4 and they were accepted and processed at CSC.

The petitioners have filed case # 5 and 6 at CSC and are pending for an approval from HQ to accept them.

CSC had initially rejected case # 5 in error for the petitioner 'HSBC Bank'.

CSC had correctly rejected case # 6 for the petitioner 'Auma Engineered' for submitting the petition with an email notification and uncertified LCA and did not wait seven days prior to submitting the I-129 petition.

Could you please let me know if we are going to accept case # 5 and 6?

Dilip Mehta
Immigration Services Analyst
California Service Center, Laguna Niguel, California
(b)(6) [redacted]

-----Original Message-----
From: Nicholson, Richard E
Sent: Thursday, February 11, 2010 5:59 AM
To: Mehta, Dilipkumar N
Subject: FW: Rejected H-1s with Uncertified LCAs

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

-----Original Message-----
From: Gregg, Bret S
Sent: Wednesday, February 10, 2010 3:25 PM
To: Nicholson, Richard E; Nguyen, Carolyn Q
Subject: FW: Rejected H-1s with Uncertified LCAs

Please send them whatever is needed. I think it is 4 total?

-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, February 10, 2010 2:43 PM
To: Gregg, Bret S; Johnson, Bobbie L; McConnell, James E
Cc: Peck, Denis R
Subject: Re: Rejected H-1s with Uncertified LCAs

Okay. Could you get us it as well. Jim is jim F on bb?

----- Original Message -----
From: Gregg, Bret S
To: Velarde, Barbara Q; Johnson, Bobbie L; McConnell, James E
Cc: Peck, Denis R
Sent: Wed Feb 10 16:37:35 2010
Subject: RE: Rejected H-1s with Uncertified LCAs

I understand they have one more. It would be a total of 4.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, February 10, 2010 1:36 PM
To: Gregg, Bret S; Johnson, Bobbie L; McConnell, James E

Cc: Peck, Denis R
Subject: Re: Rejected H-1s with Uncertified LCAs

Any others out there? We pro baby need to do it once and for all

----- Original Message -----
From: Gregg, Bret S
To: Velarde, Barbara Q; Johnson, Bobbie L; McConnell, James E
Cc: Peck, Denis R
Sent: Wed Feb 10 16:29:17 2010
Subject: RE: Rejected H-1s with Uncertified LCAs

This is a 3rd.

-----Original Message-----
From: Velarde, Barbara Q
Sent: Wednesday, February 10, 2010 1:29 PM
To: Johnson, Bobbie L; McConnell, James E
Cc: Peck, Denis R; Gregg, Bret S
Subject: Re: Rejected H-1s with Uncertified LCAs

Was this one we already accepted? Including bret

----- Original Message -----
From: Johnson, Bobbie L
To: Velarde, Barbara Q; McConnell, James E
Cc: Peck, Denis R
Sent: Wed Feb 10 15:55:08 2010
Subject: Fw: Rejected H-1s with Uncertified LCAs

Based on previous conversations with Jim F about room in the cap, I think we can accept this case. Any objection?

----- Original Message -----
From: Nguyen, Carolyn Q
To: Johnson, Bobbie L; Young, Claudia F
Cc: Nicholson, Richard E; Mehta, Dilipkumar N
Sent: Wed Feb 10 15:47:48 2010
Subject: FW: Rejected H-1s with Uncertified LCAs

Hi Ladies,

Any decisions on the case below on whether we could accept it? Thanks.

-----Original Message-----
From: Nguyen, Carolyn Q
Sent: Wednesday, February 03, 2010 1:50 PM
To: Young, Claudia F; Johnson, Bobbie L; Nicholson, Richard E
Subject: FW: Rejected H-1s with Uncertified LCAs

Hi Claudia/Bobbie,

One of the cases on the attached list was filed before the numerical limitation was reached but was erroneously rejected. May we accept this case? There may possibly be 4 more but will let you know once we have more information. Thanks.

Hi Rich - Dilip has another case that did not have evidence of the 7-day email. Can you please respond to Kathy with that finding? Thanks.

-----Original Message-----
From: Gregg, Bret S
Sent: Tuesday, February 02, 2010 3:44 PM
To: Nguyen, Carolyn Q; Nicholson, Richard E
Subject: FW: Rejected H-1s with Uncertified LCAs

I don't recall anything other than the first 2 and we only have concurrence from HQ on 2. I'm off tomorrow so one of you can correspond with Kathy and figure out what evidence she has and how we need to handle. If we made a mistake, we can inform HQ and ask if we can fit them under. If it's a few more cases of our word vs their word then HQ can also chime in.

-----Original Message-----
From: Kathy Grzegorek [mailto:kathy@lskglaw.com]
Sent: Tuesday, February 02, 2010 3:28 PM
To: Gregg, Bret S
Subject: RE: Rejected H-1s with Uncertified LCAs

Bret,

Sorry about that. The screw up was on my part. I made a chart of the affected cases. There are 6 cases. You reviewed 4 of them. I have asked these 4 attorneys to let me know the date and shipping information when they resubmit the case and I'll forward that to you.

The other 2 cases you have not seen. I have asked the attorneys to send me the documentation which I'll also forward to you.

Kathleen Grzegorek
Certified Specialist in Immigration & Nationality Law
State Bar of California Board of Legal Specialization

Stone & Grzegorek LLP
800 Wilshire Boulevard
Suite 900
Los Angeles, California 90017

(b)(6) telephone [redacted]
fax: (213) 627-8998
website: lskglaw.com

-----Original Message-----
From: Gregg, Bret S [mailto:bret.gregg@dhs.gov]
Sent: Tuesday, February 02, 2010 10:09 AM
To: Kathy Grzegorek; Nguyen, Carolyn Q
Cc: Benavente, Jessy J; Nicholson, Richard E
Subject: RE: Rejected H-1s with Uncertified LCAs

Kathy,

We agreed on the two and will now accept them under the cap. Any future cases need to be discussed separately. Please provide a description and evidence of any additional cases and we will let you know the next steps. Thanks

-----Original Message-----
From: Kathy Grzegorek [mailto:kathy@lskglaw.com]
Sent: Tuesday, February 02, 2010 9:53 AM
To: Nguyen, Carolyn Q
Cc: Benavente, Jessy J; Gregg, Bret S; richard.nicholson@dhs.gov
Subject: RE: Rejected H-1s with Uncertified LCAs

Carolyn,

Bret had told me earlier to send the cases to the attention of Richard Nicholson with DO NOT OPEN IN MAILROOM. He also asked that I let him know the date and type of shipping (fed ex) when the attorney sends it in. I've already given the attorneys those instructions. I can give them your instructions but can you be on the lookout for cases addressed to Mr. Nicholson's attention in case some were already sent out?

I think it's just going to be a handful of cases that fall into this category. I've also told the attorney to include detailed explanation and documentation on what happened.

Kathleen Grzegorek
Certified Specialist in Immigration & Nationality Law
State Bar of California Board of Legal Specialization

Stone & Grzegorek LLP
800 Wilshire Boulevard
Suite 900
Los Angeles, California 90017

(b)(6) telephone: [redacted]
fax: (213) 627-8998
website: lskglaw.com

-----Original Message-----
From: Nguyen, Carolyn Q [mailto:carolyn.nguyen@dhs.gov]
Sent: Tuesday, February 02, 2010 9:45 AM
To: Kathy Grzegorek
Cc: Benavente, Jessy J
Subject: FW: Rejected H-1s with Uncertified LCAs

Hi, Kathy,

Please have the attorney resubmit these petitions and supporting documents to the address and attention below.

USCIS/CSC
24000 Avila Road, 2nd Floor
Laguna Niguel, CA 92677
Attn: Jessy Benavente, Division VII
Do NOT Open in Mailroom

Please let me know if you need further assistance in this matter.

Thank you.

---

From: Kathy Grzegorek [mailto:kathy@lskglaw.com]

Sent: Monday, January 25, 2010 5:30 PM

To: Gregg, Bret S

Subject: FW: Rejected H-1s with Uncertified LCAs

Bret,

You sent me an email on 1/8/10 when I mentioned these cases that were rejected in the mail room and then by the time they were resubmitted, missed the cap:

Kathy,

We have no way of knowing what they submitted initially and we rejected because we didn't see the evidence. For us to even consider, please have them provide proof that the lca was pending for 7 days when they made the initial submission. I am not sure it will matter, but would like to see that proof.

Thanks

Kathleen Grzegorek

Certified Specialist in Immigration & Nationality Law

State Bar of California Board of Legal Specialization

Stone & Grzegorek LLP

800 Wilshire Boulevard

Suite 900

Los Angeles, California 90017

(b)(6) telephone [redacted]

fax: (213) 627-8998

website: lskglaw.com

From: Edward Litwin [mailto:elitwin@litwinlaw.com]

Sent: Friday, January 15, 2010 3:12 PM

To: Kathy Grzegorek

Subject: Rejected H-1s with Unsigned LCAs

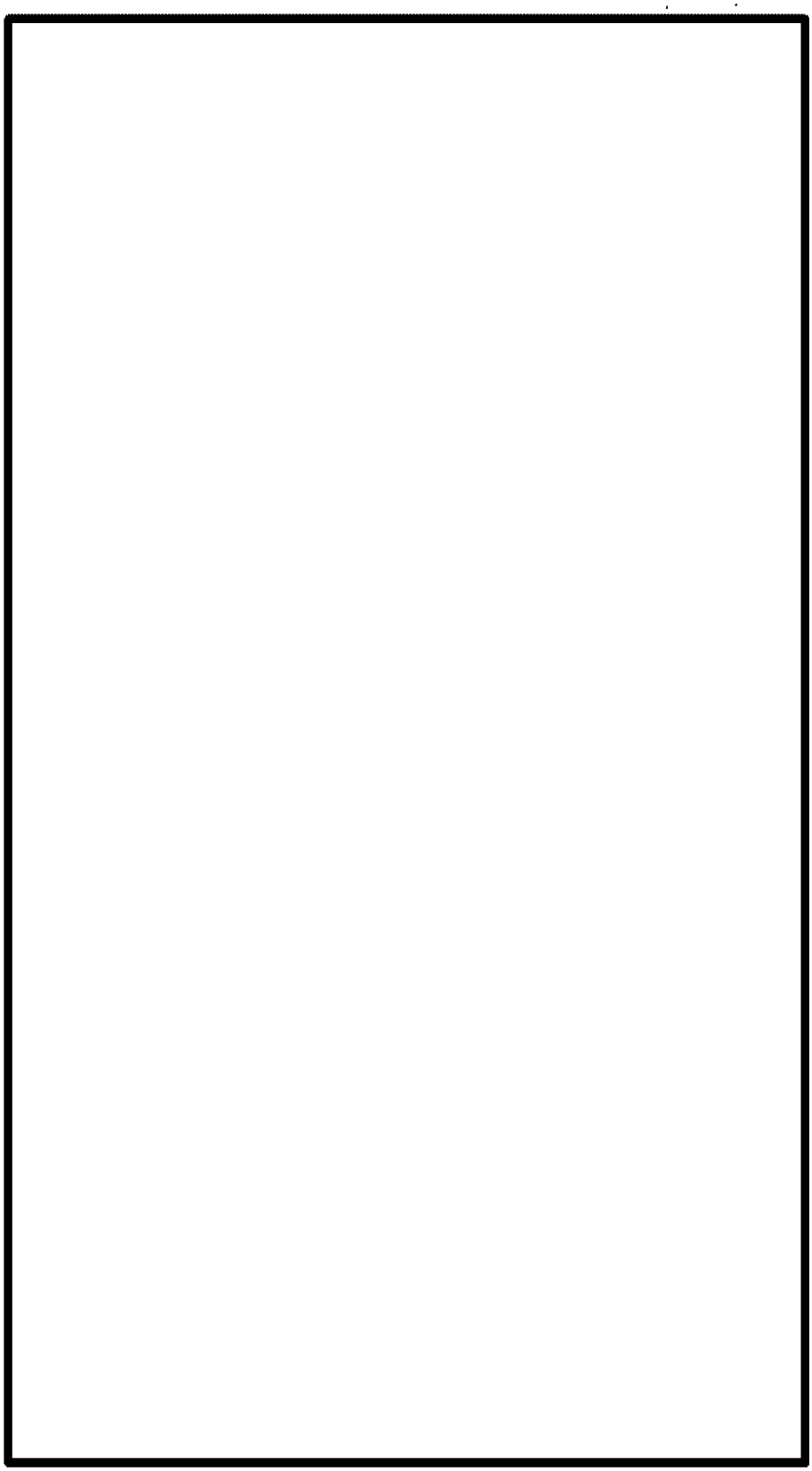
Hi Kathy,

I have assembled the documents for each case outlined below. Each one has the same issue, that is, that the initial filing was rejected since the LCA had not been signed, even though the USCIS was accepting H-1s with unsigned LCAs as long as they could prove that the LCA request was filed at least seven days prior to filing H-1s. I am also attaching documentation for each case as noted below.

(b)(6)

1. Name of the Petitioner: [redacted]

(b)(6)



I trust this will be helpful.

Ed

Edward R. Litwin

Attorney at Law

Certified Immigration and Nationality Law Specialist

The State Bar of California Board of Legal Specialization

LITWIN & ASSOCIATES, A LAW CORPORATION

1435 Huntington Avenue, Suite 336

South San Francisco, CA 94080

Office: (650) 588-7100

Fax: (650) 588-4302

email: elitwin@litwinlaw.com

# Documents from Dennis Peck

# FY11 H1B Related

**From:** Nicholson, Richard E
**To:** Poulos, Christina; Gregg, Bret S; Gooselaw, Kurt G; Nguyen, Carolyn O; Peck, Denis R; McConnell, James E; Fitzsimmons, James
**Subject:** FW: CAP numbers
**Date:** Monday, April 05, 2010 1:28:07 PM
**Attachments:** FY11 Cap report (CSC 4-2-10 NFTS numbers).xls

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS

(b)(6) [redacted]

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 10:20 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Herrera, Zonia; Nhea, Chy; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P; Benavente, Jessy J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Lieda F; Nguyen, Van T; Valencia, Valerie L
**Subject:** RE: CAP numbers

Walter/Rich,

Attached is the revised CSC 4-2-10 CAP report. (CSC CAP numbers thru April 2nd.)

We will send out a new 4-3-10 CAP report with today's receipts.

OBTW. If volume of CAP petitions is low today, we plan to only bring in about half of the PRESORT temps tomorrow.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Monday, April 05, 2010 9:21 AM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Subject:** RE: CAP numbers

Walter/Rich,

We have some missing box ranges due to NFTS upload problems on Friday.

We are in the process of reauditing those missing box ranges.

My best estimate is NLT 1100 (Pacific) that I'll be able to send you the final numbers.

Regards,

Greg

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 02, 2010 5:08 PM
**To:** 'Peacock, Walter W.'; Nicholson, Richard E
**Cc:** Nhea, Chy; 'Siesel, Gregory P.'; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Payne, Christopher; Printup, Maurice; Siesel, Gregory P
**Subject:** CAP numbers

Walter/Rich,

We did finish CAP Presort for all petitions received on both Days 1 and 2 today at 4PM.

NFTS is still down. We may not get you the exact CAP numbers (box ranges from NFTS).

Attached is an estimated count for Days 1 and 2.

The estimate is a box count based on last year's average of 22.5 files per box.

Day 1 estimated total is 7,932 and Day 2 estimated total is 833 for a grand total of 8,765 for the first two days.

The following is taken from the attached report and breaks the days down by CAP category:

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 | 4/7/10 | Total |
| (CRN) H1B CAP | 4,759 | 495 | 0 | 0 | 0 | 0 | 5,254 |
| (CRP) H1B CAP - Premium | 934 | 113 | 0 | 0 | 0 | 0 | 1,047 |
| (CMN) H1B Masters | 1,609 | 180 | 0 | 0 | 0 | 0 | 1,789 |
| (CMP) H1B Masters - Premium | 630 | 45 | 0 | 0 | 0 | 0 | 675 |
| Total | 7,932 | 833 | 0 | 0 | 0 | 0 | 8,765 |

Chy's team is auditing Day 1 and Day 2 boxes. They will upload and run a box range for each day if NFTS comes back up tonight.

If NFTS comes back up; Chy will send out an updated CAP count to all e-mailed above.

Have a great weekend.

Regards,

Greg

California Service Center

| Dates | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
|---|---|---|---|---|---|
| | 4/1/10 | 4/2/10 | 4/3/10 | 4/5/10 | 4/6/10 |
| (CRN) H1B CAP | 3,767 | 403 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 1,003 | 85 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,424 | 169 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 535 | 39 | 0 | 0 | 0 |
| Total | 6,729 | 696 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2011 cap season

Grand total received in FY 2010 cap season

% change: FY 2011 receipts over FY 2010 receipts

| 4/7/10 | Total |
|---|---|
| | |
| | |
| [redacted] | |

| 4/7/10 | Total |
|---|---|
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |

[redacted]

r bucket)

| 4/7/10 | Total |
|---|---|
| 0 | 4,170 |
| 0 | 1,088 |
| 0 | 1,593 |
| 0 | 574 |
| 0 | 7,425 |

0

7,425

43,796

83.05%

**From:** Peck, Denis R on behalf of Nicholson, Richard E
**To:** Harton, Frank A; Butler, Dennis E; Sweeney, Shelly A
**Subject:** FW: CGI CAP Process Review
**Attachments:** 2-7-11 CSC CGI SCOSS FY12 H1B CAP.ppt

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When: Thursday, February 10, 2011 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: El Matador (D7 conference room)

Note: The GMT offset above does not reflect daylight saving time adjustments.

*~*~*~*~*~*~*~*~*~*~*

We have to hold the call so if someone from BEST even just sits in and hears what's said it would be better than nada. thanks.

---

From: Nicholson, Richard E
Sent: Tuesday, February 08, 2011 10:06 AM
To: Melville, Rosemary; Johnson, Bobbie L; Peck, Denis R; Lundquist, Mark E; Young, Claudia F; Moran, Karla; Khambhaita, Dipti A; Nicholson, Richard E
Subject: CGI CAP Process Review
When: Thursday, February 10, 2011 1:00 PM-2:00 PM (GMT-05:00) Eastern Time (US & Canada).
Where: El Matador (D7 conference room)

When: Thursday, February 10, 2011 10:00 AM-11:00 AM (GMT-08:00) Pacific Time (US & Canada).
Where: El Matador (D7 conference room)

Note: The GMT offset above does not reflect daylight saving time adjustments.

*~*~*~*~*~*~*~*~*~*~*

All: Please join us for the discussion and overview of the contractors (CGI) CAP Plan.

(b)(6) Phone [redacted]
Pass Co

<<2-7-11 CSC CGI SCOSS FY12 H1B CAP.ppt>>

# Documents from Dennis Peck

# FY11 H1B Related

**From:** Peck, Denis R
**To:** Young, Claudia F; Harton, Frank A
**Subject:** FW: FY-"10 H1B Draft Reject letters
**Date:** Tuesday, February 01, 2011 9:47:00 AM
**Attachments:** H1BReject2.doc
Reject letter #1 I-129 FY-"10 Master Cap Late Filed.doc
Reject letter #2 H1B Regular CAP FY-"10 Late Filed.doc
Reject letter #3 I-129 FY-"10 H1B CAP Incorrect start date reject.doc
Reject letter #4 I-129 FY-"10 H1B CAP Reject Not Selected.doc
Reject letter #5 I-129 FY-"10 H1B Winner Reject Letter.doc
Reject letter #6 I-129 FY10 H1B cap Filed too early other.doc
**Importance:** High

---

Okay, VSC just sent me this one which is their intended letter for this year (grammar error it's and the FY2011 mistake still needing correcting) and CSC sent me a variety of reject letters below. #4 is for the specific rejection of lottery losers from last Wednesday. Still needs updated dates. The other rejects have some additional info on what filings are not CAP subject.

To minimize any problems can we settle on two letters that both centers will use, one for the lottery losers only (Jan 26 mail) the other for everything received beginning Jan 27?

Denis Peck

Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS

20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(b)(6) [redacted]

202-272-1542 FAX

---

**From:** Nicholson, Richard E
**Sent:** Tuesday, February 01, 2011 9:38 AM
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** FW: FY-'10 H1B Draft Reject letters
**Importance:** High

Denis: Letter #4 and #5 with some editing as mentioned below....

Rich Nicholson

Assistant Director Records/COTR

California Service Center

USCIS

(b)(6) [redacted]

**From:** Mehta, Dilipkumar N
**Sent:** Monday, February 02, 2009 2:44 PM
**To:** Gooselaw, Kurt G; Collins, Mary Lou E; Nicholson, Richard E; Benavente, Jessy J; Stoddard, Becky M; Lundquist, Mark E; Manahan, Lisa F; Perkins, Robert M; Robbins, Bonnie M
**Cc:** Cox, Sophia; Cummings, Kevin J; Williams, Carol L
**Subject:** FY-'10 H1B Draft Reject letters

Please review the attached draft FY-'10 H1B Cap reject letters that we could use them to reject FY-'10 H1B cap cases. VSC and HQ had concurred with the verbiage of each reject letter during our H1B Cap meeting that was held at Washington DC last year.

I have modified the verbiage of these reject letters so that we could use them to reject FY-'10 CAP cases. Please see the below description for each reject letter.

Reject letter # 1 refers to the rejection of late filed Master Cap case.

Reject letter # 2 refers to the rejection of late filed Regular Cap case.

Reject letter #3 refers to the rejection of incorrect employment start date for H1B cap case

Reject letter #4 refers to the rejection of "not selected" Cap case.

Reject letter #5 refers to the rejection of winner cap case that was filed improperly.

Reject letter # 6 refers to the rejection of "early filed" which is the same as reject letter # 5. The only difference is that I added the "Filed too early" reject reason in the block 9 of the reject letter. After the cap filing period, we may take off that reject reason and use the reject letter # 5. VSC and CSC each could use their Service Center mailing address in these draft reject letters.

Could you please all advise if you concur with the verbiage of these reject letters and concur with using them to reject FY-'10 H1B Cap cases?

Thanks,

Dilip Mehta

Immigration Services Analyst, CPAU,

California Service Center, Laguna Niguel, California

(b)(6) [redacted]

# Documents from Dennis Peck

# FY12 H1B Related

**From:** Young, Claudia F
**To:** Moran, Karla; Bushey, Sandra T; Lundquist, Mark E; Baldwin, John T; Peck, Denis R; Fitzsimmons, James; Stoddard, Becky M; Loughlin, Stephen J; Nicholson, Richard E; Rhodes-Gibney, Cathy S; Chadwick, Donna
**Cc:** Johnson, Bobbie L; FitzGerald, Karen L; Richardson, Gregory A; Tamanaha, Emisa T; Velarde, Barbara Q; Fierro, Joseph; Howrigan, Tanya L; McConnell, James E
**Subject:** RE: FY2012 Cap Season
**Date:** Wednesday, February 02, 2011 2:25:15 PM
**Importance:** High

---

Resending to ensure all parties are invited. I apologize as we neglected to invite some key personnel. If you need a copy of the attachments, please let me know. I won't attach here as I don't want to clog everyone's email.

Thanks,

Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

-----Original Appointment-----
**From:** Moran, Karla
**Sent:** Monday, January 31, 2011 1:18 PM
**To:** Bushey, Sandra T; Lundquist, Mark E; Baldwin, John T; Peck, Denis R; Young, Claudia F; Fitzsimmons, James; Moran, Karla
**Cc:** Johnson, Bobbie L; FitzGerald, Karen L; Richardson, Gregory A; Tamanaha, Emisa T; Velarde, Barbara Q
**Subject:** FY2012 Cap Season
**When:** Thursday, February 03, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).
**Where:**

When: Thursday, February 03, 2011 11:00 AM-12:00 PM (GMT-05:00) Eastern Time (US & Canada).

Note: The GMT offset above does not reflect daylight saving time adjustments.

*~*~*~*~*~*~*~*~*~*~*

Welcome to the FY2012 Cap Season. It's time for our first meeting.

Please call:

(b)(6) Call-In Number [redacted]

Participant Cod [redacted]

Our agenda will be as follows:

- Acceptability Criteria Documents (2 documents attached for your review/edits/comments)
- A revised draft CSC Post RNG CAP Matrix (acceptability review)

1 A revised draft CSC Pre-RNG Cap Matrix (Data Entry Room received processing worksheet)

- Cap Reject Letter (attached)

1 Cap Report (draft attached)

2 OT Requests (Please come prepared with responses)

- Was there overtime last year?

1 Based on last year's numbers, would either center anticipate requesting OT for this cap season?

- Determination of 4/8 vs. 4/7 data entry and PP clock start for slow cap filing period

1 Incorrect Jurisdiction

Please submit any additional agenda items, questions, forms, etc for this meeting prior to Tuesday, February 1st (COB). Please also forward this invite to any other appropriate participants.

Thank you

Karla

Karla Moran

USCIS Service Center Operations

Washington DC 20529

(b)(6) [redacted]

Karla.Moran@dhs.gov

<<Reject letter #5I-129 FY-'12 H1B Reject Letter1-31-11.doc>> <<FY12 Cap report (CSC 1-31-11).xls>> <<FY-12 HIB CSC Pre-RNG CAP Matrix Draft 01-26-11.doc>> <<FY-'12 Post RNG CAP Matrix_HQ_Draft 1-12-11.doc>>

<< File: Reject letter #5I-129 FY-'12 H1B Reject Letter1-31-11.doc >> << File: FY12 Cap report (CSC 1-31-11).xls >> << File: FY-12 HIB CSC Pre-RNG CAP Matrix Draft 01-26-11.doc >> << File: FY-'12 Post RNG CAP Matrix_HQ_Draft 1-12-11.doc >>

**From:** Villahermosa, April L
**To:** Peck, Denis R
**Subject:** RE: CSC Fee Register - January 2011
**Date:** Thursday, February 03, 2011 12:22:18 PM

---

Hi Denis, I know we are averaging about 30mil a month, which is really nice. I do hope it continues. Have you heard if CGI will be extended? It sounds chaotic to have a Contractor transition between CAP?

---

**From:** Peck, Denis R
**Sent:** Thursday, February 03, 2011 7:43 AM
**To:** Villahermosa, April L
**Subject:** RE: CSC Fee Register - January 2011

April

Looks like another decent month. Maybe we've bottomed out revenue-wise. Still the H1B CAP was reached later this year than last year. Will be interesting to see what you get on day one this year.

Be nice to CGI a little while longer,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Villahermosa, April L
**Sent:** Wednesday, February 02, 2011 3:28 PM
**To:** Peck, Denis R; Shiflett, Julie M
**Cc:** Nicholson, Richard E; Bennett, Linda J; Benavente, Jessy J; Fries, Juliet M; Tailor, Anisa M; Downing, Karen T; Phan, Huy V
**Subject:** CSC Fee Register - January 2011

Hi Denis and Julie,

Please see attached CSC Fee Register report.

Thank You,

*April L. Villahermosa*
Immigration Service Analyst | California Service Center | CPAU, WS24256 | ✉ april.villahermosa@dhs.gov | ☎ 949.389.3373

| | |
|---|---|
| **From:** | Ammerman, Michael J |
| **To:** | Large, Lisa A; Fierro, Joseph; Abram, John P; Canney, Keith J |
| **Cc:** | Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Bouchard, Armanda M; Howrigan, Tanya L; DeJulius, Robert W; Peck, Denis R |
| **Subject:** | Guidance on the collection of fees on COS between H1B and L1 |
| **Date:** | Monday, February 07, 2011 9:25:43 AM |

VSC and CSC service centers,

OCC has indicated that the $500 fraud prevention and detection fee required under INA 214(c)(12) is applicable in scenarios where an employer files a request to change a beneficiary's status from L-1 to H-1B, or vice versa. The fee is required in this scenario even though it involves the same petitioner and the beneficiary is essentially keeping the same job, but just changing classification.

Additionally, the fee provision of P.L. 111-230 is also applicable in that scenario (if the 50/50 threshold is met).

Please take appropriate steps to ensure compliance.

You may address any questions to me or Shelly Sweeney.

Thanks,

Michael Ammerman
Adjudications Officer
USCIS Service Center Operations
Department of Homeland Security
Washington, DC 20529
Office [redacted] (b)(6)
Fax: 202-272-1542
Michael.Ammerman@DHS.gov

**Please consider the environment before printing this e-mail**

**From:** Podenski, Dali L
**To:** Sheehan, Sheri F; Peck, Denis R; Lauver, Tinnina M; Jacobson, Neil M
**Cc:** Thornton, Rena C
**Subject:** RE: I-485 accepted without evidence of eligible status
**Date:** Wednesday, February 09, 2011 11:28:24 AM

---

Another example of the I485 accepted without proof of status. This I485 is marked B in Part 2 and the applicant is currently in H1B status with an expiration date of April 2012. No immigrant petition (I140) was found on her behalf. Her I94 also indicates her status is H1b. Her husband's I 485 attained his permanent residence under Asylum. This I485 should have been rejected because no proof of eligible status was provided and also none can be found in systems.

(b)(6) [redacted]

A lot of the recent examples are Family Based I485s that are routed to NSC. The applications are acceptable but because of where the applicant filed, they ended up in the wrong office. Not all of the I485s that are accepted without proof of eligible status fall into that scenario. This is one that came across my desk today and I share it to reiterate that the problem is also those applications that are accepted when the person is not eligible to apply.

**Dali Podenski**
**Post Lockbox Review Team**
TERA Division
Immigration Services Analyst II
(b)(6) USCIS Nebraska Service Center
Star Building 1031
[redacted] (402) 323-2374 Dali.Podenski@dhs.gov

Please don't print this e-mail unless you really need to. Think Green.

---

**From:** Sheehan, Sheri F [mailto:Sheri.F.Sheehan@uscis.dhs.gov]
**Sent:** Tuesday, February 08, 2011 5:14 PM
**To:** Peck, Denis R; Lauver, Tinnina M; Jacobson, Neil M
**Cc:** Podenski, Dali L
**Subject:** RE: I-485 accepted without evidence of eligible status

Denis-

The cases that Dali has identified below were filed at the wrong PO Box for family based I-485's. Because our CRU team did not review this case it went through the system as if was employment based and jurisdiction was set according to employment based business rules (B's would go to either TSC or NSC based on state where the applicant lives.

I would be available for a meeting either Monday 11-3 or Wednesday 11-3 of next week. If these times and days present a problem, let me know and I can try to work around others schedule.

Thank you,
Sheri Sheehan
Intake Operations Division
Office of Intake & Document Production
(b)(6) Phone: [redacted]
Fax: (802) 951-6220

---

**From:** Peck, Denis R [mailto:drpeck@fins3.dhs.gov]
**Sent:** Tuesday, February 08, 2011 4:46 PM
**To:** Lauver, Tinnina M; Jacobson, Neil M
**Cc:** Sheehan, Sheri F; Podenski, Dali L
**Subject:** RE: I-485 accepted without evidence of eligible status

Yes and someone from NBC should be included because all these cases belong to them. Teresa Clum is my counterpart there.

Sheri as I see it the key problem to resolve is what is happening with the routing going to NSC?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2128
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

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**From:** Lauver, Tinnina M
**Sent:** Tuesday, February 08, 2011 4:32 PM
**To:** Jacobson, Neil M; Peck, Denis R
**Cc:** Sheehan, Sheri F; Podenski, Dali L
**Subject:** FW: I-485 accepted without evidence of eligible status

Denis/Neil/Dali

Please see message below. As you will note, more research into this issue has been completed. Unfortunately, I am not able to locate the original message from Neil/Dali outlining the issue relating to accepting a Form I-485 without proof of eligibility. Essentially, Sheri Sheehan is willing to participate in a call to further discuss this issue in terms of the value added in accepting/rejecting/Lockbox CRU searching to determine eligibility for these types of cases.

Please let me know if you would like me to schedule a call with Sheri to further discuss.

Thank you very much for your assistance.

***Tinnina (Tina) Lauver***
Service Center Operations Directorate
Acting Chief, Adjustment and Naturalization Branch
United States Citizenship and Immigration Services
(b)(6) [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Sheehan, Sheri F [mailto:Sheri.F.Sheehan@uscis.dhs.gov]
**Sent:** Tuesday, February 08, 2011 4:09 PM
**To:** Lauver, Tinnina M
**Subject:** FW: I-485 accepted without evidence of eligible status

Thank you,
(b)(6) Sheri Sheehan
Intake Operations Division
Office of Intake & Document Production
Phone: [redacted]
Fax: (802) 951-6220

---

**From:** Podenski, Dali L [mailto:dlpodens@fins3.dhs.gov]
**Sent:** Tuesday, February 08, 2011 3:58 PM
**To:** Jacobson, Neil M
**Cc:** Reinert, Henry N; Bamford, Reno C; Sheehan, Sheri F; Richard, Kevin J
**Subject:** RE: I-485 accepted without evidence of eligible status

Neil/Reno:

It's taken me a bit of time to put this list together. I initiated the conversation about cases that Lockbox was accepting without proof. The response that was provided from Lockbox Support didn't really address the original question that was asked by Acting Chief Lauver. *(Can you please indicate if the Lockbox accepts a Form I-485 that is submitted without proof of status?)* The list below is accumulated from cases that are sent to me for research by the contractor's PLR Team. Most of them are Family based cases that fall under the CLB (Chicago Lockbox) jurisdiction. These are ones that have come to my attention and I don't assume that this is all of them. I included the Received (by USCIS) Date as well as the Date that NSC received them from Lockbox to show that these are recent cases. There were others not included that had dates back to June 2010 so this is not necessarily as new issue, but it is a recurring one that seems to be on the rise.

We still on occasion will see cases that the Principle applicant will be rejected and the derivatives are accepted. I have been working to get one resolved over the past week where the Principle's application was rejected for fee and instead of rejecting the remaining family members, the family members were accepted and the principle was rejected. All of the applications should have been rejected since without the principle, the others are ineligible. We have been holding the family members since Jan. 21. I called the attorney and they said they would send in the app and fee and as of two days ago, they hadn't. I called them again and they sent in the application and fee and we received it today. However, they sent an incorrect amount of $2010. We can accept the old fee, the problem is that there is not Supp A in the package, nor was there when it was first submitted. So we still cannot process these applications. All in all, this has cost the service a significant amount of time and money trying to resolve it, never mind the time that is lost by the applicant waiting for our decision. If they had rejected all of it initially, it would have given the applicant an opportunity to correct it and resubmit.

I know that the service has a real interest in providing the public good customer service and I agree that we should. However, sometimes our efforts result in more time lost for the applicant and more cost to the government and it makes me question whether it truly is customer service.

| Receipt Accepted without Proof | Description | Received by NSC | Received Date |
|---|---|---|---|
| (b)(6) [redacted] | I485 (Family based Case) No indication that it was reviewed by LB CRU. Usually there's a "Thread" in Onbase that shows someone researched and found the underlying case. Accepted and shipped to NSC in error; There's an underlying I130 that was filed in at CLB in Dec. 2010. Should have been processed in CHI and routed to NBC. The applicant did NOT submit their I797 to show eligibility to file. | 1/20/11 | 1/12/2011 |
| | I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/18/11 | 12/15/2010 |
| | I485 (Family Based) Copy of I797 (Approval Notice) related to I130 submitted by applicant. No review done by LB CRU. Current CIS status says "UNDER FAMILY UNITY". Accepted and Routed to NSC in error. Should have been processed in CHI and routed to NBC. | 1/18/11 | 1/10/2011 |
| | I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/20/11 | 12/15/2010 |
| | I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/21/11 | 1/12/2011 |
| | I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/27/11 | 12/23/2010 |

(b)(6)

| | | |
|---|---|---|
| I485 with NO Proof of status... And nothing in the file to indicate what basis they are filing under. And no indication that it was reviewed by CRU. It went there... but no thread to indicate that someone looked them up in Claims or CIS. Searching Claims by the applicant's name, I found that they do have an I130 so this one is also Family Based and should have been processed by CHI LB and sent to NBC. | 1/11/11 | 1/3/2011 |
| I485 B Derivative Accepted with No Proof of Status. No Status was found when searched either. If they do have status it looks to be Family Based. Current Status field states Derivative of Mother. Routed to NBC for Processing. | 12/27/10 | 12/20/2010 |
| I485 B Derivative Accepted with No Proof of Status. Applicant did not provide evidence of eligibility. Went to CRU but not comment in threads indicating they researched and found principle. I cannot find an underlying petition for this applicant. | 12/14/10 | 12/7/2010 |
| I485 B Derivative Accepted with No Proof of Status. No Status was found when searched either. I cannot find an underlying petition for this applicant. | 12/13/10 | 12/6/2010 |
| 485s was accepted without proof of filing. They are Family Based. It did not go to LBCRU. Applicant mailed I485 to PHO and I130 to CHI on same day. It was routed to NSC. It should have been rejected for lack of proof of status/No underlying Petition. (WAC1190074525 (I130) filed in CHI) | 11/24/10 | 11/8/2010 |
| I485 based on Underlying I130 routed to NSC for processing. I130 has WAC number but No I130 I797 is present in the application. Appears should have been rejected for no proof. No thread to indicate it went to CRU for review. Jurisdiction was set to NSC. | 11/26/2010 | 11/18/2010 |


**Dali Podenski**
**Post Lockbox Review Team**
TERA Division
Immigration Services Analyst II
USCIS Nebraska Service Center
Star Building 1031
(b)(6) (402) 323-2374 Dali.Podenski@dhs.gov


Please don't print this e-mail unless you really need to. Think Green.

---

**From:** Bamford, Reno C
**Sent:** Friday, January 14, 2011 6:25 AM
**To:** Podenski, Dali L; Reinert, Henry N
**Subject:** FW: I-485 accepted without evidence of eligible status

fyi


Reno Bamford
Supervisor Post Lockbox Review Unit
Transformation, Engineering, Records & Analysis Division
Nebraska Service Center
(b)(6)


---

**From:** Jacobson, Neil M
**Sent:** Tuesday, January 11, 2011 1:00 PM
**To:** Bamford, Reno C; Coleman, Roger D; Lutz, Brian C; Fritz, Thomas J; DeBoer, Gerry; Steffen, Patricia L; McConnell, Nils E
**Subject:** FW: I-485 accepted without evidence of eligible status

FYI


***Neil Jacobson***
***Assistant Center Director***
***Transformation, Engineering, Records & Analysis***
***Nebraska Service Center***
(b)(6)


---

**From:** Peck, Denis R
**Sent:** Tuesday, January 11, 2011 12:20 PM
**To:** lockbox support; Lauver, Tinnina M; Jacobson, Neil M
**Subject:** RE: I-485 accepted without evidence of eligible status

That's pretty thorough Cynthia – thanks.

Neil, here's the response regarding the I-485 acceptances. If you have any specific cases that don't fall into those covered below please identify.

The other forms' issues we have sent in and they're being reviewed.


Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX


---

**From:** lockbox support
**Sent:** Tuesday, January 11, 2011 1:11 PM

**To:** Lauver, Tinnina M
**Cc:** Peck, Denis R
**Subject:** FW: I-485 accepted without evidence of eligible status

Good Afternoon, Tina:

This was forwarded for correct response to Lockbox Support.

The Lockbox accepts I-485s that are submitted without proof of a current priority date in multiple special instances. Those cases are noted by the applicant selecting box 2.h. Other under Reason for filing, then writing the reason on the line beneath the box. Those reasons include Child Status Protection Act (CSPA), Western Hemisphere Priority Date (WHPD) and Native American Born in Canada seeking a green card only.

If applicants are challenging our previous rejections, they have the legal right to submit the form noting either "Demand Adjudication" or "Insist on Filing."

In all of these instances, as we have covered in the Refund SOP, the applicants, with the exception of Native Americans, are essentially appealing our initial finding of no eligibility to file. In these cases, if the adjudicator later rejects the application as priority date not current/no visa available, the applicant is not subject to receive a refund and must pay the full filing fee in the event they seek adjustment at another time.

Please let me know if I can provide any other information for you.

Regards,
Cynthia

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, January 11, 2011 11:27 AM
**To:** Sheehan, Sheri F; Richard, Kevin J
**Subject:** RE: I-485 accepted without evidence of eligible status
**Importance:** High

Sheri/Kevin,

Can you please indicate if the Lockbox accepts a Form I-485 that is submitted without proof of status?

Thanks!!!

***Tinnina (Tina) Lauver***
Service Center Operations Directorate
Acting Chief, Adjustment and Naturalization Branch
United States Citizenship and Immigration Services
(b)(6) [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 11, 2011 10:05 AM
**To:** Lauver, Tinnina M
**Subject:** I-485 accepted without evidence of eligible status

Tina,

Do you want to advise NSC on the below, regarding how an adjustment of status filed – and accepted by the lockbox – without evidence of eligibility should be treated?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Lauver, Tinnina M
**To:** Podenski, Dali L; Sheehan, Sheri F; Peck, Denis R; Jacobson, Neil M
**Cc:** "Bamford, Reno C"
**Subject:** RE: I-485 accepted without evidence of eligible status
**Date:** Wednesday, February 09, 2011 11:29:48 AM

My branch is covering this call in relating to EB I-485s.

Thanks!!


***Tinnina (Tina) Lauver***
Service Center Operations Directorate
Acting Chief, Adjustment and Naturalization Branch
United States Citizenship and Immigration Services
(b)(6) [redacted] ✉: Tinnina.Lauver@dhs.gov


---

**From:** Podenski, Dali L
**Sent:** Wednesday, February 09, 2011 11:28 AM
**To:** Sheehan, Sheri F; Peck, Denis R; Lauver, Tinnina M; Jacobson, Neil M
**Cc:** 'Bamford, Reno C'
**Subject:** RE: I-485 accepted without evidence of eligible status

Another example of the I485 accepted without proof of status. This I485 is marked B in Part 2 and the applicant is currently in H1B status with an expiration date of April 2012. No immigrant petition (I140) was found on her behalf. Her I94 also indicates her status is H1b. Her husband's I 485 attained his permanent residence under Asylum. This I485 should have been rejected because no proof of eligible status was provided and also none can be found in systems.

(b)(6) [redacted]

A lot of the recent examples are Family Based I485s that are routed to NSC. The applications are acceptable but because of where the applicant filed, they ended up in the wrong office. Not all of the I485s that are accepted without proof of eligible status fall into that scenario. This is one that came across my desk today and I share it to reiterate that the problem is also those applications that are accepted when the person is not eligible to apply.


**Dali Podenski**
**Post Lockbox Review Team**
TERA Division
Immigration Services Analyst II
USCIS Nebraska Service Center
(b)(6) Star Building 1031
[redacted] (402) 323-2374| ✉ Dali.Podenski@dhs.gov


Please don't print this e-mail unless you really need to. Think Green.

---

**From:** Sheehan, Sheri F [mailto:Sheri.F.Sheehan@uscis.dhs.gov]
**Sent:** Tuesday, February 08, 2011 5:14 PM
**To:** Peck, Denis R; Lauver, Tinnina M; Jacobson, Neil M
**Cc:** Podenski, Dali L
**Subject:** RE: I-485 accepted without evidence of eligible status

Denis-

The cases that Dali has identified below were filed at the wrong PO Box for family based I-485's. Because our CRU team did not review this case it went through the system as if was employment based and jurisdiction was set according to employment based business rules (B's would go to either TSC or NSC based on state where the applicant lives.

I would be available for a meeting either Monday 11-3 or Wednesday 11-3 of next week. If these times and days present a problem, let me know and I can try to work around others schedule.

Thank you,


Sheri Sheehan
(b)(6) Intake Operations Division
Office of Intake & Document Production
Phone: [redacted]
Fax: (802) 951-6220


---

**From:** Peck, Denis R [mailto:drpeck@fins3.dhs.gov]
**Sent:** Tuesday, February 08, 2011 4:46 PM
**To:** Lauver, Tinnina M; Jacobson, Neil M
**Cc:** Sheehan, Sheri F; Podenski, Dali L
**Subject:** RE: I-485 accepted without evidence of eligible status

Yes and someone from NBC should be included because all these cases belong to them. Teresa Clum is my counterpart there.

