H-1B COS/EOS	H-1B Petition Fraud Referral Sheet - Petitioners Not already identified in the Fraud Intelligence Digest -	H-1B COS/EOS

Petitioner's Name:	**Receipt Number** (Place bar code label here)
Beneficiary's Name/DOB:	
Referred By: Name: WS: Date:	**A Number (If applicable)**

Adjudicative Status: Officers should attempt to complete adjudication before referring. If not, supervisory approval required.

☐ Pending ☐ RFE sent ☐ ITD sent	☐ ITR sent ☐ RFE/ITD/ITR response ☐ Approved	☐ Denied ☐ Revoked ☐ Withdrawn	☐ Abandoned ☐ Appealed

Investigation requested:	☐ Post-adjudicative review and/or site visit
	☐ Pre-adjudicative site visit - requires supervisor approval (Supervisor's initials: ____________)

Instructions: In order to insure an actionable fraud referral is sent to the Center Fraud Detection Operation (CFDO), the Officer should follow the guidance contained in the H-1B BFCA memo.

☐ Company claims less than 25 employees	☐ Multiple filings: DHS records should indicate significant discrepancies between the number of petitions filed in the last three (3) years and the current number of employees.
☐ Gross Annual Income less than $10 million	
☐ Company established for less than 10 years	
☐ Contracts for consultants or staffing agencies show no end-client – no work description or itinerary	☐ Incomplete, inconsistent, or misstated information on the petition – excessive blanks, inflated figures, etc.
☐ Not Paying the Claimed Wage	☐ NO Website for an IT Consulting Company. Also be aware of websites that look good but are always under construction.
☐ Suspect Documents: Altered, counterfeit, or boilerplate, etc. (i.e., All employment letters have virtually the same text and signatures with letterheads being the only difference.)	☐ Preparer & Preparer's Address – The preparer, notary, petitioner, etc. are the same person and they have the same address while the actual work location shows a different address.
☐ Location on the Labor Condition Application (LCA) Form ETA 9035 differs from place of employment.	☐ Photographs of petitioner's premises have been altered (i.e., company logos and signs added after photo was taken – many times digitally)
☐ H-1B Dependent – Claims not to be dependent but a check of Mainframe CLAIMS indicates this may not be true.	☐ Occupations - Accounting, Human Resources, Analysts, & Managers (i.e., marketing research analysts, business analysts, financial analysts, Managers for advertising, marketing, promotions, public relations, and sales requested by marginal companies lacking the organizational complexity required to support the position on a full-time basis for a three-year period such as liquor stores, dry cleaners, gas stations, residential care facilities, convenience stores, donut shops, fast food restaurants, dental office, 99 cent stores, parking lots, etc.)
☐ LCA Code does not match the claimed duties listed in the petition and cover-letter.	
☐ Evasive or ambiguous answers or complete failure to respond to requested information.	
☐ Zoning inconsistent with business internet data - petitioner's address indicates that it is zoned residential rather than commercial.	☐ Abandonment or withdrawal after request for evidence issued
☐ Petitioner filing outside of jurisdiction	☐ Questionable education credentials
☐ Attorney identified on the FID	☐ * FID Update – see additional relevant information to update the FID.

Remarks: (If necessary attach another sheet with other fraud indicators)

☐ Conflicting information regarding the business and/or its operation.	☐ Misrepresentation in the beneficiary's past or present status.
☐ Attorney identified on the FID	☐ *FID Update – see additional relevant information to update the FID.
☐ Evidence the beneficiary paid the ACWIA fee.	☐ Facility (including size) not appropriate for activities of the business.

Other comments:

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