Sheri as I see it the key problem to resolve is what is happening with the routing going to NSC?


Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, February 08, 2011 4:32 PM
**To:** Jacobson, Neil M; Peck, Denis R
**Cc:** Sheehan, Sheri F; Podenski, Dali L
**Subject:** FW: I-485 accepted without evidence of eligible status

Denis/Neil/Dali

Please see message below. As you will note, more research into this issue has been completed. Unfortunately, I am not able to locate the original message from Neil/Dali outlining the issue relating to accepting a Form I-485 without proof of eligibility. Essentially, Sheri Sheehan is willing to participate in a call to further discuss this issue in terms of the value added in accepting/rejecting/Lockbox CRU searching to determine eligibility for these types of cases.

Please let me know if you would like me to schedule a call with Sheri to further discuss.

Thank you very much for your assistance.

***Tinnina (Tina) Lauver***
Service Center Operations Directorate
Acting Chief, Adjustment and Naturalization Branch
United States Citizenship and Immigration Services
(b)(6) [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Sheehan, Sheri F [mailto:Sheri.F.Sheehan@uscis.dhs.gov]
**Sent:** Tuesday, February 08, 2011 4:09 PM
**To:** Lauver, Tinnina M
**Subject:** FW: I-485 accepted without evidence of eligible status

Thank you,
Sheri Sheehan
Intake Operations Division
(b)(6) Office of Intake & Document Production
Phone [redacted]
Fax: (802) 951-6220

---

**From:** Podenski, Dali L [mailto:dlpodens@fins3.dhs.gov]
**Sent:** Tuesday, February 08, 2011 3:58 PM
**To:** Jacobson, Neil M
**Cc:** Reinert, Henry N; Bamford, Reno C; Sheehan, Sheri F; Richard, Kevin J
**Subject:** RE: I-485 accepted without evidence of eligible status

Neil/Reno:

It's taken me a bit of time to put this list together. I initiated the conversation about cases that Lockbox was accepting without proof. The response that was provided from Lockbox Support didn't really address the original question that was asked by Acting Chief Lauver. *(Can you please indicate if the Lockbox accepts a Form I-485 that is submitted without proof of status?)* The list below is accumulated from cases that are sent to me for research by the contractor's PLR Team. Most of them are Family based cases that fall under the CLB (Chicago Lockbox) jurisdiction. These are ones that have come to my attention and I don't assume that this is all of them. I included the Received (by USCIS) Date as well as the Date that NSC received them from Lockbox to show that these are recent cases. There were others not included that had dates back to June 2010 so this is not necessarily as new issue, but it is a recurring one that seems to be on the rise.

We still on occasion will see cases that the Principle applicant will be rejected and the derivatives are accepted. I have been working to get one resolved over the past week where the Principle's application was rejected for fee and instead of rejecting the remaining family members, the family members were accepted and the principle was rejected. All of the applications should have been rejected since without the principle, the others are ineligible. We have been holding the family members since Jan. 21. I called the attorney and they said they would send in the app and fee and as of two days ago, they hadn't. I called them again and they sent in the application and fee and we received it today. However, they sent an incorrect amount of $2010. We can accept the old fee, the problem is that there is not Supp A in the package, nor was there when it was first submitted. So we still cannot process these applications. All in all, this has cost the service a significant amount of time and money trying to resolve it, never mind the time that is lost by the applicant waiting for our decision. If they had rejected all of it initially, it would have given the applicant an opportunity to correct it and resubmit.

I know that the service has a real interest in providing the public good customer service and I agree that we should. However, sometimes our efforts result in more time lost for the applicant and more cost to the government and it makes me question whether it truly is customer service.

| Receipt Accepted without Proof | Description | Received by NSC | Received Date |
|---|---|---|---|
| (b)(6) [redacted] | I485 (Family based Case) No indication that it was reviewed by LB CRU. Usually there's a "Thread" in Onbase that shows someone researched and found the underlying case. Accepted and shipped to NSC in error; There's an underlying I130 that was filed in at CLB in Dec. 2010. Should have been processed in CHI and routed to NBC. The applicant did NOT submit their I797 to show eligibility to file. | 1/20/11 | 1/12/2011 |
| | I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/18/11 | 12/15/2010 |
| | I485 (Family Based) Copy of I797 (Approval Notice) related to I130 submitted by applicant. No review done by LB CRU. Current CIS status says "UNDER FAMILY | | |

(b)(6)

| | | |
|---|---|---|
| UNITY". Accepted and Routed to NSC in error. Should have been processed in CHI and routed to NBC. | 1/18/11 | 1/10/2011 |
| I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/20/11 | 12/15/2010 |
| I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/21/11 | 1/12/2011 |
| I485 (Family based) No indication that it was reviewed by LB CRU. The applicant did NOT submit their I797 to show eligibility to file. Accepted and shipped to NSC in error; Should have been processed in CHI and routed to NBC. | 1/27/11 | 12/23/2010 |
| I485 with NO Proof of status... And nothing in the file to indicate what basis they are filing under. And no indication that it was reviewed by CRU. It went there... but no thread to indicate that someone looked them up in Claims or CIS. Searching Claims by the applicant's name, I found that they do have an I130 so this one is also Family Based and should have been processed by CHI LB and sent to NBC. | 1/11/11 | 1/3/2011 |
| I485 B Derivative Accepted with No Proof of Status. No Status was found when searched either. If they do have status it looks to be Family Based. Current Status field states Derivative of Mother. Routed to NBC for Processing. | 12/27/10 | 12/20/2010 |
| I485 B Derivative Accepted with No Proof of Status. Applicant did not provide evidence of eligibility. Went to CRU but not comment in threads indicating they researched and found principle. I cannot find an underlying petition for this applicant. | 12/14/10 | 12/7/2010 |
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**Dali Podenski**
**Post Lockbox Review Team**
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Immigration Services Analyst II
USCIS Nebraska Service Center
Star Building 1031
(b)(6) (402) 323-2374 Dali.Podenski@dhs.gov


Please don't print this e-mail unless you really need to. Think Green.

---

**From:** Bamford, Reno C
**Sent:** Friday, January 14, 2011 6:25 AM
**To:** Podenski, Dali L; Reinert, Henry N
**Subject:** FW: I-485 accepted without evidence of eligible status

fyi


Reno Bamford
Supervisor Post Lockbox Review Unit
Transformation, Engineering, Records & Analysis Division
Nebraska Service Center
(b)(6)


---

**From:** Jacobson, Neil M
**Sent:** Tuesday, January 11, 2011 1:00 PM
**To:** Bamford, Reno C; Coleman, Roger D; Lutz, Brian C; Fritz, Thomas J; DeBoer, Gerry; Steffen, Patricia L; McConnell, Nils E
**Subject:** FW: I-485 accepted without evidence of eligible status

FYI


*Neil Jacobson*
*Assistant Center Director*
*Transformation, Engineering, Records & Analysis*
*Nebraska Service Center*
(b)(6)


---

**From:** Peck, Denis R
**Sent:** Tuesday, January 11, 2011 12:20 PM
**To:** lockbox support; Lauver, Tinnina M; Jacobson, Neil M
**Subject:** RE: I-485 accepted without evidence of eligible status

That's pretty thorough Cynthia – thanks.

Neil, here's the response regarding the I-485 acceptances. If you have any specific cases that don't fall into those covered below please identify.

The other forms' issues we have sent in and they're being reviewed.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** lockbox support
**Sent:** Tuesday, January 11, 2011 1:11 PM
**To:** Lauver, Tinnina M
**Cc:** Peck, Denis R
**Subject:** FW: I-485 accepted without evidence of eligible status

Good Afternoon, Tina:

This was forwarded for correct response to Lockbox Support.

The Lockbox accepts I-485s that are submitted without proof of a current priority date in multiple special instances. Those cases are noted by the applicant selecting box 2.h. Other under Reason for filing, then writing the reason on the line beneath the box. Those reasons include Child Status Protection Act (CSPA), Western Hemisphere Priority Date (WHPD) and Native American Born in Canada seeking a green card only.

If applicants are challenging our previous rejections, they have the legal right to submit the form noting either "Demand Adjudication" or "Insist on Filing."

In all of these instances, as we have covered in the Refund SOP, the applicants, with the exception of Native Americans, are essentially appealing our initial finding of no eligibility to file. In these cases, if the adjudicator later rejects the application as priority date not current/no visa available, the applicant is not subject to receive a refund and must pay the full filing fee in the event they seek adjustment at another time.

Please let me know if I can provide any other information for you.

Regards,
Cynthia

---

**From:** Lauver, Tinnina M
**Sent:** Tuesday, January 11, 2011 11:27 AM
**To:** Sheehan, Sheri F; Richard, Kevin J
**Subject:** RE: I-485 accepted without evidence of eligible status
**Importance:** High

Sheri/Kevin,

Can you please indicate if the Lockbox accepts a Form I-485 that is submitted without proof of status?

Thanks!!!

***Tinnina (Tina) Lauver***
Service Center Operations Directorate
Acting Chief, Adjustment and Naturalization Branch
United States Citizenship and Immigration Services
(b)(6) [redacted] ✉: Tinnina.Lauver@dhs.gov

---

**From:** Peck, Denis R
**Sent:** Tuesday, January 11, 2011 10:05 AM
**To:** Lauver, Tinnina M
**Subject:** I-485 accepted without evidence of eligible status

Tina,

Do you want to advise NSC on the below, regarding how an adjustment of status filed – and accepted by the lockbox – without evidence of eligibility should be treated?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Stoddard, Becky M
**To:** Peck, Denis R
**Cc:** Ashline, Heidi L
**Subject:** Cap-exempt petitioner question
**Date:** Wednesday, February 09, 2011 1:12:54 PM
**Importance:** High

---

Denis,

This is regarding the conversation that took place last week during the H1B cap teleconference in reference to cap-exempt organizations that wish to be treated as subject to the H1B cap. We are seeing cases from cap-exempt petitioners that want to be treated as subject to the cap, but the issue we are seeing is that they are filling out the I-129 form in a contradictory manner. The details are as follows-

We just received eight cases mailed back to us as "improperly rejected".

-They are from Baltimore County Public School system.

-We rejected them for jurisdiction as they indicated on the data collection supplement question 3 as "Yes" that they are a nonprofit organization related to an institution of higher education. Our guidance states that if any questions 1, 2 or 3 of this section are marked "Yes" that they are cap exempt and need to file at CSC.

-The petitioner returned them as improperly rejected stating that they purposely filed the cases at VSC as they wish them to be worked at VSC and counted under the H1B cap.

-They have not paid the ACWIA fee, which would be needed if they are going to be treated as cap cases. (This is because they are marking question 3 as "Yes" as explained above which makes it look like they are exempt from the ACWIA fee)

What it boils down to is if they want to be treated as cap subject and worked at VSC they should *not* be marking "Yes" to question 3 stating that they are a nonprofit cap exempt organization, and they also should be paying the ACWIA fee. Any guidance on how to handle the following scenario would be very much appreciated. If you need further information please let me know.

Thank you,

Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

**From:** Young, Claudia F
**To:** Peck, Denis R; Moran, Karla; Sweeney, Shelly A
**Cc:** Stoddard, Becky M; Ashline, Heidi L; Fitzsimmons, James; Richardson, Gregory A
**Subject:** RE: Cap-exempt petitioner question
**Date:** Wednesday, February 09, 2011 1:38:26 PM

---

With a very precise answer:

Our guidance is clear. If they mark "Yes" in question 3 for a, b, c, or d on the supplement, the petition should be filed at the CSC. A petitioner cannot choose which center will adjudicate their case. If they wanted to be cap subject, they should fill out the petition properly with the proper fees.

Let me know if you have any other questions.

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
(b)(6) Washington, DC 20529-2060

---

**From:** Peck, Denis R
**Sent:** Wednesday, February 09, 2011 1:18 PM
**To:** Young, Claudia F; Moran, Karla; Sweeney, Shelly A
**Cc:** Stoddard, Becky M; Ashline, Heidi L; Fitzsimmons, James
**Subject:** FW: Cap-exempt petitioner question
**Importance:** High

Claudia

This is a very precise question regarding eligibility.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6)
202-272-1542 FAX

---

**From:** Stoddard, Becky M
**Sent:** Wednesday, February 09, 2011 1:13 PM
**To:** Peck, Denis R
**Cc:** Ashline, Heidi L
**Subject:** Cap-exempt petitioner question
**Importance:** High

Denis,

This is regarding the conversation that took place last week during the H1B cap teleconference in reference to cap-exempt organizations that wish to be treated as subject to the H1B cap. We are seeing cases from cap-exempt petitioners that want to be treated as subject to the cap, but the issue we are seeing is that they are filling out the I-129 form in a contradictory manner. The details are as follows-

We just received eight cases mailed back to us as "improperly rejected".

-They are from Baltimore County Public School system.

-We rejected them for jurisdiction as they indicated on the data collection supplement question 3 as "Yes" that they are a nonprofit organization related to an institution of higher education. Our guidance states that if any questions 1, 2 or 3 of this section are marked "Yes" that they are cap exempt and need to file at CSC.

-The petitioner returned them as improperly rejected stating that they purposely filed the cases at VSC as they wish them to be worked at VSC and counted under the H1B cap.

-They have not paid the ACWIA fee, which would be needed if they are going to be treated as cap cases. (This is because they are marking question 3 as "Yes" as explained above which makes it look like they are exempt from the ACWIA fee)

What it boils down to is if they want to be treated as cap subject and worked at VSC they should *not* be marking "Yes" to question 3 stating that they are a nonprofit cap exempt organization, and they also should be paying the ACWIA fee. Any guidance on how to handle the following scenario would be very much appreciated. If you need further information please let me know.

Thank you,

Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

**From:** Stoddard, Becky M
**To:** Young, Claudia F; Peck, Denis R; Moran, Karla; Sweeney, Shelly A
**Cc:** Ashline, Heidi L; Fitzsimmons, James; Richardson, Gregory A
**Subject:** RE: Cap-exempt petitioner question
**Date:** Wednesday, February 09, 2011 2:58:59 PM

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Thank you so much for the quick response.

I just have one more question- we have also seen cases where Part B (ACWIA fee exemption determination), questions 1, 2 or 3 of the supplement are marked as "Yes", but yet Part C of the same supplement is marked as H-1B cap subject with no exemptions claimed. Because they marked Part B that they are a nonprofit or institute of higher education and therefore did not pay the ACWIA fee, would we follow the same guidance below? (These cases have also indicated that they wish to be cap subject and worked at the VSC.)

Thanks again,
Becky

Becky Stoddard
Immigration Services Analyst
(b)(6) VSC/CPAU
[redacted]

---

**From:** Young, Claudia F
**Sent:** Wednesday, February 09, 2011 1:38 PM
**To:** Peck, Denis R; Moran, Karla; Sweeney, Shelly A
**Cc:** Stoddard, Becky M; Ashline, Heidi L; Fitzsimmons, James; Richardson, Gregory A
**Subject:** RE: Cap-exempt petitioner question

With a very precise answer:

Our guidance is clear. If they mark "Yes" in question 3 for a, b, c, or d on the supplement, the petition should be filed at the CSC. A petitioner cannot choose which center will adjudicate their case. If they wanted to be cap subject, they should fill out the petition properly with the proper fees.

Let me know if you have any other questions.

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
(b)(6) Washington, DC 20529-2060
[redacted]

---

**From:** Peck, Denis R
**Sent:** Wednesday, February 09, 2011 1:18 PM
**To:** Young, Claudia F; Moran, Karla; Sweeney, Shelly A

**Cc:** Stoddard, Becky M; Ashline, Heidi L; Fitzsimmons, James
**Subject:** FW: Cap-exempt petitioner question
**Importance:** High

Claudia

This is a very precise question regarding eligibility.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Stoddard, Becky M
**Sent:** Wednesday, February 09, 2011 1:13 PM
**To:** Peck, Denis R
**Cc:** Ashline, Heidi L
**Subject:** Cap-exempt petitioner question
**Importance:** High

Denis,

This is regarding the conversation that took place last week during the H1B cap teleconference in reference to cap-exempt organizations that wish to be treated as subject to the H1B cap. We are seeing cases from cap-exempt petitioners that want to be treated as subject to the cap, but the issue we are seeing is that they are filling out the I-129 form in a contradictory manner. The details are as follows-

We just received eight cases mailed back to us as "improperly rejected".

-They are from Baltimore County Public School system.

-We rejected them for jurisdiction as they indicated on the data collection supplement question 3 as "Yes" that they are a nonprofit organization related to an institution of higher education. Our guidance states that if any questions 1, 2 or 3 of this section are marked "Yes" that they are cap exempt and need to file at CSC.

-The petitioner returned them as improperly rejected stating that they purposely filed the cases at VSC as they wish them to be worked at VSC and counted under the H1B cap.

-They have not paid the ACWIA fee, which would be needed if they are going to be treated as cap cases. (This is because they are marking question 3 as "Yes" as explained above which makes it look like they are exempt from the ACWIA fee)

What it boils down to is if they want to be treated as cap subject and worked at VSC they should *not* be marking "Yes" to question 3 stating that they are a nonprofit cap exempt organization, and they also should be paying the ACWIA fee. Any guidance on how to handle the following scenario would be very much appreciated. If you need further information please let me know.

Thank you,

Becky

Becky Stoddard
Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** RE: Guidance on the collection of fees on COS between H1B and L1
**Date:** Wednesday, February 09, 2011 5:17:35 PM

---

We will update accordingly...I have not seen this.....

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Wednesday, February 09, 2011 2:12 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M
**Subject:** FW: Guidance on the collection of fees on COS between H1B and L1

I don't know if this reached all the right parties so I'm re-sending just to be safe. Send a confirmation that all is understood on your ends.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Ammerman, Michael J
**Sent:** Monday, February 07, 2011 9:26 AM
**To:** Laroe, Lisa A; Fierro, Joseph; Abram, John P; Canney, Keith J
**Cc:** Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Bouchard, Armanda M; Howrigan, Tanya L; DeJulius, Robert W; Peck, Denis R
**Subject:** Guidance on the collection of fees on COS between H1B and L1

VSC and CSC service centers,

OCC has indicated that the $500 fraud prevention and detection fee required under INA 214(c)(12) is applicable in scenarios where an employer files a request to change a beneficiary's status from L-1 to H-1B, or vice versa. The fee is required in this scenario even though it involves the same petitioner and the beneficiary is essentially keeping the same job, but just changing classification.

Additionally, the fee provision of P.L. 111-230 is also applicable in that scenario (if the 50/50 threshold is met).

Please take appropriate steps to ensure compliance.

You may address any questions to me or Shelly Sweeney.

Thanks,

Michael Ammerman
Adjudications Officer
USCIS Service Center Operations
Department of Homeland Security
Washington, DC 20529
(b)(6) Office [redacted]
Fax: 202-272-1542
Michael.Ammerman@DHS.gov

Please consider the environment before printing this e-mail

**From:** Nicholson, Richard E
**To:** Peck, Denis R
**Subject:** FW: Guidance on the collection of fees on COS between H1B and L1
**Date:** Wednesday, February 09, 2011 5:47:57 PM

---

FYI

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Robbins, Bonnie M [mailto:bonnie.robbins@dhs.gov]
**Sent:** Wednesday, February 09, 2011 2:33 PM
**To:** Nicholson, Richard E
**Cc:** Bennett, Linda J
**Subject:** RE: Guidance on the collection of fees on COS between H1B and L1

Hi Rich,

We already have this in our SOP.

Bonnie Robbins
Division VII: CSC - USCIS
(b)(6) [redacted]
Bonnie.Robbins@dhs.gov

---

**From:** Nicholson, Richard E [mailto:richard.nicholson@dhs.gov]
**Sent:** Wednesday, February 09, 2011 2:18 PM
**To:** Robbins, Bonnie M
**Cc:** Bennett, Linda J
**Subject:** FW: Guidance on the collection of fees on COS between H1B and L1

Bonnie: Please implement as necessary...thanks.

Rich Nicholson
Assistant Director Records/COTR
California Service Center
USCIS
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Wednesday, February 09, 2011 2:12 PM
**To:** Nicholson, Richard E; Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M
**Subject:** FW: Guidance on the collection of fees on COS between H1B and L1

I don't know if this reached all the right parties so I'm re-sending just to be safe. Send a confirmation that all is understood on your ends.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management

SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Ammerman, Michael J
**Sent:** Monday, February 07, 2011 9:26 AM
**To:** Laroe, Lisa A; Fierro, Joseph; Abram, John P; Canney, Keith J
**Cc:** Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Bouchard, Armanda M; Howrigan, Tanya L; DeJulius, Robert W; Peck, Denis R
**Subject:** Guidance on the collection of fees on COS between H1B and L1

VSC and CSC service centers,

OCC has indicated that the $500 fraud prevention and detection fee required under INA 214(c)(12) is applicable in scenarios where an employer files a request to change a beneficiary's status from L-1 to H-1B, or vice versa. The fee is required in this scenario even though it involves the same petitioner and the beneficiary is essentially keeping the same job, but just changing classification.

Additionally, the fee provision of P.L. 111-230 is also applicable in that scenario (if the 50/50 threshold is met).

Please take appropriate steps to ensure compliance.

You may address any questions to me or Shelly Sweeney.

Thanks,

Michael Ammerman
Adjudications Officer
USCIS Service Center Operations
Department of Homeland Security
Washington, DC 20529
(b)(6) Office [redacted]
Fax: 202-272-1542
Michael.Ammerman@DHS.gov

**From:** Butler, Dennis E
**To:** Peck, Denis R
**Subject:** H1B cap call
**Date:** Thursday, February 10, 2011 10:25:12 AM

Hey Denis:

I just spoke with Claudia, who said BEST would not be able to participate in the call today, unless of course it is rescheduled for next week.

Thanks,

Dennis Butler
Business Employment Services
Service Center Operations
20 Massachusetts Ave., NW Suite 2008
Washington, DC 20529-2060
(b)(6) [redacted]

**From:** Tailor, Anisa M
**To:** Peck, Denis R
**Cc:** Melville, Rosemary; Johnson, Bobbie L; Louis, Jennifer E; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Piscitelli, Claire B
**Subject:** FW: CSC Day #1 CAP estimates
**Date:** Friday, April 01, 2011 4:23:14 PM

---

Denis,

The below is an estimate of how many CAP cases were received by CSC.

Juliet will send you a better estimate at the end of the day.

Anisa

---

**From:** Siesel, Gregory P
**Sent:** Friday, April 01, 2011 1:06 PM
**To:** Peacock, Walter W.
**Cc:** Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; Bobeng Jr, John W; Dinh, William H; Ly, Pam P; Martin, James L; Nelson, Marvin E; Printup, Maurice; Siesel, Gregory P
**Subject:** CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
|---|---|---|---|---|---|---|---|
| (CRN) H1B CAP | 1,420 | 0 | 0 | 0 | 0 | 0 | 1,420 |
| (CRP) H1B CAP - Premium | 692 | 0 | 0 | 0 | 0 | 0 | 692 |
| (CMN) H1B Masters | 626 | 0 | 0 | 0 | 0 | 0 | 626 |
| (CMP) H1B Masters - Premium | 282 | 0 | 0 | 0 | 0 | 0 | 282 |
| Total | 3,020 | 0 | 0 | 0 | 0 | 0 | 3,020 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1) | | 3,020 |
| Grand total received in FY 2011 cap season (Day 1) | | 6,623 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 54.40% |

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CSC Day #1 CAP estimates
**Date:** Friday, April 01, 2011 4:25:04 PM

Latest from CSC...

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Friday, April 01, 2011 4:06 PM
**To:** Peacock, Walter W.
**Cc:** Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
**Subject:** CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
|---|---|---|---|---|---|---|---|
| (CRN) H1B CAP | 1,420 | 0 | 0 | 0 | 0 | 0 | 1,420 |
| (CRP) H1B CAP - Premium | 692 | 0 | 0 | 0 | 0 | 0 | 692 |
| (CMN) H1B Masters | 626 | 0 | 0 | 0 | 0 | 0 | 626 |
| (CMP) H1B Masters - Premium | 282 | 0 | 0 | 0 | 0 | 0 | 282 |
| Total | 3,020 | 0 | 0 | 0 | 0 | 0 | 3,020 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1) | | 3,020 |
| Grand total received in FY 2011 cap season (Day 1) | | 6,623 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 54.40% |

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

**From:** Thomas Leupp
**To:** Peck, Denis R
**Subject:** RE: SCOSS Transition Weekly Status Report_040111_SVM.doc
**Date:** Saturday, April 02, 2011 11:03:35 AM

---

Denis,

Thanks..Tom

---

**From:** Peck, Denis R [denis.peck@dhs.gov]
**Sent:** Saturday, April 02, 2011 10:08 AM
**To:** Thomas Leupp; Shiflett, Julie M
**Cc:** Dick Braun; Tamara Owens
**Subject:** RE: SCOSS Transition Weekly Status Report_040111_SVM.doc

Thanks Tom, and for my part here's the March fee register report for Vermont. Don't have the other yet.

Initial reports on H1B filing season are that it was very light, lower even than last year when we took in 19,000 petitions between April 1-7. This year it looks like fewer than 10,000 came in yesterday. This should mean the incumbent will have most of this year's filings data entry complete by cob April 15, perhaps all of them.

---

**From:** Thomas Leupp [mailto:Thomas.Leupp@fedconsulting.com]
**Sent:** Friday, April 01, 2011 9:51 PM
**To:** denis.peck@dhs.gov; julie.shiflett@dhs.gov; gale.bonnett@dhs.gov; ned.ross@dhs.gov; ralph.koehring@dhs.gov
**Cc:** Sharon Virts-Mozer; Dick Braun; Tamara Owens; Clark Severson
**Subject:** SCOSS Transition Weekly Status Report_040111_SVM.doc

Good Evening Denis,

Please find attached the SCOSS Transition Weekly Status Report for the week ending on April 1, 2012.

I hope everyone has a nice weekend....Tom

---

**From:** Fitzsimmons, James
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: 1st day CAP petitions = 7,342
**Date:** Monday, April 04, 2011 11:19:56 AM

---

All,
The total cap count after the first five days of FY 2012 cap season will be 9,400 if last year's pattern of receipts holds true.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,315 | 298 | 137 | 93 | 106 | **2,948** |
| H1B CAP - Premium | 2,050 | 381 | 116 | 118 | 133 | **2,798** |
| H1B Masters | 1,715 | 193 | 92 | 75 | 64 | **2,139** |
| H1B Masters - Premium | 1,262 | 110 | 63 | 33 | 37 | **1,506** |
| Total | 7,342 | 982 | 408 | 320 | 339 | **9,390** |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** FW: CAP Report for 4/4/2011
**Date:** Monday, April 04, 2011 6:17:34 PM

Evening,

Just a quick update.

Walter

---

**From:** Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
**Sent:** Monday, April 04, 2011 5:15 PM
**To:** CR Nelson, Marvin; Akeo, Timothy R; Benavente, Jessy J; Bennett, Linda J; CR Bobeng, John; Dinh, William H; Fries, Juliet M; Lundquist, Lieda F; Ly, Pam P; Martin, James L; Nicholson, Richard E; Peacock, Walter W.; Petherbridge, Dan R; Printup, Maurice; Tailor, Anisa M; Treacy, Erin; Valencia, Valerie L; 'Gregory.Siesel@associates.dhs.gov'; Siesel, Gregory P.
**Subject:** RE: CAP Report for 4/4/2011

All,

Below is a CSC CAP estimate for Day 1 & 2 (hand count as of 1400 local):

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 per bucket) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | 4/8/11 | Total |
| (CRN) H1B CAP | 1,015 | 188 | 0 | 0 | 0 | 0 | 1,203 |
| (CRP) H1B CAP - Premium | 789 | 69 | 0 | 0 | 0 | 0 | 858 |
| (CMN) H1B Masters | 1,051 | 135 | 0 | 0 | 0 | 0 | 1,186 |
| (CMP) H1B Masters - Premium | 544 | 66 | 0 | 0 | 0 | 0 | 610 |
| Total | 3,399 | 458 | 0 | 0 | 0 | 0 | 3,857 |

| | | |
|---|---|---|
| Unidentified | | 0 |
| Grand total received in FY 2012 cap season (Day 1 & 2) | | 3,857 |
| Grand total received in FY 2011 cap season (Day 1 & 2) | | 7,360 |
| % change: FY 2012 receipts over FY 2011 receipts | Decrease | 47.60% |

Marv will send out the final CSC CAP report for 4-4-11 after the boxes are scanned & counted tonight.

Regards,

Greg

**From:** Fitzsimmons, James
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700
**Date:** Tuesday, April 05, 2011 9:59:26 AM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | 3,191 |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | 2,789 |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | 2,177 |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | 1,605 |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | 9,762 |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP through day 2 count hits 8,700
**Date:** Wednesday, April 06, 2011 1:04:59 PM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 91 | 104 | **3,302** |
| H1B CAP - Premium | 2,050 | 372 | 170 | 118 | 133 | **2,843** |
| H1B Masters | 1,715 | 233 | 95 | 75 | 64 | **2,182** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 33 | 37 | **1,620** |
| Total | 7,294 | 1,410 | 588 | 318 | 337 | **9,947** |

---

**From:** Peck, Denis R
**Sent:** Wednesday, April 06, 2011 1:01 PM
**To:** Fitzsimmons, James
**Subject:** RE: CAP through day 2 count hits 8,700

I'm getting embarrassed sending this out. We're up to 9,292 with today and tomorrow left. What does your indicator say we'll make?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, April 05, 2011 9:59 AM
**To:** Peck, Denis R; Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M
**Cc:** Neufeld, Donald
**Subject:** RE: CAP through day 2 count hits 8,700

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 133 | 91 | 104 | **3,191** |
| H1B CAP - Premium | 2,050 | 372 | 116 | 118 | 133 | **2,789** |
| H1B Masters | 1,715 | 232 | 92 | 75 | 64 | **2,177** |
| H1B Masters - Premium | 1,262 | 209 | 63 | 33 | 37 | **1,605** |
| Total | 7,294 | 1,409 | 404 | 318 | 337 | **9,762** |

Projections based on FY 2011 pattern of daily cap receipts

---

**From:** Peck, Denis R
**Sent:** Tuesday, April 05, 2011 9:35 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M;

Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** CAP through day 2 count hits 8,700

If we can at least make it to 10,000 it'd be a nice round number for the Friday news release.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Monday, April 04, 2011 11:04 AM
**To:** Velarde, Barbara Q; Young, Claudia F; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James
**Cc:** Neufeld, Donald
**Subject:** 1st day CAP petitions = 7,342

My initial estimate that we may have taken in 10,000 was optimistic. Premiums are a little over 3,000.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:10:58 AM

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | **2,857** |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | **2,179** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | **10,238** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
(b)(6) Alexandria, VA 22310
Mobile: [redacted]
http://www.cgi.com/usfederal

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**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: CAP update
**Date:** Thursday, April 07, 2011 9:47:03 AM

---

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 9:21 AM
**To:** Fitzsimmons, James
**Subject:** RE: CAP update

Jim I think the contractor has reclassified their initial Premiums count and its lower than what you're showing. Your total and theirs is about the same (I get a difference of 1) but the 4 categories are different – do you want to recalculate?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:11 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 2,050 | 372 | 170 | 132 | 133 | **2,857** |
| H1B Masters | 1,715 | 232 | 95 | 73 | 64 | **2,179** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,409 | 588 | 610 | 337 | **10,238** |

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM

**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peacock, Walter W. [mailto:Walter.Peacock@stanleyassociates.com]
**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

Morning Denis,

Attached you will find the latest CAP updates for CSC and VSC.

Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
(b)(6) Mobile: [redacted]
http://www.cgi.com/usfederal
CONFIDENTIALITY NOTICE: Proprietary/Confidential Information belonging to CGI Group Inc. and its affiliates may be contained in this message. If you are not a recipient indicated or intended in this message (or responsible for delivery of this message to such person), or you think for any reason that this message may have been addressed to you in error, you may not use or copy or deliver this message to anyone else. In such case, you should destroy this message and are asked to notify the sender by reply e-mail.

**From:** Fitzsimmons, James
**To:** Peck, Denis R; McConnell, James E
**Subject:** FW: CAP update through Day 4 = 9,902
**Date:** Thursday, April 07, 2011 12:05:20 PM

---

FYI

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 11:58 AM
**To:** Harton, Frank A
**Subject:** RE: CAP update through Day 4 = 9,902

Actually rounding errors account for the difference. These numbers are calculated based on a formula.

| |
|---|
| 103.852 |
| 132.697 |
| 63.765 |
| 36.784 |
| 337.098 |

---

**From:** Harton, Frank A
**Sent:** Thursday, April 07, 2011 11:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update through Day 4 = 9,902

Just wanted to point out a small error in your numbers on the chart below. I think the total for 4/7 should be 338, which would make the grand total 10,240. The rest seem to add up.

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 10:30 AM
**To:** Velarde, Barbara Q; Richardson, Gregory A; Arroyo, Susan K; Young, Claudia F; Tamanaha, Emisa T; Harton, Frank A; Sweeney, Shelly A; Bolog, Marguerite M; Fitzsimmons, James; McConnell, James E; Lundquist, Mark E; Loughlin, Stephen J; Shiflett, Julie M; Schmidt, Bruce H; Alexander, Bruce R; Chen, Annie H
**Cc:** Neufeld, Donald
**Subject:** FW: CAP update through Day 4 = 9,902

Jim and I checked the numbers and we're at 9,902 total.

Data entry started this morning on the Premiums (1,598 at CSC & 2,143 at VSC). I should have a data entry count included starting tomorrow.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]

202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Thursday, April 07, 2011 9:47 AM
**To:** Peck, Denis R
**Subject:** RE: CAP update

Denis,
Two rows were reversed.
Jim

| FY 2012 CAP SEASON | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 | TOTAL |
|---|---|---|---|---|---|---|
| CSC & VSC | | | | | | |
| H1B CAP | 2,267 | 596 | 244 | 330 | 104 | **3,541** |
| H1B CAP - Premium | 1,715 | 233 | 95 | 73 | 133 | **2,249** |
| H1B Masters | 2,050 | 372 | 170 | 132 | 64 | **2,788** |
| H1B Masters - Premium | 1,262 | 209 | 79 | 75 | 37 | **1,662** |
| Total | 7,294 | 1,410 | 588 | 610 | 337 | **10,239** |

---

---

**From:** Peck, Denis R
**Sent:** Thursday, April 07, 2011 8:55 AM
**To:** Fitzsimmons, James
**Subject:** FW: CAP update

Wow they got in fast this morning, and we've now reached 9900!

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

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**Sent:** Thursday, April 07, 2011 8:46 AM
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** CAP update

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Thank you, Walter

Walter Peacock
Director, Consulting
DHS/USCIS SCOSS
Senior Program Manager
CGI U.S. Federal Market - BOG
6363 Walker Lane
Alexandria, VA 22310
(b)(6) Mobile: [redacted]
http://www.cgi.com/usfederal
CONFIDENTIALITY NOTICE: Proprietary/Confidential Information belonging to CGI Group Inc. and its affiliates may be contained in this message. If you are not a recipient indicated or intended in this message (or responsible for delivery of this message to such person), or you think for any reason that this message may have been addressed to you in error, you may not use or copy or deliver this message to anyone else. In such case, you should destroy this message and are asked to notify the sender by reply e-mail.

**From:** Young, Claudia F
**To:** Velarde, Barbara O; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** 129 EFiling Questions
**Date:** Tuesday, April 26, 2011 2:34:54 PM
**Importance:** High

---

Dennis and I met with efiling last week and we had a few get backs that I am late on:

1. Currently the following classification cannot be e-filed: H1B, H2B, L1, R1 and E3. I don't think we want any of these included now but I wanted to check with everyone. **Barbara and Greg**

2. Jurisdiction- Currently the e-filed 129s only go to CSC. We have the ability to have the 29s also go to VSC per the filing instructions if we would like to do this. What are your thoughts? **Barbara and Greg**

3. Denis- Stephanie Villaflor needs the data entry requirements that data entry uses in order to determine required and "good to have" data fields. **Denis**

4. CNMI- any issues with e-filing? I don't believe there is, but I am double checking **Claudia**

5. Jim- Stephanie was looking for if there were any new drop downs in CLAIMS since 2000. Could Patrick contact Stephanie and let her know? **Jim**

Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

**From:** Velarde, Barbara Q
**To:** Young, Claudia F; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** RE: 129 EFiling Questions
**Date:** Tuesday, April 26, 2011 2:44:34 PM

---

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Young, Claudia F
**Sent:** Tuesday, April 26, 2011 2:35 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** 129 EFiling Questions
**Importance:** High

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1. Currently the following classification cannot be e-filed: H1B, H2B, L1, R1 and E3. I don't think we want any of these included now but I wanted to check with everyone. **Barbara and Greg** Is anyone pushing us to do this? So dumb question.... Which ones are?

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Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000

Washington, DC 20529-2060

(b)(6) [redacted]

**From:** Young, Claudia F
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** RE: 129 EFiling Questions
**Date:** Tuesday, April 26, 2011 2:50:41 PM

---

See answers in green!

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060
(b)(6) [redacted]

---

**From:** Young, Claudia F
**Sent:** Tuesday, April 26, 2011 2:35 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** 129 EFiling Questions
**Importance:** High

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3. Denis- Stephanie Villaflor needs the data entry requirements that data entry uses in order to determine required and "good to have" data fields. **Denis**

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Thanks,
Claudia

Claudia F Young

Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
Washington, DC 20529-2060

(b)(6) [redacted]

**From:** Velarde, Barbara Q
**To:** Young, Claudia F; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** RE: 129 EFiling Questions
**Date:** Tuesday, April 26, 2011 2:52:49 PM

---

I guess my response is why expand if we are not being pushed... we still have problems with efiling and matching up the documents, right?

Barbara Q. Velarde
Deputy Associate Director
Service Center Operations Directorate
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, Room 2134
Washington, DC 20529

---

**From:** Young, Claudia F
**Sent:** Tuesday, April 26, 2011 2:51 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** RE: 129 EFiling Questions

See answers in green!

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
(b)(6) Washington, DC 20529-2060
[redacted]

---

**From:** Young, Claudia F
**Sent:** Tuesday, April 26, 2011 2:35 PM
**To:** Velarde, Barbara Q; Richardson, Gregory A
**Cc:** Peck, Denis R; McConnell, James E; Butler, Dennis E; Tamanaha, Emisa T
**Subject:** 129 EFiling Questions
**Importance:** High

Dennis and I met with efiling last week and we had a few get backs that I am late on:

1. Currently the following classification cannot be e-filed: H1B, H2B, L1, R1 and E3. I don't think we want any of these included now but I wanted to check with everyone. **Barbara and Greg Is anyone pushing us to do this? So dumb question.... Which ones are? No one is pushing- it was just a question from efiling. I would recommend status quo.**

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the volume is low. ☺ If they started going to VSC, I see the number going up as we have had attorneys ask when VSC will start receiving e-filed cases.

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Thanks,
Claudia

Claudia F Young
Branch Chief (Business Employment Services)
Service Center Operations
20 Massachusetts Ave., NW Suite 2000
(b)(6) Washington, DC 20529-2060
[redacted]

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Bolog, Marguerite M
**Subject:** H-1B cap update
**Date:** Monday, May 02, 2011 1:10:53 PM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 9,200 | 4/29/2011 |
| H-1B Master's Exemption | 20,000 | 6,600 | 4/29/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Bolog, Marguerite M
**Subject:** H-1B cap update
**Date:** Monday, May 09, 2011 10:56:49 AM

All,

One year ago, regular cap count was 18,000 and masters count was 7,600.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 10,200 | 5/6/2011 |
| H-1B Master's Exemption | 20,000 | 7,300 | 5/6/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, May 16, 2011 9:44:08 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H-1B cap update
**Date:** Monday, May 16, 2011 10:22:41 AM

---

Masters cap could be reached by mid-October this year.

---

**From:** Peck, Denis R
**Sent:** Monday, May 16, 2011 10:22 AM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update

Interesting to see how the masters to bachelors ratio is higher this year than ever and that trend probably continues into the future. In 10 years we will have two categories, the masters cap and the PhD Exemption.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, May 16, 2011 9:44 AM
**To:** McConnell, James E; Peck, Denis R; Doherty, Shannon P; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 11,200 | 5/13/2011 |
| H-1B Master's Exemption | 20,000 | 7,900 | 5/13/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, May 27, 2011 10:16:33 AM

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, May 27, 2011 10:16:33 AM

All,

The updated cap numbers are being sent today because of holiday on Monday.

Enjoy the holiday weekend!

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,100 | 5/26/2011 |
| H-1B Master's Exemption | 20,000 | 9,000 | 5/26/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Thursday, June 02, 2011 8:53:55 AM

All,

The updated cap numbers are being sent today instead of next Monday because I will be on vacation until Tuesday, June 14.

See you on the 14th.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 13,600 | 6/1/2011 |
| H-1B Master's Exemption | 20,000 | 9,300 | 6/1/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tirinina M
**Subject:** H-1B cap update
**Date:** Tuesday, June 14, 2011 7:41:12 AM

All,

I am back! I brought this weather with me.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 15,200 | 6/13/2011 |
| H-1B Master's Exemption | 20,000 | 10,200 | 6/13/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Cc:** Bacote, Robert R
**Subject:** H-1B cap update
**Date:** Monday, June 20, 2011 8:35:07 AM

---

All,

See below.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 16,300 | 6/17/2011 |
| H-1B Master's Exemption | 20,000 | 10,800 | 6/17/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, June 27, 2011 12:59:46 PM

---

All,

See below.

Note that the count for Masters is up 13% and Regular is down 26% compared to this time last year.

Note also that if the volume of receipts continues at the same pace as over the last 30 days, the Masters cap will be reached in mid-October and regular in mid-March.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 17,400 | 6/24/2011 |
| H-1B Master's Exemption | 20,000 | 11,300 | 6/24/2011 |

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Subject:** RE: H-1B cap update
**Date:** Tuesday, July 05, 2011 9:47:13 AM

---

My current estimate is March 7th.

---

**From:** Peck, Denis R
**Sent:** Tuesday, July 05, 2011 9:43 AM
**To:** Fitzsimmons, James
**Subject:** RE: H-1B cap update

I am really starting to wonder if we will hit the non-master's cap this year. I hope we make it even if it's March 28th.....

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Tuesday, July 05, 2011 9:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update

All,

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 18,400 | 7/1/2011 |
| H-1B Master's Exemption | 20,000 | 11,900 | 7/1/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, July 08, 2011 11:27:12 AM

All,

Cap counts are provided today because I am out of the office until Wednesday next.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 19,000 | 7/7/2011 |
| H-1B Master's Exemption | 20,000 | 12,200 | 7/7/2011 |

**From:** Johnson, Bobbie L
**To:** Benavente, Jessy J; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E
**Subject:** URGENT: PL 111-230 Fees
**Date:** Tuesday, July 12, 2011 4:52:35 PM
**Importance:** High

---

All,

We just received a high level inquiry into our collection of the Public Law 111-230 fees for H1Bs and Ls ($2000 for H1Bs; $2250 for Ls). This is an urgent request, so please respond ASAP.

The CFO is going to provide the dollar amount that has been collected so far. Are VSC and CSC able to give us the number of petitioners that have paid the fee? I'm not sure if the centers tracked the fee by petitioner name, by receipt number, or neither. If by receipt number, is it possible to bounce the receipt numbers against CLAIMS to get a list of the petitioners who paid it (and thereby the number of petitioners who paid it)? Is there another way to get this info?

Thanks!

Bobbie

*Bobbie L. Johnson*
*VSC/CSC Liaison*
*Service Center Operations*
(b)(6) [redacted]

| | |
|---|---|
| **From:** | Benavente, Jessy J |
| **To:** | Johnson, Bobbie L; Loughlin, Stephen J |
| **Cc:** | Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E; Fries, Juliet M; Bennett, Linda J |
| **Subject:** | RE: URGENT: PL 111-230 Fees |
| **Date:** | Tuesday, July 12, 2011 5:39:21 PM |

Bobbie,
We tracked it by receipt number on a log since the fee had to be manually deposited.

Jessy Benavente
AACD

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, July 12, 2011 1:53 PM
**To:** Benavente, Jessy J; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E
**Subject:** URGENT: PL 111-230 Fees
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Thanks!

Bobbie

*Bobbie L. Johnson*
*VSC/CSC Liaison*
*Service Center Operations*
(b)(6) [redacted]

**From:** Benavente, Jessy J
**To:** Johnson, Bobbie L
**Cc:** Nicholson, Richard E; Peck, Denis R; Louis, Jennifer E
**Subject:** RE: URGENT: PL 111-230 Fees
**Date:** Tuesday, July 12, 2011 6:31:30 PM

---

Bobbie,
Yes. Will check on bouncing against claims.
The June numbers were 1096 petitions and $2,203,250 deposited.

Jessy Benavente
AACD

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, July 12, 2011 3:20 PM
**To:** Benavente, Jessy J
**Subject:** Re: URGENT: PL 111-230 Fees

Thanks! You are still tracking it, right?

Are you able to bounce the receipt #s off CLAIMS to get the Petitioner names?

---

**From:** Benavente, Jessy J
**Sent:** Tuesday, July 12, 2011 05:39 PM
**To:** Johnson, Bobbie L; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E; Fries, Juliet M; Bennett, Linda J
**Subject:** RE: URGENT: PL 111-230 Fees

Bobbie,
We tracked it by receipt number on a log since the fee had to be manually deposited.

Jessy Benavente
AACD

---

**From:** Johnson, Bobbie L
**Sent:** Tuesday, July 12, 2011 1:53 PM
**To:** Benavente, Jessy J; Loughlin, Stephen J
**Cc:** Nicholson, Richard E; Nespor, Patrick D; Peck, Denis R; Sweeney, Shelly A; Lauver, Tinnina M; Harton, Frank A; Tamanaha, Emisa T; Young, Claudia F; McConnell, James E
**Subject:** URGENT: PL 111-230 Fees
**Importance:** High

All,

We just received a high level inquiry into our collection of the Public Law 111-230 fees for H1Bs and Ls ($2000 for H1Bs; $2250 for Ls). This is an urgent request, so please respond ASAP.

The CFO is going to provide the dollar amount that has been collected so far. Are VSC and CSC able to give us the number of petitioners that have paid the fee? I'm not sure if the centers tracked the fee by petitioner name, by receipt number, or neither. If by receipt number, is it possible to bounce the

receipt numbers against CLAIMS to get a list of the petitioners who paid it (and thereby the number of petitioners who paid it)? Is there another way to get this info?

Thanks!

Bobbie

*Bobbie L. Johnson*
*VSC/CSC Liaison*
*Service Center Operations*
(b)(6) [redacted]

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, July 25, 2011 10:21:45 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 21,600 | 7/22/2011 |
| H-1B Master's Exemption | 20,000 | 13,300 | 7/22/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Friday, August 05, 2011 9:41:12 AM

All,
The counts are being sent today because I am on annual leave next week.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 23,500 | 8/4/2011 |
| H-1B Master's Exemption | 20,000 | 14,100 | 8/4/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Tuesday, September 06, 2011 2:17:12 PM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 30,800 | 9/2/2011 |
| H-1B Master's Exemption | 20,000 | 16,300 | 9/2/2011 |

**From:** Christian, Bryan P
**To:** Johnson, Bobbie L
**Cc:** Peck, Denis R
**Subject:** RE: H4 Rule
**Date:** Friday, September 09, 2011 3:02:42 PM

---

By all means, please do. I think it's more than fair to share it and invite any comments or concerns they may have. You may want to clarify that this is a proposed rule, and we're not expecting it to become effective in the immediate future. One estimate we got, and I believe it was from Julia Wilcox, was that it could be published in May, which means we would need to have the Lockbox business logic for this new category of I-765s pinned down, at least that portion of the business logic that concerns where the Lockbox routes applications for adjudication, in time for release 7. So far, we are in agreement that it should be VSC and CSC because the I-765 is relates both to the underlying nonimmigrant status and to the principal's I-140, both of which are handled at those two centers. Please let me know if that's sufficient information to get you started in your discussions with Dan and Rosemary, if you need more background, or if you have any questions. Also copying Denis, as he and I have been in ongoing discussions about this.

Bryan P. Christian
Branch Chief, Adjustment and Naturalization
USCIS Service Center Operations Directorate

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**From:** Johnson, Bobbie L
**Sent:** Friday, September 09, 2011 2:50 PM
**To:** Christian, Bryan P
**Subject:** Fw: H4 Rule

Bryan,

Every Friday, I have a weekly call with Dan and Rosemary to discuss issues and bring them up to speed on HQ things, if appropriate. Since David references a possible call with the centers to discuss this rule, I felt it was ok to give Dan and Rosemary a heads up about the rule. They hadn't heard of it and have asked if they can see it. It's likely (though not confirmed yet) that CSC and VSC will take this workload, so it seems fair to share the draft with them. However, if you feel otherwise, let me know. I'm not sure where the draft is in its life cycle.

Can we share the draft with them?

Thanks!

Bobbie

---

**From:** Lee, David L
**Sent:** Wednesday, September 07, 2011 11:14 AM
**To:** Johnson, Bobbie L; Christian, Bryan P; Young, Claudia F
**Subject:** H4 Rule

According to the H-4 Rule, H-4 Spouses of an H1B nonimmigrant eligible under 104(c) or 106(a) of AC21 will be able to file for employment authorization. According to Julia Wilcox,

the Rule could be released as early as May 2012. In order to implement, SCOPS will need to submit the lockbox requirements **this week** in order to be ready for May 2012. Most importantly to give instructions to lockbox regarding the routing logic.

As these I-765s will likely be filed along with the beneficiary's I-539 and the principal's I-129 extension under AC21, the most likely centers would be VSC and CSC. Can you review to confirm these centers should adjudicate the I-765s from H4s? According to the Rule, the estimated filing volume is between 7,000 to 17,000 annually. Please let me know if more information is needed in order to confirm the jurisdiction of these I-765s. I can schedule a conference with the centers if needed.

These individuals will be eligible if they submit documentation establishing that his or her current H-4 extension of stay was approved pursuant to the principal's extension of stay. This may include the following:

- Copies of the principal H-1B's approval notice(s) (Form I-797 or successor form) establishing that the current extension of stay was based on section 104(c) or 106(a) of AC21;
- Proof of the principal H-1B nonimmigrant's pending and/or approved Labor Certification Application, Immigrant Petition for Alien Worker (I-140), or Application to Register Permanent Residence or Adjust Status (I-485);
- Copy of the H-4 dependent spouse's current approval notice granting an extension of stay pursuant to the H-1B nonimmigrant's extension of stay granted based on section 104(c) or 106(a) of AC21; and/or
- Secondary evidence, if the approval notices are lost, including an attestation by the H-1B nonimmigrant regarding his or her extension, petition receipt numbers, or copies of any relevant receipt notices. With this information, USCIS may be able to check its own database to verify whether the H-1B nonimmigrant received an extension based on section 104(c) or 106(a) of AC21.

David L Lee
Adjustment and Naturalization Branch
(b)(6) USCIS Office of Service Center Operations
[redacted]
David.L.Lee@dhs.gov

**From:** Christian, Bryan P
**To:** Renaud, Daniel M; Melville, Rosemary
**Cc:** Johnson, Bobbie L; Peck, Denis R
**Subject:** FW: H4 Rule
**Date:** Friday, September 09, 2011 4:08:40 PM

---

Rosemary and Dan,

Per Bobbie's request, I'm sending you a quick summary of our recent efforts regarding employment authorization for H-4 spouses. Please note that the rulemaking currently under review at the DHS level is a proposed rule, and we're not expecting it to become effective in the immediate future. One estimate we got, and I believe it was from Julia Wilcox, was that it could be published next May, which means we would need to have the Lockbox business logic for this new category of I-765s pinned down, at least that portion of the business logic that concerns where the Lockbox routes applications for adjudication, in time for release 7 in May 2012. That information was due to them this week. So far, we are in agreement that it should be VSC and CSC because the I-765 is relates both to the underlying nonimmigrant status and to the principal's I-140, both of which are handled at those two centers. Once this goes into effect, we anticipate an increase in I-765s filings of between 7,000 and 17,000 per year. Please let me know if you have any questions or need additional information. Please also let me know if you have any concerns with CSC and VSC being the two locations for adjudication. Thanks.

Bryan P. Christian
Branch Chief, Adjustment and Naturalization
USCIS Service Center Operations Directorate

---

**From:** Johnson, Bobbie L
**Sent:** Friday, September 09, 2011 2:50 PM
**To:** Christian, Bryan P
**Subject:** Fw: H4 Rule

Bryan,

Every Friday, I have a weekly call with Dan and Rosemary to discuss issues and bring them up to speed on HQ things, if appropriate. Since David references a possible call with the centers to discuss this rule, I felt it was ok to give Dan and Rosemary a heads up about the rule. They hadn't heard of it and have asked if they can see it. It's likely (though not confirmed yet) that CSC and VSC will take this workload, so it seems fair to share the draft with them. However, if you feel otherwise, let me know. I'm not sure where the draft is in its life cycle.

Can we share the draft with them?

Thanks!

Bobbie

---

**From:** Lee, David L
**Sent:** Wednesday, September 07, 2011 11:14 AM
**To:** Johnson, Bobbie L; Christian, Bryan P; Young, Claudia F
**Subject:** H4 Rule

According to the H-4 Rule, H-4 Spouses of an H1B nonimmigrant eligible under 104(c) or 106(a) of AC21 will be able to file for employment authorization. According to Julia Wilcox, the Rule could be released as early as May 2012. In order to implement, SCOPS will need to submit the lockbox requirements **this week** in order to be ready for May 2012. Most importantly to give instructions to lockbox regarding the routing logic.

As these I-765s will likely be filed along with the beneficiary's I-539 and the principal's I-129 extension under AC21, the most likely centers would be VSC and CSC. Can you review to confirm these centers should adjudicate the I-765s from H4s? According to the Rule, the estimated filing volume is between 7,000 to 17,000 annually. Please let me know if more information is needed in order to confirm the jurisdiction of these I-765s. I can schedule a conference with the centers if needed.

These individuals will be eligible if they submit documentation establishing that his or her current H-4 extension of stay was approved pursuant to the principal's extension of stay. This may include the following:

- Copies of the principal H-1B's approval notice(s) (Form I-797 or successor form) establishing that the current extension of stay was based on section 104(c) or 106(a) of AC21;
- Proof of the principal H-1B nonimmigrant's pending and/or approved Labor Certification Application, Immigrant Petition for Alien Worker (I-140), or Application to Register Permanent Residence or Adjust Status (I-485);
- Copy of the H-4 dependent spouse's current approval notice granting an extension of stay pursuant to the H-1B nonimmigrant's extension of stay granted based on section 104(c) or 106(a) of AC21; and/or
- Secondary evidence, if the approval notices are lost, including an attestation by the H-1B nonimmigrant regarding his or her extension, petition receipt numbers, or copies of any relevant receipt notices. With this information, USCIS may be able to check its own database to verify whether the H-1B nonimmigrant received an extension based on section 104(c) or 106(a) of AC21.

David L Lee
Adjustment and Naturalization Branch
USCIS Office of Service Center Operations
(b)(6) [redacted]
David.L.Lee@dhs.gov

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, September 12, 2011 8:39:57 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 32,200 | 9/9/2011 |
| H-1B Master's Exemption | 20,000 | 16,700 | 9/9/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, September 19, 2011 10:27:54 AM

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## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 34,100 | 9/16/2011 |
| H-1B Master's Exemption | 20,000 | 17,300 | 9/16/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, September 26, 2011 9:52:26 AM

---

All,
After a relatively slow start, the volume of H-1B regular and masters-exempt cap petitions combined for FY 2012 has caught up with last year's volume as of late September. Particularly noticeable has been the increase in volume of regular cap petitions during the last several weeks. The volume was 2,200 last week. If this trend continues, then the FY 2012 cap season will end in mid-January, two weeks earlier than FY 2011 cap season.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 36,300 | 9/23/2011 |
| H-1B Master's Exemption | 20,000 | 17,900 | 9/23/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, October 03, 2011 10:47:27 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Monday, October 03, 2011 10:47:27 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 38,700 | 9/30/2011 |
| H-1B Master's Exemption | 20,000 | 18,500 | 9/30/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** H-1B cap update
**Date:** Tuesday, October 11, 2011 10:14:18 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 41,000 | 10/7/2011 |
| H-1B Master's Exemption | 20,000 | 19,100 | 10/7/2011 |

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 17, 2011 10:39:27 AM

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | **19,600** | 10/14/2011 |

**From:** Luna, Corinna A.
**To:** Fitzsimmons, James; McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M
**Subject:** RE: H-1B cap update
**Date:** Monday, October 17, 2011 10:45:09 AM

---

Shelly should return tomorrow and will work with OCOMM.

---

**From:** Fitzsimmons, James
**Sent:** Monday, October 17, 2011 10:39 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 43,300 | 10/14/2011 |
| H-1B Master's Exemption | 20,000 | **19,600** | 10/14/2011 |

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Subject:** RE: C3 Mod Draft
**Date:** Wednesday, October 19, 2011 9:59:00 AM

---

Not to worry. The I-129 is already in the maximum price tier for data entry. You could add 30 more fields for them to enter and it won't change the price.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Wednesday, October 19, 2011 9:55 AM
**To:** Peck, Denis R
**Subject:** FW: C3 Mod Draft
**Importance:** High

Denis,

OP&S is proposinga change to our H-1B cap exemption guidance. BEST (with the assistance of SQAT) has determined that we will need to have C3 modified in order to accurately count the cap if/after the change becomes effective. This C3 modification would result in the addition of new fields in C3 for which the contractor would need to enter either "y" or "n" (see the new fields in red on the attached document). These questions are already on the Form I-129 and the contractor already enters the fields that are in black print on the attachment. I wanted to check with you to see whether a change of this nature would necessitate any contract modifications. Would it? If so, can we estimate approximately how much this might cost?

I do not know whetherthis proposed change can be shared with the centers or if it is close hold. I have been treating as close hold until I am told otherwise.

Thanks!

Shelly

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**From:** Sweeney, Shelly A
**Sent:** Thursday, October 13, 2011 11:29 AM
**To:** Luna, Corinna A.
**Cc:** Fitzsimmons, James; Nespor, Patrick D; Bacote, Robert R
**Subject:** C3 Mod Draft

Corinna,

I spoke with Jim F and Patrick this morning regarding drafting the ITSR for the cap exemption memo. Patrick indicated that what SQAT needs is a draft of what fields need to be added to the I-129W screen in Claims. SQAT will then include that in the ITSR when it is submitted to OIT. We also discussed that we would need to hold a call with OIT to discuss these fields once OIT begins scoping the build that this modification would be included in. The meeting would not be right away as they would not necessarily be ready to build immediately. I'm sure I'm not using the correct technical terms

for this, so I'm trusting that Patrick and/or Robert will jump in and correct me if I have stated anything incorrectly.

I have made my proposed additions in red on the attached based on my meeting with Jim and Patrick. Although this memo is only separating the fee exemption/cap exemption definition for "affiliated or related nonprofit entity", we thought that it might be a good idea to include the "institution of higher education" and "nonprofit government research entities" as well in case the agency wishes to change their definitions for cap exemption purposes somewhere down the line, as well. That said, I ultimately defer to you, SQAT and SCRM (Denis Peck) as to whether we want/need to include those changes. If we add those two fields as well, the contractor will need to data enter the "y" or "n". While it is a simple matter and only two letters, I'm not sure how/whether this would affect the contract. The fourth addition deals with our third-party employers and most definitely needs to be added to the modification.

Let me know if you have any changes/modifications.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 24, 2011 11:23:47 AM

REMINDER---Masters roll over to regular after former reaches 20,000.

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 46,200 | 10/21/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 10/21/2011 |

Masters are rolling over into regular cap.

**From:** Peck, Denis R
**To:** Lee, David I.
**Subject:** I-129 h-1B supplement
**Date:** Wednesday, October 26, 2011 4:53:00 PM

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Sorry David,

Citrix doesn't seem to provide me with access to all the screens but Gwen said she can answer tomorrow morning if field 1.e is data entered. Let me get back.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Lee, David L
**To:** Peck, Denis R
**Subject:** RE: I-129 h-1B supplement
**Date:** Wednesday, October 26, 2011 5:29:16 PM

Thanks for getting back to me. I will wait to hear from Gwen tomorrow morning.

---

**From:** Peck, Denis R
**Sent:** Wednesday, October 26, 2011 4:53 PM
**To:** Lee, David L
**Subject:** I-129 h-1B supplement

Sorry David,

Citrix doesn't seem to provide me with access to all the screens but Gwen said she can answer tomorrow morning if field 1.e is data entered. Let me get back.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Fitzsimmons, James
**To:** Peck, Denis R
**Cc:** Liang, Gwen; McConnell, James E
**Subject:** H-1B Data Collection Supplement
**Date:** Thursday, October 27, 2011 8:13:47 AM

---

Denis,

Regarding your question about Part A of H-1B Data Collection Supplement, item 1 (employer information) is NOT captured in CISCORS. Items 2, 3, 4, 5, and 6 are captured, however.

Jim

**From:** Peck, Denis R
**To:** Fitzsimmons, James; Lee, David L
**Cc:** Liang, Gwen; McConnell, James E
**Subject:** RE: H-1B Data Collection Supplement
**Date:** Thursday, October 27, 2011 8:21:00 AM

---

Thanks Jim!

David, sorry I did think this was being data entered but apparently not.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Fitzsimmons, James
**Sent:** Thursday, October 27, 2011 8:14 AM
**To:** Peck, Denis R
**Cc:** Liang, Gwen; McConnell, James E
**Subject:** H-1B Data Collection Supplement

Denis,
Regarding your question about Part A of H-1B Data Collection Supplement, item 1 (employer information) is NOT captured in CISCORS. Items 2, 3, 4, 5, and 6 are captured, however.

Jim

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, October 31, 2011 10:02:21 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 49,200 | 10/28/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 10/28/2011 |

Masters are rolling over into regular cap.

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Thursday, November 03, 2011 12:47:05 PM

---

All,

Upon my return from vacation in Arizona on Tuesday, November 15th, I will provide a new set of numbers.

Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 50,800 | 11/2/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/2/2011 |

Masters are rolling over into regular cap.

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Tuesday, November 15, 2011 9:49:57 AM

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 56,300 | 11/14/2011 |
| H-1B Master's Exemption | 20,000 | **20,000** | 11/14/2011 |

Masters are rolling over into regular cap

**From:** McConnell, James E
**To:** Peck, Denis R
**Subject:** FW: FY12 H1B Cap
**Date:** Friday, November 18, 2011 1:30:07 PM
**Importance:** High

Denis,

FYI, looks like we will be hitting the cap by the end of November.

Jim

James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[redacted]
202-272-1543 - FAX

(b)(6)

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**From:** Fitzsimmons, James
**Sent:** Friday, November 18, 2011 11:01 AM
**To:** Perkins, Robert M
**Cc:** McConnell, James E; Canney, Keith J; Young, Claudia F
**Subject:** RE: FY12 H1B Cap
**Importance:** High

Rob,

I am glad you asked. My latest projection is **November 28th**.
Jim

---

**From:** Perkins, Robert M
**Sent:** Friday, November 18, 2011 10:59 AM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Canney, Keith J; Young, Claudia F
**Subject:** RE: FY12 H1B Cap

Jim,

We are still experiencing a pretty healthy volume of H1B cap cases. Just wondering if you are still projecting we will hit the cap at the end of December of whether this date has moved forward again?

Thanks,

Rob

---

**From:** Fitzsimmons, James
**Sent:** Wednesday, October 12, 2011 3:09 PM
**To:** Perkins, Robert M
**Cc:** McConnell, James E
**Subject:** FW: FY12 H1B Cap

Rob,
See below. The FY 12 cap-closing date has been moving forward because of an increasing inflow of regular cap-eligible petitions.
Jim

| Date | FY 2012 20k | FY 2012 65k | FY 2012 85k | 30-days Receipts 85K | Caps Left Under 21K | Days Left | 20K Cap Reached | Caps Left Under 71K | 65k Count on day 20K cap reached | 65K Left | Days Left | 65K Cap Reached |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 10/11/11 | 19,199 | 41,533 | 60,029 | 11,740 | 1,801 | 22 | 11/2/11 | 29,467 | 48,376 | 22,624 | 58 | 12/29/11 |

---

**From:** Perkins, Robert M
**Sent:** Wednesday, October 12, 2011 1:54 PM
**To:** Fitzsimmons, James
**Cc:** McConnell, James E; Young, Claudia F; Canney, Keith J; Johnson, Bobbie L
**Subject:** FY12 H1B Cap

James,

Can you provide me with a consolidated CSC/VSC H1B cap update and any projections you may have for when you expect that we will hit the cap?

Thanks,

**Robert M. Perkins | Assistant Center Director | Vermont Service Center | USCIS |** ☎ [redacted]

(b)(6)

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update
**Date:** Monday, November 21, 2011 10:04:20 AM

All,

I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

**From:** Sweeney, Shelly A
**To:** Peck, Denis R
**Cc:** Luna, Corinna A.
**Subject:** Rack and Stack H-1Bs
**Date:** Tuesday, November 22, 2011 9:53:55 AM

---

Denis,

Corinna mentioned that we will begin racking and stacking H-1B cap petitions starting tomorrow. Has a message already gone out to the centers' Records Divisions on this? If so, could you forward? If not, could you copy Corinna and me on the message.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

**From:** Peck, Denis R
**To:** Sweeney, Shelly A
**Cc:** Luna, Corinna A.
**Subject:** RE: Rack and Stack H-1Bs
**Date:** Tuesday, November 22, 2011 10:07:00 AM

---

Haven't yet but I will sure copy the both of you. Later today,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Tuesday, November 22, 2011 9:54 AM
**To:** Peck, Denis R
**Cc:** Luna, Corinna A.
**Subject:** Rack and Stack H-1Bs

Denis,

Corinna mentioned that we will begin racking and stacking H-1B cap petitions starting tomorrow. Has a message already gone out to the centers' Records Divisions on this? If so, could you forward? If not, could you copy Corinna and me on the message.

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Adjudications Officer
Business Employment Services Team
Service Center Operations
20 Massachusetts Ave N.W., Ste 2000
Washington D.C. 20529-2060

| | |
|---|---|
| **From:** | Peck, Denis R |
| **To:** | Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J |
| **Cc:** | Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M |
| **Subject:** | H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count. |
| **Date:** | Tuesday, November 22, 2011 11:10:00 AM |

It's about that time of year again;

We are approaching our CAP limit for FY2012. Beginning tomorrow please instruct the contractors to sort and categorize the CAP filings and send us your counts when the final mail for the day is received, but do not data enter any until we can confirm those processed through today do not bring us to our limit.

In addition to this, please send me the number of CAP petitions you have at cob today unprocessed, whether under CRU review or otherwise. These can be processed on Wednesday (or later).

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Please let me know who will be available on Wednesday, Friday and Monday for follow up emails.

Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Stoddard, Becky M
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 11:49:32 AM

---

Hi Denis,

I just wanted to double check; we will hold cases starting with tomorrow's (11/23) received date, correct?

Thanks,
Becky

Becky Stoddard
Lead Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 2:48:00 PM

---

Hi,

Yes, but count them up and get us the number – have the contractor do it even if they don't finish until the late shift. We'll send day by day instruction from here forward until CAP is done.

Thanks,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Stoddard, Becky M
**Sent:** Tuesday, November 22, 2011 11:50 AM
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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Becky Stoddard
Lead Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

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**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
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SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Stoddard, Becky M
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Cullen, Janice L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 2:57:34 PM

---

Thank you, we have issued this guidance and will be monitoring the cases and counts closely.

Thanks Again,
Becky

Becky Stoddard
Lead Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 2:48 PM
**To:** Stoddard, Becky M
**Cc:** Loughlin, Stephen J
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Hi,

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**Cc:** Loughlin, Stephen J
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Lead Immigration Services Analyst
VSC/CPAU
(b)(6) [redacted]

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Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

From: Luna, Corinna A.
To: Peck, Denis R; Fitzsimmons, James
Cc: Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
Subject: RE: 1,795 CAP cases receipted on Monday
Date: Tuesday, November 22, 2011 3:21:47 PM

So we may have hit the cap today?

From: Peck, Denis R
Sent: Tuesday, November 22, 2011 3:19 PM
To: Fitzsimmons, James
Cc: Sweeney, Shelly A; Luna, Corinna A.
Subject: 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

| Data Collection Operations | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | 1,221 | 479 | 225 | | 1,475 | 11/15/2011 | $406,900 |
| I-129 (H1B CAP) | | 654 | 654 | | | | |
| I-129 (H1B Master CAP) | | 39 | 39 | | | | |
| I-907/I-129 (Premium) | 601 | 158 | 188 | | 571 | 11/21/2011 | $885,050 |
| I-907/I-129 (Premium H1B CAP) | | 407 | 407 | | | | |
| I-907/I-129 (Premium Master H1B CAP) | | 57 | 57 | | | | |
| I-129CW | | | | | | | |
| I-129F | | | | | | | |
| I-129S | 323 | | | | 323 | 11/10/2011 | |
| I-129 SubTotal | 2,145 | 1,794 | 1,570 | | 2,369 | | $1,291,950 |

638 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far – 300 filings.

CSC

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | | 1,014 | 180 | | 834 | 11/21/2011 | $271,050 |
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| I-907/I-129 (Premium) | | 244 | 244 | | | | |
| I-907/I-129 (Premium H1B CAP) | | 436 | 436 | | | | |
| I-907/I-129 (Premium Master H1B CAP) | | 33 | 33 | | | | |
| I-129CW | | 300 | 152 | | 148 | 11/21/2011 | |
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| I-129S | | 24 | 24 | | | | |
| I-129 SubTotal | | 2,220 | 1,238 | | 982 | | $271,050 |

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1942 FAX

From: Ann Lees [mailto:Ann.Lees@fcifederal.com]
Sent: Tuesday, November 22, 2011 3:09 PM
To: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
Cc: Dick Braun; Thomas Leupp; Vicky Mankin
Subject: VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.

Regards,

Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
(b)(6) *Office Phone:* [redacted]
*Business Cell*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

**From:** Fitzsimmons, James
**To:** Luna, Corinna A.; Peck, Denis R
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday
**Date:** Tuesday, November 22, 2011 3:26:40 PM

I seriously doubt it, because we need about 4,400 including 1,800 yesterday.

---

**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 3:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

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---

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**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

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CSC

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Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2128
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'
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**Subject:** VSC Daily Workload Activity Report for Monday, 11-21-2011

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Regards,
Ann

*Ann R. Lees, PMP*

*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted]
*Business Cell* [redacted] (b)(6)
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

LongView-FedConsulting JV

**From:** Cullen, Janice L
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:26:44 PM

---

Denis,

Please include Heidi Ashline and myself in the CAP updates. I will be here to cover Wednesday and Monday. Heidi will be covering on Friday.

Thank you!

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
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Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Fries, Juliet M
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:28:14 PM

---

Denis,
Please include Christine Mink for the CSC as I will be out until Monday Nov 28.

Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
Office [redacted]
(b)(6)

Please print only when necessary.

---

**From:** Cullen, Janice L
**Sent:** Tuesday, November 22, 2011 12:27 PM
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,

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Thank you!

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**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Luna, Corinna A.; Fitzsimmons, James
**Cc:** Sweeney, Shelly A
**Subject:** RE: 1,795 CAP cases receipted on Monday
**Date:** Tuesday, November 22, 2011 3:31:00 PM

I think it's possible. We should get this report again same time tomorrow, and before the end of tomorrow's second shift the contractors should send me the 'racked & stacked' count that comes in Wednesday.

Friday we should have pretty good numbers to review before sending out guidance.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2128
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

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**From:** Luna, Corinna A.
**Sent:** Tuesday, November 22, 2011 3:22 PM
**To:** Peck, Denis R; Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: 1,795 CAP cases receipted on Monday

So we may have hit the cap today?

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:19 PM
**To:** Fitzsimmons, James
**Cc:** Sweeney, Shelly A; Luna, Corinna A.
**Subject:** 1,795 CAP cases receipted on Monday

1,157 cases receipted yesterday at Vermont, a heavy day. However I believe some of the undone cases (1475 + 571) shown at the end of the day will also be found to be CAP eligible once data entry begins. They only do a rough initial sort in the mailroom.

| Data Collection Operations | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | 1,221 | 479 | 225 | | 1,475 | 11/15/2011 | $406,900 |
| I-129 (H1B CAP) | | 654 | 654 | | | | |
| I-129 (H1B Master CAP) | | 39 | 39 | | | | |
| I-907/I-129 (Premium) | 601 | 158 | 188 | | 571 | 11/21/2011 | $885,050 |
| I-907/I-129 (Premium H1B CAP) | | 407 | 407 | | | | |
| I-907/I-129 (Premium Master H1B CAP) | | 57 | 57 | | | | |
| I-129CW | | | | | | | |
| I-129F | | | | | | | |
| I-129S | 323 | | | | 323 | 11/10/2011 | |
| **I-129 SubTotal** | **2,145** | **1,794** | **1,570** | | **2,369** | | **$1,291,950** |

838 cases done at California, and they also had some undone. Total about 1,800 plus some pending for today, plus whatever came in today.

Heaviest day for I-129CW so far - 300 filings.

CSC

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| I-129 (All Other) | | 1,014 | 180 | | 834 | 11/21/2011 | $271,050 |
| I-129 (H1B CAP) | | 158 | 158 | | | | |
| I-129 (H1B Master CAP) | | 11 | 11 | | | | |
| I-907/I-129 (Premium) | | 244 | 244 | | | | |
| I-907/I-129 (Premium H1B CAP) | | 436 | 436 | | | | |
| I-907/I-129 (Premium Master H1B CAP) | | 33 | 33 | | | | |
| I-129CW | | 300 | 152 | | 148 | 11/21/2011 | |
| I-129F | | | | | | | |
| I-129S | | 24 | 24 | | | | |
| **I-129 SubTotal** | | **2,220** | **1,238** | | **982** | | **$271,050** |

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2128
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Tuesday, November 22, 2011 3:09 PM
**To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)'; 'Shiflett, Julie M (julie.shiflett@dhs.gov)'

Cc: Dick Braun; Thomas Leupp; Vicky Mankin
Subject: VSC Daily Workload Activity Report for Monday, 11-21-2011

Please find attached the Daily Workload Activity Report (DAAG) for the Vermont Service Center for Monday, 11-21-2011.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
LongView – FedConsulting JV
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell F*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

LongView-FedConsulting JV

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** FW: H-1B cap update
**Date:** Tuesday, November 22, 2011 3:36:00 PM

---

I'm going to send you some emails to bring you up to date on this because it appears you may be involved in sending out instructions on Friday. Our visa CAP for this program is 85,000 annually. Jim Fitzsimmons calculates we need 86,200 or thereabouts applications. We are close to his target.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fitzsimmons, James
**Sent:** Monday, November 21, 2011 10:04 AM
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry; Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara Q; Lauver, Tinnina M; Luna, Corinna A.; Schmidt, Bruce H
**Subject:** H-1B cap update

All,

I recommend racking and stacking H-1B cap-eligible petitions beginning Wednesday, November 23rd.
Jim

## *FY 2012 H-1B Cap Count*

| Cap Type | Cap Amount | Cap-Eligible Petitions | Date of Last Count |
|---|---|---|---|
| H-1B Regular Cap | 65,000 | 61,800 | 11/18/2011 |
| H-1B Master's Exemption | 20,000 | 20,000 | 11/18/2011 |

Masters are rolling over into regular cap

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** FW: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:37:00 PM

---

Guidance that we sent today.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

It's about that time of year again;

We are approaching our CAP limit for FY2012. Beginning tomorrow please instruct the contractors to sort and categorize the CAP filings and send us your counts when the final mail for the day is received, but do not data enter any until we can confirm those processed through today do not bring us to our limit.

In addition to this, please send me the number of CAP petitions you have at cob today unprocessed, whether under CRU review or otherwise. These can be processed on Wednesday (or later).

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Please let me know who will be available on Wednesday, Friday and Monday for follow up emails.

Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Fries, Juliet M; Cullen, Janice L; Roman-Riefkohl, Guillermo; Fitzsimmons, James
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:41:00 PM

---

Thank you, we will include all of you on future messages. For our part since I plan on being out Friday, please include Guillermo, who will be acting for me, and Jim who is the CAP guru for determining the target numbers we need, in your messages.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fries, Juliet M
**Sent:** Tuesday, November 22, 2011 3:28 PM
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,
Please include Christine Mink for the CSC as I will be out until Monday Nov 28.

Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Office: [redacted]

Please print only when necessary.

---

**From:** Cullen, Janice L
**Sent:** Tuesday, November 22, 2011 12:27 PM
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,

Please include Heidi Ashline and myself in the CAP updates. I will be here to cover Wednesday and Monday. Heidi will be covering on Friday.

Thank you!

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J

**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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Also you should have your bar-coding preparations ready in advance should we require that to be done on Friday, Monday or thereafter. Should we implement a random lottery for the final day of petitions, each center should barcode that day's mail and send the results to us in an Excel Spreadsheet. The RNG will be done here at HQ and the "winners" will be sent back to each center for processing.

Please let me know who will be available on Wednesday, Friday and Monday for follow up emails.

Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
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**From:** Cullen, Janice L
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:47:51 PM

---

Will do. I love this time of year! ☺

*Janice L Cullen*
DHS | USCIS | VSC | Immigration Service Analyst | 802.527.4700 x 5075 | Janice.Cullen@dhs.gov

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:42 PM
**To:** Fries, Juliet M; Cullen, Janice L; Roman-Riefkohl, Guillermo; Fitzsimmons, James
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Thank you, we will include all of you on future messages. For our part since I plan on being out Friday, please include Guillermo, who will be acting for me, and Jim who is the CAP guru for determining the target numbers we need, in your messages.

Denis Peck
Branch Chief, Service Center Records Management
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**Sent:** Tuesday, November 22, 2011 3:28 PM
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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Please include Christine Mink for the CSC as I will be out until Monday Nov 28.

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(b)(6) WS 24202
Office [redacted]

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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 3:58:00 PM

---

Thank you for sending me the information. Is tomorrow's meeting still on?

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

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**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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**Sent:** Tuesday, November 22, 2011 3:28 PM
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
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Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Office: [redacted]

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Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Tuesday, November 22, 2011 5:09:00 PM

---

Yes, we will have more current info by tomorrow afternoon and a better idea of what we'll be doing Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Tuesday, November 22, 2011 3:58 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Thank you for sending me the information. Is tomorrow's meeting still on?

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:42 PM
**To:** Fries, Juliet M; Cullen, Janice L; Roman-Riefkohl, Guillermo; Fitzsimmons, James
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
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Denis Peck
Branch Chief, Service Center Records Management
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20 Massachusetts Avenue, NW Room 2126
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(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fries, Juliet M
**Sent:** Tuesday, November 22, 2011 3:28 PM
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine

**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Offic[redacted]

Please print only when necessary.

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**From:** Cullen, Janice L
**Sent:** Tuesday, November 22, 2011 12:27 PM
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E; Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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Thanks in advance – looking forward to a smooth wrap up.

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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Cullen, Janice L
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine; Fries, Juliet M; Fitzsimmons, James; Roman-Riefkohl, Guillermo; Briggs, Shawn (CTR)
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Wednesday, November 23, 2011 9:19:00 AM

---

Just the total of the entire lot is all we need, the rest is irrelevant for CAP counting purposes.

Have the contractors prioritize data entering all undone I-129s that came in prior to today so we have the most complete picture we can have on Friday. We believe we will reach the CAP with either today's incoming, or Friday's.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Cullen, Janice L
**Sent:** Tuesday, November 22, 2011 6:14 PM
**To:** Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine; Fries, Juliet M; Fitzsimmons, James; Roman-Riefkohl, Guillermo; Briggs, Shawn (CTR)
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis

In the passed we have reported CAP numbers in 4 categories. Since we have already hit the Master's CAP, is this necessary or will one number that includes the whole lump sum suffice?

The previous break down was as follows:

CAP Regular Non-premium
CAP Regular Premium
CAP Masters Non-premium
CAP Masters Premium

Thank you. (b)(6)

*Janice L Cullen*
DHS | USCIS | VSC | Immigration Service Analyst [redacted] Janice.Cullen@dhs.gov

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Wednesday, November 23, 2011 1:46:34 PM

---

Denis,

Let me know what time is convenient for you. I definitely need your guidance.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 5:09 PM
**To:** Roman-Riefkohl, Guillermo
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Yes, we will have more current info by tomorrow afternoon and a better idea of what we'll be doing Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Tuesday, November 22, 2011 3:58 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Thank you for sending me the information. Is tomorrow's meeting still on?

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

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**From:** Peck, Denis R

**Sent:** Tuesday, November 22, 2011 3:42 PM
**To:** Fries, Juliet M; Cullen, Janice L; Roman-Riefkohl, Guillermo; Fitzsimmons, James
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
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**Sent:** Tuesday, November 22, 2011 3:28 PM
**To:** Cullen, Janice L; Peck, Denis R
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,
Please include Christine Mink for the CSC as I will be out until Monday Nov 28.

Juliet M Fries
Acting ACD
California Service Center, Division VII
(b)(6) WS 24202
Office [redacted]

Please print only when necessary.

---

**From:** Cullen, Janice L
**Sent:** Tuesday, November 22, 2011 12:27 PM
**To:** Peck, Denis R
**Cc:** Fries, Juliet M; Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,

Please include Heidi Ashline and myself in the CAP updates. I will be here to cover Wednesday and Monday. Heidi will be covering on Friday.

Thank you!

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 11:11 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Stoddard, Becky M; Fries, Juliet M; Bennett, Linda J; Benavente, Jessy J
**Cc:** Bushey, Sandra T; Louis, Jennifer E; Luna, Corinna A.; Sweeney, Shelly A; McConnell, James E;

Fitzsimmons, James; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M
**Subject:** H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

It's about that time of year again;

We are approaching our CAP limit for FY2012. Beginning tomorrow please instruct the contractors to sort and categorize the CAP filings and send us your counts when the final mail for the day is received, but do not data enter any until we can confirm those processed through today do not bring us to our limit.

In addition to this, please send me the number of CAP petitions you have at cob today unprocessed, whether under CRU review or otherwise. These can be processed on Wednesday (or later).

Also you should have your bar-coding preparations ready in advance should we require that to be done on Friday, Monday or thereafter. Should we implement a random lottery for the final day of petitions, each center should barcode that day's mail and send the results to us in an Excel Spreadsheet. The RNG will be done here at HQ and the "winners" will be sent back to each center for processing.

Please let me know who will be available on Wednesday, Friday and Monday for follow up emails.

Thanks in advance – looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Wednesday, November 23, 2011 1:50:00 PM

---

Well you are in luck because we reached the CAP limit today and have informed the centers, and Corinna's branch is in the process of posting the announcement to the website hopefully by 5 pm. The contractor is also aware. So there is nothing much left for our branch to do Friday concerning the CAP.

I will come over though, after I finish my 2 pm call.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Wednesday, November 23, 2011 1:47 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Denis,

Let me know what time is convenient for you. I definitely need your guidance.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 5:09 PM
**To:** Roman-Riefkohl, Guillermo
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Yes, we will have more current info by tomorrow afternoon and a better idea of what we'll be doing Friday.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Tuesday, November 22, 2011 3:58 PM
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Thank you for sending me the information. Is tomorrow's meeting still on?

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Tuesday, November 22, 2011 3:42 PM
**To:** Fries, Juliet M; Cullen, Janice L; Roman-Riefkohl, Guillermo; Fitzsimmons, James
**Cc:** Loughlin, Stephen J; Stoddard, Becky M; Ashline, Heidi L; Mink, Christine
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

Thank you, we will include all of you on future messages. For our part since I plan on being out Friday, please include Guillermo, who will be acting for me, and Jim who is the CAP guru for determining the target numbers we need, in your messages.

Denis Peck
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Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
Office: (949) 389-3120

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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.
**Date:** Wednesday, November 23, 2011 1:52:07 PM

---

Thank you Denis.

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

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**From:** Peck, Denis R
**Sent:** Wednesday, November 23, 2011 1:50 PM
**To:** Roman-Riefkohl, Guillermo
**Subject:** RE: H-1B CAP is near limit. Wednesday Nov 23 mail will be held pending a count.

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20 Massachusetts Avenue, NW Room 2126
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(b)(6) [redacted]
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guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
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20 Massachusetts Avenue NW #2126
Washington, DC 20529

(b)(6) [redacted]

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202-272-1542 FAX

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Service Center Records Management
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20 Massachusetts Avenue NW #2126
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Washington, DC 20529
(b)(6) [redacted]
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Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Office [redacted]

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Thanks in advance -- looking forward to a smooth wrap up.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Peters, Ronald
**To:** Mink, Christine; Bobeng Jr, John (CTR); Severson, Clark
**Cc:** Fries, Juliet M; Benavente, Jessy J; Bennett, Linda J; Peck, Denis R
**Subject:** RE: update
**Date:** Thursday, November 24, 2011 1:36:41 AM
**Importance:** High

---

Christine

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases. The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.


***Ron Peters***
***Assistant Site Manager FileRoom***
***Team LongView-FCi Federal***
California Service Center
24000 Avila Road
Laguna Niguel, CA 92677
(b)(6) Office: [redacted]
Ronald.Peters@DHS.GOV
Ron.Peters@FCiFederal.com


---

**From:** Severson, Clark
**Sent:** Wednesday, November 23, 2011 5:13 PM
**To:** Mink, Christine; Bobeng Jr, John (CTR)
**Cc:** Peters, Ronald
**Subject:** RE: update

John is gone for the evening, so I am copying Ron Peters, who is covering 3rd shift tonight.

Clark.


***Clark M. Severson***
***Site Manager***
***LongView-FedConsulting JV***
California Service Center
24000 Avila Road #2314
Laguna Niguel, CA 92677
(b)(6) [redacted] desk
[redacted] Cell
Clark.Severson@DHS.Gov


---

**From:** Mink, Christine
**Sent:** Wednesday, November 23, 2011 5:03 PM
**To:** Bobeng Jr, John (CTR)
**Cc:** Severson, Clark
**Subject:** update

Hi John: Want to let you know that I am leaving the office for the day. I will be here on Friday. I will be looking for a status report on H1B at the end of tonight's shift, so I can report to HQ and leadership first thing Friday morning. The request for relief is pending. How long will you anticipate needing the relief? Have a great day, and wish you and your staff a wonderful Thanksgiving! Christine

**From:** Roman-Riefkohl, Guillermo
**To:** Ann Lees
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 9:49:50 AM

---

Thank you Ann.

Regards,

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs

| MR | DE |
|---|---|
| I129- 434 | I129- 32 |
| 539- 3 | 539- 2 |

Regulars CAPs sent to CRU- 15

---

Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

---

Unopened mail: 611 (two hampers are in fee room 146, one hamper is in OGM fee room)

CAP numbers for 11/23

Regular:
I-129 - 691

I-539 - 16

Premium:
I-129 - 421
I-102 - 1
I-539 - 19

**Data from CSC**

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases.
The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

---

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

We got the california report showing 1228 on hold from wednesday but I did not get vermont. Could you send both numbers to guillermo in a message as he is acting for me today.

Thanks

Denis

---

**From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent**: Wednesday, November 23, 2011 04:31 PM
**To**: Peck, Denis R
**Subject**: Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.
Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening.
Have a good Thanksgiving.

Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
> **From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent:** Wednesday, November 23, 2011 02:22 PM
> **To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc:** Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
> **Subject:** CSC Daily Workload Activity Report for Tuesday, 11-22-2011
>
> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
> Regards,
> Ann


***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*


<image003.png>

**From:** Fitzsimmons, James
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 10:18:26 AM

---

Thanks Guillermo.

There will not be a lottery. The cap was reached on Tuesday. Cap petitions received on Wednesday and thereafter will be returned to petitioner.

Jim

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:11 AM
**To:** Fitzsimmons, James
**Cc:** Peck, Denis R
**Subject:** FW: Cap Counts

Good morning Jim,

Below you will see Ann Lees' message about the cap counts from VSC and CSC as of 11/23/11.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

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> **Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
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*Office Phone:*
*Business Cell* [redacted] (b)(6)
*E-Mail:* *ann.lees@fcifederal.com*

www.fcjfederal.com

<image003.png>

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 10:28:20 AM

---

Hello Denis,

I hope you enjoyed your Thanksgiving Day.

I saw your message to Ann Lee this morning and I'm guessing you will pick up this message today at some point. Would you like me to relay Jim's message about the lottery?

I believe this is the list of recipients: Juliet Fries, Christine Mink, Stephen Loughlin, Becky Stoddard, Janice Cullen, Anne Putnam, Linda Bennett, and Jessy Benavente; CC, Claudia Young, Bruce Schmidt, Julie Shiflett and Corinna Luna.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Fitzsimmons, James
**Sent:** Friday, November 25, 2011 10:18 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts

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Regulars CAPs sent to CRU- 15

---

Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

---

Unopened mail: 611 (two hampers are in fee room 146, one hamper is in OGM fee room)

CAP numbers for 11/23

Regular:
I-129 - 691
I-539 - 16

Premium:
I-129 - 421
I-102 - 1
I-539 - 19

**Data from CSC**

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases.
The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

---

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

We got the california report showing 1228 on hold from wednesday but I did not get vermont. Could you send both numbers to guillermo in a message as he is acting for me today.

Thanks

Denis

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 04:31 PM
**To:** Peck, Denis R
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.
Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening.
Have a good Thanksgiving.

Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

Thank you, we hit the limit tuesday

Denis

---

**From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent**: Wednesday, November 23, 2011 02:22 PM
**To**: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
**Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
**Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.

Regards,

Ann


***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* (b)(6)
*Business Cell*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*


<image003.png>

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** Re: Cap Counts
**Date:** Friday, November 25, 2011 11:06:02 AM

---

Hi

Had a fine day and am enjoying today too. I think our next step is to ask shelly sweeney who works for corinna if she has a specific reject letter she wants the centers to use or if she is okay with them generating their own. Either way we probably don't begin mailing the rejects until monday, but see what she wants to do.

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**From**: Roman-Riefkohl, Guillermo
**Sent**: Friday, November 25, 2011 10:28 AM
**To**: Peck, Denis R
**Subject**: RE: Cap Counts

Hello Denis,

I hope you enjoyed your Thanksgiving Day.

I saw your message to Ann Lee this morning and I'm guessing you will pick up this message today at some point. Would you like me to relay Jim's message about the lottery?

I believe this is the list of recipients: Juliet Fries, Christine Mink, Stephen Loughlin, Becky Stoddard, Janice Cullen, Anne Putnam, Linda Bennett, and Jessy Benavente; CC, Claudia Young, Bruce Schmidt, Julie Shiflett and Corinna Luna.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
(b)(6) 20 Massachusetts Avenue NW #2126
Washington, DC 20529
[redacted]

---

**From:** Fitzsimmons, James
**Sent:** Friday, November 25, 2011 10:18 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts

Thanks Guillermo.

There will not be a lottery. The cap was reached on Tuesday. Cap petitions received on Wednesday and thereafter will be returned to petitioner.

Jim

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**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:11 AM
**To:** Fitzsimmons, James
**Cc:** Peck, Denis R
**Subject:** FW: Cap Counts

Good morning Jim,

Below you will see Ann Lees' message about the cap counts from VSC and CSC as of 11/23/11.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs

| MR | DE |
|---|---|
| I129- 434 | I129- 32 |
| 539- 3 | 539- 2 |

Regulars CAPs sent to CRU- 15

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I129s – 200

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> **Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011
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> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
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> Ann


***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell* [redacted]
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*


<image003.png>

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 11:09:22 AM

---

We'll do. Thank you.

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Friday, November 25, 2011 11:06 AM
**To:** Roman-Riefkohl, Guillermo
**Subject:** Re: Cap Counts

Hi

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20 Massachusetts Avenue NW #2126
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(b)(6) [redacted]

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> **Cc:** Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
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> Ann

***Ann R. Lees, PMP***
***SCOSS PMO Manager***
**LongView – FedConsulting JV**

*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* [redacted] (b)(6)
*Business Cell*
*E-Mail:* *ann.lees@fcifederal.com*
*www.fcifederal.com*

| | |
|---|---|
| **From:** | Mink, Christine |
| **To:** | Schoening, Donald; Melville, Rosemary; Louis, Jennifer E; Fries, Juliet M; Fierro, Joseph; Peck, Denis R; Roman-Riefkohl, Guillermo |
| **Cc:** | Hallam, Larry J |
| **Subject:** | H1B FW: update |
| **Date:** | Friday, November 25, 2011 11:13:16 AM |
| **Importance:** | High |

---

Good morning – hope everyone had a very nice Thanksgiving. Here is the update and total count from Wednesday night. Christine

---

**From:** Peters, Ronald
**Sent:** Wednesday, November 23, 2011 10:37 PM
**To:** Mink, Christine; Bobeng Jr, John (CTR); Severson, Clark
**Cc:** Fries, Juliet M; Benavente, Jessy J; Bennett, Linda J; Peck, Denis R
**Subject:** RE: update
**Importance:** High

Christine

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases. The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

***Ron Peters***
***Assistant Site Manager FileRoom***
***Team LongView-FCi Federal***
California Service Center
24000 Avila Road
Laguna Niguel, CA 92677
Office: [redacted] (b)(6)
Ronald.Peters@DHS.GOV
Ron.Peters@FCiFederal.com

**From:** Roman-Riefkohl, Guillermo
**To:** Mink, Christine
**Cc:** Hallam, Larry J; Melville, Rosemary; Louis, Jennifer E; Fries, Juliet M; Fierro, Joseph; Peck, Denis R; Schoening, Donald
**Subject:** RE: H1B FW: update
**Date:** Friday, November 25, 2011 11:16:05 AM

---

Thank you Christine.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Mink, Christine
**Sent:** Friday, November 25, 2011 11:13 AM
**To:** Schoening, Donald; Melville, Rosemary; Louis, Jennifer E; Fries, Juliet M; Fierro, Joseph; Peck, Denis R; Roman-Riefkohl, Guillermo
**Cc:** Hallam, Larry J
**Subject:** H1B FW: update
**Importance:** High

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**To:** Mink, Christine; Bobeng Jr, John (CTR); Severson, Clark
**Cc:** Fries, Juliet M; Benavente, Jessy J; Bennett, Linda J; Peck, Denis R
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California Service Center
24000 Avila Road
Laguna Niguel, CA 92677
(b)(6) Office: [redacted]
Ronald.Peters@DHS.GOV
Ron.Peters@FCiFederal.com

**From:** Roman-Riefkohl, Guillermo
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-1B cap / rejection letter
**Date:** Friday, November 25, 2011 11:32:27 AM

---

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. Do you have a specific reject letter for the service centers or would you prefer that the centers generate their own? Please advise.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Luna, Corinna A.
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter
**Date:** Friday, November 25, 2011 11:50:30 AM

---

Guillermo,

Shelly is out today and will get back to you on Monday.

Thank you
Corinna

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:32 AM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-IB cap / rejection letter

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

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guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

**From:** Roman-Riefkohl, Guillermo
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** FW: H-1B cap / rejection letter
**Date:** Friday, November 25, 2011 11:51:02 AM

---

Heidi and Christine,

I hope you enjoyed your Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. I'm still waiting for guidance regarding reject letters. I'll keep you informed.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Roman-Riefkohl, Guillermo
**To:** Luna, Corinna A.
**Cc:** Peck, Denis R; Young, Claudia F; Sweeney, Shelly A
**Subject:** RE: H-IB cap / rejection letter
**Date:** Friday, November 25, 2011 11:52:11 AM

---

Thank you Corinna.

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Luna, Corinna A.
**Sent:** Friday, November 25, 2011 11:50 AM
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

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20 Massachusetts Avenue NW #2126
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(b)(6) [redacted]

**From:** Roman-Riefkohl, Guillermo
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-1B cap / rejection letter
**Date:** Friday, November 25, 2011 11:55:24 AM

---

Do you have a reject letter available? If so, can you send it to me as an attachment?

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
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SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
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# Documents from Dennis Peck

# FY12 H1B Related

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20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Peck, Denis R
**To:** Roman-Riefkohl, Guillermo
**Subject:** Re: Cap Counts
**Date:** Friday, November 25, 2011 1:07:16 PM

---

Yes that would be a good idea

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:28 AM
**To:** Peck, Denis R
**Subject:** RE: Cap Counts

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20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

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**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs

| MR | DE |
|---|---|
| I129- 434 | I129- 32 |
| 539- 3 | 539- 2 |

Regulars CAPs sent to CRU- 15

---

Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

---

Unopened mail: 611 (two hampers are in fee room 146, one hamper is in OGM fee room)

CAP numbers for 11/23

Regular:
I-129 - 691
I-539 - 16

Premium:

I-129 - 421
I-102 - 1
I-539 - 19

**Data from CSC**

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases.
The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

---

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

We got the california report showing 1228 on hold from wednesday but I did not get vermont. Could you send both numbers to guillermo in a message as he is acting for me today.

Thanks

Denis

---

**From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent**: Wednesday, November 23, 2011 04:31 PM
**To**: Peck, Denis R
**Subject**: Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.

Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening. Have a good Thanksgiving.

Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
>
> **From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent**: Wednesday, November 23, 2011 02:22 PM
> **To**: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
> **Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011
>
> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
> Regards,
> Ann
>
> *Ann R. Lees, PMP*
> *SCOSS PMO Manager*
> **LongView – FedConsulting JV**
> *602 S. King Street, Suite 102*
> *Leesburg, VA 20175*
> *Office Phone:* [redacted] (b)(6)
> *Business Cell*
> *E-Mail: ann.lees@fcifederal.com*
> *www.fcifederal.com*
>
> <image003.png>

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: Cap Counts
**Date:** Friday, November 25, 2011 1:16:29 PM

---

I've already informed Christine, Heidi and Larry, but will let the others know.

Shelly is not in the office; however, I requested reject letters from VSC and CSC hoping to give Shelly an opportunity to review them. Mind you, perhaps she already has them, but I'm not certain. I will let Christine, Heidi and Larry know not to mail reject letters until Monday.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Peck, Denis R
**Sent:** Friday, November 25, 2011 1:07 PM
**To:** Roman-Riefkohl, Guillermo
**Subject:** Re: Cap Counts

Yes that would be a good idea

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:28 AM
**To:** Peck, Denis R
**Subject:** RE: Cap Counts

Hello Denis,

I hope you enjoyed your Thanksgiving Day.

I saw your message to Ann Lee this morning and I'm guessing you will pick up this message today at some point. Would you like me to relay Jim's message about the lottery?

I believe this is the list of recipients: Juliet Fries, Christine Mink, Stephen Loughlin, Becky Stoddard, Janice Cullen, Anne Putnam, Linda Bennett, and Jessy Benavente; CC, Claudia Young, Bruce Schmidt, Julie Shiflett and Corinna Luna.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126

(b)(6) Washington, DC 20529
[redacted]

---

**From:** Fitzsimmons, James
**Sent:** Friday, November 25, 2011 10:18 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R
**Subject:** RE: Cap Counts

Thanks Guillermo.

There will not be a lottery. The cap was reached on Tuesday. Cap petitions received on Wednesday and thereafter will be returned to petitioner.

Jim

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 10:11 AM
**To:** Fitzsimmons, James
**Cc:** Peck, Denis R
**Subject:** FW: Cap Counts

Good morning Jim,

Below you will see Ann Lees' message about the cap counts from VSC and CSC as of 11/23/11.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

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I-129 - 421
I-102 - 1
I-539 - 19

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The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

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Thanks

Denis

---

**From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent**: Wednesday, November 23, 2011 04:31 PM
**To**: Peck, Denis R
**Subject**: Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.
Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening.
Have a good Thanksgiving.

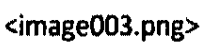
Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
>
> **From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent**: Wednesday, November 23, 2011 02:22 PM
> **To**: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
> **Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011
>
> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
> Regards,
> Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*

*Leesburg, VA 20175*
*Office Phone* [redacted] (b)(6)
*Business Cell*
*E-Mail:* *ann.lees@fcifederal.com*
*www.fcifederal.com*



**From:** Roman-Riefkohl, Guillermo
**To:** Mink, Christine; Ashline, Heidi L; Fries, Juliet M; Loughlin, Stephen J; Loughlin, Stephen J; Stoddard, Becky M; Cullen, Janice L; Putnam, Anne F; Bennett, Linda J; Benavente, Jessy J
**Cc:** Peck, Denis R; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M; "Luna, Corinna A. (Corinna.Luna@dhs.gov)"; Hallam, Larry J; Fitzsimmons, James; Sweeney, Shelly A
**Subject:** RE: H-IB cap
**Date:** Friday, November 25, 2011 2:23:17 PM

---

All,

It was not my intention to send an attachment to my previous message. I regret any confusion.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 2:02 PM
**To:** Mink, Christine; Ashline, Heidi L; Fries, Juliet M; Loughlin, Stephen J; Loughlin, Stephen J; Stoddard, Becky M; Cullen, Janice L; Putnam, Anne F; Bennett, Linda J; Benavente, Jessy J
**Cc:** Peck, Denis R; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M; Luna, Corinna A. (Corinna.Luna@dhs.gov); Hallam, Larry J; Fitzsimmons, James; Sweeney, Shelly A
**Subject:** FW: H-IB cap

Good afternoon.

We reached the H-1B cap limit on Tuesday. There will be no lottery, and cap petitions received on Wednesday and thereafter will be returned to petitioners. Further guidance on mailing reject letters will be given on Monday.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Peck, Denis R
**To:** Sweeney, Shelly A; Roman-Riefkohl, Guillermo
**Cc:** Young, Claudia F; Luna, Corinna A.
**Subject:** RE: H-IB cap / rejection letter
**Date:** Monday, November 28, 2011 9:19:00 AM

---

Very good, I'll send it out to both centers this morning then. I see the public notice posted 430 last Wednesday so the incoming mail should dry up very quickly.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** FW: H-IB cap / rejection letter

Guillermo,

I have gone ahead and deleted the reference to resubmission of improperly rejected filings per SCOPS' management request. The language on the VSC's and CSC's rejection notices should be exactly the same.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 7:32 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Many thanks for checking with me on this. I have made some minor changes to the VSC's document to update it for the FY12 cap. I couldn't enable track changes, but I made edits to the second, third and fourth paragraphs. I did not make changes to the CSC's as it is a pdf document, but the same changes would need to be made on it, as well.

This appears to be the same reject letter that was used last year. The only difference that I can see between the VSC's version and the CSC's version is the language at the bottom of the VSC's letter which indicates that petitioners may resubmit the case if they feel it was improperly rejected. Is that perhaps a standard for VSC's rejections versus CSC's rejections? I just don't want to make any changes to either center's rejection process that might accidentally cause a precedent of some sort.

Thanks!

Shelly

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 1:40 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Shelly,

I wasn't sure if you already had the reject letters from VSC and CSC. I've attached them for your convenience.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Luna, Corinna A.
**Sent:** Friday, November 25, 2011 11:50 AM
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Shelly is out today and will get back to you on Monday.

Thank you
Corinna

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:32 AM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-IB cap / rejection letter

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. Do you have a specific reject letter for the service centers or would you prefer that the centers generate

their own? Please advise.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Fries, Juliet M
**To:** Peck, Denis R
**Subject:** RE: H-IB cap / rejection letter. Please use this copy
**Date:** Monday, November 28, 2011 11:11:06 AM

---

Denis,
Do you have the California version of the form please? Or should we use last years format?

Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Office [redacted]

Please print only when necessary.

---

**From:** Peck, Denis R
**Sent:** Monday, November 28, 2011 7:08 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Ashline, Heidi L; Fries, Juliet M; Bennett, Linda J; Mink, Christine
**Cc:** Young, Claudia F; Luna, Corinna A.; Sweeney, Shelly A; Roman-Riefkohl, Guillermo; Shiflett, Julie M; Bushey, Sandra T; Louis, Jennifer E
**Subject:** FW: H-IB cap / rejection letter. Please use this copy

Centers,

Please use this rejection letter to return H1B CAP filings for FY2012 received on or after November 23, 2011. You have the authorization to go ahead whenever ready.

Thank you for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM

---

**From:** Sweeney, Shelly A
**To:** Peck, Denis R; Fries, Juliet M
**Cc:** Luna, Corinna A.
**Subject:** RE: H-IB cap / rejection letter. Please use this copy
**Date:** Monday, November 28, 2011 11:37:03 AM

---

Denis,

I don't believe that minor template formatting differences are a problem. However, the language in the body of both rejection notices must be the same per Don and Barbara.

Thanks!

Shelly

---

**From:** Peck, Denis R
**Sent:** Monday, November 28, 2011 11:32 AM
**To:** Fries, Juliet M; Sweeney, Shelly A
**Subject:** RE: H-IB cap / rejection letter. Please use this copy

Juliet

This is the copy Larry Hallam sent on Friday.We want to use the language as prepared by Shelly but the upper template area, I'm not sure needs to be identical.

Shelly – the template for the Vermont example contains systems formatting such as a reject notice processed by Claims would have. However these are manual reject letters sent without being data entered in Claims. The CSC example is just one their letterhead. So long as the language in the body of the notice is exactly as you have it does the template matter? These would have no A# or Receipt number to fill in and the beneficiary would be unnecessary, wouldn't it?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Fries, Juliet M
**Sent:** Monday, November 28, 2011 11:11 AM
**To:** Peck, Denis R
**Subject:** RE: H-IB cap / rejection letter. Please use this copy

Denis,
Do you have the California version of the form please? Or should we use last years format?

Juliet M Fries
Acting ACD
California Service Center, Division VII
WS 24202
(b)(6) Office [redacted]

Please print only when necessary.

**From:** Peck, Denis R
**Sent:** Monday, November 28, 2011 7:08 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Ashline, Heidi L; Fries, Juliet M; Bennett, Linda J; Mink, Christine
**Cc:** Young, Claudia F; Luna, Corinna A.; Sweeney, Shelly A; Roman-Riefkohl, Guillermo; Shiflett, Julie M; Bushey, Sandra T; Louis, Jennifer E
**Subject:** FW: H-IB cap / rejection letter. Please use this copy

Centers,

Please use this rejection letter to return H1B CAP filings for FY2012 received on or after November 23, 2011. You have the authorization to go ahead whenever ready.

Thank you for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM

**From:** Fitzsimmons, James
**To:** McConnell, James E; Peck, Denis R; Sweeney, Shelly A; Contaldi, Kerry (CTR); Pastrana, Maria; USCIS Exec Sec; Velarde, Barbara O; Lauver, Tinnina M; Luna, Corinna A.
**Subject:** H-1B cap update
**Date:** Monday, November 28, 2011 11:43:29 AM

---

All,
In case you have not heard, the H-1B cap season closed on November 22. A surge occurred early last week. Almost 3,000 petitions were received on Monday and another 2,000 on Tuesday.

Below is a table showing the latest cap counts. In the table below, the approval rates shown are based on April filings since nearly all of them have been adjudicated. As the far right column shows, if the approval rate on 34,400 petitions pending adjudication matches the approval rate on petitions filed in April, then the number of approvals for FY 2012 will be 65,100 for regular cap.
Jim

| | Approvals | Pending | Approval rate[1] | Future Approvals[2] | Cap Count[3] | Adjusted Cap Count[4] |
|---|---|---|---|---|---|---|
| Regular | 35,800 | 29,600 | 92% | 27,100 | 62,900 | **65,100** |
| Masters | 17,600 | 4,800 | 97% | 4,600 | 22,200 | **20,000** |
| Combined | 53,400 | 34,400 | 92% | 31,700 | 85,100 | **85,100** |

**Data available as of close of business, November 25**
Counts may not add due to rounding

1 Percentage of petitions filed in April that have been approved

2 Pending multiplied by approval rate

3 Approvals plus estimated future approvals

4 Adjusted for 22,200 masters rolling over into regular cap

**From:** Roman-Riefkohl, Guillermo
**To:** Peck, Denis R
**Subject:** RE: H-1B cap / rejection letter. Please use this copy
**Date:** Tuesday, November 29, 2011 9:32:08 AM

---

Thank you Denis. As you mentioned earlier, the 2012 CAP season planning will begin in 60 days. Please include me in this activity.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

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**Sent:** Monday, November 28, 2011 10:08 AM
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**Cc:** Young, Claudia F; Luna, Corinna A.; Sweeney, Shelly A; Roman-Riefkohl, Guillermo; Shiflett, Julie M; Bushey, Sandra T; Louis, Jennifer E
**Subject:** FW: H-1B cap / rejection letter. Please use this copy

Centers,

Please use this rejection letter to return H1B CAP filings for FY2012 received on or after November 23, 2011. You have the authorization to go ahead whenever ready.

Thank you for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM

---

**From:** Peck, Denis R
**To:** Neufeld, Donald; Velarde, Barbara Q
**Cc:** Young, Claudia F
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely
**Date:** Wednesday, December 21, 2011 1:57:00 PM

---

Don

Let me address this, I know what happened. USPS Express mail provides the online delivered date when it arrives at the post office of destination. This is what the AILA contact is referring to.

I'm afraid November 22 came upon us and we hit the CAP without expecting it that day. I would have directed the contractors to make an end of the day mail pickup at both centers to take possession of exactly these type of cases. This is what we have done the past 2-3 years. That's why it hasn't been an issue since 2008. Whether or not they processed all the fees that day would have been a minor problem and we've waived that standard in the past in this situation.

As you recall it was really about mid day Nov. 23 before we realized what had happened.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Renaud, Daniel M
**Sent:** Wednesday, December 21, 2011 1:45 PM
**To:** Neufeld, Donald; Velarde, Barbara Q
**Cc:** Young, Claudia F; Peck, Denis R; Bushey, Sandra T; Loughlin, Stephen J
**Subject:** FW: H1b delivered on the 22nd, but rejected as untimely

This is an FYI. VSC picks up mail each morning. Mail held during the day by the USPS is picked up and counted as "received" on the following day when that mail is picked up. For some reason, this is causing some major concern this cap season. This is not a new practice for VSC (or CSC, as I understand). We have been transparent on this in the past. Last year we contemplated changing this to require the contractor to perform a second pick-up in the late afternoon, but that idea fizzled when we realized the contract was written in such a way that all mail; must be processed (deposited) on the day it was received. It would be unlikely that a contractor could meet this mark on heavy mail days with a 4:00 pick-up. I'm not sure if the current contract would provide more flexibility such as a 24-hour deposit requirement.

Daniel M. Renaud
Director | Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

---

**From:** iwagreich@cw-llc.com [mailto:iwagreich@cw-llc.com]
**Sent:** Wednesday, December 21, 2011 1:24 PM

**To:** Renaud, Daniel M
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely

I don't know if it is a full moon, or what, but I have never received any inquiries on this issue before that I can remember, and this year I have people screaming and yelling about this. I have been telling them that this has been the policy for a while and point them to the liaison minutes from 2008 covering this issue. Is it possible that there is a difference in how the USPS office in VT is issuing their delivery confirmation? Maybe in the past they gave the date of delivery as the date it was actually picked up by VSC, and now they give the date of delivery as the date it is received in their office. Well anyway, I do think an instruction on the USCIS web-site would be really helpful. Then us liaison types could point directly to the USCIS web-site, and not just liaison minutes from 2008. In fact, in the future, I would love to be able to ask this question at a Stakeholder Engagement, and then get a written answer I could point out so members to say they were further forewarned.

Oh well, such is life.

Take care,

Ian

---

**From:** Renaud, Daniel M [mailto:Daniel.M.Renaud@uscis.dhs.gov]
**Sent:** Thursday, December 15, 2011 4:46 PM
**To:** 'iwagreich@cw-llc.com'
**Subject:** Re: H1b delivered on the 22nd, but rejected as untimely

This is not a change in process or policy. The mail we picked up from the USPS on the 22nd was processed as being received on the 22nd. The mail that was not "delivered" by our pick-up time was received by USCIS on the 23rd and processed as such.

Daniel M. Renaud
Director | Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

---

**From:** iwagreich@cw-llc.com [mailto:iwagreich@cw-llc.com]
**Sent:** Thursday, December 15, 2011 04:58 PM
**To:** Renaud, Daniel M
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely

Dan,

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Any thoughts?

Ian

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**From:** Renaud, Daniel M [mailto:Daniel.M.Renaud@uscis.dhs.gov]
**Sent:** Wednesday, December 07, 2011 12:58 PM
**To:** iwagreich@cw-llc.com
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely

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We would consider these cases received on November 23, 2012.

Daniel M. Renaud | Director, Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

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**Sent:** Wednesday, December 07, 2011 11:53 AM
**To:** Renaud, Daniel M
**Subject:** FW: H1b delivered on the 22nd, but rejected as untimely

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Also, I see your name in on the proof of delivery. I am picturing you in the mail-room, hauling in boxes of H-1B petitions and other filings.

Ian

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**Sent:** Tuesday, December 06, 2011 2:52 PM
**To:** 'Renaud, Daniel M'
**Subject:** H1b delivered on the 22nd, but rejected as untimely

Hey there Dan,

I don't know if there is anything that can be done, but here is an H-1B petition delivered to VSC on 11/22 but rejected as untimely. Is there any hope?

Ian

Ian D. Wagreich

Choi & Wagreich, LLC
One East Wacker Drive, Suite 2505
Chicago, Illinois 60601
(b)(6) Ph [redacted]
Fax: (312) 828-0001
jwagreich@cw-llc.com
www.cw-llc.com
Member of the Board of Trustees of the American Immigration Council. www.americanimmigrationcouncil.org
Follow us on Twitter: @ChoiandWagreich

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**From:** Peck, Denis R
**To:** Renaud, Daniel M; Neufeld, Donald; Velarde, Barbara Q
**Cc:** Young, Claudia F; Bushey, Sandra T; Loughlin, Stephen J
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely
**Date:** Thursday, December 29, 2011 1:06:00 PM

---

Dan

That contract requirement in response to meet FMD's requirement that we deposit fees the same day they are received....which is in response to the Department of the Treasury's requirement for all federal agencies. Believe me I have familiarity with the overalll problem and if there was an easy solution to it that fit everything I would implement it tomorrow.

If we backdate all mail by one day then we automatically are depositing the fees a day late.

It is not a problem to waive the penalty for failing to complete same day receipting in special circumstances (H1B).

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

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**From:** Renaud, Daniel M
**Sent:** Thursday, December 29, 2011 1:01 PM
**To:** Neufeld, Donald; Velarde, Barbara Q
**Cc:** Young, Claudia F; Peck, Denis R; Bushey, Sandra T; Loughlin, Stephen J
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely

VSC is absolutely in favor of such a change. About two years ago, we wanted to move to a twice daily pick-up from USPS, but the manner in which the contract was written at the time mandated that the mail be data entered and deposited on the same day it was received. If that language has changed – to, say, within 24 hours of it being received – we could move to a twice daily pick-up and eliminate back dating, etc.

Daniel M. Renaud
Director | Vermont Service Center
Department of Homeland Security | U.S. Citizenship and Immigration Services

---

**From:** Neufeld, Donald
**Sent:** Thursday, December 29, 2011 12:33 PM
**To:** Renaud, Daniel M; Velarde, Barbara Q
**Cc:** Young, Claudia F; Peck, Denis R; Bushey, Sandra T; Loughlin, Stephen J
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Just to follow up, we've asked Denis Peck to work with you all to change this going forward at all the centers. We cannot penalize folks by giving them a received date that is later than when the mail was actually delivered to our PO Box simply because we didn't pick it up. The solution may be to back date any mail delivered between pickups if we cannot distinguish the actual delivery date. Of course

the reverse would be true for any receipts where the later date is more advantageous, such as the opening of a filing window. I understand this is bigger than just VSC, so Denis will be working with all 4 of you to develop new guidelines.

---

**From:** Renaud, Daniel M
**Sent:** Wednesday, December 21, 2011 1:45 PM
**To:** Neufeld, Donald; Velarde, Barbara Q
**Cc:** Young, Claudia F; Peck, Denis R; Bushey, Sandra T; Loughlin, Stephen J
**Subject:** FW: H1b delivered on the 22nd, but rejected as untimely

This is an FYI. VSC picks up mail each morning. Mail held during the day by the USPS is picked up and counted as "received" on the following day when that mail is picked up. For some reason, this is causing some major concern this cap season. This is not a new practice for VSC (or CSC, as I understand). We have been transparent on this in the past. Last year we contemplated changing this to require the contractor to perform a second pick-up in the late afternoon, but that idea fizzled when we realized the contract was written in such a way that all mail; must be processed (deposited) on the day it was received. It would be unlikely that a contractor could meet this mark on heavy mail days with a 4:00 pick-up. I'm not sure if the current contract would provide more flexibility such as a 24-hour deposit requirement.

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**From:** iwagreich@cw-llc.com [mailto:iwagreich@cw-llc.com]
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Oh well, such is life.

Take care,

Ian

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**From:** Renaud, Daniel M [mailto:Daniel.M.Renaud@uscis.dhs.gov]
**Sent:** Thursday, December 15, 2011 4:46 PM
**To:** 'iwagreich@cw-llc.com'
**Subject:** Re: H1b delivered on the 22nd, but rejected as untimely

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processed as being received on the 22nd. The mail that was not "delivered" by our pick-up time was received by USCIS on the 23rd and processed as such.

Daniel M. Renaud
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One East Wacker Drive, Suite 2505
Chicago, Illinois 60601
(b)(6)
Ph: [redacted]
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**From:** Peck, Denis R
**To:** Neufeld, Donald
**Subject:** RE: H1b delivered on the 22nd, but rejected as untimely
**Date:** Thursday, December 29, 2011 1:37:00 PM

---

Don

I am just apprehensive about changing policy on how we date mail. I would like to refer the problem to the Mail Management Division for an agency wide determination on how to properly deal with this issue. I can have Karen submit it to the agenda for discussion during the monthly MMD teleconference in January.

I agree there is an underlying problem here we've had ever since the USPS started providing online delivery notice service for Express Mail and Priority Mail. About 5-6 years ago.

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Ian D. Wagreich
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One East Wacker Drive, Suite 2505
Chicago, Illinois 60601
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**From:** Peacock, Walter W.
**To:** Peck, Denis R
**Cc:** Shiflett, Julie M
**Subject:** RE: CSC Day #1 CAP estimates
**Date:** Sunday, April 03, 2011 10:35:36 PM
**Attachments:** FY12 Cap report (CSC 4-1-11).xls

---

Evening Denis,

Here is the final counts for CSC on Friday.

I'll have an update for you from VSC first thing Monday morning.

Thank you, Walter

---

**From:** Peck, Denis R [mailto:denis.peck@dhs.gov]
**Sent:** Sunday, April 03, 2011 12:40 PM
**To:** Peacock, Walter W.
**Cc:** Shiflett, Julie M
**Subject:** Re: CSC Day #1 CAP estimates

Walter

Can we get the most complete counts there are from each center?

Thanks,

Denis

----- Original Message -----
From: Peacock, Walter W. <Walter.Peacock@stanleyassociates.com>
To: Peck, Denis R <denis.peck@dhs.gov>
Cc: Shiflett, Julie M <julie.shiflett@dhs.gov>
Sent: Fri Apr 01 16:24:06 2011
Subject: FW: CSC Day #1 CAP estimates

Latest from CSC...

From: Siesel, Gregory P [mailto:Gregory.Siesel@associates.dhs.gov]
Sent: Friday, April 01, 2011 4:06 PM
To: Peacock, Walter W.
Cc: Treacy, Erin; 'dan.petherbridge@dhs.gov'; Benavente, Jessy J; Bennett, Linda J; Fries, Juliet M; Lundquist, Lieda F; Nicholson, Richard E; Tailor, Anisa M; Valencia, Valerie L; Akeo, Timothy R; CR Bobeng, John; Dinh, William H; Ly, Pam P; Martin, James L; CR Nelson, Marvin; Printup, Maurice; Siesel, Gregory P
Subject: CSC Day #1 CAP estimates

Walter/all,

The following is my best estimate of the CSC Day #1 CAP count (at 1pm local time):

Estimated Daily Receipts

(Estimate based on 600 per cage / 22.5 per box / 20 per bucket)

4/1/11

4/4/11

4/5/11

4/6/11

4/7/11

4/8/11

Total

(CRN) H1B CAP

1,420

0

0

0

0

0

1,420

(CRP) H1B CAP - Premium

692

0

0

0

0

0

692

(CMN) H1B Masters

626

0

0

0

0

0

626

(CMP) H1B Masters - Premium

282

0

0

0

0

0

282

Total

3,020

0

0

0

0

0

3,020

Unidentified

0

Grand total received in FY 2012 cap season (Day 1)

3,020

Grand total received in FY 2011 cap season (Day 1)

6,623

% change: FY 2012 receipts over FY 2011 receipts

Decrease

54.40%

We should be able to send a better estimate after 6pm (Pacific). I will be close if not done with Day 1 CAP PRESORT processing by then.

Regards,

Greg

California Service Center

| Dates | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 |
|---|---|---|---|---|---|
| All Mail Received - Not Opened | | | | | |
| Number of Envelopes / Packages | | | | | |

| Bar Coding Progress | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 |
|---|---|---|---|---|---|
| (CRN) H1B CAP | 0 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 0 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 0 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 0 | 0 | 0 | 0 | 0 |
| Total | 0 | 0 | 0 | 0 | 0 |

| Estimated Daily Receipts | (Estimate based on 600 per cage / 22.5 per box / 20 pe | | | | |
|---|---|---|---|---|---|
| | 4/1/11 | 4/4/11 | 4/5/11 | 4/6/11 | 4/7/11 |
| (CRN) H1B CAP | 1,015 | 0 | 0 | 0 | 0 |
| (CRP) H1B CAP - Premium | 789 | 0 | 0 | 0 | 0 |
| (CMN) H1B Masters | 1,051 | 0 | 0 | 0 | 0 |
| (CMP) H1B Masters - Premium | 544 | 0 | 0 | 0 | 0 |
| Total | 3,399 | 0 | 0 | 0 | 0 |

Unidentified

Grand total received in FY 2012 cap season

Grand total received in FY 2011 cap season

% change: FY 2012 receipts over FY 2011 receipts

| 4/8/11 | Total |
|---|---|
| | |
| | |
| [redacted] | |

| 4/8/11 | Total |
|---|---|
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| 0 | 0 |
| [redacted] | |

r bucket)

| 4/8/11 | Total |
|---|---|
| 0 | 1,015 |
| 0 | 789 |
| 0 | 1,051 |
| 0 | 544 |
| 0 | 3,399 |

| | |
|---|---|
| | 0 |
| | 3,399 |
| | 6,623 |
| Decrease | 48.68% |

From: INTERNAL COMMUNICATIONS, USCIS
Subject: USCIS Leadership Guidance #68-11
Date: Friday, May 20, 2011 3:07:53 PM
Attachments: image001.wmz

Final Request for Evidence (RFE) Templates

# Leadership Guidance

May 20, 2011
#68-11

**Final Request for Evidence (RFE) Templates**

The following are final Request for Evidence (RFE) templates that will be posted online from May 23- June 6, 2011 at www.uscis.gov:

- I-129 P-1A Athletes and Teams
- I-129 P-1B Entertainment Groups and Performers
- I-129 P-2 Reciprocal Exchange Artists or Entertainers
- I-129 P-3 Culturally Unique Artists and Entertainers
- I-129 P Essential Support Workers

These RFE templates have been updated to incorporate stakeholder feedback that we received when the templates were posted in the "Feedback Opportunities" section of our website. We will post the updated templates online for 10 business days for stakeholder visibility. USCIS Service Centers will begin using these templates immediately.

**Background:**

On April 12, 2010, Director Mayorkas introduced the Request for Evidence Project, an effort that engages stakeholders in the review and revision of RFE templates used at USCIS Service Centers, to ensure each RFE is:

- Consistent across each of the Service Centers;
- Related to the classification being adjudicated;
- Tailored to the individual case; and
- Concise and clear.

We are carrying out the RFE Project in phases. The first phase, involves the review of RFEs for the O, P and Q nonimmigrant classifications and the E11 immigrant classification. Director Mayorkas kicked off the first phase hosting a national stakeholder engagement at the California Service Center.

Each RFE template is available for stakeholder review and comment for 10 business days after posting. Individuals may send their feedback to scopsrfe@dhs.gov. USCIS will continue to use existing RFEs until the public comment period ends and these comments have been considered in the development of the final version of the RFE template. We will then post the final template online for 10 business days for stakeholder visibility.

The USCIS Leadership Guidance is a product of the USCIS Office of Communications. To submit questions or cleared items, or to access previous Leadership Guidance, email USCIS Internal Communications.

**From:** Lee, David L
**To:** Peck, Denis R
**Subject:** FW: H4 Rule
**Date:** Wednesday, September 07, 2011 11:18:54 AM
**Attachments:** 1615-AB92 H-4 EAD NPRM After ICE, Policy Comments.CLEAN 82511.docx

FYI

David L Lee
Adjustment and Naturalization Branch
USCIS Office of Service Center Operations
(b)(6) [redacted]
David.L.Lee@dhs.gov

---

**From:** Lee, David L
**Sent:** Wednesday, September 07, 2011 11:15 AM
**To:** Johnson, Bobbie L; Christian, Bryan P; Young, Claudia F
**Subject:** H4 Rule

According to the H-4 Rule, H-4 Spouses of an H1B nonimmigrant eligible under 104(c) or 106(a) of AC21 will be able to file for employment authorization. According to Julia Wilcox, the Rule could be released as early as May 2012. In order to implement, SCOPS will need to submit the lockbox requirements **this week** in order to be ready for May 2012. Most importantly to give instructions to lockbox regarding the routing logic.

As these I-765s will likely be filed along with the beneficiary's I-539 and the principal's I-129 extension under AC21, the most likely centers would be VSC and CSC. Can you review to confirm these centers should adjudicate the I-765s from H4s? According to the Rule, the estimated filing volume is between 7,000 to 17,000 annually. Please let me know if more information is needed in order to confirm the jurisdiction of these I-765s. I can schedule a conference with the centers if needed.

These individuals will be eligible if they submit documentation establishing that his or her current H-4 extension of stay was approved pursuant to the principal's extension of stay. This may include the following:

- Copies of the principal H-1B's approval notice(s) (Form I-797 or successor form) establishing that the current extension of stay was based on section 104(c) or 106(a) of AC21;
- Proof of the principal H-1B nonimmigrant's pending and/or approved Labor Certification Application, Immigrant Petition for Alien Worker (I-140), or Application to Register Permanent Residence or Adjust Status (I-485);
- Copy of the H-4 dependent spouse's current approval notice granting an extension of stay pursuant to the H-1B nonimmigrant's extension of stay granted based on

section 104(c) or 106(a) of AC21; and/or

- Secondary evidence, if the approval notices are lost, including an attestation by the H-1B nonimmigrant regarding his or her extension, petition receipt numbers, or copies of any relevant receipt notices. With this information, USCIS may be able to check its own database to verify whether the H-1B nonimmigrant received an extension based on section 104(c) or 106(a) of AC21.

David L Lee
Adjustment and Naturalization Branch
USCIS Office of Service Center Operations
(b)(6) [redacted]
David.L.Lee@dhs.gov

**From:** Velarde, Barbara Q
**To:** Johnson, Bobbie L; McConnell, James E
**Cc:** Neufeld, Donald; Peck, Denis R; Cox, Sophia
**Subject:** Fw: I-797 Approval Notice/CLAIMS III Issue
**Date:** Thursday, September 22, 2011 6:26:31 PM
**Attachments:** Singh Neeta H-1 approvals (both er and atty).pdf

---

Fyi. I don't know if this is an isolated incident or if there is a problem with the printing etc

---

**From:** Betsy Lawrence [mailto:BLawrence@aila.org]
**Sent:** Thursday, September 22, 2011 06:19 PM
**To:** mariela melero <Mariela.Melero@dhs.gov>; barbara.velarde@dhs.gov <Barbara.Velarde@dhs.gov>
**Cc:** Robert Deasy <RDeasy@aila.org>; Crystal Williams <CWilliams@aila.org>; Rita Sostrin <rsostrin@sostrinimmigration.com>; 'Mehta, Khorzad A.' <KMehta@ClarkHill.com>; 'Suzanne B. Seltzer' <SSeltzer@klaskolaw.com>; Dagmar Butte <db@pbl.net>
**Subject:** I-797 Approval Notice/CLAIMS III Issue

Dear Barbara and Mariela -

We received a report from a member regarding a problem with an H-1B I-797 approval notice from the CSC that we'd like to bring to your attention in the event it is related to the CLAIMS III changes. Attached are copies of (1) the courtesy copy I-797C received by the attorney of record, and (2) what should be the original approval notice, received by the petitioner, but appears to be a duplicate courtesy copy, or a hybrid courtesy/original. As you can see, the petitioner's notice states that the H-1B petition and extension of stay have been approved, and includes the language that the petitioner should keep the upper portion of the notice and give the lower portion to the employee, however, there is no lower tear-off portion on the notice. Both notices are "I-797C" notices which I believe is designated for courtesy copies.

Thank you for looking into this and please let us know if you have any questions or would like additional information from the attorney.

Best Regards,

Betsy

Betsy Lawrence
Associate Director, Liaison & Information
American Immigration Lawyers Association
Suite 300 | 1331 G Street, NW | Washington, DC 20005
(b)(6) [redacted]

**From:** Ann Lees
**To:** "Guillermo.Roman-Riefkohl@dhs.gov"
**Cc:** "Peck, Denis R (denis.peck@dhs.gov)"
**Subject:** Cap Counts
**Date:** Friday, November 25, 2011 9:39:25 AM
**Attachments:** image003.png

---

Guillermo:
As per a request from Denis, below are the cap counts from the VSV and the CSC as of Wednesday, November 23, 2011:

**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs

| MR | DE |
|---|---|
| I129- 434 | I129- 32 |
| 539- 3 | 539- 2 |

Regulars CAPs sent to CRU- 15

---

Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

---

Unopened mail: 611 (two hampers are in fee room 146, one hamper is in OGM fee room)

CAP numbers for 11/23

Regular:
I-129 - 691
I-539 - 16

Premium:
I-129 - 421
I-102 - 1
I-539 - 19

**Data from CSC**

All HIB Cap files from 11/22/2011 have been Data Entered. CIS review has been checked and has no Cap Cases.
The Total Count of HIB Cap files Racked and Stacked from Wednesday 11/23/2011 for the Random Lottery is 1228.

Regards,
Ann

**From:** Peck, Denis R [mailto:Denis.R.Peck@uscis.dhs.gov]
**Sent:** Friday, November 25, 2011 8:23 AM
**To:** Ann Lees
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Ann

We got the california report showing 1228 on hold from wednesday but I did not get vermont. Could you send both numbers to guillermo in a message as he is acting for me today.

Thanks

Denis

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Wednesday, November 23, 2011 04:31 PM
**To:** Peck, Denis R
**Subject:** Re: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Understood.
Fyi, You will receive the VSC "rack & stack" CAP count shortly. CSC will follow later this evening.
Have a good Thanksgiving.

Sent from my iPad

On Nov 23, 2011, at 4:25 PM, "Peck, Denis R" <Denis.R.Peck@uscis.dhs.gov> wrote:

> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
>
> **From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent:** Wednesday, November 23, 2011 02:22 PM
> **To:** SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc:** Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>

**Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011

Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
Regards,
Ann

*Ann R. Lees, PMP*
*SCOSS PMO Manager*
**LongView – FedConsulting JV**
*602 S. King Street, Suite 102*
*Leesburg, VA 20175*
*Office Phone:* (b)(6)
*Business Cell*
*E-Mail: ann.lees@fcifederal.com*
*www.fcifederal.com*

**From:** Roman-Riefkohl, Guillermo
**To:** Fitzsimmons, James
**Cc:** Peck, Denis R
**Subject:** FW: Cap Counts
**Date:** Friday, November 25, 2011 10:10:37 AM
**Attachments:** image003.png

---

Good morning Jim,

Below you will see Ann Lees' message about the cap counts from VSC and CSC as of 11/23/11.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

---

**From:** Ann Lees [mailto:Ann.Lees@fcifederal.com]
**Sent:** Friday, November 25, 2011 9:39 AM
**To:** 'Guillermo.Roman-Riefkohl@dhs.gov'
**Cc:** 'Peck, Denis R (denis.peck@dhs.gov)'
**Subject:** Cap Counts

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**Data from VSC**

I129 H1B CAP cases to complete for 11/22.

Regular CAPs

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Regulars CAPs sent to CRU- 15

---

Premium Processing CAPs
I129s – 200

Premiums CAPs sent to CRU- 38

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Ann

---

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Thanks

Denis

---

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**Sent:** Wednesday, November 23, 2011 04:31 PM

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Sent from my iPad

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> Thank you, we hit the limit tuesday
>
> Denis
>
> ---
>
> **From**: Ann Lees [mailto:Ann.Lees@fcifederal.com]
> **Sent**: Wednesday, November 23, 2011 02:22 PM
> **To**: SCOSS Deliverables; 'Peck, Denis R (denis.peck@dhs.gov)' <denis.peck@dhs.gov>; 'Shiflett, Julie M (julie.shiflett@dhs.gov)' <julie.shiflett@dhs.gov>
> **Cc**: Dick Braun <Dick.Braun@fcifederal.com>; Thomas Leupp <Thomas.Leupp@fcifederal.com>; Vicky Mankin <Vicky.Mankin@fcifederal.com>
> **Subject**: CSC Daily Workload Activity Report for Tuesday, 11-22-2011
>
> Please find attached the Daily Workload Activity Report (DAAG) for the California Service Center for Tuesday, 11-22-2011.
> Regards,
> Ann
>
> *Ann R. Lees, PMP*
> *SCOSS PMO Manager*
> **LongView – FedConsulting JV**
> *602 S. King Street, Suite 102*
> *Leesburg, VA 20175*
> *Office Phone:* (b)(6)
> *Business Cell P*
> *E-Mail: ann.lees@fcifederal.com*
> *www.fcifederal.com*
>
> <image003.png>

**From:** Ashline, Heidi L
**To:** Roman-Riefkohl, Guillermo; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-IB cap / rejection letter
**Date:** Friday, November 25, 2011 12:48:15 PM
**Attachments:** H1B Reject.doc

---

Guillermo,

Please find attached the reject letter used last year.

Thank you,
Heidi

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:55 AM
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-IB cap / rejection letter

Do you have a reject letter available? If so, can you send it to me as an attachment?

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:51 AM
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** FW: H-IB cap / rejection letter

Heidi and Christine,

I hope you enjoyed your Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. I'm still waiting for guidance regarding reject letters. I'll keep you informed.

Thank you.

guillermo

Guillermo Roman-Riefkohl

Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

**From:** Hallam, Larry J
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Ashline, Heidi L; Mink, Christine
**Subject:** FW: H-IB cap / rejection letter
**Date:** Friday, November 25, 2011 12:55:05 PM
**Attachments:** doc00215720111125091606.pdf

---

Guillermo,

Attached is CSCs reject letter for the previous H1B CAP.

Larry Hallam
Supervisory Immigration Service Analyst
California Service Center
(b)(6) [redacted]

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 8:55 AM
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-IB cap / rejection letter

Do you have a reject letter available? If so, can you send it to me as an attachment?

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:51 AM
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** FW: H-IB cap / rejection letter

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Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

U.S. Department of Homeland Security
P. O. Box 10129
Laguna Niguel, CA 92607-1012

U.S. Citizenship and Immigration Services

Date:

Form No: I-129 H1B Cap Petition

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

CIS received sufficient numbers of H1-B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H1-B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning CIS forms and filing instructions is available from the CIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the CIS internet website at www.uscis.gov.

Sincerely,

SERVICE CENTER DIRECTOR

**From:** Ashline, Heidi L
**To:** Roman-Riefkohl, Guillermo; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-1B cap / rejection letter
**Date:** Friday, November 25, 2011 12:48:15 PM
**Attachments:** H1B Reject.doc

---

Guillermo,

Please find attached the reject letter used last year.

Thank you,
Heidi

---

**From:** Roman-Riefkohl, Guillermo
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**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** RE: H-1B cap / rejection letter

Do you have a reject letter available? If so, can you send it to me as an attachment?

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:51 AM
**To:** Ashline, Heidi L; Mink, Christine
**Cc:** Peck, Denis R; Hallam, Larry J
**Subject:** FW: H-1B cap / rejection letter

Heidi and Christine,

I hope you enjoyed your Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. I'm still waiting for guidance regarding reject letters. I'll keep you informed.

Thank you.

guillermo

Guillermo Roman-Riefkohl

Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
(b)(6) 20 Massachusetts Avenue NW #2126
Washington, DC 20529
[redacted]

| **Applicant/Petitioner A#** | | **Application/Petition** |
|---|---|---|
| **Receipt #** | | **Applicant/Petitioner** |
| **Notice Date** | **Page** 1 | **Beneficiary** |

APPLICANT
ATTORNEY
ADDRESS

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

USCIS received sufficient numbers of H-1B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H-1B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning USCIS forms and filing instructions is available from the USCIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the USCIS internet website at www.uscis.gov.

If you believe that your case has been rejected in error, you may resubmit it along with an explanation to the following address:

Vermont Service Center
Attention: CRU Supervisor
Improperly Rejected
75 Lower Welden Street
St Albans VT 05479

**NOTE:** Since the reorganization of the INS into three new agencies under the Department of Homeland Security, there has been confusion regarding who remittances should be made payable to. Unless specified above, your application is not being rejected for incorrect payee information, however to ensure proper processing of future applications, please make checks and/or money orders payable to ***"Department of Homeland Security"*** or ***"U.S. Citizenship and Immigration Services."***

You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
ST. ALBANS, VT 05479-0001 WJP

**Customer Service Telephone: (800) 375-5283**

Form I-797 (8/03/90) Y

**From:** Roman-Riefkohl, Guillermo
**To:** Mink, Christine; Ashline, Heidi L; Fries, Juliet M; Loughlin, Stephen J; Loughlin, Stephen J; Stoddard, Becky M; Cullen, Janice L; Putnam, Anne F; Bennett, Linda J; Benavente, Jessy J
**Cc:** Peck, Denis R; Young, Claudia F; Schmidt, Bruce H; Shiflett, Julie M; Luna, Corinna A. (Corinna.Luna@dhs.gov); Hallam, Larry J; Fitzsimmons, James; Sweeney, Shelly A
**Subject:** FW: H-1B cap
**Date:** Friday, November 25, 2011 2:02:01 PM
**Attachments:** H1B Reject.doc

---

Good afternoon.

We reached the H-1B cap limit on Tuesday. There will be no lottery, and cap petitions received on Wednesday and thereafter will be returned to petitioners. Further guidance on mailing reject letters will be given on Monday.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

| **Applicant/Petitioner A#** | | **Application/Petition** |
|---|---|---|
| **Receipt #** | | **Applicant/Petitioner** |
| **Notice Date** | **Page** 1 | **Beneficiary** |

APPLICANT
ATTORNEY
ADDRESS

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

USCIS received sufficient numbers of H-1B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H-1B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

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You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
ST. ALBANS, VT 05479-0001

WJP

**Customer Service Telephone: (800) 375-5283**

Form I-797 (8/03/90) Y

**From:** Sweeney, Shelly A
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** RE: H-IB cap / rejection letter
**Date:** Monday, November 28, 2011 7:32:23 AM
**Attachments:** H1B Reject 28Nov11.doc

---

Guillermo,

Many thanks for checking with me on this. I have made some minor changes to the VSC's document to update it for the FY12 cap. I couldn't enable track changes, but I made edits to the second, third and fourth paragraphs. I did not make changes to the CSC's as it is a pdf document, but the same changes would need to be made on it, as well.

This appears to be the same reject letter that was used last year. The only difference that I can see between the VSC's version and the CSC's version is the language at the bottom of the VSC's letter which indicates that petitioners may resubmit the case if they feel it was improperly rejected. Is that perhaps a standard for VSC's rejections versus CSC's rejections? I just don't want to make any changes to either center's rejection process that might accidentally cause a precedent of some sort.

Thanks!

Shelly

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 1:40 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Shelly,

I wasn't sure if you already had the reject letters from VSC and CSC. I've attached them for your convenience.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Luna, Corinna A.
**Sent:** Friday, November 25, 2011 11:50 AM
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Shelly is out today and will get back to you on Monday.

Thank you
Corinna

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:32 AM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-IB cap / rejection letter

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. Do you have a specific reject letter for the service centers or would you prefer that the centers generate their own? Please advise.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Sweeney, Shelly A
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** FW: H-IB cap / rejection letter
**Date:** Monday, November 28, 2011 9:02:29 AM
**Attachments:** H1B Reject 28Nov11.doc

---

Guillermo,

I have gone ahead and deleted the reference to resubmission of improperly rejected filings per SCOPS' management request. The language on the VSC's and CSC's rejection notices should be exactly the same.

Thanks!

Shelly

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 7:32 AM
**To:** Roman-Riefkohl, Guillermo
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Many thanks for checking with me on this. I have made some minor changes to the VSC's document to update it for the FY12 cap. I couldn't enable track changes, but I made edits to the second, third and fourth paragraphs. I did not make changes to the CSC's as it is a pdf document, but the same changes would need to be made on it, as well.

This appears to be the same reject letter that was used last year. The only difference that I can see between the VSC's version and the CSC's version is the language at the bottom of the VSC's letter which indicates that petitioners may resubmit the case if they feel it was improperly rejected. Is that perhaps a standard for VSC's rejections versus CSC's rejections? I just don't want to make any changes to either center's rejection process that might accidentally cause a precedent of some sort.

Thanks!

Shelly

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 1:40 PM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Shelly,

I wasn't sure if you already had the reject letters from VSC and CSC. I've attached them for your convenience.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

---

**From:** Luna, Corinna A.
**Sent:** Friday, November 25, 2011 11:50 AM
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Shelly is out today and will get back to you on Monday.

Thank you
Corinna

---

**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:32 AM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-IB cap / rejection letter

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. Do you have a specific reject letter for the service centers or would you prefer that the centers generate their own? Please advise.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

**From:** Peck, Denis R
**To:** Loughlin, Stephen J; Putnam, Anne F; Ashline, Heidi L; Fries, Juliet M; Bennett, Linda J; Mink, Christine
**Cc:** Young, Claudia F; Luna, Corinna A.; Sweeney, Shelly A; Roman-Riefkohl, Guillermo; Shiflett, Julie M; Bushey, Sandra T; Louis, Jennifer E
**Subject:** FW: H-1B cap / rejection letter. Please use this copy
**Date:** Monday, November 28, 2011 10:08:00 AM
**Attachments:** H1B Reject 28Nov11.doc

---

Centers,

Please use this rejection letter to return H1B CAP filings for FY2012 received on or after November 23, 2011. You have the authorization to go ahead whenever ready.

Thank you for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
(b)(6) Washington, DC 20529
[redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM

---

| **Applicant/Petitioner A#** | | **Application/Petition** |
|---|---|---|
| **Receipt #** | | **Applicant/Petitioner** |
| **Notice Date** | **Page** 1 | **Beneficiary** |

APPLICANT
ATTORNEY
ADDRESS

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

USCIS received sufficient numbers of H-1B petitions to reach the numerical limitation for FY 2012 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2013 cap, with a start date of October 1, 2012, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2012. Petitioners are reminded that petitions for H-1B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H-1B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning USCIS forms and filing instructions is available from the USCIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the USCIS internet website at www.uscis.gov.

**NOTE:** Since the reorganization of the INS into three new agencies under the Department of Homeland Security, there has been confusion regarding who remittances should be made payable to. Unless specified above, your application is not being rejected for incorrect payee information, however to ensure proper processing of future applications, please make checks and/or money orders payable to ***"Department of Homeland Security"*** or ***"U.S. Citizenship and Immigration Services."***

You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
ST. ALBANS, VT 05479-0001 WJP

**Customer Service Telephone: (800) 375-5283**

Form I-797 (8/03/90) Y

**From:** Peck, Denis R
**To:** Fries, Juliet M; Sweeney, Shelly A
**Subject:** RE: H-IB cap / rejection letter. Please use this copy
**Date:** Monday, November 28, 2011 11:31:00 AM
**Attachments:** doc00215720111125091606.pdf

---

Juliet

This is the copy Larry Hallam sent on Friday.We want to use the language as prepared by Shelly but the upper template area, I'm not sure needs to be identical.

Shelly – the template for the Vermont example contains systems formatting such as a reject notice processed by Claims would have. However these are manual reject letters sent without being data entered in Claims. The CSC example is just one their letterhead. So long as the language in the body of the notice is exactly as you have it does the template matter? These would have no A# or Receipt number to fill in and the beneficiary would be unnecessary, wouldn't it?

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Fries, Juliet M
**Sent:** Monday, November 28, 2011 11:11 AM
**To:** Peck, Denis R
**Subject:** RE: H-IB cap / rejection letter. Please use this copy

Denis,
Do you have the California version of the form please? Or should we use last years format?

Juliet M Fries
Acting ACD
California Service Center, Division VII
(b)(6) WS 24202
Office: [redacted]

Please print only when necessary.

---

**From:** Peck, Denis R
**Sent:** Monday, November 28, 2011 7:08 AM
**To:** Loughlin, Stephen J; Putnam, Anne F; Ashline, Heidi L; Fries, Juliet M; Bennett, Linda J; Mink, Christine
**Cc:** Young, Claudia F; Luna, Corinna A.; Sweeney, Shelly A; Roman-Riefkohl, Guillermo; Shiflett, Julie M; Bushey, Sandra T; Louis, Jennifer E
**Subject:** FW: H-IB cap / rejection letter. Please use this copy

Centers,

Please use this rejection letter to return H1B CAP filings for FY2012 received on or after November 23, 2011. You have the authorization to go ahead whenever ready.

Thank you for your prompt attention,

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
(b)(6) [redacted]
202-272-1542 FAX

---

**From:** Sweeney, Shelly A
**Sent:** Monday, November 28, 2011 9:02 AM

---

U.S. Department of Homeland Security
P. O. Box 10129
Laguna Niguel, CA 92607-1012

U.S. Citizenship and Immigration Services

Date:

Form No: I-129 H1B Cap Petition

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

CIS received sufficient numbers of H1-B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H1-B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning CIS forms and filing instructions is available from the CIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the CIS internet website at www.uscis.gov.

Sincerely,

SERVICE CENTER DIRECTOR

**From:** Arroyo, Susan K
**To:** Luna, Corinna A.; Tamanaha, Emisa T; Peck, Denis R; Thomas, Ronnie D
**Cc:** Velarde, Barbara Q; Young, Claudia F
**Subject:** FW: JD01052012-01 Specialty Occupation Workers (H-1B and E-3)
**Date:** Thursday, January 05, 2012 11:07:52 AM
**Attachments:** JD01052012-01 Specialty Occupation Workers (H-1B and E-3).doc
**Importance:** High

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Please review "Part D" regarding Specialty Occupations and provide any comments to me using track changes by COB, Thursday, February 9th.

THANKS!

Susan

---

**From:** Drake, Johnetta **On Behalf Of** USCIS Exec Sec
**Sent:** Thursday, January 05, 2012 10:33 AM
**To:** Robinson, Anthony J; Carter, Constance L; Shaul, Michael (CTR); HQ Field Operations; Davis, Marla J; OCC-Clearance; RAIO Clearance; Arroyo, Susan K; Cox, Sophia; Young, Claudia F; SCOPS-Clearance; Lacot, Rosalina; Gradowski, Leonard S; Rhew, Perry J; Grissom, John F; Rix, Donna L
**Cc:** Atkinson, Ronald A; Karam, Lauren J; Kellner, Aris R; Conway, Kathleen B; Fleet, Andrea B; Jones, Rendell L; Caraballo, Felix R; Parisi, Thomas M; Simpson, Baxter; Alfonso-Royals, Angelica M; Wheeler, Shannon L; Ruano, Edna Z; Torres, Juan J; USCIS OLA Clearance; Patching, Laura; Eccleston, Hermene; OPE Tasking; Moore, Joseph; Quimby, Chris M; Croons, Patricia A; Ratliff, Gerri; Gerety, Jacqueline; Patterson, Katherine R; Salber, Matthew C; Graziadio, Josie; Chang, Pearl B; Hernandez, Efren; #USCIS - ESD Tasking List; David, Lashaunne G; Hawkins, Donald K; USCIS Exec Sec; EXSOTaskCoordination@dhsconnect.dhs.gov
**Subject:** JD01052012-01 Specialty Occupation Workers (H-1B and E-3)
**Importance:** High

---

## Clearance Action Tracking System (CATS) Task

Please copy EXSOTaskCoordination@dhsconnect.dhs.gov and uscisexecsec@dhs.gov on all e-mail traffic regarding this task and include the Action Item name provided below in the subject line of your e-mails. Thank you.

---

All:

Draft materials are available for your review on **the CATS page**.

Action Item: JD01052012-01 Specialty Occupation Workers (H-1B and E-3)
Originating POD/POC: P&S/Efren Hernandez (202) 272-8213
EXSO POC: Johnetta Drake (202) 272-0998
Required to Respond: EXSO, FOD, OCC, RAIO, SCOPS, CSD, and AAO
FYI: MGMT, OCOMM, OLA, OoC, OPE, OPQ, OTC, FDNS, P&S, ESD and PRIV
Level of Urgency: Routine
Suspense Date: Friday, February 10, 2012

(b)(6) USCIS Office of the Executive Secretariat
[redacted] – office
(202) 272-0970 – fax

EXSO Connect Page

EXSO ECN Page

***Please upload all actions for which Forms G-1056 are used to EXSO-ECN.***
***Please send all official actions to uscisexecsec@dhs.gov.***

# PART D – Specialty Occupation Workers (H-1B and E-3)

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## Chapter 1: Background

The H-1B visa classification allows a United States employer to petition for a temporary worker in a specialty occupation. U.S. employers may petition to hire H-1B employees to work in occupations that require both (1) the theoretical and practical application of highly specialized knowledge and (2) a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum for entry into the occupation in the United States. Such occupations may include scientists, engineers, college professors or other specialty occupations if specific requirements are met by both the U.S. employer (petitioner) and the H-1B nonimmigrant employee (beneficiary).

### A. Purpose

The H-1B program allows United States employers to hire highly-skilled foreign workers on a temporary basis. It helps U.S. employers obtain the qualified employees they need both to meet their growth needs and to remain competitive in international markets. The H-1B program supplements the US workforce available to US employers and allows them to ensure that they obtain the employees with the skills they need regardless of where they may reside.

### B. History

The following is an overview of the development of historical evolution of the H-1B visa. The requirements of the visa have evolved over time. While this history provides a useful backdrop in understanding the current H-1B program, the requirements of past versions of the statute should not be assumed to apply today.

#### 1. Immigration Law Prior to 1952

Prior to 1952, immigration to the United States was based almost entirely on country of origin. The Immigration Act of 1924 (The Johnson-Reed Act) based immigration to the United States on quotas based on one's national origin. The 1924 Act allowed no more than two percent of the total number of immigrants from any given country present in the United States in 1890 to enter. Immigrants from Asia were not allowed to enter the United States at all. This highly restrictive system had its origins in even earlier legislation such as the Chinese Exclusion Act, as well as a 1917 Act barring immigration from what was referred to as the "Asiatic Barred Zone." Prior to 1952, the primary purpose of immigration law was to ensure cultural and racial uniformity in the United States. Economic concerns and the needs of US employers were only marginally considered if at all.

#### 2. The Immigration and Nationality Act of 1952[1]

[1] Pub. L. No. 82-414, 66 Stat. 163.

The Immigration and Nationality Act of 1952 was considered and passed in an environment in which the Cold War was the primary concern of Congress. Preventing the spread of Communism and the admission of Communists was a main concern during the debate and in the written legislation, and this lead to the continuation of the national origins system first created in the 1924 Act. Economic and labor concerns were addressed, but there was no clear consensus in Congress and in the country on how these should be addressed. For example, the American Federation of Labor and the Congress of Industrial Organizations, the two leading labor groups of the time, took opposing positions on the legislation.

The addressing of economic and labor concerns led to the creation of a preference category for individuals with special skills, which was the basis of the current employment-based immigrant categories. The 1952 Act also created an employment category for nonimmigrants. It created section 101(a)(15)(H) of the Act, which contained the precursor to today's H-1B. The 1952 version of the Act exempted from the term "immigrant":

> "An alien having a residence in a foreign country which he has no intention of abandoning (i) who is of distinguished merit and ability and who is coming temporarily to the United States to perform temporary services of an exceptional nature requiring such merit and ability".

Worth noting is the lack of dual intent for the H nonimmigrant, as well as the fact that both the nonimmigrant's stay and the services themselves were required to be temporary. In other words, the H nonimmigrant could not be coming to fill a permanent need even if he possessed the requisite nonimmigrant intent. This provision, sometimes referred to as "the second temporary," was later eliminated, but still exists in the statute for H-2 nonimmigrants.

The term "distinguished merit and ability" was never defined by statute, but was instead defined in an administrative decision of the former Immigration and Naturalization Service. "Distinguished merit and ability" meant "a degree of skill and recognition substantially above that ordinarily encountered, to the extent that a person so described is preeminent in his field of endeavor."[2]

3. The 1965 Amendments to the INA

The Hart-Cellar Act of 1965[3] eliminated the national origins quota system and established the dual preference system of family-based and employment-based immigration that continues to exist today. The 1965 amendments were passed during the civil rights era and were largely seen as a continuation of the principles driving that movement. For the first time, concerns regarding the ethnic and cultural makeup of the United States were not driving immigration law. Instead, the dual priorities of family unification and employer needs became the primary concerns.

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[2] *Matter of Shaw*, 11 I&N Dec. 277 (D.D. 1965).
[3] P.L. 89 236; 79 Stat. 911.

4. 1970 Amendments

In 1970, Congress eliminated the requirement that an alien of distinguished merit and ability must be coming to a temporary position. After this change, an H nonimmigrant in the distinguished merit category could be coming to fill a permanent need. However, both the petitioner and the beneficiary were required to intend that the employment itself be temporary. Congress also adopted the definition of "distinguished merit and ability" used in Matter of Shaw, but replaced the requirement of "preeminence" with one of "prominence." Congress also allowed "a high level of education" to substitute for the prominence requirement.

Later administrative decisions of the INS refined the definition of the H-1 as it began to resemble the current H-1B. In 1972, a decision opened up the H-1 category to "members of the professions."[4] The "distinguished merit and ability" requirement could be met simply by performing "professional" services. [5]

5. 1974-1989

Before 1989, the H-1 category included all "persons of distinguished merit and ability" which was generously interpreted to include all persons engaged in occupations which required a bachelor's degree or equivalent. Also included were registered nurses, athletes, artists and entertainers. There was no maximum time limit on the total period of stay or number of extensions which could be approved for an H-1, although in practice an H-1 requesting an extension beyond five years was generally denied as an "intending immigrant." There was no limit on the number of H-1 aliens who could be admitted to the United States on an annual basis, nor was there any labor market test required. Among the professions, only medical doctors, other than those entering to perform teaching or research, were precluded from the H-1 classification.

In 1989, the H-1 category was broken into components to allow for the creation of the former H-1A category for nurses. This resulted in the current H-1B designation. [6]

6. The Immigration Act of 1990

The Immigration Act of 1990[7] (IMMACT 90) created the H-1B visa as it exists today. The "distinguished merit and ability" standard was eliminated and replaced with the current requirement that the position be a "specialty occupation." IMMACT 90 imposed the labor

[4] *Matter of Essex Cryogenics, Industries, Inc.* 14 I&N Dec. 196.
[5] *Matter of General Atomic Company* 17 I&N Dec. 532.
[6] Pub. L. 101-238.
[7] Pub.L. 101-649.

condition attestation requirement, and also created the H-1B cap. IMMACT 90 eliminated the requirement that a foreign residence be maintained, thus establishing dual intent for H-1Bs.

IMMACT 90 separated athletes and entertainers, as well as prominent persons in business, science and education from the former H-1 category and placed them in the new O and P categories.

IMMACT 90 also imposed a maximum time limit of six years on the period of H-1B stay.

7. Later Amendments

In 1991, the Miscellaneous and Technical Immigration and Naturalization Amendments modified the H-1B definition to include fashion models of distinguished merit and ability.[8]

The American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) [9] mandated that most H-1B petitioners pay an additional $500 fee, which is designated for the funding of training programs for American workers. This is known as the ACWIA fee. ACWIA also temporarily increased the H-1B cap to 115,000 for fiscal years 1999 and 2000. In 2000, the ACWIA fee was increased to $1000, and was scheduled to sunset on October 1, 2003. [10]

8. AC21 and related legislation

In 2000, three significant pieces of legislation affecting H-1Bs were enacted. On October 17, 2000, the President approved enactment of The American Competitiveness in the Twenty-First Century Act of 2000 (AC21), Public Law 106-313. On the same date, the President also approved enactment of Public Law 106-311, an untitled bill to increase the fee for certain H-1B petitions. Finally, on October 30, 2000, the President approved enactment of Public Law 106-396, the Visa Waiver Permanent Program Act (Visa Waiver Act). These amendments made the following changes:

(a) The American Competitiveness in the 21st Century Act (AC21)[11]

AC21 made significant changes to the H-1B landscape. It was largely a response to a booming economy which had led to significant demand for H-1B workers and public frustration with the cap being reached early in each fiscal year. AC21 raised the yearly cap to 195,000 for fiscal years 2001 - 2003. The limit returned to 65,000 in fiscal year 2004. Other H-1B relevant changes in AC21 included the following:

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[8] Pub. L. No. 102-232, 105 Stat. 1733.
[9] Pub. L. No. 105–277, 112 Stat. 2681.
[10] Pub. L. No. 106-311, 114 Stat. 1247.
[11] Pub. L. No. 106-313, 114 Stat. 1251.

- Allowed for the immediate H-1B employment or "portability" of certain H-1B nonimmigrant aliens who change H-1B employers;

- Exempted certain H-1B nonimmigrants from the cap;

- Provided for extensions of stay in one year increments beyond the normal six year maximum for H-1Bs who are the beneficiaries of a qualifying employment-based immigrant petition;

- Provided for extensions of stay (up to three years) for H-1Bs who are beneficiaries of qualifying employment-based immigrant petitions who are eligible for those immigrant classifications but for the availability of an immigrant visa number;

- Modified the method of counting H-1B nonimmigrant aliens; and

- Provided that certain H-1B petitions that are revoked because of fraud or willful misrepresentation shall be subtracted from the numerical count for the year in which the petition was revoked.

(b) The Visa Waiver Permanent Program Act[12]

The Visa Waiver Act included an amendment to section 214 of the INA to state that an amended H-1B petition is not required when a new corporate entity is the successor of an H-1B petitioner where the only change is the petitioner's identity.

(c) Public Law 106-311

This untitled law raised the H-1B petitioner base fee from $500 to $1,000 while exempting additional types of employers (certain institutions of higher education and nonprofit research entities) from payment of this increased fee.

[12] Pub. L. No. 106-396, 114 Stat. 1631.

9. H-1B Legislation after AC21

(a) Twenty-First Century Department of Justice Appropriations Authorization Act (DOJ21)[13]

In 2002, DOJ21 amended Section 106 of AC21 to allow H-1B extensions beyond the six-year limit for H-1B beneficiaries on whose behalf a permanent labor certification or employment-based (EB) immigrant petition has been pending for 365 days or more.

(b) United States-Chile Free Trade Agreement Implementation Act[14] and United States-Singapore Free Trade Agreement Implementation Act[15]

In 2003, section 101(a)(15)(H)(i)(b1) was added to the INA upon the signing of Free Trade Agreements (FTAs) with Chile and Singapore. The agreements took effect on January 1, 2004. The FTAs allow for no more than 1,400 professionals from Chile and 5,400 professionals from Singapore to enter the United States annually. The numerical limitations for the FTAs are set aside from the overall H-1B Program cap of 165,000. The H-1B1 is not required to file a petition with USCIS and may apply directly to the Department of State for a visa. However, nonimmigrants already present in the US may apply to USCIS for a change of nonimmigrant status to H-1B1. H-1B1s are required to file a labor condition application from the Department of Labor, and the position must involve a specialty occupation. The requirements governing the H-1B1 are the same as for an H-1B.

(c) H-1B Visa Reform Act of 2004[16]

On December 8, 2004, President George W. Bush signed the Omnibus Appropriations Act of FY 2005 (also known as the H-1B Visa Reform Act) into law. This act reinstated the ACWIA fee which had sunset on October 1, 2003. This act also increased the ACWIA fee to $1,500 for certain H-1B petitions filed by petitioners with more than 25 employees in the United States, with some exceptions. The act set the ACWIA fee at $750 for certain H-1B petitions filed by petitioners with 25 or fewer employees in the United States, with some exceptions. A Fraud Prevention and Detection Fee of $500 was instituted for the first H-1B petition filed by a particular petitioner on behalf of a specific beneficiary on or after March 8, 2005.

(d) Employ American Workers Act (EAWA)[17]

On February 17, 2009, President Obama signed into law the American Recovery and Reinvestment Act (commonly known as the "stimulus bill"). The stimulus bill contained the Employ American Workers Act ("EAWA"). EAWA took effect on February 17, 2009 and expired on February 17, 2011. EAWA prevented a company from displacing U.S. workers when hiring H-

[13] Pub. L. 107-273, 116 Stat. 1758.
[14] Pub. L. 108-77, 117 Stat. 909.
[15] Pub. L. 108-78, 117 Stat. 948.
[16] Public Law 108-447, 118 Stat. 2809.
[17] Pub. L. 111-5, Div. A, Title XVI, § 1611.

1B specialty occupation workers, if the company received funds through the Troubled Asset Relief Program (TARP)[18] or under section 13 of the Federal Reserve Act (collectively referred to "covered funding"). Under EAWA, any company that received covered funding and sought to hire H-1B workers was considered to be an "H-1B dependent employer." Employers who received covered funds were required to make additional attestations to DOL when filing the LCA. Form I-129 was revised on March 11, 2009, to inquire whether the petitioner had received TARP funding. If the petitioner indicated it had received TARP funding, the petitioner must have indicated it was H-1B dependent on the LCA. TARP applied to all H-1B petitions filed on or after February 17, 2009, seeking an employment start date before February 17, 2011.

(e) Emergency Supplemental Appropriations for Border Security for the Fiscal Year Ending September 30, 2010[19]

On August 13, 2010, President Obama signed Public Law 111-230 which requires the submission of an additional fee of $2,000 for certain H-1B petitions where 1) the petitioner employs 50 or more employees in the United States; and 2) more than 50 percent of the petitioner's employees in the United States are in H-1B, L-1A, or L-1B nonimmigrant status. Public Law 111-230 was originally slated to remain in effect until September 30, 2014.

(f) James Zadroga 9/11 Health and Compensation Act of 2010[20]

On January 2, 2011, Congress extended the additional fee in Public Law 111-230 until September 30, 2015.

**C. The E-3 Program**

Section 501 of the Real ID Act of 2005[21] created the E-3 classification[22]. The E-3 classification is only for nationals of Australia. An E-3 must be coming to the United States to engage in a specialty occupation, and the US employer must file a petition on Form I-129. In all substantive respects, the E-3 is identical to an H-1B. The statute defining a specialty occupation for an H-1B includes the E-3 in its definition of specialty occupation.[23] The same criteria and standards are used to determine whether the position is a specialty occupation and whether the beneficiary is qualified to engage in the occupation. There are several mostly procedural differences which will be discussed where the issue arises in this manual. A more comprehensive discussion of the E-3 classification can be found in Chapter 7 of this Part.

**D. Role of the Department of Labor**

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[18] Pub. L. 110-343, Div. A, Title I.
[19] Pub. L. 111-230, 124 Stat. 2485.
[20] Pub. L. 111-347, 124 Stat. 3623.
[21] P.L. 109-13, 119 Stat. 302.
[22] INA 101(a)(15)(E)(iii).
[23] INA 214(i)(1).

Every H-1B petition filed with USCIS must be accompanied by a Labor Condition Application (LCA) certified by the Department of Labor (DOL).[24] The petitioner makes attestations on the LCA regarding its responsibilities as an employer, such as wages, benefits, and working conditions of both foreign and US workers.[25] DOL does not adjudicate an LCA and generally does not evaluate the claims made on an LCA. DOL will certify the LCA unless it is either incomplete or contains obvious inaccuracies.[26] While DOL does not adjudicate the LCA, it does enforce, through its Wage and Hour Division (WHD), the attestations made on the LCA as well as certain administrative, record-keeping, and posting requirements associated with the LCA. The Requirements of an LCA are discussed in Chapter 5 of this Part dealing with petitioner requirements.

It should be noted that, unlike the permanent immigrant categories, there is no legal requirement in the H-1B program that the H-1B employee not be displacing a US worker, and DOL does not consider this issue in the H-1B context. The attestations mentioned in the preceding paragraph are designed to ensure that the H-1B employer treats H-1B employees the same as US workers. Rather than require proof of non-displacement of a US worker, the LCA attestation system removes any motivation or incentive on the part of a US employer to favor H-1B employees over US workers. This is especially true when one considers the fees, processing time, legal costs, and other factors involved in hiring an H-1B worker over a US worker.

**E. Role of the Department of Homeland Security (DHS)**

As part of DHS, USCIS is responsible for overseeing the H-1B program. This includes the creation of regulations and policy governing H-1B standards, as well as operational oversight. This includes the adjudication of H-1B petitions, monitoring the H-1B cap, developing training and quality assurance programs, and fraud prevention and identification.

[24] INA 212(n).
[25] The LCA is filed on the DOL Form 9035E.
[26] 20 CFR 655.730(b).

**F. Overview of the Adjudicative Process and Making an Eligibility Determination**

To make a determination of eligibility for H-1B, the officer should follow the steps outlined below:

| Step | Where can I find information on this Step? |
|---|---|
| 1. Is a certified LCA in the file? | Chapter 5 |
| 2. Is the petitioner eligible to petition for an H-1B? | Chapter 5 |
| 3. Is the position eligible for H-1B? | Chapter 5 |
| 4. Is the beneficiary eligible for H-1B? | Chapter 6 |
| 5. Is a cap number required and available? | Chapter 3,4 |

**G. Legal Authority**

- INA 101(a)(15)-Definition of H-1B worker
- INA 214(g)-H-1B cap
- INA 214(i)-H-1B specialty occupation defined
- 8 CFR 214 – H-1B regulation

**H. Definitions**

The following terms relate directly to the H-1B temporary worker classification. Adjudicators should be familiar with these terms.

(1) Specialty Occupation. A specialty occupation is one that requires:

- the theoretical and practical application of a body of highly specialized knowledge;
- and the attainment of at least a bachelor's degree or its equivalent.[27]

(b) Fashion Model. An H-1B fashion model of "distinguished merit and ability" is eligible for H-1B classification.

(c) Prominent. In order to qualify for H-1B as a fashion model the model must be prominent. Prominence means a high level of achievement in the field of fashion modeling evidenced by a

[27] INA 214(i).

degree of skill and recognition substantially above that ordinarily encountered to the extent that a person described as prominent is renowned, leading, or well-known in the field of fashion modeling.[28]

(d) DOD Researcher. An alien coming to the US "to perform services of an exceptional nature requiring such merit and ability relating to a cooperative research and development project or a coproduction project provided under a government-to-government agreement administered by the Secretary of Defense." These aliens are categorized internally as H-1B2 and exist under a separate statutory authority than the regular H-1B program.

(e) Chile/Singapore H1B1. A national of Chile or Singapore coming to the United States to perform services in a specialty occupation. The H1B1 program exists apart from the H-1B program, though a national of Chile or Singapore could choose either. No petition is required of an H1B1.

(f) U.S. Employer. Every H-1B must have a U.S. employer. A U.S. employer is a person, firm, corporation, contractor, association, or other entity physically located in the United States with a taxpayer ID number.

(g) LCA. Every H-1B petition must be accompanied by a certified Labor Certification Application (LCA) valid for the dates of employment. An LCA contains certain promises (attestations) made by the petitioner relating to wages, working conditions, etc. The LCA is submitted to the Department of Labor, which certifies the LCA.

(h) Intermittent or seasonal employment. An H-1B who is employed in the U.S. on an intermittent or seasonal basis, or for an aggregate of less than six months per year is not subject to the general six-year limit on H-1B time in the U.S.

(i) Temporary. The intent to depart the U.S. upon the completion of an authorized period of admission as a nonimmigrant.

(j) Dual intent. An H-1B may pursue immigrant status while in the U.S. as a nonimmigrant. This simultaneous intent to depart at the completion of stay while also pursuing a desire to remain permanently is known as dual intent. In many other nonimmigrant situations, the intent to remain permanently is inconsistent with nonimmigrant intent and renders the alien ineligible for nonimmigrant classification.

(k) Concurrent Employment. Simultaneous employment with more than one approved nonimmigrant employer. Each employer must have an approved petition.

[28] 8 CFR 214.2(h)(4)(ii).

(l) Credentials. An alien must possess the credentials required to enter the specialty occupation named on the petition. This extends only to entry-level credentials. A more complex or responsible position does not require greater credentials.

(m) Nurse. A nursing position that requires at least a bachelor's degree for entry into the field may qualify for H-1B. Most nursing positions do not meet this requirement.

(n) 3 for 1. When attempting to show qualification to enter a specialty occupation through experience rather through possession of a bachelor's degree, three years of experience equates to one year of study. Thus a person with no bachelor's degree would require at a minimum twelve years of experience to potentially qualify.

## Chapter 2: General Filing Requirements

### A. Overview of Filing Requirements

1. Required Initial Evidence. A petition for an H-1B nonimmigrant worker must be filed on Form I-129 at the proper filing location, with correct fee(s), signature, and accompanied by the following:

- A certified Labor Condition Application (LCA);
- Evidence that the petitioner is eligible to request H-1B classification;
- Evidence that the job qualifies for H-1B classification; and
- Evidence that the beneficiary qualifies to perform the duties of the specialty occupation.

Generally, once certified by DOL as complete, the LCA is acceptable for filing with a petition. The LCA validity dates should cover the period of requested employment on the petition.

Evidence that the petitioner is eligible to file an H-1B petition generally means that the petitioner is a United States employer. The petitioner should demonstrate that the position is a specialty occupation, and also that the beneficiary is qualified to engage in that occupation. This means both that the beneficiary is a professional and that he or she has the degree, training, work experience, and other qualifications, such as a license, if required, to perform the work.

2. Time of Filing. The petition may not be filed or approved earlier than six months before the date of actual need for the beneficiary's services.[29] For petitions subject to the fiscal year cap, petitions may be filed no earlier than April 1st with an October 1st start date (beginning of the next fiscal year).

3. Amended Petition. An amended petition requires the same filing fee as a new petition. Because the amended petition supplements the original petition, documentation submitted with the original filing does not have to be duplicated in the amended petition. However, an amended petition must be accompanied by evidence addressing the change which resulted in the filing of the amended petition.

4. Eligibility at Time of Filing. USCIS regulations affirmatively require a petitioner to establish eligibility for the benefit sought at the time the petition is filed.[30] A visa petition may not be

[29] 8 CFR 214.2(h)(9)(i)(B).
[30] 8 CFR 103.2(b)(1).

approved based on speculation of future eligibility or after the petitioner or beneficiary becomes eligible under a new set of facts.[31]

**B. Who May File**

The regulation requires a *United States employer* to file an H-1B petition. USCIS regulations also allow an agent to file a petition as a representative on behalf of United States employers to accommodate some situations.[32] See Chapter 5 for filing requirements of U.S. employers and agents filing H-1B petitions.

Additionally, USCIS regulations affirmatively require a petitioner to establish eligibility for the benefit sought at the time the petition is filed.[33] A visa petition may not be approved based on speculation of future eligibility or after the petitioner or beneficiary becomes eligible under a new set of facts.[34]

**C. Filing Location**

1. General. The petition must be filed with the Service Center with jurisdiction over H petitions in the geographic area of intended employment. Currently, H-1B petitions are filed either at the Vermont or California Service Center, depending on the state of intended employment.

On June 5, 2009, USCIS removed all references in regulations to filing locations and now provides information regarding the proper filing locations in the instructions to the respective petition and application forms and through the USCIS website.[35] The most recent instructions to the Form I-129 will list the filing locations for each specific state.

2. Filing Jurisdiction for Multiple Work Locations. When the temporary employment will be in different locations, the state where the petitioning company or organization's primary office is located will determine the appropriate Service Center to send the Form I-129 package, regardless of where in the United States the various worksites are located.

For example, if the beneficiary will work in Arizona and Texas, and the petitioning company's primary office is in New York, then for filing location purposes New York should be treated as the workplace. If the beneficiary will work in Florida and Georgia, and the petitioning company's primary office is in California, then California should be treated as the workplace for filing purposes.

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[31] *See Matter of Michelin Tire Corp.*, 17 I&N Dec. 248 (Reg. Comm. 1978); *Matter of Katigbak*, 14 I&N Dec. 45, 49 (Comm. 1971).
[32] INA 214(c) and 8 CFR 214.2(h)(2)(i)(F).
[33] 8 CFR 103.2(b)(1).
[34] *See Matter of Michelin Tire Corp.*, 17 I&N Dec. 248 (Reg. Comm. 1978); *Matter of Katigbak*, 14 I&N Dec. 45, 49 (Comm. 1971).
[35] 74 Fed. Reg. 26933-26941 (June 5, 2009) (interim rule).

While an H-1B petition may cover multiple work locations, every place of work has to covered by an LCA. In the examples above, each petition would require at least two LCAs, covering both places of intended employment.

3. Work in More than One Location. Such petitions are usually filed by an agent who is representing numerous employers in various locations, or by one employer where work will be performed by the beneficiary in more than one location. Where there will be more than one workplace, a detailed itinerary must accompany the petition. Each workplace must also be covered by an LCA. Where the multiple workplaces are within one Metropolitan Statistical Area (MSA), only one LCA for that area is required.

4. Extensions. The filing location for a petition seeking an extension of stay may be different from the location for a petition requesting original classification. H-1B petitions seeking extensions are currently filed at the California Service Center regardless of the place of intended work.

5. E-3 Specialty Occupation Petitions. E-3 petitions seeking a change of nonimmigrant status to E-3 are filed at the Vermont Service Center regardless of the place of intended work.

**D. Other Requirements**

1. Named Beneficiaries. The beneficiary of an H-1B petition must be named on the petition. The LCA submitted to DOL does not need to name the beneficiary.

2. Signature. The petitioner must sign the petition.[36] An H-1B petition may be denied for failing to establish eligibility for the benefit sought if the petition was accepted as signed, but it was not signed by a qualified signer.[37]

**E. Fee Issues**

An H-1B petition must be accompanied by the appropriate filing fees. In addition to the base filing fee, there are additional fees that have been imposed by statute. Spouses and children or H-1Bs are subject only to the base filing fee. H-1B fees are as follows:

1. Base Fee. The base filing fee is required for all H-1B petitions.

2. ACWIA Fee. American Competitiveness and Workforce Improvement Act of 1998 (ACWIA) Fee:

(a) ACWIA requires an H-1B petitioner to pay an additional filing fee for:

[36] 8 CFR 103.2(a)(2).
[37] 8 CFR 103.2(b)(8)(ii).

- an initial grant of H-1B status;
- an initial extension of stay; or
- authorization to change employers.[38]

If one of the above three conditions applies, the petition is subject to the ACWIA fee, unless one of the exemptions discussed below applies.

The ACWIA fee is either $750 or $1,500 depending on the number of full-time equivalent positions the petitioner employs. Petitioners who employ no more than 25 full-time equivalent employees, including any affiliate or subsidiary, submit an ACWIA fee of $750. All other petitioners submit an ACWIA fee of $1,500. It is important to note that the fee determination turns on the number of full-time equivalent positions and not the absolute number of employees. For example, if the petitioner employs 26 people, but can demonstrate that 2 of those individuals work part-time for no more than 20 hours a week, then the petitioner employs 25 full-time equivalent positions, and the lower ACWIA fee is appropriate. The burden is on the petitioner to make this demonstration.

The ACWIA fee applies to any non-exempt petitions filed with USCIS after December 08, 2004, and must be paid by the petitioner or its representative. The fee may not be paid directly or indirectly by the beneficiary.

| If the petitioner has... | Then the ACWIA fee is... |
|---|---|
| More than 25 full-time equivalent employees in the United States, | $1,500 |
| 25 or less full-time equivalent employees in the United States, | $750 |

(b) Exemptions from the ACWIA fee

Even if the petition is subject to the ACWIA fee, certain petitioners are exempt from payment of the fee. The following organizations are not required to pay the ACWIA fee:

- An institution of higher education as defined in section 101(a) of the Higher Education Act of 1965,
- A nonprofit entity that is related to or affiliated with an institution of higher education,
- A nonprofit research organization or governmental research organization,

[38] 8 CFR 214.2(h)(19).

- A primary or secondary educational institution, or
- A non-profit entity, which engaged in an established curriculum-related clinical training program for students.

The ACWIA fee is not required in the following circumstances:

- A petitioner is filing its second or subsequent request for an extension of stay for an alien,
- The filing is an amended petition that does not contain any requests to extend the validity of the petition it seeks to amend, or
- A petition is filed to correct a USCIS error.[39] Such an ACWIA fee exempt petition, however, may not contain any requests to extend the validity of the petition it seeks to correct, unless the USCIS error involved the validity dates.

3. The petitioner must also pay a Fraud Prevention and Detection Fee of $500 to:

   - Initially grant an alien H-1B nonimmigrant classification, or
   - Obtain authorization for an H-1B to change employers.[40]

The $500 Fraud Prevention and Detection Fee is never required for petitions for H-1B1 (HSC) Free Trade Nonimmigrants from Chile or Singapore.[41] It also does not apply to E-3 petitions.

4. The Emergency Supplemental Appropriation for Border Security Act requires an additional $2,000 fee on H-1B petitions filed between August 14, 2010 and September 30, 2015, if the following criteria are met.

   - The petition is requesting:
   - An initial grant of H-1B status, or
   - Authorization to change employers, AND
   - The petitioner meets both of the following:
     - Employs 50 or more U.S. employees, and
     - More than 50% of those employees are in H-1B or L-1 status.[42]

[39] INA 214(c)(9).
[40] INA 214(c)(12)(A).
[41] 70 Fed. Reg. 23776.
[42] Pub. L. 111-230 and Pub. L. 111-347.

In contrast to the ACWIA fee provisions, which are triggered by the number of full-time equivalent positions employed by a petitioner, these border security fee provisions are dependent on the total number of employees. Whether some of those employees are part-time employees does not affect the fee calculation. The fee is based on the total number of employees regardless of their status as part-time or full-time employees.

**F. General Issues**

1. Effect of a Prior H-petition Approval. Evidence of prior approvals submitted with a subsequent new petition cannot serve as the basis for future eligibility. Knowledge of prior approval of an H petition can be helpful to USCIS when considered along with other evidence of eligibility for the benefit sought. For example, in a petition accompanied by a request for an extension, the fact of the prior approval should be taken into consideration by the officer, and absent indications of fraud or error, the officer may in his or her discretion give deference to the baseline finding of eligibility. Even in such a case, the petitioner must still demonstrate eligibility for the extension.

A prior approval never obligates USCIS to approve a subsequent petition, relieve the petitioner of providing sufficient documentation to establish current eligibility, or relieve an officer of the responsibility, inherent in his or her position, to determine whether the petitioner has actually met its burden to establish eligibility. An officer is not required to approve applications or petitions where eligibility has not been demonstrated, merely because of prior approvals that may have been erroneous.[43]

2. Multiple Petitions Using the Same LCA. An LCA may be filed for multiple positions. The petitioner may file multiple petitions at different times as the names of aliens become known, and use copies of the same labor certification until all of the positions covered by the labor certification have been filled. Each subsequent petition must refer to the petition number of all previously filed petitions using that labor certification, if available to the petitioner.

3. Multiple Petitions by an Employer. An employer may not file, in the same fiscal year, more than one H-1B petition on behalf of the same alien if the alien is subject to the H-1B cap or is exempt from the cap under section 214(g)(5)(C) of the INA. When cap numbers are in high demand and USCIS is forced to resort to a random selection to allocate H-1B visas, this rule prevents petitioners from attempting to "stack the deck" in favor of their beneficiaries.

If an H-1B petition is denied, on a basis other than fraud or misrepresentation, the employer may file a second H-1B petition on behalf of the same alien subject to cap availability.

Otherwise, filing more than one H-1B petition by the same employer or a related entity (e.g., parent, subsidiary, or affiliate) on behalf of the same alien in the same fiscal year will result in

[43] *See, e.g. Matter of Church Scientology International*, 19 I&N Dec. 593, 597 (Comm. 1988).

the denial or revocation of all H-1B petitions filed on behalf of that beneficiary, unless the petitioners are able to demonstrate a legitimate business need to file more than one petition on behalf of the same alien.[44]

4. Multiple Employers. An H-1B beneficiary may be employed by more than one petitioner at any given time. However, a separate petition must be approved for each employer. This is referred to on H-1B petitions as new concurrent employment. It is not necessary to file separate petitions, however, in a situation in which a person or company in business as an agent is filing a petition on behalf of multiple United States employers as their representative.

5. Inability to Obtain LCA. Generally speaking, there is no exception from the requirement that an LCA be submitted with the H-1B petition. Officers should not entertain such a request. However, it is worth noting that historically the requirement that the LCA be submitted as initial evidence has been waived in extreme circumstances. During the shutdown of the Federal government in 1996, DOL was unable to issue LCAs because it was subject to the shutdown. The adjudications function of the former INS was not shutdown during that period, and INS continued to accept H-1B petitions. In that situation, INS allowed H-1B petitions to be filed without an LCA, but required that an LCA be submitted prior to adjudication.

Similarly, in 2007, the DOL online system that certifies LCAs would not allow filers to print a certified LCA after completion of the DOL process. This occurred simultaneously with the opening of the FY2008 H-1B cap during a time when the H-1B cap was routinely reached during the first week of filing. USCIS allowed the submission of a screen print from the DOL system showing that the LCA was certified, though this was not an actual certified LCA. Petitioners were required to submit the certified LCA prior to adjudication.

G. Amended Petitions.

1. General. A petitioner must file an amended petition when there are changes in the terms and conditions of employment which may affect eligibility for the H-1B.[45] This is known as a "material" change. An amended petition is only required for these material changes. When there is a change that does not potentially affect eligibility, the petitioner should inform USCIS of the change at the time the next extension is filed.

Situations which could affect eligibility include but are not limited to the following:

- Any change which triggers the filing of a new LCA with the DOL;
- A change in the H-1B's duties from one specialty occupation to another;
- A change in work location to an area not covered by an LCA.

[44] 8 CFR 214.2(h)(2)(i)(G).
[45] 8 CFR (h)(11)(i)(A).

The following do not affect eligibility and do not require an amended petition:

- Short-term, intermittent placement at another worksite;[46]
- A change in the petitioner's ownership with no other changes, where the owner is the successor of all the immigration-related assets and liabilities of the petitioner;
- A change in the petitioner's name with no other changes;
- A change in the ownership structure of the petitioner, such as a corporate reorganization, where the new corporate entity assumes all the immigration-related assets and liabilities of the previous entity, such as LCA obligations;
- A transfer from one branch of a firm to another branch of a firm, where the duties remain the same but the firm remains the employer.

[46] 20 CFR 655.753(c).

## Chapter 3: Numerical Limitations and Limits on Periods of Stay

### A. H-1B and Other Caps

1. The H-1B Cap. The number of new H-1B visas issued each year is limited by statute.[47] This limit, called the cap, has traditionally been set at 65,000 visas, although it has been increased by Congress in some years. The H-1B cap applies to each Fiscal Year, which begins on October 1st. Petitions for the upcoming Fiscal Year are accepted no earlier than the preceding April 1st (or the first working day after that date) because an H-1B petition may not be filed or approved more than six months before the date of actual need.[48]

The H-1B cap only applies to the principal H-1B and not to the spouse and children of the beneficiary, who obtain their visas under the H-4 classification.[49]

In addition to the regular H-1B cap, a separate cap exists for one of the exemptions to the regular H-1B cap. H-1B beneficiaries who possess a Master's degree or higher from a US institution are exempt from the cap. This exemption is discussed below and in Chapter 4 of this Part. This exemption from the cap is itself capped at 20,000 per year.

Beginning with fiscal year (FY) 1992, the H-1B cap has historically been set and met as follows.

| FY | Number of H-1B Visas | Date Cap Met |
|---|---|---|
| 1992 to 1996 | 65,000 | Cap not met |
| 1997 | 65,000 | September 1, 1997 |
| 1998 | 65,000 | May 11, 1998 |
| 1999 | 115,000 | Cap exceeded; overage applied to FY2000 cap. |
| 2000 | 115,000 | July 21, 2000 |
| 2001 | 195,000 | Cap not met |
| 2002 | 195,000 | Cap not met |
| 2003 | 195,000 | Cap not met |
| 2004 | 65,000 | February 17, 2004 |
| 2005 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • October 1, 2004<br>• Advanced Degree cap not met[50] |
| 2006 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • August 10, 2005<br>• January 17, 2006 |

[47] INA 214(g)(1)(A).
[48] 8 CFR 214.2(h)(9)(i)(B).
[49] INA 101(a)(15)(H)(iii).
[50] The 20,000 master's degree and higher education exemption was created by the H-1B Visa Reform Act of 2004, which became effective on May 5, 2005, eight months into FY05.

| | | |
|---|---|---|
| 2007 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • May 26, 2006<br>• July 26, 2006 |
| 2008 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 2, 2007<br>• April 30, 2007 |
| 2009 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • April 5, 2008<br>• April 5, 2008 |
| 2010 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • December 21, 2009<br>• July 9, 2009 |
| 2011 | • 65,000 Regular<br>• 20,000 U.S. Advanced Degree | • January 26, 2011<br>• December 22, 2010 |

2. The H-1B1 Cap. 1,400 professionals from Chile and 5,400 professional from Singapore are allowed to enter the US as H-1B1s in a fiscal year. Only the principal H-1B1 visa holder counts against the cap; spouses and children do not count. Only the first admission or conferral of status counts against the cap; subsequent extensions do not count until the sixth extension (which would be for the seventh year as an H-1B1). All subsequent extensions after the sixth extension counts against the H-1B cap.

The Chile and Singapore Free Trade Agreements affect the regular H-1B cap numbers as follows:

| Classification | Limitation |
|---|---|
| HSC – from Chile | 1,400 |
| HSC – from Singapore | 5,400 |
| H-1B – from all other countries | 58,200 |
| Total | 65,000 |

The H-1B1 cap is a set-aside from the regular H-1B cap. USCIS subtracts the H-1B1 cap from the regular H-1B cap at the beginning of the fiscal year and allocates those positions to H-1B1 petitions throughout the course of the year. At the end of the fiscal year, any H-1B1 slots that went unused are allocated to pending H-1B petitions so that the full allotment of H-1B cap slots are used.

3. The E-3 cap. E-3 visas are limited to 10,500 per year. These visas do not count against the H-1B cap. Spouses and children of E-3s do not count against the cap.

4. Petitions not subject to the cap. Not all H-1B petitions count against the cap. Petitions requesting an extension of H-1B status do not count against the cap unless the H-1B would be eligible for a new six-year period of admission.[51]

When multiple petitions are approved on behalf of an alien, only one approval is counted against the cap. For example, if an H-1B changes employers pursuant to the filing of a petition by a new employer, the second petition will not count against the cap unless the H-1B would be eligible for a new six-year period. This is also the case when an H-1B requests concurrent employment with another H-1B petitioner.

As noted above, dependent family members do not count against the cap.

When an alien previously in H-1B status who left the US is seeking to return to complete the remainder of the previously approved petition, the second petition does not count against the cap unless the alien would be eligible for a new six-year period of admission. This is known as "remainder time" and will be discussed in Chapter 5.

In addition to petitions that are not subject to the cap, there are several exemptions from the cap. These will be discussed in more detail in Chapter 4 of this Part. The cap exemptions include petitions filed by:

- Institutions of higher education, as defined in section 101(a) of the Higher Education Act of 1965, 20 U.S.C. § 1001(a);
- Nonprofit entities related to or affiliated with an institution of higher education; and
- Nonprofit research organizations or governmental research organizations.[52]

They also include situations in which:

- The beneficiary possesses a Master's degree or higher from a US university (limited to 20,000 per year);
- The beneficiary will be working exclusively within Guam and/or the Commonwealth of the Northern Marianas Islands;[53]
- The beneficiary was admitted to the United States as a J-1 nonimmigrant in order to receive graduate medical training and has received a waiver of the two-year foreign residence requirement to practice primary care or specialty

[51] INA 214(g)(7).
[52] INA 214(g)(5).
[53] Public Law 94-241 as amended by Public Law 110-229.

care medicine in a medically underserved area or for an interested federal or state agency.[54] This is often referred to as a "Conrad 20" or "Conrad 30" waiver.

5. Cap for DOD H-1B2 Petitions. DOD researchers who provide services of an exceptional nature relating to DOD research and development projects or coproduction projects are classified as H-1B2. The H-1B2 classification has its own, separate numerical limitation. A maximum of 100 H-1B2 workers can be employed at any time.[55]

6. Petitioner Choice. There may be situations in which a petitioner files an H-1B petition as subject to the cap, but upon review of the petition the officer determines that the beneficiary qualifies for an exemption, or the petitioner itself is cap exempt. In all such cases, the petitioner's choice regarding cap applicability should be used.

7. Cap Determination is Made Prior to Acceptance of Petition. The determination of an available cap slot or an exemption must be made before the H-1B petition is accepted and adjudicated. If the numerical limitation for the current fiscal year has not been reached, USCIS will accept the petition for cap-subject employment and adjudication may commence. If the cap-subject petition is approved, employment may not commence until October 1st of the cap fiscal year, or the requested start date, whichever is later.

If the numerical limitation for the current fiscal year has been reached, USCIS may not accept the petition for cap-subject employment.

**B. Limitations on Periods of Stay**

1. H-1B Time Limit. Generally, an H-1B may be admitted for a maximum period of six years.[56] This is typically divided into two three-year validity periods separated by a request for an extension. [57] Exceptions that will allow extensions of H-1B status beyond six years are discussed later in this chapter.

Barring the applicability of one of these exceptions, generally the alien must be outside the United States for one year before he or she can return as an H-1B.

Time spent in L nonimmigrant status applies to the H-1B time limit. In other words, an L nonimmigrant who changes status to H-1B would only be eligible for a three-year period of admission as an H-1B. Similarly, time spent as an H-1B counts against the applicable time limits for the L nonimmigrant category.[58]

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[54] INA 214(l)(2)(A).
[55] 8 CFR 214.2(h)(8)(i)(B).
[56] INA 214(g)(4); 8 CFR 214.2(h)(13)(iii).
[57] 8 CFR 214.2(h)(9)(iii)(A)(1).
[58] The L-1A and L-1B time limits are seven and six years, respectively. Thus an H-1B who has completed the six year period could change status to L-1A for one year if eligible, but not to L-1B.

2. Spouse and Dependents.H-1B time limits apply only to the principal H-1B nonimmigrant and do not apply independently to the principal's spouse and children.

Time spent as an H-4 dependent does not count against the maximum allowable period of stay available to principals in H-1B status. Thus, an alien who was previously an H-4 and subsequently becomes an H-1B principal is eligible for the maximum period of stay. Conversely, an H-1B principal who subsequently changes to H-4 status may remain in the derivative status for as long as the principal alien spouse maintains that principal status.

3. Intermittent Employment. The H-1B time limits do not apply to someone who does not reside continually in the United States and whose employment in the United States is seasonal or intermittent or for an aggregate of six months or less per year.

Further, the limitations do not apply to aliens who reside abroad and regularly commute to the United States to engage in part-time employment. To qualify for this exception, the petitioner and the alien must provide clear and convincing proof that the alien qualifies for such an exception. Such proof shall consist of evidence such as arrival and departure records, copies of tax returns, and records of employment abroad.

4. H-1B1 Time Limits. H-1B1s for national of Chile and Singapore are approved in one-year increments. Extensions may be granted indefinitely in one-year increments.

5. E-3 Time Limits. An E-3 is subject to the same initial time limits as an H-1B. The E-3 may be approved for a three year period and may obtain extensions in three year increments. Unlike the H-1B, however, the E-3 may obtain extensions indefinitely so long as nonimmigrant intent is maintained.

**C. Exemptions from H-1B Time Limits**

1. Pending Application for Labor Certification or Immigrant Classification. AC21 created an exception to the six-year limit in H-1B status for aliens who were the subject of "lengthy adjudications."[59] These changes apply to H-1Bs who are in the process of seeking permanent residence based on their employment. The changes reflect Congress' recognition of the fact that seeking and obtaining permanent residence is a long process, often through no fault of the alien. They also evidence a desire to avoid imposing the costs of government processing timelines on these aliens and on their employers, as often it is the H-1B employer who is also the immigrant petitioner, and whose operations would be disrupted by the H-1B worker having to leave the US during processing of the immigrant petition.

The six-year H-1B time limit does not apply to the petition when, as of the date of filing an extension request:

[59] Sections 104(c) and 106(a) of P.L. 106-313.

- 365 or more days have passed since the filing of any application for labor certification with DOL to obtain status as an immigrant; and the labor certification, if approved, has not been revoked, is unexpired or has been timely filed with an EB petition within the labor certification's validity period; or

- 365 or more days have passed since the filing of an EB immigrant petition that is still pending; or;

- The alien is the beneficiary of an approved EB immigration petition and is not able to file to adjust status to lawful permanent residence based on the unavailability of an immigrant visa number.

A request for H-1B time beyond six years should not be granted if it is based on a labor certification having been filed and at the time of the request, the labor certification has expired by virtue of not having been timely filed in support of an EB immigrant petition during its validity period, as specified by DOL.

So long as one or more of the above requirements are met, there is no limit on how long the exemption applies, and thus how long the qualifying H-1B may remain in H-1B status.

Officers should be aware of the fact that in the second bullet above, the employment-based petition need not be one that requires a labor certification. For example, a qualifying religious organization may employ an H-1B as a nonimmigrant and then seek to obtain permanent residence on the worker's behalf through the filing of an I-360, which does not require labor certification. As this section of the statute merely requires an employment-based immigrant petition, if 365 days have passed since the filing of the petition, the H-1B may qualify for additional time beyond the initial six years.

2. Effect of Decision on a Labor Certification or Immigrant Petition. USCIS will grant an extension of stay to such H-1B nonimmigrants in one-year increments until a final decision is made to:

(i) Deny the application for labor certification; or if the labor certification is approved, to deny the EB immigrant petition that was filed pursuant to the approved labor certification;

(ii) Deny the EB immigrant petition; or

(iii) Grant or deny the beneficiary's application for an immigrant visa or for adjustment of status.

If the application is denied or revoked, the employer is advised that there is a period of time within which the decision may be appealed to the Board of Alien Labor Certification Appeals (BALCA):

- For denied Form ETA 750 labor certification applications filed prior to March 28, 2005, the employer must file an appeal within 90 days.

- For denied or revoked Form ETA 9089 labor certification applications, the employer must file an appeal within 30 days.

If the employer does not file an appeal within the required timeframe, the denial becomes the final decision of the Secretary of Labor. USCIS will not consider a DOL decision to be final until either the time for appeal has run and no appeal has been filed or, if an appeal is taken, the date a decision is issued by BALCA.

The labor certification will still be considered "pending" while the denial or revocation of the labor certification application may be appealed, or while the appeal is actually pending, for the purposes of determining if an H-1B nonimmigrant is eligible for extension of stay.

I-140 petition denials should also not be considered final for purposes of AC21 § 106(b) during the 33 day appeal period permitted or, if an appeal is filed, during the time the appeal is pending.

3. Request for 7th Year of H-1B and Beyond. A request for additional H-1B time will usually be in the form of a petition with a request for extension of stay by the current H-1B employer. However this is not a requirement. The extension request may come from the current H-1B employer or it may come with a request for a change of employment to a new H-1B employer. Also, the employer for whom the H-1B will be working beyond the sixth year need not be the same employer who is the intending employer on the immigrant petition or labor certification.

A qualified alien need not be in H-1B status in order to obtain additional H-1B time. The alien may obtain such additional periods of H-1B admission through a petition to change status from another nonimmigrant classification, or through H-1B visa issuance at a U.S. consulate and admission from abroad. This is because the statute does not speak in terms of an extension or in terms of H-1B status, but simply states that if one of the qualifying conditions are met, then the time limits contained in the INA[60] simply do not apply.

4. Combined 6th and 7th Year Requests. A petitioner may simultaneously request the remaining H-1B time left in the initial six-year period of admission with the additional time allowed by AC21. Seventh year extension requests under section 106(a) of AC21 may be made in a petition that also contains a request for an extension that reaches the maximum six-year limit. USCIS officers should first determine the amount of H-1B extension time that may be granted to reach the six-year limitation of stay, then determine if the permanent labor certification or Form I-140 petition was filed at least 365 before the conclusion of the six year limitation of stay. If so, then the additional one year extension may be granted. If the beneficiary would no longer be in H-1B

[60] INA 214(g)(4).

status at the time that 365 days from the filing of the permanent labor certification or immigrant petition has run, then the additional time beyond the six years cannot be granted.

In no case may the total time given by an H-1B approval exceed three years.

5. Documentation in Support of a Request for H-1B Time beyond Six Years.

(a) Based on Labor Certification. USCIS will accept the following documents as evidence that a labor certification filed on behalf of the H-1B beneficiary is still pending, or has been certified and is still valid:

- If the labor certification is a Form ETA 750 that is still pending with DOL, a screen-print from the DOL Public Disclosure System (PDS) that shows the status of the labor certification is 'In Process' or is actively 'On Appeal' that includes the name of the petitioning employer, the date that the Form ETA 750 was filed, the name of the beneficiary, and the case number assigned to the pending Form ETA 750; or

- If the labor certification application was certified before July 16, 2007, a complete copy of the Form ETA- 750 or Form ETA- 9089 which shows the date of certification and a copy of the Form I-140 petition receipt notice for the petition filed on behalf of the H-1B beneficiary; or

- If the labor certification was certified on or after July 16, 2007, a complete copy of the Form ETA-750 or Form ETA-9089 which shows the date of certification and the date the labor certification will expire, along with a copy of the Form I-140 petition receipt notice for the petition filed on behalf of the H-1B beneficiary.

- If an applicant for extension of stay cannot present a screen print from the PDS, he or she may present a letter from DOL issued within the previous 60 days prior to the filing of the extension petition instead. The DOL letter must explain why the PDS screen print is unavailable and verify that an application for a labor certification is pending.

(b) Based on Visa Unavailability. USCIS interprets section 104(c) of AC21 as only applicable when a beneficiary, who has an approved Form I-140 petition, is eligible to be granted lawful permanent resident (LPR) status but for application of the per country limitations. Any petitioner seeking an H-1B petition extension on behalf of an H-1B beneficiary pursuant to section 104(c) of AC21 must establish that at the time of filing for such extension, the beneficiary is not eligible to be granted LPR status on account of the per country immigrant visa limitations.

USCIS will accept a copy of the H-1B beneficiary's Form I-140 petition approval notice which shows that an immigrant visa is not immediately available to him or her based on the approved petition's priority date as evidence of the H-1B beneficiary's eligibility for an extension of H-1B status under the provisions of section 104(c) of AC21.

Officers are instructed to review the DOS Immigrant Visa Bulletin that was in effect at the time of the filing of the Form I-129 in which a request for a section 104(c) of AC21 H-1B extension request is made. If the H-1B beneficiary is shown to be ineligible to be granted LPR status because of the per country visa limitations, then the H-1B extension request under the provisions of section 104(c) of AC21 may be granted for a maximum of three-year increments, until such time as the beneficiary's application for adjustment of status has been processed and a decision made thereon.

6. Recapture of Time. Time spent outside the United States does not count toward the limit on time spent as an H-1B. An H-1B petitioner who can document time spent abroad by the beneficiary may seek to add back or "recapture" that time to an H-1B approval so that the beneficiary obtains the full six years of time spent in the US as an H-1B.

(a) Basis for Recapture

The statute[61] limits H-1B time based on the "period of authorized admission." Because "admission" is defined as "the lawful entry of the alien into the United States after inspection and authorization by an immigration officer", only time spent in the United States as an H-1B counts towards the maximum. Thus, an H-1B petitioner may request that full days spent outside the U.S. during the period of petition validity by the beneficiary be recaptured and added back to the total maximum period of stay. As always, it is the applicant/petitioner's burden to demonstrate eligibility, and appropriate evidence, such as copies of passport stamps I-94's, and/or plane tickets must be submitted. The time spent outside the U.S. need not have been meaningfully interruptive of the H-1B stay. The reason for the absence is not relevant to the question of whether the time may be recaptured. Any trip of at least one 24-hour day outside the U.S. for any purpose, personal or business, can be recaptured.

(b) Evidence

The burden of proof remains with the H-1B petitioner to submit evidence documenting any and all exact periods of physical presence outside the United States when seeking an extension of petition validity and extension of stay for the H-1B nonimmigrant. While petitioners often submit a summary and/or charts of travel and the number or days spent out of the United States, which eases review of the accompanying documentation, petitioners are also required to submit independent documentary evidence establishing that the alien was outside of the United States during all the days, weeks, months etc. that he or she seeks to recapture (e.g. photocopies of passport stamps and/or Form I-94 arrival-departure records).

The fact that the burden may not be met for some claimed periods, or has been met for some claimed periods, has no bearing on the remaining claimed periods. Any periods of time for which the burden has been met may be added to the eligible period of admission upon

[61] INA 214(g)(4).

approval of the application for extension of status. An alien may not be granted an extension of stay for periods of time that are not supported by independent documentary evidence. A Request for Evidence should not be sent to the petitioner for any claimed periods unsupported by evidence.

In some instances, the petition may not be approved for the entire period of time requested because the evidence submitted does not establish eligibility for the entire period of stay requested. In those situations, the approval notice should be issued for the period of time for which eligibility has been demonstrated.

The status of an H-4 dependent of an H-1B nonimmigrant is subject to the same period of admission and limitations as the principal alien. For example, if an H-1B alien is able to recapture a two-week business trip abroad for each year for five years in a row (for a total of 10 weeks), then his or her H-4 dependents, if seeking extension of stay, should be given an extension of stay up to the new expiration of the H-1B alien's stay.

The statute and regulations allow H-4 status only "if [the dependents] are accompanying or following to join the beneficiary in the United States." If it appears that the dependent is not using or is not intending to use H-4 status primarily to accompany or follow to join the principal H-1B alien, such as a situation in which the principal only is physically present or intends to be physically present in the United States for a small proportion of his or her period of H-1B admission and the dependents are using H-4 status to evade the limitations of or eligibility rules of the nonimmigrant options that otherwise would be available, then the H-4 extension of stay may be denied, limited or revoked on notice giving the H-4 the opportunity to provide evidence that his or her intention is primarily to accompany the principal.

## Chapter 4: Exemptions From the Numerical Limitations

### A. Background and Purpose

Certain types of H-1B petitions are exempt from the cap. Creating exemptions rather than changing the total cap number each year ensures that H-1B beneficiaries deemed especially desirable by Congress are able to obtain H-1B status even in times of high demand. It also allows Congress to further policy goals by ensuring that employers and beneficiaries deemed important by Congress are not prevented from obtaining H-1B status by the fixed cap limits.

Congress deemed certain institutions worthy of an H-1B cap exemption because of the direct benefits they provide to the United States. Congressional intent was to exempt from the H-1B cap certain alien workers who could provide direct contributions to the United States through their work on behalf of institutions of higher education and related nonprofit entities, or nonprofit research organizations, or governmental research organizations. In effect, this statutory measure ensures that qualifying institutions have access to a continuous supply of H-1B workers without numerical limitation.

### B. Cap Exemption Based on Sections 214(g)(5)(A) and 214(g)(5)(B) of the Act

These exemptions, created by AC21, apply to an H-1B who:

- is employed (or has received an offer of employment) at an institution of higher education or a related or affiliated nonprofit entity, or who
- is employed (or has received an offer of employment) at a nonprofit research organization or a governmental research organization.[62]

Qualifying cap exempt entities thus include:

- an institution of higher education,
- an affiliated or related nonprofit entity,
- a nonprofit research organization, or
- a governmental research organization.

Note that each of these exemptions focus on the physical place of employment ("employed at") rather than on the H-1B's or the petitioner's attributes. Nonetheless, a petitioning entity claiming one of these exemptions is referred to as a "cap exempt employer."

1. Employed "at". As noted above, the statute exempts from the cap qualifying H-1Bs who are employed "at" a cap exempt entity. This is in contrast to a requirement that the H-1B be employed "by" the cap-exempt entity. This allows the exemption to be applied to an H-1B employed by a petitioner who might not otherwise be cap exempt but for the place where

[62] INA 214(g)(5).

the work is being performed. This statutory language reflects Congressional intent that certain aliens who are not employed directly by a qualifying institution may nonetheless be treated as cap exempt when such employment directly and predominately furthers the essential purposes of the qualifying institution.[63]

Third party petitioners are thus allowed to claim exemption on behalf of a beneficiary under either section 214(g)(5)(A) or (B) of the Act if the H-1B will perform job duties "at" a qualifying entity that directly and predominately further the normal, primary, or essential purpose, mission, objectives or function of the qualifying institution, namely, higher education or nonprofit or governmental research.

If a petitioner is not itself a qualifying institution, then it bears the burden of demonstrating by a preponderance of the evidence that a logical nexus exists between beneficiary's duties and the normal, primary, or essential work performed by the qualifying institution.

In many instances, third-party petitioners seeking exemptions from the H-1B cap are companies that have contracts with qualifying federal agencies (or other qualifying institutions) which require the placement of professionals on-site at the particular agency. The H-1B employees generally perform work directly related to the purposes of the particular qualifying federal agency or entity and thus may qualify for an exemption to the H-1B cap. However, qualifying third-party employment can occur in a variety of other ways. The following non-exhaustive list of examples is provided to assist adjudicators in determining cap exemption eligibility.

**Example 1**: Company A, a for-profit consulting firm that would not otherwise be a qualifying institution, files an H-1B petition on behalf of an employee working directly for the firm. The H-1B petition describes the alien beneficiary's job duties, which will be performed on-site at a qualifying governmental research organization pursuant to a joint-agreement between the two entities. Company A submits evidence in support of its H-1B petition demonstrating that the alien beneficiary will be working on a research project performing duties similar to those performed by actual employees of the governmental research organization in furtherance of the qualifying entity's mission. If the alien beneficiary was sponsored directly by the government research organization, he or she would clearly qualify for the H-1B cap exemption.

**Q:** Would the alien beneficiary qualify for the H-1B exemption?

**A:** Yes. In this case, the alien beneficiary would be exempt from the H-1B cap because the alien beneficiary will perform research duties that would or could otherwise be performed by

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[63] See S. Rep. No. 106-260 (April 11, 2000) [re. S. 2045, the bill that was enacted into AC21] providing that individuals should be considered cap exempt "... *by virtue of what they are doing*" and not simply by reference to the identity of the petitioning employer.

employees of the qualifying institution, in furtherance of the qualifying institution's primary mission.

**Example 2**: Company B, a for-profit hospital and research center that would not otherwise be a qualifying institution, files an H-1B petition on behalf of a renowned Oncologist who will be a direct employee of the hospital and whose duties will consist of clinical treatment of cancer patients and laboratory research on a new medication to treat liver cancer. Company B maintains a relationship with a qualifying non-profit research organization dedicated to finding a cure for liver cancer, whereby Company B occasionally provides resources and data in exchange for access to the non-profit's national database on protocols for treating liver cancer. Company B's new Oncologist will spend 55% (i.e., a majority) of her time working on-site at the non-profit research organization conducting research and laboratory experiments on the new medication to treat liver cancer and accessing the national database. The Oncologist will be performing sophisticated research and laboratory experiments that are not normally conducted by employees of the non-profit research organization but that nonetheless directly and predominantly further the normal, primary, or essential purpose, mission, objectives or function of the nonprofit organization. Company B and the non-profit entity will collaborate on a joint paper publishing the research.

**Q:** Would the Oncologist qualify for an H-1B cap exemption based on this employment?

**A:** Yes. In this case, the Oncologist's work clearly furthers the overall mission of the qualifying non-profit research organization and benefits the United States The fact that Company B and the qualifying non-profit entity share a cooperative relationship helps establish a sufficient nexus between the Oncologist's work and the normal, primary, or essential purpose, mission, objectives or function of the non-profit organization. Further, the Oncologist will spend more than half of her time working physically on-site "at" the qualifying entity.

**Example 3**: A medical fellow in pediatrics has been employed at a qualifying non-profit university medical center for two years in H-1B status. At the end of the fellowship, the doctor will become a member of Company C, a private pediatrics practice group which has its primary offices within the university medical center and predominantly trains medical students and treats patients in the medical center. The doctor will be doing exactly the same work that he did during his fellowship, including remaining on the university medical center's faculty, but for reasons related to hospital billing practices and medial malpractice insurance requirements, his technical, and therefore petitioning, employer will be the private pediatrics practice group.

**Q:** Would the doctor qualify for an H-1B cap exemption based on this employment?

**A:** Yes. In this case, the doctor would be exempt from the H-1B cap because the conditions of employment demonstrate that the doctor will be performing the same work that he performed while employed directly by the qualifying university medical center. Thus, the H-1B employment directly furthers the primary mission of the hospital because the doctor will remain on the university medical center's faculty, and will continue to educate and train its medical students and treat patients at the medical center.

**Example 4**: Company D, a for-profit market research firm that would not otherwise be a qualifying institution, files an H-1B petition on behalf of a direct employee. The H-1B petition

states that the alien beneficiary will be conducting a specific kind of market research on-site at a qualifying University. In addition, the petition states that the University has a specialized research tool that can only be accessed from its facilities and that the alien beneficiary's research will be conducted for the benefit of the petitioner's clients and business, and not for the University.

**Q:** Would the alien beneficiary qualify for the H-1B exemption based on this employment?

**A:** No. In this case, the alien would not qualify for a cap exemption as he or she is only physically located "at" the qualifying institution and no nexus has been demonstrated between the work performed by the beneficiary and the normal purpose of the qualifying entity. The alien beneficiary will not perform work for the benefit of the qualifying institution, but rather for the for-profit firm.

2. Institution of Higher Education. The statute refers to the Higher Education Act of 1965[64] to define an Institution of Higher Education. Based on that definition, the regulations[65] define such an institution as an educational institution in any State that:

- admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;
- is legally authorized within such State to provide a program of education beyond secondary education;
- provides an educational program for which the institution awards a bachelor's degree or provides not less than a 2-year program that is acceptable for full credit toward such a degree;
- is a public or other nonprofit institution; and
- is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

3. Related or affiliated nonprofit entity. USCIS uses the regulatory definition governing fee exemptions under ACWIA[66] to determine whether a petitioner is related or affiliated. In order to qualify as a cap exempt entity, the petitioner must demonstrate that the entity where the nonimmigrant alien will perform all or a portion of the job duties is an affiliated or related nonprofit entity (including but not limited to hospitals and medical or research institutions) by showing one of the following:

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[64] 20 U.S.C. 1001(a).
[65] 8 CFR 214.2(h)(19)(iii)(C) and (iv).
[66] 8 CFR 214.2(h)(19)(iii)(B).

- The nonprofit entity is associated with an institution of higher education through shared ownership or control by the same board or federation;

- The nonprofit entity is operated by an institution of higher education; or

- The nonprofit entity is attached to an institution of higher education as a member, branch, cooperative, or subsidiary.

4. Nonprofit Research Organization or a Governmental Research Organization. USCIS also uses the definition used to determine fee exemptions to evaluate eligibility for this cap exemption.[67] Based on that definition:

- A nonprofit research organization is an organization that is primarily engaged in basic research and/or applied research.

- A governmental research organization is a United States Government entity whose primary mission is the performance or promotion of basic research and/or applied research.

- Basic research is general research to gain more comprehensive knowledge or understanding of the subject under study, without specific applications in mind. Basic research is also research that advances scientific know ledge, but does not have specific immediate commercial objectives although it may be in fields of present or potential commercial interest. It may include research and investigation in the sciences, social sciences, or humanities.

- Applied research is research to gain knowledge or understanding to determine the means by which a specific, recognized need may be met. Applied research includes investigations oriented to discovering new scientific knowledge that has specific commercial objectives with respect to products, processes, or services. It may include research and investigation in the sciences, social sciences, or humanities.

A non-profit organization described in section c and d above is defined as:

- A tax exempt organization under the Internal Revenue Code of 1986, section 501(c)(3), (c)(4), or (c)(6) and
- Being approved as a tax exempt organization for research or educational purposes by the Internal Revenue Service.

5. Concurrent Employment of Certain Cap Exempt H-1Bs. An H-1B nonimmigrant employed "at" an institution of higher education or a related or affiliated nonprofit entity who has not been counted against the cap may accept concurrent H-1B employment with a cap-subject employer.

[67] 8 CFR 214.2(h)(19)(iii)(C).

The concurrent employer must file its own petition on behalf of the H-1B, but the beneficiary need not wait for approval of the petition in order to commence employment. If the cap exempt employment ceases, the H-1B then becomes subject to the cap unless he or she obtains new cap-exempt employment. This is because the statute applies the cap requirement upon new H-1B employment to an H-1B who "ceases to be employed" at the exempt entity. [68] The burden is on the potentially cap-subject concurrent petitioner to provide documentary evidence, such as an employment letter or recent paystubs from the previously approved cap-exempt petitioner to confirm that the H-1B employee continues to be employed at a cap-exempt entity or organization.

This provision does not apply to H-1Bs employed at governmental or nonprofit research organizations. Concurrent employment by such an H-1B is subject to the cap unless another basis for exemption exists, such as possession of a U.S Master's Degree.

**C. Cap Exemption for Employment and Services Performed in the Commonwealth of the Northern Mariana Islands (CNMI) and Guam.**

The Consolidated Natural Resources Act of 2008 (CNRA), Public Law 110-229, includes a provision exempting H-1B workers performing labor or services in the CNMI and Guam from the H-1B numerical limitation in section 214(g)(1)(A) of the INA (aka the "H-1B cap"). Upon the CNRA's implementation on November 28, 2009, H-1B workers in Guam and the CNMI are exempt from the statutory numerical limitation for H-1B classification from November 28, 2009 to December 31, 2014. See Section 6(b) of Public Law 94-241, as added by section 702 of the CNRA.

This H-1B cap exemption does not apply to any employment to be performed outside of the CNMI or Guam. As such, to qualify for this exemption, the petition must include a Labor Condition Application (LCA) for work locations in the CNMI and/or Guam only.

An H-1B worker granted H-1B status under this CNMI/Guam cap exemption who ceases to be employed in H-1B classification solely in the CNMI and/or Guam is subject to the H-1B cap. A subsequent petition filed for such an H-1B worker, i.e. a change of employer petition with a request for an extension of stay, requesting employment located outside of CNMI and/or Guam is subject to the H-1B cap.

**D. Cap Exemption for Certain International Medical Graduates**

Certain International Medical Graduates are cap exempt if they:

- Were admitted to the United States as a J-1 nonimmigrant physician in order to receive graduate medical training, and

[68] INA 214(g)(6).

- Receive a waiver of the two-year foreign residence requirement in order to practice primary care or specialty care medicine in a medically underserved area or for an interested federal or state agency (a. k. a. J-1 Conrad waiver).[69]

NOTE: Not all J-1 nonimmigrants qualify for this exemption. The beneficiary must be a J-1 who received graduate medical education or training and who was granted a waiver of INA 212(e) to be employed for three years as a physician for the healthcare facility named in the approved waiver. Once the beneficiary receives the Conrad waiver and fulfills his or her three-year obligation, he or she is forever H-1B cap exempt.

**E. U.S. Master's Degree or Higher**

The first 20,000 petitions filed on behalf of beneficiaries who possess a master's degree or higher from a U.S. institution of higher education[70] are exempt from the H-1B cap. Once the 20,000 master's cap is reached, any employer seeking an H-1B nonimmigrant who possesses a U.S. master's or higher degree will be subject to the regular H-1B cap unless the alien is eligible for another exemption.

Officers must always apply all other cap exemption provisions first before applying the H-1B master's cap.

To qualify for a master's cap number, the following criteria must be met:

1. U.S. Master's or Higher Degree

The qualifying degree must be one for which a bachelor's degree in any field is a prerequisite to obtaining the "master's" degree or higher. The name of the degree is not dispositive. Some degrees are called "masters" degrees but are in fact the entry-level degree in a field. Other degrees are not called "masters" but are in fact beyond the entry-level degree in the field. So long as the degree being claimed as a master's is at least one level beyond the entry-level degree in the field, the exemption can be given.

2. Qualifying Institution

The master's degree (or higher) must be issued from a U.S. institution of higher education as defined in section 101(a) of the Higher Education Act of 1965.[71]

**F. Extensions of Stay**

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[69] INA 214(l)(2)(A).
[70] INA 214(g)(1)(C).
[71] Pub. Law 89-329, 20 U.S.C. 1001(a).

Any alien who has already been counted toward the H-1B cap shall not again be counted toward those limitations unless the alien would be eligible for a full six years of admission as an H-1B at the time the petition is filed.[72]

The H-1B seeking an extension is thus not subject to the H-1B cap if the alien was already counted towards the numerical limitation and either:

- Did not exhaust the six-year period of maximum admission and is now seeking an extension of stay or readmission in H-1B status for the remaining portion of the initial six-year period of admission; or

- Is eligible for extension of stay or readmission in H-1B status beyond the six year maximum period based on AC21, section 106 and 104(c).

**G. H-1B "Remainder" Time**

In some instances, an H-1B may be eligible for a new full six years of H-1B admission because he or she has been outside the United States for a year or more, but may also have not completed the previous full six year period of admission and thus be eligible to complete that period under the "recapture" policy discussed in Chapter 3.

In such a case, USCIS allows an alien in the situation described above to elect either to be re-admitted for the "remainder" of the initial six-year admission period without being subject to the H-1B cap (if previously counted), or else seek to be admitted as an H-1B alien subject to the H-1B cap for a new six-year period of admission.

Should the alien choose to complete the initial six-year period, he or she is eligible for a six-year period of admission minus the period of time that the alien previously spent in the United States in valid H-1B status. The burden is on the petitioner to demonstrate periods of absence from the United States.

For example, an alien who spent five years in the United States in H-1B status (from January 1, 1999 - December 31, 2004), and then remained outside the United States for all of 2005, could seek to be admitted in January 2006 for the "remainder" of the initial six-year period, i.e., a total of one year.

[72] INA 214(g)(7).

## Chapter 5: Specific Petitioner Requirements

### A. Labor Condition Application

A Labor Condition Application (LCA) must be submitted with nearly all H-1B petitions. The LCA is a statement filed with the Department of Labor (DOL) on Form ETA 9035 by a prospective H-1B employer certifying[73]:

- That the alien hired in a specialty occupation (or as a fashion model) will be paid at least the same wage as other similarly employed persons or the prevailing wage for the occupation in the area of employment;
- That the alien will be provided with working conditions which will have no adverse effect on other similarly employed persons;
- That no strike or lockout is in progress; and
- (If the employer is a "dependent employer" as defined in section 212(n)(3)(A) of the Act) that no U.S. worker has been or will be displaced as a result of the H-1B alien's employment.

Certain employers, such as willful violators and dependent employers must make additional attestations relating to the non-displacement of US workers.[74] A willful violator is an entity that DOL finds to have intentionally not complied with LCA attestations or other DOL requirements. An H-1B dependent employer is an employer:

- With 7 or more H-1Bs who has 25 or fewer full-time equivalent employees (FTE);
- With more than 12 H-1Bs who has 26-50 FTEs;
- With 15% of the workforce as H-1Bs who has 51 or more FTEs.

An LCA is not required for H-1Bs who will be working in a Department of Defense project. These petitions are discussed in more detail in Chapter 7.

An LCA may be valid for a period up to three years.[75]

The LCA, which may be a photocopy of the original, must be valid for the period of time requested for the petition. The dates of intended employment cannot extend outside the dates on the LCA. Multiple unnamed beneficiaries may be included on the LCA, however the

[73] INA 212(n)(1).
[74] 20 CFR 655.736-739.
[75] **20 CFR 655, Subpart H.**

petitioner must reference, by file number, all previously approved petitions that used the same LCA. Once a slot on the LCA has been used for a specific alien, that slot cannot be used for another alien even if the original alien leaves the job permanently before the LCA has expired.

If the alien will be performing the same duties at another location for the same employer a single LCA can be filed if:

- The LCA is filed with the DOL regional office having jurisdiction over the initial place of employment; and
- All places of employment are within the jurisdiction of a single DOL regional office.

**B. Position Must be Specialty Occupation**

Certification of an LCA by DOL does not mean that the position is a specialty occupation. Only USCIS can determine whether the position meets the criteria for a specialty occupation.

1. Definition. A specialty occupation is an occupation that requires--

- theoretical and practical application of a body of highly specialized knowledge, and
- attainment of a bachelor's or higher degree in the specific specialty (or its equivalent) as a minimum requirement for entry into the occupation in the United States.[76]

A specialty occupation is further defined in regulations as:

> ...an occupation which requires theoretical and practical application of a body of highly specialized knowledge in [such] fields of human endeavor including, but not limited to, architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, business specialties, accounting, law, theology, and the arts, and which requires the attainment of a bachelor's degree or higher in a specific specialty, or its equivalent, as a minimum for entry into the occupation in the United States.[77]

2. Deciding If the Proposed Employment Is a Specialty Occupation. In order to correctly adjudicate a case, it is necessary to consider all the facts surrounding the petition, to include:

- the nature of the petitioner's business/industry practice,
- a detailed description of the duties to be performed, and
- salary (both offered to the beneficiary and typical for the industry).

[76] INA 214(h)(i)(1).
[77] 8 CFR 214.2(h)(4)(ii).

USCIS recognizes the U.S. Department of Labor's Occupational Outlook Handbook (OOH) as an authoritative source on the duties and educational requirements of the wide variety of occupations that it addresses. However, it is important to note that:

- occupations are rapidly evolving and job titles themselves are often changing; and
- the decision on whether the position qualifies as a specialty occupation should not to be influenced by a single factor, such as the job title or salary.

3. Specialty Occupation Criteria. The regulations also require that the position meet at least one of the following criteria[78]:

(a) A baccalaureate or higher degree or its equivalent is normally the minimum requirement for entry into the particular position;

(b) The degree requirement is common to the industry in parallel positions among similar organizations or, in the alternative, an employer may show that its particular position is so complex or unique that it can be performed only by an individual with a degree;

(c) The employer normally requires a degree or its equivalent for the position; or

(d) The nature of the duties is so specialized and complex that the knowledge required to perform the duties is usually associated with the attainment of a baccalaureate or higher degree.

The degree must be in a specific specialty that is directly related to the H-1B position, unless the petitioner demonstrates that alternative degrees apply to the position.

It is important not to rely only upon the position title. In order to determine if the position being sought is a specialty occupation, the duties must be evaluated. The understanding of the duties and how the position fits into the petitioner's organization will determine whether the position is a specialty occupation. The duties of the position should be evaluated against the four criteria listed above.

4. Scenarios. The following scenarios are meant to be illustrative examples for each of the above criteria, but are not exhaustive.

(a) Bachelor's Degree Normally Required: In order to meet this standard, the position offered must normally require a person with at least a bachelor's degree in a related field of study to perform the duties. Officers may reference the OOH to ascertain the normal educational and/or experience requirements of positions and should try to match the proffered duties, not just the title of the occupation.

[78] 8 CFR 214.2(h)(4)(iii)(A).

For example, the petitioner is a physical therapy provider and is seeking a physical therapist. The OOH indicates that a post-baccalaureate degree from an accredited physical therapy program is required for entry into the profession. Therefore, the position would normally require a person with at least a bachelor's degree in a related field of study.

(b) Industry Standard: Common to the Industry

In order to meet this requirement, the petitioner must show that the degree requirement is an industry standard. The petitioner must present evidence to show that the position offered is widely known in the petitioner's industry to require a person with at least a bachelor's degree in a specific field of study or its equivalent to perform the duties. This involved referring to companies of similar size and scope to the petitioner within the given industry.

In certain professions, it will be very clear that this is the case. For example, a bachelor's degree in Architecture is normally the minimum prerequisite for an architect position within an architectural firm. The petitioner could submit copies of job postings for the same position in similarly sized companies within the same industry to establish this. These job postings would need to show that the minimum educational requirement for the position is a bachelor's degree in the related field of study. Besides job postings, officers may consider other evidence such as a letter from an industry-related professional attesting that a bachelor's degree in a specific specialty is a requirement for entry into the field. Officers should be mindful that a letter is not usually sufficient if the writers' statements do not specify that the degree must be in a specific specialty and are not accompanied by additional documentary evidence.

(c) So Complex or Unique:

In the alternative, a petitioner can show that a bachelor's degree is required by showing that the particular position is so complex or unique that it can only be performed by an individual with a degree in a specific specialty.

(d) Petitioner's Historical Requirements:

In order to show that a degree is required through this method, the petitioner must demonstrate that historically the person(s) who have performed the duties of the position for the petitioner have possessed at least a bachelor's degree in a specific field of study. A petitioner may submit evidence that previous employees in the position held a bachelor's degree in a related field of study.

The critical element is not the title of the position or an employer's self-imposed standards, but whether the position or the duties actually require the theoretical and practical application of a body of highly specialized knowledge and the attainment of a

bachelor's degree in the specific specialty as the minimum for entry into the occupation as required by the INA.[79] Such evidence may include, but not limited to, resumes or previous posting for this particular position.

(e) Nature of Duties:

Finally, a petitioner may demonstrate that a degree is required for the position by showing that the position are so specialized and complex that only an individual with the minimum of a bachelor's degree in a specific field of study could do the job. A petitioner's statement alone is not sufficient to meet the criterion under this prong. There must be independent documentation to corroborate a petitioner's claim.[80]

**C. Employer-Employee Relationship**

1. US Employer Required. Only a US "employer" may petition for an H-1B worker. A U.S. employer is defined as a person, firm, corporation, or other association, or organization within the United States which meets all of the following criteria:

- Engages a person to work within the United States;
- Has or will have an employer-employee relationship with the H-1B beneficiary, as indicated by the fact that it may hire, pay, fire, supervise, or otherwise control the work of any such employee; and
- Has an Internal Revenue Service Tax Identification Number.[81]

When meeting the second criterion, above, a U.S. employer must establish that a valid employer-employee relationship will exist between the U.S. employer and the beneficiary throughout the requested H-IB validity period. Establishing an employer-employee relationship can sometimes be problematic in petitions filed by what may appear to be independent contractors, self-employed beneficiaries, or in cases where beneficiaries are placed at third-party worksites. The placement of the beneficiary/employee at a worksite that is not operated by the petitioner/employer (third-party placement), which is common in some industries, generally makes it more difficult to assess whether the requisite employer-employee relationship exists.

2. U.S. Agents and the Employer Requirement. While every H-1B must have a U.S. Employer, the petition itself can be filed by an agent, who may or may not be the actual employer of the H-1B. Where the agent is not the employer, the petition must identify each potential U.S. employer. Agents may file H-1B petitions where:

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[79] Defensor v. Meissner, 201 F. 3d 384 (5th Cir. 2000) Although Defensor is only legally binding on officers adjudicating petitions that arise in or fall within the jurisdiction of the 5th Circuit, *Defensor* has been generally accepted and upheld in other circuits.

[80] Matter of Soffici, 22 I&N Dec. 158, 165 (Comm. 1998) (citing Matter of Treasure Craft of California, 14 I&N Dec. 190 (Reg. Comm. 1972)).

[81] 8 CFR 214.2(h)(4)(ii).

- The workers are traditionally self-employed;
- The workers traditionally use agents to arrange short term employment on their behalf with numerous employers; or
- A foreign employer has authorized the agent to act on its behalf.[82]

A petition filed by an agent must include an itinerary of definite employment.

Where the agent is not the actual employer, it may be representing multiple employers and the beneficiary. If this is the case, then the petition must include a complete itinerary that specifies the dates of each service/engagement, the names and addresses of the actual employers, and the names and addresses of the locations where the beneficiary will be working.

3. Demonstrating the Employer-Employee Relationship. Many factors affect whether a valid employer-employee relationship exists or will exist between the United States employer and the beneficiary throughout the requested H-1B validity period. Engaging a person to work in the United States is more than the act of paying the wage or placing that person on the payroll. In considering whether or not there is a valid "employer-employee relationship" for H-1B purposes, USCIS must determine if the employer has a sufficient level of control over the employee. An employer-employee relationship hinges on the overarching right to control the manner and means by which the product is accomplished. When examining the factors relevant to this inquiry, however, USCIS must assess and weigh the actual factor itself as it exists or will exist and not the claimed employer's right to influence or change that factor, unless specifically provided for by the common-law test. For example, while the assignment of additional projects is dependent on who has the *right to* assign them, it is the *actual* source of the instrumentalities and tools that must be examined, not who has the *right to* provide the tools required to complete an assigned project.

The following factors are relevant to this determination. No one factor is decisive.

**Question 1:** Does the petitioner supervise the beneficiary and is such supervision off-site or on-site?

**Question 2:** If the supervision is off-site, how does the petitioner maintain such supervision, *e.g., on-site supervision by an employee of the petitioner,* weekly calls, reporting back to main office routinely, or site visits by the petitioner?

**Question 3:** Does the petitioner have the right to control the work of the beneficiary on a day-to-day basis if such control is required?

**Question 4:** Does the petitioner provide the tools or instrumentalities needed for the beneficiary to perform the duties of employment?

**Question 5:** Does the petitioner hire, pay, and have the ability to fire the beneficiary?

**Question 6:** Does the petitioner evaluate the work-product of the beneficiary, i.e. progress/performance reviews?

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[82] 8 CFR 214.2(h)(2)(i)(F)(1).

**Question 7:** Does the petitioner claim the beneficiary for tax purposes?

**Question 8:** Does the petitioner provide the beneficiary any type of employee benefits?

**Question 9:** Does the beneficiary use proprietary information of the petitioner in order to perform the duties of employment?

**Question 10:** Does the beneficiary produce an end-product that is directly linked to the petitioner's line of business?

**Question 11:** Does the petitioner have the ability to control the manner and means in which the work product of the beneficiary is accomplished?

The common law is flexible about how these factors are to be weighed. The petitioner will have met the relationship test, if, in the totality of the circumstances, a petitioner is able to present evidence to establish its control over the beneficiary's employment. In assessing the requisite degree of control, the officer should be mindful of the nature of the petitioner's business and the type of work the beneficiary will perform. The petitioner must also be able to establish that its control of the beneficiary's work will continue to exist throughout the duration of the beneficiary's employment term with the petitioner.

4. Documentation to Establish the Employer-Employee Relationship.

(a) Initial Petition. The petitioner must clearly show that an employer-employee relationship will exist between the US employer and the beneficiary, and that the employer has the right to control the beneficiary's work, including the ability to hire, fire and supervise the beneficiary. The employer must also be responsible for the overall direction of the beneficiary's work.[83] The petition must establish that the above elements will continue to exist throughout the duration of the requested H-1B validity period. The petitioner can demonstrate an employer-employee relationship by providing a combination of the following or similar types of evidence:

- A complete itinerary of services or engagements that specifies the dates of each service or engagement, the names and addresses of the actual employers, and the names and addresses of the establishment, venues, or locations where the services will be performed for the period of time requested;

- Copy of signed Employment Agreement between the petitioner and beneficiary detailing the terms and conditions of employment;

- Copy of an employment offer letter that clearly describes the nature of the employer-employee relationship and the services to be performed by the beneficiary;

- Copy of relevant portions of valid contracts between the petitioner and a client (in which the petitioner has entered into a business agreement for which the petitioner's employees will be utilized) that establishes that while the petitioner's employees are

[83] 8 CFR 214.2(h)(4)(ii).

placed at the third-party worksite, the petitioner will continue to have the right to control its employees;

- Copies of signed contractual agreements, statements of work, work orders, service agreements, and letters between the petitioner and the authorized officials of the ultimate end-client companies where the work will actually be performed by the beneficiary, which provide information such as a detailed description of the duties the beneficiary will perform, the qualifications that are required to perform the job duties, salary or wages paid, hours worked, benefits, a brief description of who will supervise the beneficiary and their duties, and any other related evidence;

- Copy of position description or any other documentation that describes the skills required to perform the job offered, the source of the instrumentalities and tools needed to perform the job, the product to be developed or the service to be provided, the location where the beneficiary will perform the duties, the duration of the relationship between the petitioner and beneficiary, whether the petitioner has the right to assign additional duties, the extent of petitioner's discretion over when and how long t he beneficiary will work, the method of payment, the petitioner's role in paying and hiring assistants to be utilized by the beneficiary, whether the work to be performed is part of the regular business of the petitioner, the provision of employee benefits, and the tax treatment of the beneficiary in relation to the petitioner;

- A description of the performance review process; and/or

- Copy of petitioner's organizational chart, demonstrating beneficiary's supervisory chain.

(b) Extension Petitions.[84] An H-1B petitioner seeking to extend H-1B employment for a beneficiary must continue to establish that a valid employer-employee relationship exists. The petitioner can do so by providing evidence that the US employer continues to have the right to control the work of the beneficiary, as described above. The petitioner may also include a combination of the following or similar evidence to document that it maintained a valid employer-employee relationship with the beneficiary throughout the initial H-1B status approval period:

- Copies of the beneficiary's pay records (leave and earnings statements, and pay stubs, etc.) for the period of the previously approved H-1B status;

- Copies of the beneficiary's payroll summaries and/or Form W-2s, evidencing wages paid to the beneficiary during the period of previously approved H-1B status;

- Copy of Time Sheets during the period of previously approved H-1B status;

[84] In this context, an extension petition refers to a petition filed by the same petitioner to extend H-1B status without a material change in the terms of employment.

- Copy of prior years' work schedules;

- Documentary examples of work product created or produced by the beneficiary for the past H-1B validity period, (i.e., copies of: business plans, reports, presentations, evaluations, recommendations, critical reviews, promotional materials, designs, blueprints, newspaper articles, web-site text, news copy, photographs of prototypes, etc.). Note: The materials must clearly substantiate the author and date created;

- Copy of dated performance review(s); and/or

- Copy of any employment history records, including but not limited to, documentation showing date of hire, dates of job changes, i.e. promotions, demotions, transfers, layoffs, and pay changes with effective dates.

If the determination is made while adjudicating the extension petition that the petitioner failed to maintain a valid employer-employee relationship with the beneficiary throughout the initial approval period, or violated any other terms of its prior H-1B petition, the extension petition may be denied unless there is a compelling reason to approve the new petition (e.g., the petitioner is able to demonstrate that it did not meet all the terms and conditions through no fault of its own). Such a limited exception will be made solely on a case-by-case basis.

5. Examples of Employee-Employer Scenarios. The following are some examples of situations that present a valid employer-employee relationship:

(a) Traditional Employment:

The beneficiary works at an office location owned/leased by the petitioner, the beneficiary reports directly to the petitioner on a daily basis, the petitioner sets the work schedule of the beneficiary, the beneficiary uses the petitioner's tools/instrumentalities to perform the duties of employment, and the petitioner directly reviews the work-product of the beneficiary. The petitioner claims the beneficiary for tax purposes and provides medical benefits to the beneficiary.

(b) Temporary/Occasional Off-Site Employment

The petitioner is an accounting firm with numerous clients. The beneficiary is an accountant. The beneficiary is required to travel to different client sites for auditing purposes. In performing such audits, the beneficiary must use established firm practices. If the beneficiary travels to an off-site location outside the geographic location of the employer to perform an audit, the petitioner provides food and lodging costs to the beneficiary. The beneficiary reports to a centralized office when not performing audits for clients and has an assigned office space. The beneficiary is paid by the petitioner and receives employee benefits from the petitioner.

(c) Long-Term/Permanent Off-Site Employment

The petitioner is an architectural firm and the beneficiary is an architect. The petitioner has a contract with a client to build a structure in a location out of state from the petitioner's main offices. The petitioner will place its architects and other staff at the off-site location while the project is being completed. The contract between the petitioner and client states that the petitioner will manage its employees at the off-site location. The petitioner provides the instruments and tools used to complete the project, the beneficiary reports directly to the petitioner for assignments, and progress reviews of the beneficiary are completed by the petitioner. The underlying contract states that the petitioner has the right to ultimate control of the beneficiary's work.

(d) Long Term Placement at a Third-Party Work Site

The petitioner is a computer software development company which has contracted with another, unrelated company to develop an in-house computer program to track its merchandise, using the petitioner's proprietary software and expertise. In order to complete this project, petitioner has contracted to place software engineers at the client's main warehouse where they will develop a computer system for the client using the petitioner's software designs. The beneficiary is a software engineer who has been offered employment to fulfill the needs of the contract in place between the petitioner and the client. The beneficiary performs his duties at the client company's facility. While the beneficiary is at the client company's facility, the beneficiary reports weekly to a manager who is employed by the petitioner. The beneficiary is paid by the petitioner and receives employee benefits from the petitioner.

The following are examples of scenarios that do not depict a valid employer-employee relationship:

(a) Self-Employed Beneficiaries

The petitioner is a fashion merchandising company that is owned by the beneficiary. The beneficiary is a fashion analyst. The beneficiary is the sole operator, manager, and employee of the petitioning company. The beneficiary cannot be fired by the petitioning company. There is no outside entity which can exercise control over the beneficiary. The petitioner has not provided evidence that that the company, and not the beneficiary herself, will be controlling her work.

(b) Independent Contractors

The beneficiary is a sales representative. The petitioner is a company that designs and manufactures skis. The beneficiary sells these skis for the petitioner and works on commission. The beneficiary also sells skis for other companies that design and manufacture skis that are independent of the petitioner. The petitioner does not claim the beneficiary as an employee

for tax purposes. The petitioner does not control when, where, or how the beneficiary sells its or any other manufacturer's products. The petitioner does not set the work schedule of the beneficiary and does not conduct performance reviews of the beneficiary.

(c) Third-Party Placement

The petitioner is a computer consulting company. The petitioner has contracts with numerous outside companies in which it supplies these companies with employees to fulfill specific staffing needs. The specific positions are not outlined in the contract between the petitioner and the third-party company but are staffed on an as-needed basis.

The beneficiary is a computer analyst. The beneficiary has been assigned to work for the third-party company to fill a core position to maintain the third-party company's payroll. Once placed at the client company, the beneficiary reports to a manager who works for the third-party company. The beneficiary does not report to the petitioner for work assignments, and all work assignments are determined by the third-party company.

The petitioner does not control how the beneficiary will complete daily tasks, and no propriety information of the petitioner is used by the beneficiary to complete any work assignments. The beneficiary's end-product, the payroll, is not in any way related to the petitioner's line of business, which is computer consulting. The beneficiary's progress reviews are completed by the client company, not the petitioner.

In the following example dealing with filing by an agent, the petitioner is not the employer, but because there exists a US employer, the petition is approvable:

The petitioner is a reputable modeling agency that books models for various modeling jobs at different venues to include fashion houses and photo shoots. The beneficiary is a distinguished runway model. The petitioner and beneficiary have a contract between one another that includes such terms as to how the agency will advise, counsel, and promote the model for fashion runway shows. The contract between the petitioner and beneficiary states that the petitioner will receive a percentage of the beneficiary's fees when the beneficiary is booked for a runway show. When the beneficiary is booked for a runway show, the beneficiary can negotiate pay with the fashion house. The fashion house (actual employer) controls when, where, and how the model will perform her duties while engaged in the runway shows for the fashion house.

**D. Itinerary Requirement**

In all cases, if the beneficiary is to be placed at more than one work location to perform services, then the petitioner must submit an itinerary with the dates and locations of the services to be performed.[85] If the petition is filed by an agent who is the employer then the

[85] 8 CFR 214.2(h)(2)(i)(B).

itinerary must specify the dates of each service or engagement, the names and addresses of the actual employers, and the names and addresses of the establishment, venues, or locations where the services will be performed for the period of time requested.[86] The itinerary assists USCIS in determining that the petitioner has concrete plans in place for a particular beneficiary, that the beneficiary is performing duties in a specialty occupation, and that the beneficiary is not being "benched" without pay between assignments.

**D. Other Issues Relating to the Petitioner**

1. Assessing the Needs of the Petitioner for the Services of the Beneficiary. In general, officers should not accept that a petitioner best knows its business plans and the staff it needs to grow its business, especially where a position being requested aligns with a business plan. A petitioner that might on the surface appear not to have a need for a particular position because of its small size or relative newness might in fact have a critical need for that position in order to grow. The petitioner, however, must meet its burden of showing that the position is consistent both with its current operations and its business plan for the future.

This issue is particularly common in cases involving petitions filed by small businesses for aliens with professional skills not normally associated with persons employed in such a business (e.g., a petition for an accountant filed by an auto repair business or restaurant). The fact that a petitions such as this is filed by a relative or family friend is cause for further investigation in order to ensure that the petition was not filed merely as an accommodation to the beneficiary. The burden of proof falls on the petitioner to demonstrate the need for such an employee.

After giving proper deference to the petitioner's business plan and legitimate operating needs, unless you are satisfied that a legitimate need exists, such a petition may be denied because the petitioner has failed to demonstrate that the beneficiary will be employed in a qualifying specialty occupation.

2. Determining the Petitioner's Ability to Pay the Required Wage. This issue, like the preceding one, is most commonly associated with small enterprises which do not necessarily have the assets required to pay the salary guaranteed in the petition. Such a petition may be an accommodation to a relative or friend who will seek other employment or there may be an agreement to work for lower wages. It is not necessary that complete financial data be submitted with every H-1B petition. However, if in the discretion of the adjudicating officer the financial condition of the petitioner is so questionable as to call into question whether the petitioner really intends to employ the alien as claimed, evidence of financial ability may be requested. This is because the financial standing of the petitioner, when taken in consideration with other factors, may be indication that the petition is an accommodation and not a valid job offer. Other factors that may be examined include, but are not limited to, the nature of the petitioner's business, the relationship between the beneficiary and the owners/officers of the petitioning entity, and the petitioner's immigration history.

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[86] 8 CFR 214.2(h)(2)(i)(F).

3. Payment of Return Transportation Costs. If the H-1B employer terminates the H-1B employee before the validity of the petition approval expires, the employer is liable for the costs of return transportation to the H-1B employee's home country.[87] USCIS does not enforce this provision. Rather, a terminated employee who does not receive return transportation home has a cause of action against the former employer and may file suit for that amount.

[87] INA 214(c)(5)(A).

## Chapter 6: Specific Beneficiary Requirements

The H-1B beneficiary must be qualified to engage in the specialty occupation. In order to establish this qualification, one of the following must be submitted showing that the beneficiary possesses the minimum requirements for entry into the field:

- A U.S. bachelor's degree;
- A foreign degree equivalent to a U.S. bachelor's degree;
- An unrestricted state license or other authorization allowing immediate employment in the field from the State; or
- Education, training, or experience equivalent to the training a degree would provide. [88]

### A. Bachelor's Degree or Equivalent

In order to qualify for H-1B, the petitioner must demonstrate that the beneficiary possesses a bachelor's degree or its equivalent. The degree can be either from a U.S. institution, a foreign institution if that degree is the equivalent of a U.S. degree. Alternatively, the beneficiary may possess, in lieu of a degree, education, training, or experience (or some combination of the three) that is the equivalent of the training that would normally be the result of having acquired the actual degree.

1. US Bachelor's Degree. If the degree is from a US institution, as long as the degree is styled as a bachelor's degree, it can meet the degree requirement. The fact that the degree may have been earned in less than four years (or more than for years) is not relevant. However, the degree must be for a field of study relevant to the field in which the H-1B job is being filled. For example, a bachelor's degree in electrical engineering for an H-1B position involving accounting would not meet the requirement. If the relation of the bachelor's degree to the H-1B specialty occupation is not immediately apparent, transcripts may be required to demonstrate how the degree meets the requirements for the profession.

2. Foreign Degree.

(a) Degree Evaluation Required

A foreign degree submitted to meet the bachelor's degree or equivalent requirement must be submitted with an evaluation from a degree evaluation service.

[88] 8 CFR 214.2(h)(4)(iii)(C).

USCIS officers may favorably consider a credentials evaluation performed by an independent credentials evaluator who has provided a credible, logical and well-documented case for such an equivalency determination that is based solely on the alien's foreign degree(s).

USCIS officers should consider the opinions rendered by an educational credentials evaluator in conjunction with a review of the alien's relevant educational credentials. The record must contain all of the alien's credentials which were analyzed in the evaluation and, if in a foreign language, a certified English translation.[89] Also, officers should carefully analyze both the evaluation and the alien's credentials to determine whether they are factually consistent, including the field in which the alien received a degree. USCIS officers may also consider other available credible resource material regarding the equivalency of the educational credentials to college degrees obtained in the U.S., such as the Electronic Database for Global Education (EDGE) created by the American Association of Collegiate Registrars and Admissions Officers (AACRAO) (discussed below). Opinions rendered that are merely conclusory and do not provide a credible basis for the evaluator's opinions are not persuasive.

It is important for USCIS officers to remember that any educational credentials evaluation is expert testimony that may, in the officer's discretion, be used as an advisory opinion.[90] However, USCIS officers are ultimately responsible for making the final determination regarding an alien's eligibility for the benefit sought.[91] When an opinion is not in accord with other information or is in any way questionable, USCIS is not required to accept or may give less weight to that opinion.[92] Some factors that may call into question the reliability or credibility of an educational evaluation include:

- Reliance on certificates or diplomas from non-accredited schools or non-degree-granting institutions such as commercial technical schools or professional associations.

- When two or more evaluations have been submitted, there may be inconsistencies between the analyses or the conclusions reached by the different evaluators. It is incumbent upon the petitioner to resolve any material inconsistencies in the record by independent objective evidence, and attempts to explain or reconcile such inconsistencies, absent competent objective evidence pointing to where the truth, in fact, lies, will not suffice.[93]

- Factual inconsistencies between the evaluation and the alien's educational documents.

(b) Description and Appropriate Uses of EDGE

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[89] 8 CFR 103.2(b)(3).
[90] *Matter of Caron International*, 19 I&N Dec. 791 (Comm'r 1988).
[91] *Matter of Caron International.*
[92] *Matter of Caron International.*
[93] *Matter of Ho*, 19 I&N Dec. 582, 591-592 (BIA 1988).

EDGE was created by AACRAO. AACRAO is a nonprofit, voluntary, professional association of thousands of higher education admissions and registration professionals who represent thousands of institutions in dozens of countries.[94] Its mission is to provide professional development, guidelines and voluntary standards to be used by higher education officials regarding the best practices in records management, admissions, enrollment management, administrative information technology, and student services.

EDGE is a web-based resource for the evaluation of foreign educational credentials. Authors for EDGE must follow established procedures working through AACRAO's National Council on the Evaluation of Foreign Educational Credentials.[95] This established process is subject to final review by the entire Council, a form of peer-review.[96]

AACRAO is a not for profit organization that provides an impartial, objective source and thus is one of the sources USCIS officers can consider when adjudicating degree equivalency cases. EDGE is available to the general public for a fee.

EDGE is a relevant resource where eligibility rests on whether the alien has a foreign degree that is equivalent to a U.S. bachelor's degree, or advanced degree or to determine the amount of education if it is at issue. For example, an evaluation may be necessary to determine whether the alien possesses two years of college required by the labor certification. The requirement of a particular amount or type of education may derive from the statute and regulation or the job requirements stated on the labor certification. USCIS officers should refer to relevant legal authority and PM sections on eligibility for skilled workers, professionals and members of the professions holding an advanced degree under INA 203(b)(3) and 203(b)(2).

EDGE is a useful tool where the petitioner submits an evaluation that is inconsistent with other evaluations in the record or legal authority which confirms that a bachelor's degree requires four years of study.[97] EDGE is also useful where the petitioner submits an evaluation that is supported by irrelevant source material. Some examples of irrelevant source materials are listed below.

EDGE can also facilitate fraud prevention by enabling USCIS to determine when credentials and degrees have been misrepresented or fraudulently provided by the petitioner or alien. For example, EDGE provides links to fake university alert websites and includes samples of legitimate diplomas.

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[94] www.aacrao.org.

[95] An Author's Guide to Creating AACRAO International Publications 5-6 (First ed. 2005), is available for download at *www.aacrao.org/publications/guide_to_creating_international_publications.pdf*.

[96] Ibid at 11-12. *See*, http://aacraoedge.aacrao.org/register/ A placement recommendation indicates the academic program for which a foreign degree holder is eligible in the United States and, thus, involves a determination of the equivalency of the foreign degree.

[97] *Matter of Shah*, 17 I&N Dec. 244 (Reg. Comm'r 1977); S. Rep. No. 101-55, at 20 (1989).

EDGE may be inconsistent with an evaluation in the record. To the extent that the EDGE information casts doubt regarding whether the beneficiary's foreign education is qualifying, the EDGE information is to be considered derogatory information that USCIS officers must provide to the petitioner.[98] Specifically, USCIS officers should print a copy of the information contained in EDGE and incorporate that information into the record of proceeding. USCIS officers must advise the petitioner of the information in EDGE, provide a copy, and afford the petitioner an opportunity to rebut the information in EDGE. The petitioner's response must resolve any inconsistencies in the record by independent objective evidence.[99] As EDGE is a peer-reviewed publication, any rebuttal of the information in EDGE should also come from a credible source.

USCIS officers may consult EDGE in any situation if the USCIS officer feels EDGE can resolve discovered discrepancies. USCIS officers may also consult EDGE to provide clarification regarding the equivalency of the alien's foreign degree absent the provision of a foreign education credential evaluation by the petitioner. That said, it is important to note that consulting EDGE is not necessary in every case. For example:

- Petitioners may submit conclusive documentary evidence in the form of transcripts showing the alien has a four-year foreign bachelor's degree from an accredited university accompanied by a credible and well supported credentials evaluation that the foreign degree is equivalent to a U.S. bachelor's degree.

- The petitioner may submit an evaluation that is credible but does not establish the alien's eligibility. For example, an evaluation that concludes that the alien has the equivalent of a bachelor's degree through a combination of three years of education towards a bachelor's degree and experience cannot establish eligibility as a professional or a member of the professions holding an advanced degree. Such an evaluation may cite 8 CFR 214.2(h)(4)(iii)(D), which allows for the consideration of work experience in determining whether the alien holds the equivalent of a U.S. bachelor's degree in non-immigrant petitions for H-1B visas. However, 8 CFR 204.5 does not contain a similar provision for immigrant visa petitions.

- An evaluation that is inconsistent with the alien's diploma or transcript is not credible on its face and USCIS officers may require the petitioner to resolve any such inconsistency with objective evidence.[100] An example would be where the evaluation states that the beneficiary has a degree in computer science but the transcript reflects no computer science courses. Another example would be where the transcripts clearly show only three years of study but the evaluator claims the beneficiary studied longer at that institution.

(c) Less Probative Sources of Information

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[98] 8 CFR 103.2(b)(16).
[99] See *Matter of Ho* 19 I&N Dec. 582, 591-92 (BIA 1988).
[100] See *Matter of Ho*, 19 I&N Dec. 582, 591-92 (BIA 1988).

There are varying forms of evidence petitioners submit to support the claims of the beneficiary's foreign degree equivalency to a U.S. degree. Each piece of evidence carries a certain amount of evidentiary weight in immigration proceedings. The standard of proof in all Form I-140 employment-based cases is the preponderance of the evidence standard. Above, we have discussed useful sources of probative information. Below we list forms of evidence that are not useful to determine a foreign degree's equivalency to a U.S. degree.

United Nations Educational Scientific and Cultural Organization (UNESCO) - Educational evaluations may reference as exhibits additional correspondence and research regarding educational equivalency, including excerpts from the 1993 UNESCO document regarding recognition of foreign educational qualifications. The UNESCO document, however, relates to admission to graduate school and training programs and eligibility to practice in a profession. More significantly, the UNESCO document does not define "comparable qualifications" that should be recognized. Ultimately, USCIS officers should determine whether the alien's degree is, in fact, the foreign equivalent of a U.S. bachelor's degree. The UNESCO document does not address this issue and, thus, is not a useful document.

Credit Hours vs. Contact Hours - Educational evaluations may argue that the foreign educational system works on contact hours and that the amount of completed contact hours is equivalent to the number of credit hours required for completion of a U.S. bachelor's degree. Contact hours are the hours spent in the classroom with an instructor. Contact hours may vary by country and are not equivalent to credit hours.

Credit hours are the amount of credits received for taking a course and include work performed outside the classroom. Typically, in the United States, a three-semester credit hour course meets three 50-minute sessions per week for fifteen weeks for a total of 45 sessions. U.S. students typically will complete 120 credit hours for a bachelor's degree. Some evaluators will argue that a student completing a three-year degree will have more "contact hours."

Carnegie Units - The "Carnegie Unit" was defined and accepted in 1909 as a theoretical measure to gauge education, and is used to measure the amount of time a student has studied a subject. The Carnegie Unit does not apply to higher education and, thus, is not a useful means for evaluating post-secondary education.

Bologna - The Bologna bachelor's degree, issued in several European countries, is (in most cases) a three-year freestanding degree designed to prepare students for further study or employment. Evaluators may cite Bologna degrees and argue that other three-year bachelor's degrees are equivalent to a four-year U.S. degree. An assessment of the Bologna Process concluded: "Even though the Bologna Process has resulted in shorter degree programs that are defined in terms of required credits and introduced a two-tiered (undergraduate/graduate) system, the new European bachelor's is still quite distinct from its U.S. counterpart."[101] Thus,

[101] *See* World Education News & Reviews ("WES"), "Evaluating the Bologna Degree in the U.S.," March/April 2004.

comparisons to Bologna degrees are not useful in evaluating the equivalency of a foreign degree.

**B. Unrestricted State License**

If the beneficiary of the petition does not possess the required U.S. or foreign degree showing that he or she is qualified to perform services in a specialty occupation, this showing can still be made if the beneficiary possesses a state license to practice the specialty. The license must be issued by the state in which the employment will take place and must be a full and unrestricted license to engage in the specialty occupation. The license must enable the beneficiary to immediately engage (upon approval of the petition) in the specialty occupation.

The ability to demonstrate eligibility for a specialty occupation by showing a state license is separate from the requirement, discussed below, that the beneficiary possess a license where a state requires one to engage in the occupation.

**C. Equivalency of Experience and Education**

Another way the petitioner can demonstrate that the beneficiary is qualified to engage in the specialty occupation is by showing that he or she possesses experience, education, or training, or some combination of the three, that equates to the training that would have been provided through attainment of a bachelor's degree.[102] Where the petition is attempting to show that the beneficiary is qualified to engage in a specialty occupation by virtue of experience in the specialty, the petition must show that the beneficiary's expertise in the specialty has been recognized through "progressively responsible positions relating to the specialty."[103]

The need to show that the beneficiary is qualified for the specialty occupation through experience can arise in a variety of situations. For example, the beneficiary might possess a bachelor's degree in a field that is not related to the specialty occupation. Another is the case in which the beneficiary does not possess a bachelor's degree. In such a case the petitioner can attempt to demonstrate that the courses and other work the beneficiary has engaged in equate to the bachelor's degree that would be required to engage in the specialty occupation.

One of the most common situations an adjudicator will encounter is an H-1B petition filed for an alien in specialty occupation where the alien lacks a U.S. bachelor's degree. The regulations describe the kind and amount of experience which can be used to establish the equivalence of a degree. Three years of professional experience may be used to substitute for each year of college-level training.

The most critical aspect of this type of adjudication is deciding whether the quality of experience is at high enough level to qualify as "professional." Experience is generally

[102] 8 CFR 214.2(h)(4)(iii)(D).
[103] INA 214(h)(i)(2).

documented through letters from past employers. Adjudicators should look for detailed, specific information that makes the qualitative determination possible.

Also, as noted above, the experience in the field establishing the beneficiary's qualifications for the specialty occupation must be "progressive." Employer letters, resumes, and other documents relating to past employment should show a progression of job duties, responsibilities, projects, and other tasks from which the conclusion can reasonable be drawn that the beneficiary was advancing. While the beneficiary need not necessarily have been advancing on an organizational chart, an increase in the complexity, visibility, or other indicia of increasing importance of the beneficiary's work should be shown.

Foreign educational credentials, licenses and other forms of documentation are easier to evaluate than experience. The petitioner may establish from an authoritative source or from transcripts, certificates, or other such school records that the alien has college-level education. College-level training may have been acquired at a college or university or other academic institution which grants a degree, diploma, or certificate, such as a technical college. It may be useful to compare the beneficiary's age at completion and the duration of the course of study, with the average age of graduates of United States institutions offering similar programs as a factor in determining equivalency of education.

Specialized training may have been acquired through an apprenticeship program, employee-sponsored training courses, vocational training schools, or other commercial training facilities. The starting and ending dates of all training in the field must be shown. Training certificates and an outline or summary of the curriculum should be submitted.

Membership in a professional association alone is insufficient evidence of equivalency. An association which grants certification or registration in the profession should have an accrediting body which has standards for the profession, and which issues an official document to applicants verifying that they have been awarded professional credentials in the profession. The standards of the organization should be reviewed to ensure that bachelor's degree or higher, or its equivalent, is required for membership.

In suspect cases, overseas experience can be verified by the overseas DHS office. Such investigations should not be routinely requested, but can be used when all other avenues have been explored and there is still serious doubt about claimed experience.

(1) Unsolicited Evaluations.

An evaluation by an official who has authority to grant college-level credit at an accredited college or university with training and/or work experience in the profession can also be used to support an equivalency claim. USCIS does not require the alien to be enrolled in a program for college credit at the university in order to accept the evaluation of such an expert. However, the official must be formally involved with the college or university's official program for granting credit based on training and/or experience to have the required authority and

expertise to make such evaluations. The evaluation may be done in the official's name as an individual, or as an authorized representative of the college or university. Any such evaluation should be given considerable weight in determining eligibility.

Results of recognized college-level equivalency examinations or special credit programs, such as the College Level Examination Program (CLEP), or Program on Noncollegiate Sponsored Instruction (PONSI) must be translated into college credits by an authoritative source in the particular program or by an authorized official from an accredited college or university, such as the registrar, in order for the results to be applied towards the degree requirement.

There are a number of outside organizations which evaluate educational credentials to determine degree equivalency. Some organizations may also provide an opinion on the equivalency of experience to education. It is important that the adjudicator distinguish between these two types of evaluations. The latter type of evaluation carries little weight. Although USCIS does not specifically recognize or accredit any sources of evaluations, foreign educational degree evaluations can be of assistance if they are thorough, well documented and specific in reaching an equivalency determination.

**D. Professional Licensing**

1. Licensed Occupations. If the occupation requires a state or local license for an individual to fully perform the duties of that occupation, the beneficiary must have the license prior to approval of the H-1B petition.[104]

The petitioner must provide a certified copy of the alien's valid State license, certification, or registration to practice the profession.

One source for determining whether a state requires a license for a particular occupation may be found at the following link:

BRB Publication's Public Record Resource Center

However, some states do not issue licenses until the worker presents, as a prerequisite, evidence of an approved H-1B petition on his or her behalf. Similarly, where a State requires an applicant for a license to present a social security number that is valid for employment but the alien cannot obtain a social security number until he or she has been granted H-1 B status.

Under such circumstances, the petitioner must establish that:

- the beneficiary is fully qualified to receive the State or local license,
- all educational, training, experience, and other substantive requirements must be met at the time of filing the petition.
- the beneficiary has in fact filed an application for such State or local license in accordance with the requirements of the State or local jurisdiction in advance of being granted employment authorization in the U.S.

USCIS will approve the petition for a one-year validity period, *provided* that the sole reason why the beneficiary does not possess such license is that the appropriate licensing authority will not grant such license to an alien absent evidence that the alien has been granted H-1B status.

Approval of such a petition does not constitute authorization by USCIS for the beneficiary to engage in any activities requiring such licensure. Any petition that requests an extension of stay (EOS) beyond the one-year validity period on behalf the beneficiary who has been granted H-1B status under this provisional measure must show that he/she has obtained the requisite license.

If the beneficiary has not obtained the license at the time the petition for extension is filed, such petition will be denied.

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[104] 8 CFR 214.2(h)(4)(v)(A).

2. Expiring Licenses. Licenses may include an expiration date. The license must be valid at the time of filing. Officers should realize that in many occupations, a beneficiary's permanent license, though not a limited license, will not be valid for the entire length of time requested by the petitioner on the I-129 petition. Licensed professionals must renew their full license every few years. The validity dates of an approved petition should not be limited simply because the beneficiary's permanent license will expire prior to the requested ending employment date.

Although the regulation[105] allows an H-1B petition to be valid for a period of up to three years, USCIS is not required to approve an H-1B petition for a period of three years when a temporary license or labor condition application (LCA) does not cover the entire three-year employment period requested in the petition. This situation should be distinguished from one in which a full and unrestricted license is subject to routine renewal.

3. Temporary Licenses / One-Year Limit. If a temporary license is available in the state of employment, and the beneficiary is allowed to fully perform the duties of the occupation without a permanent license, then the H-1B classification may be granted if all other requirements are met.

**Note:** Where licensure is required in an occupation, and the beneficiary has a temporary license, the petition may only be approved for a period of one year or for the period that the temporary license is valid, whichever is longer.

4. No License Required if Working Under Supervision of Licensed Professional. If the beneficiary can fully perform the duties of the proffered position without licensure because he or she will work under the supervision of a licensed professional as permitted by State law, then the validity period of the petition will not be limited despite the lack of a permanent license. In such cases, the director shall examine the nature of the duties and the level at which they are performed. If the facts demonstrate that the alien under supervision could fully perform the duties of the specialty occupation, the petition may be approved provided all other eligibility criteria have been established.

Example 1. A Medical Resident working under the supervision of a licensed physician in New York State is not required to have a license full the duration of his/her residency and thus, the validity of the petition should not be limited.

[105] 8 CFR214.2 (h)(9)(iii)(A)(1).

**Note:**

- Where a licensing authority issues a permit for all of the residents on the list, an individual permit is not issued to each medical resident.

- While the permit list is valid for one year, it is automatically renewed when the hospital requires an extension for the residents to obtain subsequent year(s) of training.

- Thus, the permit that is required for residents to work in Connecticut hospitals is not a license and the validity of the petition should not be limited.

Example 2. A Civil Engineer hired to design the construction of a public building generally requires a license; however, if the petitioner submits evidence to demonstrate (1) that the state where the beneficiary will work permits him or her to fully perform the duties of a civil engineer without a license provided they are performed under the supervision of a licensed engineer and (2) the beneficiary will in fact work as a civil engineer under the supervision of a licensed engineer, then no license is required for the beneficiary.

**D. Other Issues Relating to the Beneficiary**

1. Export Control Licenses. The Export Administration Regulations (EAR)[106] and the International Traffic in Arms Regulations[107] (ITAR) 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 to be an export to that person's country or countries of nationality. A U.S. company petitioning for an H-1B worker must establish that the license requirement does not apply or else must seek and receive a license from the U.S. Government before it releases controlled technology or technical data to its H-1B nonimmigrant workers.[108]

All H-1B petitioners must complete Part 6 of the Form I-129 H-1B petition which documents the petitioner's compliance with the above requirement.

2. Multiple Petitions/Concurrent Employment. An H-1B beneficiary can work simultaneously for more than one employer provided each files a separate petition with its own LCA. Such separate petitions are not necessary if an agent serves as the sole petitioner.

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[106] 15 CFR Parts 770-774.
[107] 22 CFR Parts 120-130.
[108] This requirement also applies to L-1A and O-1 nonimmigrant workers.

3. Effect of Beneficiary's Intent to Remain Permanently (Dual Intent). For an H-1B nonimmigrant, the fact that a labor certification, permanent visa petition or adjustment of status application has been filed does not affect eligibility for nonimmigrant H-1B status[109].

4. Dual Intent for E-3s. E-3s do not have dual intent in the same sense that an H-1B does. The E-3 cannot simultaneously intend both to remain in the U.S. permanently (by pursuing an immigrant visa) and remain temporarily. However, E nonimmigrants do not have a foreign residence requirement. The failure to maintain a foreign residence, which might otherwise be an indicator that nonimmigrant intent is lacking, is not an issue for the E-3.

5. Ability to Engage in the Occupation Immediately upon Entry. The H-1B beneficiary must be eligible and able to engage in the occupation immediately upon admission or acquiring H-1B status. This issue often arises in occupations where a state license is required. If the beneficiary will require training or must take a licensing examination before commencing employment in a specialty occupation, the petition may not be approved.[110] The exception to this rule is the situation discussed above in which H-1B status is a prerequisite to licensing in a state.

[109] 8 CFR 214.2(h)(16).
[110] Matter of St. Joseph's Hospital, 14 I&N Dec. 202 (Reg. Comm. 1972).

## Chapter 7: Special H-1B Situations

### A. Physicians

1. General. Prior to 1991, physicians could only obtain H-1B status to teach or conduct research. Changes made to the statute in 1991[111] allowed physicians can qualify for H-1B status under limited circumstances. The statute[112] now allows an alien physician to qualify for H-1B status if he or she is:

- Coming pursuant to an invitation from a public or nonprofit private educational or research institution;
- To teach, conduct research, or both;
- At or for such institution. OR
- Is coming to practice as a physician if he or she has passed the appropriate licensing examination[113],
- Is competent in the English language or is a graduate of a US-accredited medical school.

As with all H-1B petitions, a certified LCA from the DOL is required.

2. Patient Care. A physician coming pursuant to an invitation from a research or educational institution may not engage in direct patient care unless it is incidental to the physician's teaching and research. If no patient care is involved, neither a license or authorization from the state needs to be submitted.

3. Clinical Physician. If the physician will be providing direct patient care, the petition must be accompanied by the following:

- A certified labor condition application;
- A license or other authorization required by the state or territory of intended employment to practice medicine if the physician will perform direct patient care and the state requires the license or authorization;

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[111] Miscellaneous Technical Immigration and Naturalization Amendments of 1991, (Pub.L. 102-232).
[112] INA 212(j)(2).
[113] Prior to the mid-1990's, the appropriate examination was Parts I and II of FLEX (Federation Licensing Examination) and Steps 1, 2, and 3 of the NBME (National Board of Medical Examiners). These examinations were replaced by Steps 1, 2, and 3 of the USMLE (U.S. Medical Licensing Examination).

- A full and unrestricted license to practice medicine in a foreign state or evidence that the beneficiary has graduated from a medical school in the United States or in a foreign state;

- Evidence that the alien has passed Steps 1, 2, and 3 of the USMLE *unless* the alien received his/her medical education in the United States; and

- Evidence that the alien has passed the English test given by the Educational Commission of Foreign Medical Graduates (ECFMG) to establish competency in oral and written English language *unless* the alien has received his/her medical education in Canada or the United States.

**NOTE**: Some medical residents, who are physicians in training, may not require a license in certain states, e.g., New York, when working under the supervision of a licensed professional. Evidence to support any claimed exemption from a medical license must be in the record. An officer must verify state regulations regarding exemption.

(a) Licensing Examination-FLEX no longer offered

For a clinical physician, the statute requires passage of the FLEX (Federation Licensing Examination) or an equivalent examination as determined by the Secretary of Health and Human Services (HHS). The FLEX is no longer offered. HHS had previously determined that Parts I, II, and III of the National Board of Medical Examiners (NBME), and Steps 1, 2, and 3 examinations of the United States Medical Licensing Examinations (USMLE) program, are equivalent to the FLEX. However, the NBME is also no longer offered. Thus, the USMLE steps 1, 2, and 3 is the only licensing examination which will satisfy the requirements of the statute for an H-1B clinical physician.

An H-1B beneficiary coming to practice medicine as a clinical physician who has passed parts of the previous exams cannot combine those parts with parts of the USMLE to obtain licensure or for H-1B purposes. For an H-1B beneficiary who passed the earlier examinations but did not obtain a state license based on that passage, he or she will have to take the complete USMLE in order to obtain state licensure and to be eligible for H-1B status.[114]

4. Graduates of Foreign Medical Schools. Graduates of foreign medical schools must

[114] http://www.usmle.org/pdfs/bulletin/2011bulletin.pdf.

meet additional special requirements as outlined in the below table.[115]

| If the beneficiary will... | Then... |
|---|---|
| Be teaching or conducting research, or both, **AND**<br>No patient care will be performed except that which is incidental to the alien's research or teaching, | No additional requirements must be met. |
| Be performing services as a member of the medical profession (i.e., providing patient care), | The beneficiary must have:<br>Passed the United States Medical Licensing Examination (USMLE) **AND**<br>Have competency in oral and written English as evidenced by Educational Commission for Foreign Medical Graduates (ECFMG) Certification. |

5. Graduates of U.S. Medical Schools. Graduates of accredited U.S. medical schools do not need ECFMG certification or evidence of passing the USMLE. However, graduates of United States medical schools must still possess a license in order to practice medicine. [116]

6. English Competency. English proficiency is a requirement for H-1B physicians. At one time, the ECFMG administered an English language proficiency test and issued certificates accordingly. This test is no longer administered; however existing certificates can be accepted by USCIS. As of July 14, 2004, proficiency in the English language is established through the passage of Step 1 and the Clinical Skills portion of Step 2 of the USMLE.

Alternatively, English language proficiency is demonstrated by graduation from a medical school accredited by the US Department of Education. The school does not have to be located in the United States. For example, some US institutions have campuses located outside the US where medical education is provided which are accredited by the US Department of Education. Also, most Canadian medical schools are accredited by the US Department of Education through cooperation with the Liaison Committee on Medical Education (LCME).[117]

7. ECFMG. The ECFMG is the only recognized source in the United States for verification of medical transcripts and diplomas. Part of the ECFMG's certification process involves verification of a foreign medical graduate's overseas education. Where there is a question as to whether a foreign degree is equivalent to an M.D., an ECFMG certificate can be accepted to demonstrate equivalency. Where doubt exists, a degree evaluation should be requested.

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[115] INA 212(a)(5)(B), 8 CFR 214.2(h)(4)(viii)(A) and (B).
[116] 8 CFR 214.2(h)(4)(viii)(B)(2)(i).
[117] http://www.lcme.org/.

Despite the reference to passage of the ECFMG in the regulations discussing English language proficiency,[118] there is no longer a separate English language proficiency examination administered by ECFMG. However, a certificate issued by the ECFMG is still considered evidence that an alien is proficient in the English language.

8. Canadian Medical School Graduates

As discussed above, most Canadian medical school graduates are considered competent in oral and written English. However, Canadian medical school graduates must still pass the USMLE unless coming to the United States to teach or conduct research with no patient care except that which is incidental to the research or teaching.

9. Physicians of National or International Renown[119]

Foreign medical school graduates who are of national or international renown are exempt from the requirements in the regulations relating to petitioners for H-1B physicians.[120] This means that the physician of international renown is exempt from the examination and English language proficiency requirements, as well as the degree requirement and the limitation on activities to teaching and research. The physician of international renown is still subject to the beneficiary requirements of the regulations[121] dealing with state licensure and either foreign licensure or graduation from a foreign medical school.

Possible evidence that the beneficiary qualifies as a physician of national or international renown may include:

- Reference letters from other medical professionals of national or international renown, stating that the foreign national has national or international renown for his/her abilities as a doctor or other contributions to the medical profession;

- Awards, particularly if they are national or international in scope, such as the World Health Organization (WHO);

- Articles or presentations published by the foreign national in medical journals or presented at medical conferences;

- Media publicity or journal articles describing or making reference to the foreign national or his/her work;

[118] 8 CFR 214.2(h)(4)(viii)(B)(2)(i).
[119] 8 CFR 214.2(h)(4)(viii)(C).
[120] 8 CFR 214.2(h)(4)(viii)(B).
[121] 8 CFR 214.2(h)(4)(viii)(A).

- Evidence of the foreign national's working in prominent positions for renowned academic or medical institutions;

- Evidence of the foreign national's serving as a speaker or panelist at medical conferences;

- Evidence of the foreign national's acting as a peer reviewer of the work of others presented at conferences published in journals; and

- Any other evidence of special contributions or abilities in the medical field.

**NOTE**: An H-1B physician of national or international renown does not necessarily have to meet the requirements of an O-1A or E11 alien. The evidence must just establish that he or she is renowned. *Merriam-Webster's Collegiate Dictionary*, tenth edition, defines "renown" as "a state of being widely acclaimed and highly honored."

10. Physicians Working for the Veteran's Administration (VA)

Physicians coming to the United States to work at a Veteran's Administration (VA) hospital are required to have a state license to practice medicine; however, the license does not have to be from the state where the VA hospital is located.

**B. Department of Defense (DOD) Cooperative Research Project**

The immigration Act of 1990[122] provided for nonimmigrant status for an alien coming to the US "to perform services of an exceptional nature requiring such merit and ability relating to a cooperative research and development project or a coproduction project provided under a government-to-government agreement administered by the Secretary of Defense." Admission under such a program is subject to a ten-year limit. The spouse and minor children of the beneficiary may be admitted as dependents, if accompanying or following to join the alien. No more than 100 principal aliens can be in this status at any given time. Qualifying services under this program are services that require at least a bachelor's degree, or its equivalent, in a specific specialty to perform the duties.

USCIS refers to this program as H-1B2 and it is in many ways analogous to the H-1B program. However, strictly speaking the DOD program is not part of the H-1B program as it has a separate statutory basis than the H-1B program. The existence of this special program does not preclude the DOD from utilizing the regular H-1B provisions provided the required guidelines are met. Unlike the other H-1B cases, the DOD Researchers do not require a labor condition application (LCA). [123]

[122] Section 222 of P.L. 101-649.
[123] 8 CFR 214.2(h)(4)(vi)(A)(2).

The H-1B2 petition requires the following evidence:

- The petition must be accompanied by a verification letter from the DOD project manager for the particular project stating that the alien will be working on a cooperative project under a reciprocal government to government agreement administered by DOD. Details about the specific project are not required;

- The petitioner shall provide a general description of the beneficiary's duties and indicate the actual dates of the beneficiary's employment on the project; and

- The petitioner shall submit a statement indicating the names of aliens currently employed on the project in the United States and their dates of employment. The petitioner shall also indicate the names of beneficiaries whose employment on the project ended within the past year.[124]

- Documentary evidence should be submitted to establish the beneficiary possesses the required security clearance for positions with the DOD.

The petition shall be accompanied by evidence that the beneficiary has a U.S. baccalaureate or higher degree, or its equivalent, in the occupational field in which he or she will be performing the services[125].

If approvable, the H-1B2 DOD petition can be approved for a period of up to five years or the length of the project, whichever is shorter. Extensions can be granted up to a total stay of ten years.

**C. Fashion Models**

Included in the H-1B classification are fashion models of distinguished merit and ability.[126] USCIS refers to these H-1B nonimmigrants as H-1B3. An alien of distinguished merit and ability in the field of fashion modeling is one who is prominent in the field of fashion modeling. The alien must also be coming to the United States to perform services that require a fashion model of prominence .[127]

Prominence means a high level of achievement in the field of fashion modeling evidenced by a degree of skill and recognition substantially above that ordinarily encountered to the extent that a person described as prominent is renowned, leading, or well-known in the field of fashion modeling.[128]

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[124] 8 CFR 214.2(h)(4)(vi)(B).
[125] 8 CFR 214.2(h)(4)(vi)(C).
[126] INA 101(a)(15)(H)(i)(b).
[127] 8 CFR 214.2(h)(4)(vii)(A).
[128] 8 CFR 214.2(h)(4)(ii).

The H-1B3 position requires evidence that:

- The services to be performed involve an event, production or activity which has a distinguished reputation, or

- The services are to be performed for an organization or establishment that has a distinguished reputation for, or record of, employing prominent persons.[129]

As is the case for all H-1B petitions, the petitioner must obtain a certification from DOL that it has filed an LCA in the occupational specialty for each Standard Metropolitan Statistical Area (SMSA) where the alien will be employed.

To conclude that the beneficiary qualifies as an alien of distinguished merit and ability in the field of modeling and is thus eligible for H-1B status, the petitioner must demonstrate two of the following:[130]

- The beneficiary has achieved national or international recognition and acclaim for outstanding achievements in his or her field evidenced by critical reviews by or about the alien in major newspapers, trade journals, magazines, or other published material.

- The beneficiary has performed and will perform services as a fashion model for employers that have a distinguished reputation.

- The beneficiary has received recognition for significant achievements from organizations, critics, fashion houses, modeling agencies, or other recognized experts in the field of fashion modeling. Such testimonials must be in a form that clearly indicates the author's authority, expertise, and knowledge of the alien's achievements.

- Commands a high salary or other substantial remuneration for services (in relation to others in the field) as evidenced by contracts or other reliable evidence.

[129] 8 CFR 214.2(h)(4)(vii)(B).
[130] 8 CFR 214.2(h)(4)(vii)(C).

**D. Free Trade Agreements with Chile and Singapore**

1. Background. The Chile/Singapore Free Trade Agreements, which took effect on January 1, 2004, made nationals of Chile and Singapore eligible to seek admission to the US as H-1B1 nonimmigrants.[131] USCIS also refers to this category as HSC. While the H-1B1 classification is in many ways similar to the H-1B classification, it exists under a separate statutory provision and many of the provisions applicable to H-1B's, such as portability, do not apply to H-1B1s.

2. Eligibility. In order to qualify for H-1B1, a national of Chile or Singapore must be:

- coming to work in a specialty occupation requiring theoretical and practical application of a body of specialized knowledge, and
- have attained a bachelor's degree or higher in the specialty (or its equivalent) as a minimum for entry into the occupation.

Although the H-1B1 is not an H-1B, Congress expressed its desire that many of the same standards apply. The legislative history of the provision states that the applicable requirements are "to be interpreted identically to the requirement to qualify as a professional under the H-1B category."[132]

Thus a bachelor's degree is required for the majority of H-1B1 nonimmigrants as is the case with an H-1B nonimmigrant. There are four exceptions to this rule, and for these four exceptions the "professional" requirement can be demonstrated with something other than a bachelor's degree. They are:

- For persons from Chile, an agricultural manager;
- For persons from Chile, a physical therapist;
- For persons from Chile or Singapore, a management consultant;
- For persons from Chile or Singapore, a disaster relief claims adjuster.

3. No Petition. There is no petition filing with USCIS for an H-1B1. Persons seeking classification as an H-1B1 submit an LCA to the Department of Labor and then apply directly to the State Department for a visa. Persons in the US seeking a change of status to H-1B1, or seeking an extension of an existing H-1B1 stay, apply to USCIS by submitting the following:

- A completed Form I-129 with the base fee and ACWIA fee;

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[131] PL 108-77 and PL 108-78.
[131] 8 CFR 214.2(h)(4)(vii)(C).
[132] H.R. Rep No. 108-224, pt. 2, at 6-11; H.R. Rep. No. 108-225 pt. 2, at 5-11 (2003).

- H-1B Data Collection Supplement;

- An LCA (Annotated as "H-1B1-Chile" or "H-1B1-Singapore") submitted to the Department of Labor;

- A letter from the U.S. employer stating the activity to be engaged in, the anticipated length of stay, and the arrangements for remuneration;

- Evidence the alien meets the educational requirement for the profession or occupation, which normally is a bachelor's degree or higher. (Unless one of the above exceptions applies).

The H-1B fraud prevention and detection fee is not required as by statute that fee applies only to H-1Bs.

4. LCA. Employers must submit a labor condition attestation for foreign workers from Chile or Singapore under the Free Trade Agreement H-1B1 (HSC) program. The law requires the DOL to certify to the Department of State (DOS) that the appropriate LCA, ETA Form 9035 or ETA Form 9035E, has been filed with DOL.

If certified and the beneficiary will be consular processing, the employer transmits a copy of the signed, certified LCA to the beneficiary together with a written offer of employment. At the time of visa application at the consulate, the beneficiary will present a certified copy of the LCA, clearly annotated by the employer as "H1B1 Chile" or "H1B1 Singapore," as proof of filing.

5. Licensure. The H-1B1 category does not require licensure as a prerequisite to admission. Professionals admitted in H-1B1 classification must comply with all applicable State and Federal licensure requirements for engaging in their respective profession following their admission to the United States.

6. Cap. The Chile-Singapore Free Trade Agreements allow for no more than 1,400 professionals from Chile and 5,400 professionals from Singapore to enter the United States annually. DHS administers this cap. This cap is set aside from the overall H-1B Program cap.

**E. H-1B Portability**

1. Background. An H-1B nonimmigrant may change employers or add employers if concurrent employment is sought. As noted in Chapter 6, the new or concurrent employer must file an H-1B petition for the worker. Prior to 2000, an H-1B nonimmigrant seeking to add or change employers was required to wait for approval of the new petition before starting employment with the new employer. This wait for approval made H-1B nonimmigrants less mobile in the labor force relative to US workers and also made the process of filling H-1B jobs longer for US employers recruiting H-1B workers already in the US.

As a result, Congress created what came to be known as "H-1B portability." For a nonimmigrant who meets the applicable requirements, employment with the new (or concurrent) employer can start immediately upon filing of the H-1B petition by the new employer.

2. Eligibility. There is no portability application or adjudication. Portability is self-executing. Under the statute,[133] a nonimmigrant who was previously issued an H-1B visa or provided H-1B nonimmigrant status may begin working for a new H-1B employer as soon as that new employer files an H-1B petition on the nonimmigrant's behalf, if:

- The nonimmigrant was lawfully admitted to the United States;
- A nonfrivolous petition for new employment was filed before the end of the nonimmigrant's period of authorized stay; and
- The nonimmigrant has not been employed without authorization since the lawful admission to the United States mentioned above before the filing of the portability petition.

An alien who does not meet these requirements is ineligible for portability, and employment under these circumstances for a new or concurrent employer is unauthorized employment.

When an alien moves to a new employer and begins working upon filing of the new petition, the work authorization from the previous H-1B status carries over to the new filing. If the new filing is approved then that becomes the basis for the work authorization. If the new filing is denied then work authorization for the new employer ceases. Denial of the portability petition does not affect the ability of the H-1B to continue (or resume) working for the original H-1B employer if that petition otherwise remains valid.

(a) Period of Stay Authorized by the Attorney General. In order to port, an alien must meet all the requirements of Section 214(n) of the INA, including the requirement that the new petition must be filed while the alien is in a "period of stay authorized by the Attorney General." The term "period of stay" is used in other sections of the Act[134] in discussing unlawful presence and its consequences. A "period of stay" is not necessarily synonymous with the concept of "lawful nonimmigrant status." While everyone who is in a lawful nonimmigrant status will be within a "period of stay," not everyone who is in a period of stay is necessarily in lawful nonimmigrant status. For example, a nonimmigrant might have timely filed a request for a change of status or extension of status which is still pending, but have remained in the US pursuant to such request beyond the date noted on his or I-94. Such an alien would not be in a valid nonimmigrant status but would be in a period of stay and thus eligible for portability provided the other requirements are met.

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[133] INA Section 214(n).
[134] INA Section 212(a)(9)(B)(ii).

Because there is no portability application or adjudication, officers are unlikely to encounter situations like this at the time of H-1B adjudication. They may arise as part of a future adjudication involving the alien such as an application for adjustment of status.

3. Multiple Portability Petitions-"Bridging" Successive H-1B portability petitions may be filed for an alien while the previous H-1B petitions remain pending (i.e. creating a "bridge" of H-1B petitions). However, to be approved every H-1B portability petition must separately meet the requirements for H-1B classification and for an extension of stay. In the event that the alien's nonimmigrant status has expired while the petitions are pending, the denial of any filing in the string of extension of stay and/or change of status filings undercuts the "bridge", meaning that any petition to extend or change status that was filed after the expiration of the alien's status that is denied will result in the denial of all successive requests to extend or change status.

4. Portability and the H-1B Cap. As discussed above, the statute sets the conditions that must be satisfied for portability to apply. Although not specified in the statute, availability of a cap position, where required, is a prerequisite to proper filing of an H-1B petition. Where an H-1B petition is rejected because of the unavailability of a cap position, the petition was not "filed" and portability thus does not apply.[135]

5. Dependents. The status of a dependent of a principal nonimmigrant who is working pursuant to portability benefits is linked to the status of the principal nonimmigrant.

**F. H-1B Whistleblowers**

H-1B employers are required to comply with the attestations made on the LCA submitted to the DOL. H-1B workers who report violations of the terms of the LCA to DOL are protected from retaliation from their employer.[136]

The INA[137] thus requires the creation of a process under which an H-1B alien beneficiary who files a complaint regarding an LCA violation and is otherwise eligible to remain and work in the United States may be allowed to seek other appropriate employment in the United States for a period not to exceed the maximum period of stay he or she would have been authorized as an H-1B.

If credible documentary evidence is provided in support of an H-1B petition that the H-1B alien beneficiary faced retaliatory action from his or her employer based on a report regarding an LCA violation, then USCIS adjudicators may consider any related loss of H-1B status by the alien as an "extraordinary circumstance" as defined by the regulations.[138] This may allow the alien time to acquire new H-1B employment and remain eligible to apply for a change of status or

[135] 8 CFR 103.2(a)(7)(i).
[136] Title IV of Div. C. of Public Law 105-277 (ACWIA).
[137] INA Section 212(n)(2)(C)(v).
[138] 8 CFR 214.1(c)(4).

extension of stay notwithstanding the termination of employment or other retaliatory action by his or her employer.

Such credible documentary evidence should include a copy of the complaint filed by the H-1B alien beneficiary, along with corroborative documentation that such a complaint has resulted in the termination of employment of the H-1B alien beneficiary or other retaliatory action by his or her employer as described in the DOL regulations.[139]

In addition, adjudicators are reminded that the portability provisions of section 105 of AC21 may also apply to the whistleblower H 1B alien beneficiary should he or she choose to use them to seek new employment and obtain relief.

**G. E-3 Specialty Occupation Workers**

1. General. Section 501 of the Real ID Act of 2005[140] created the E-3 classification[141]. The E-3 classification is only for nationals of Australia. An E-3 must be coming to the United States to engage in a specialty occupation, and the US employer must file a petition on Form I-129. In all substantive respects, the E-3 is identical to an H-1B. The same criteria and standards are used to determine whether the position is a specialty occupation and whether the beneficiary is qualified to engage in the occupation. There are several mostly procedural differences which will be discussed where the issue arises in this manual.

2. Filing Location. E-3 petitions seeking a change of nonimmigrant status to E-3 are filed at the Vermont Service Center regardless of the place of intended work.

3. The E-3 cap. E-3 visas are limited to 10,500 per year. These visas do not count against the H-1B cap. Spouses and children of E-3s do not count against the cap.

4. E-3 Time Limits. An E-3 is subject to the same initial time limits as an H-1B. The E-3 may be approved for a three year period and may obtain extensions in three year increments. Unlike the H-1B, however, the E-3 may obtain extensions indefinitely so long as nonimmigrant intent is maintained.

5.Dual Intent for E-3s. E-3s do not have dual intent in the same sense that an H-1B does. The E-3 cannot simultaneously intend both to remain in the U.S. permanently (by pursuing an immigrant visa) and remain temporarily. However, E nonimmigrants do not have a foreign residence requirement. The failure to maintain a foreign residence, which might otherwise be an indicator that nonimmigrant intent is lacking, is not an issue for the E-3.

**H. Nurses**

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[139] 20 CFR 655.801.
[140] P.L. 109-13, 119 Stat. 302.
[141] INA Section 101(a)(15)(E)(iii).

1. H-1B Eligible. There is no prohibition on nurses qualifying for H-1B classification. An H-1B petition for a nurse position that meets the requirements of the statute can be approved. However, most nurse positions will not be able to meet the requirements of the statute because the position will not be a specialty occupation. This is because most nursing positions do not require a bachelor's degree as the minimum for entry into the profession.

There are some situations, however, where the petitioner may be able to show that the nursing position is in fact a specialty occupation because a bachelor's degree is the minimum for entry into the field. This could be the case where the nursing position involved an advanced practice nurse such as in the areas of acute care, adult nursing, pediatric nursing, neonatal, and other specialties. These are only a few examples and petitioners may attempt to meet their burden of showing that the occupation is a specialty occupation in any specialized nursing field.

2. Licensing and Examination. As is the case in all H-1B petitions in which a license is required, the nurse must have obtained a license to practice nursing in the State of intended employment prior to approval of the petition. The exception is where a State requires work authorization from USCIS or a social security number dependent upon such authorization as a prerequisite to licensing. In such a case where this is the only obstacle to obtaining the license and the petition is otherwise approvable, the petition may be approved for a one-year period. Upon expiration of the one year period of approval the nurse must present a valid unrestricted license in order to obtain an extension.

# Documents from Dennis Peck

# FY12 H1B Related

**From:** Arroyo, Susan K
**To:** #HQSCO - BRANCH CHIEFS
**Cc:** Velarde, Barbara Q; Richardson, Gregory A
**Subject:** FW: USCIS Public Engagement: Message for Stakeholders
**Date:** Monday, May 02, 2011 4:52:26 PM
**Attachments:** DHS BULLETIN 04 29 11.pdf
USCIS Federal Register Notices (4.16-5.1.11).pdf

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FYI -

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**From:** Clarke, Suzanne E
**Sent:** Monday, May 02, 2011 4:49 PM
**To:** Albers, Ted W; Arroyo, Susan K; Atkinson, Ronald A; Bertucci, Theresa C; Blackburn, Brandi A; Blossom, Kellyn; Brown, Meddie; Carson, Rebecca S; Chang, Pearl B; Chen, Ya-Mei; Cowan, Robert M; Crocetti, Don; Elkiss, Liz R; Ellis, Rachel; Evans, Janna M; Exec Sec ; Forrest, Patrick N; Garman, Gary G; Gonzalez, Alfonso G; Goodwin, Shelley; Hantman, Daniel H; Harrison, Julia L; Haugh, Tim; Higdon, Jamie C; Humphrey, Buck H; Jaggers, Jack L; Jones, Rendell L; Kane, Donna K; Kight, Daniel; Lacot, Rosalina; Lai, Victoria W; Langlois, Joseph; Lotspeich, Katherine; McCament, James W; McHale, Stephen T; Meckley, Tammy M; Melville, Rosemary; Monica, Donald J; Muzyka, Carolyn L; Neufeld, Donald; Nicholas, Kathryn F; Ostapowich, Stephanie A; Pietropaoli, Lori; Ratliff, Gerri; Redman, Kathy A; Renaud, Daniel M; Renaud, Tracy L; Rhew, Perry J; Robinson, Christopher M; Robinson, Terri A; Roles, Rebecca J; Ruppel, Joanna; Schmalz, Peter N; Scialabba, Lori; Strack, Barbara L; Taghavi, Haleh H; Tierney, Terry; Upchurch, Evelyn M; Vanison, Denise; Velarde, Barbara Q; Wheeler, Shannon L; Wiles, Marilyn P
**Cc:** Blauvelt, Sally; Clarke, Suzanne E; Herrmann, Mary K; Melero, Mariela; Murnane, Kristin M; Samuels, Paulette M; Scott, Danielle N; Simpson, Pamela R; Solomon, Arsema; Winship, Courtney A; Wolde, Tsegaye
**Subject:** USCIS Public Engagement: Message for Stakeholders

Good afternoon everyone –

Below is a message sent to stakeholders regarding memos, the DHS Bulletin, and Federal Register Notices. Please share with your stakeholders.

Many thanks,
Suzie

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Suzie Clarke
Community Relations Officer
Office of Public Engagement (Suite 3112)
U.S. Citizenship and Immigration Services
(b)(6) Department of Homeland Security
phone: [redacted]
suzanne.clarke@dhs.gov

**********

Dear Stakeholder –

USCIS would like to provide you with the information below.

**Final Policy Memoranda**
USCIS has published the following final policy memoranda:

- Extension of Status for T and U Nonimmigrants: Revisions to *Adjudicator's Field Manual*

(*AFM*) Chapter 39.1(g)(3) and Chapter 39.2(g)(3) (*AFM* Update AD11-28)

- Eligibility for Members of the National Guard of the United States to Naturalize under Section 329 of the Immigration and Nationality Act and Acceptance of NGB Form 22 as Certification of Military Service for National Guard Veterans; Revision to the *Adjudicator's Field Manual* (*AFM*) Chapter 72.2(d)(3); *AFM* Update AD10-42

- Guidance for Coordinating the Adjudication of Applications and Petitions Involving Individuals in Removal Proceedings; Revisions to the Adjudicator's Field Manual (AFM) New Chapter 10.3(i); AFM Update AD 11-16

NOTE: If you are unable to access the memoranda through the links provided above, please do the following:

1. Go to www.uscis.gov
2. Select the "laws" tab at the top of the page
3. Select "policy memoranda" on the left side of the page

**Interim Memorandum**
USCIS has posted the following interim memorandum for your review:

- Additional Guidance to the Field on Giving Deference to Prior Determinations of H1-B Cap Exemption Based on Affiliation (final date to comment is May 16, 2011)

For complete information on the comment process, visit the Interim Memoranda for Comment section of www.uscis.gov. Please send all comments on the draft memorandum to opefeedback@uscis.dhs.gov.

NOTE: If you are unable to access the memorandum through the link provided above, please do the following:

1. Go to www.uscis.gov
2. Select the "Outreach" tab at the top of the page
3. Select "feedback opportunities" on the left side of the page
4. Select "Interim Memoranda for Comment" on the left side of the page

**DHS Bulletin & Federal Register Notices**
Please also find attached the DHS Bulletin, which provides up to date information on the Department of Homeland Security initiatives on which the news media is focused, and a list of Federal Register notices posted April 16 – May 1, 2011.

Kind regards,

Office of Public Engagement
U.S. Citizenship and Immigration Services (USCIS)

www.uscis.gov/outreach

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Homeland Security

*Office of Public Affairs*
**U.S. Department of Homeland Security**

# THE DHS BULLETIN

The DHS Bulletin provides up to date information on the Department of Homeland Security initiatives on which the news media is focused. The Bulletin draws from press releases, statements, op-eds, testimony and other public documents to provide an overview of the most newsworthy topics.

**ISSUES IN THE HEADLINES** **APRIL 29, 2011**

## FEMA AND FEDERAL PARTNERS SUPPORT SOUTHERN STATES IN RESPONSE TO TORNADOES AND SEVERE STORMS

*FEMA and its federal partners are working closely with state and local officials in Alabama and the other states impacted by the deadly tornadoes and severe storms that struck the Southeast on Wednesday night, and that continue to impact southern states.*

*Read the highlights of the federal response below (check the FEMA blog for the latest updates):*

- **Secretary Napolitano and FEMA Administrator Craig Fugate spoke to President Obama yesterday** to provide an update on the continuing federal disaster relief efforts for areas affected by the devastating severe storms and tornadoes that have impacted Alabama, Mississippi and other states across the Southeast this week.

- **FEMA Administrator Craig Fugate posted a special video update** on the FEMA blog

- **FEMA Administrator Craig Fugate traveled to Alabama yesterday** to meet with Governor Robert Bentley and other state and local officials to assess the damage and ensure the state is receiving all the support needed for their response and recovery operations.

**Statement from FEMA Administrator Craig Fugate:**
*"Our thoughts are with the families and communities in Alabama, Mississippi, Georgia and the other states that have been devastated by the severe storms and tornadoes that ripped through the region last night. As President Obama has made clear, this administration stands with the impacted states and is bringing our full resources to bear to support them in any way needed. Throughout this storm, the heroes have been the first responders, neighbors, volunteers and many others who have been working day and night to protect the public's health and safety. At FEMA, we're just one part of this team, and we're continuing to work closely with our state and local partners and tribal governments to make sure they have all the support they need for the duration of this storm."* (DHS press release)

**SECRETARY NAPOLITANO JOINS MILLIONS IN "GREAT CENTRAL U.S. SHAKEOUT" PUBLIC EARTHQUAKE DRILL**

*Secretary Napolitano and U.S. Education Secretary Arne Duncan yesterday joined leaders from FEMA, state and local officials, and more than three million Americans across the central U.S. to participate in the Great Central U.S. ShakeOut— the largest-ever, multi-state earthquake drill to be held in the U.S.*

*As Secretary Napolitano and Secretary Duncan wrote, "Knowing what to do in an earthquake, or any kind of disaster, can make all the difference." **Read Secretary Napolitano and Secretary Duncan's op-ed on the earthquake drill in** **The St. Louis Dispatch.***

- "The devastating storms and tornadoes that have impacted our nation this week are a vivid reminder that disasters of all kinds can strike at any time…The Great Central U.S. Shakeout exercise will help millions of Americans know how to protect themselves in the event of an earthquake and strengthen the resiliency of communities across the central United States." (quote by Secretary Napolitano – DHS press release)

- "Every individual, family, business, school and community in our country — all of whom are a part of our nation's emergency management team — should learn essential skills and protective measures for before, during and after a crisis." (Op-ed by Secretary Napolitano and Secretary Duncan – *The St. Louis Dispatch*)

**SAN FRANCISCO CHRONICLE: "SECURE COMMUNITIES SHOULD BE GIVEN A CHANCE TO WORK IN A FAIR MANNER"**

Following an editorial board meeting with Secretary Napolitano, the *San Francisco Chronicle* editorialized about the Secure Communities program. Between October 2008 and October 2010, Secure Communities has resulted in a 71 percent increase in the number of convicted criminals removed from our country.

- "Immigration law is a federal matter. Arizona cannot take it upon itself to lower the threshold for deportation – and San Francisco cannot shield the people it arrests from possible deportation. Secure Communities should be given a chance to work in a fair manner." (*San Francisco Chronicle*, 4/27/11)

**DHS' BLUE CAMPAIGN IS ON FACEBOOK**

*Check out the Blue Campaign's new Facebook page! DHS' Blue Campaign works to help prevent, detect, and investigate human trafficking. Read more about the Blue Campaign and the Department's efforts to combat violence against women and girls on the DHS Blog and at www.dhs.gov/humantrafficking.*

**IN CASE YOU MISSED IT: READ SECRETARY NAPOLITANO'S OP-ED ON CYBERSECURITY**

*Secretary Napolitano wrote an op-ed in* The San Jose Mercury News *this week emphasizing the important role of the public in creating a safer and more secure cyberspace. On Monday, Secretary Napolitano spoke about cybersecurity at UC Berkeley: Watch the video.*

- "We're calling on all Americans to play their part. We must make basic cybersecurity practices as reflexive as putting on a seat belt." (quote by Secretary Napolitano – *The San Jose Mercury News*)

- "It must become a common value for all Americans that responsibility for cybersecurity begins with each individual user and extends out to every business, school, and other civic and private enterprise." (quote by Secretary Napolitano – Remarks at UC Berkeley)

**A NEW KIND OF PARTNERSHIP WITH THE PRIVATE SECTOR: S&T UNVEILS FIRST "SECURE"-CERTIFIED PRODUCT**

*The Science and Technology Directorate's (S&T) SECURE concept is simple: The government provides companies with detailed requirements of a needed technology, product, or service, along with a conservative estimate of the potential market. In exchange, companies use their own funds to perform research and development to meet those requirements.*

*S&T unveiled on Wednesday the first SECURE-certified product at the Long Island Forum for Technology in Bethpage, N.Y. Read more about the SECURE program on the DHS Blog.*

- The SECURE program "saves money on both ends: the government doesn't spend money on research and development, while the company doesn't waste resources trying to figure out on their own what the government ultimately is going to need." (The Blog @ Homeland Security)

***PLUS:*** The driving force behind the creation of the SECURE program was DHS's Chief Commercialization Officer, Tom Cellucci, who was recently recognized as one of *Security Magazine*'s "Most Influential People in Security." Congratulations, Tom!

*READ ABOUT THE PROGRESS DHS HAS MADE ACROSS OUR KEY MISSION AREAS*

*DISCLAIMER: The Department of Homeland Security (DHS) provides links to non-government websites for convenience and informational purposes only. These websites may contain information that is copyrighted with restrictions on reuse. Permission to use copyrighted materials must be obtained from the original source and cannot be obtained from DHS. DHS is not responsible for the content of external websites linked to or referenced from the DHS web server. DHS neither endorses the information or content of external websites, nor guarantees the accuracy of the information contained on external websites. When you select a link to an external website, you are leaving the DHS site.*

U.S. Citizenship and Immigration Services

Dear Stakeholder –

Please see below a list of Federal Register notices posted April 16 – May 1, 2011. A list with links to these notices is also available in the Laws section of the USCIS website at USCIS Federal Register Announcements. Proposed form revisions are generally posted along with the notice and are available at www.regulations.gov.

| Title of Notice | Type of Notice | Comment Period Expiration Date | FR Cite |
|---|---|---|---|
| Form I–363, Request to Enforce Affidavit of Financial Support and Intent To Petition for Custody for Public Law 97–359 Amerasian | 60-Day | 6/20/2011 | 76 FR 21912 |
| Form I–765, Application for Employment Authorization | 60-Day | 6/20/2011 | 76 FR 21912 |
| Form N–644, Application for Posthumous Citizenship | 60-Day | 6/20/2011 | 76 FR 21913 |
| Removing Designated Countries From the National Security Entry-Exit Registration System (NSEERS) | Notice | Effective Date: 4/28/2011 | 76 FR 23830 |
| OMB 22, National Interest Waivers; Supplemental Evidence to I-140 and I-485 | 60-Day | 6/27/2011 | 76 FR 23832 |
| Supplement A to Form I-539 (Filing Instructions for V Nonimmigrant Status Applicants) | 60-Day | 6/27/2011 | 76 FR 23833 |
| Documents Acceptable for Employment Verification; Correction | Final Rule; Correction | Effective Date: 5/16/2011 | 76 FR 23861 |

Please note that the following notices will expire in the next two weeks:

| Title of Notice | Type of Notice | Comment Period Expiration Date | FR Cite |
|---|---|---|---|
| Reducing Regulatory Burden; Retrospective Review Under Executive Order 13563 | 60-day | 5/13/2011 | 76 FR 13526 |
| Form I–212, Application for Permission to Reapply for Admission into the United States after Deportation or Removal | 60-day | 5/15/2011 | 76 FR 14419 |

Please feel free to contact the USCIS Office of Public Engagement at public.engagement@dhs.gov with any questions or concerns.

Kind regards,

Office of Public Engagement
U.S. Citizenship and Immigration Services (USCIS)
www.uscis.gov/outreach

**From:** Roman-Riefkohl, Guillermo
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter
**Date:** Friday, November 25, 2011 1:40:07 PM
**Attachments:** H1B Reject.doc
doc00215720111125091606.pdf

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Shelly,

I wasn't sure if you already had the reject letters from VSC and CSC. I've attached them for your convenience.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
Washington, DC 20529
(b)(6) [redacted]

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**From:** Luna, Corinna A.
**Sent:** Friday, November 25, 2011 11:50 AM
**To:** Roman-Riefkohl, Guillermo; Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A. (Corinna.Luna@dhs.gov)
**Subject:** RE: H-IB cap / rejection letter

Guillermo,

Shelly is out today and will get back to you on Monday.

Thank you
Corinna

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**From:** Roman-Riefkohl, Guillermo
**Sent:** Friday, November 25, 2011 11:32 AM
**To:** Sweeney, Shelly A
**Cc:** Peck, Denis R; Young, Claudia F; Luna, Corinna A.
**Subject:** H-IB cap / rejection letter

Good morning Shelly,

I hope you had a nice Thanksgiving Day.

We reached the H-1B cap limit on Tuesday. There will be no lottery and cap petitions received on Wednesday and thereafter will be returned to petitioners. Do you have a specific reject letter for the service centers or would you prefer that the centers generate their own? Please advise.

Thank you.

guillermo

Guillermo Roman-Riefkohl
Management and Program Analyst/
Service Center Records Management
SCOPS/USCIS/DHS
20 Massachusetts Avenue NW #2126
(b)(6) Washington, DC 20529
[redacted]

U.S. Department of Homeland Security
P. O. Box 10129
Laguna Niguel, CA 92607-1012

U.S. Citizenship and Immigration Services

Date:

Form No: I-129 H1B Cap Petition

Your petition, supporting documents, and fee are being returned to you. Your petition was returned for the following reason:

CIS received sufficient numbers of H1-B petitions to reach the numerical limitation for FY 2011 prior to receiving your petition.

If you wish to file a petition for classification on behalf of an H-1B nonimmigrant worker subject to the FY 2012 cap, with a start date of October 1, 2011, please submit a completed Form I-129 petition, with supporting documentation and fee, no earlier than April 1, 2011. Petitioners are reminded that petitions for H1-B classification may not be filed or approved more than six months prior to the requested employment start date. See 8 C.F.R. 214.2(h)(9)(i)(B).

USCIS also notes that petitions for new H1-B employment are not subject to the annual cap if the alien will be employed at an institution of higher education or a related or affiliated nonprofit entity, or at a nonprofit research organization or a governmental research organization.

Information concerning CIS forms and filing instructions is available from the CIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the CIS internet website at www.uscis.gov.

Sincerely,

SERVICE CENTER DIRECTOR

| **Applicant/Petitioner A#** | | **Application/Petition** |
|---|---|---|
| **Receipt #** | | **Applicant/Petitioner** |
| **Notice Date** | **Page** 1 | **Beneficiary** |

APPLICANT
ATTORNEY
ADDRESS

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Information concerning USCIS forms and filing instructions is available from the USCIS Forms Request Line, 1-800-870-3676 (Toll Free), or on the USCIS internet website at www.uscis.gov.

If you believe that your case has been rejected in error, you may resubmit it along with an explanation to the following address:

Vermont Service Center
Attention: CRU Supervisor
Improperly Rejected
75 Lower Welden Street
St Albans VT 05479

**NOTE:** Since the reorganization of the INS into three new agencies under the Department of Homeland Security, there has been confusion regarding who remittances should be made payable to. Unless specified above, your application is not being rejected for incorrect payee information, however to ensure proper processing of future applications, please make checks and/or money orders payable to ***"Department of Homeland Security"*** or ***"U.S. Citizenship and Immigration Services."***

You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

U.S. CITIZENSHIP AND IMMIGRATION SERVICES
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
ST. ALBANS, VT 05479-0001 WJP

**Customer Service Telephone: (800) 375-5283**

Form I-797 (8/03/90) Y