

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

Subject: RE: Monday receipts

Denis -

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

(b)(6)

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

(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 erroneously 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)

202-272-1542 FAX

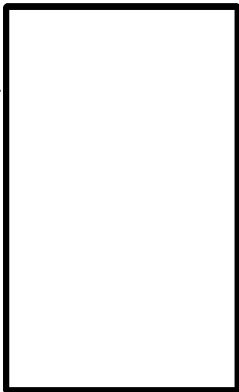
From: Fitzsimmons, James
Sent: Tuesday, December 22, 2009 9:04 AM
To: Peck, Denis R
Cc: Young, Claudia F; Sweeney, Shelly A
Subject: Monday receipts

Denis,

Below are 5 receipt numbers from Monday.

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

Jim

RECEIPT**Recvdate****Rcptdate**

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)

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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; Kruska, 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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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; Tamana, 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 RFE'd
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 RFE'd

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 RFE'd

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 RFE'd
- 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 RFE'd

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



(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



(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 RFE'd

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 RFE'd

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, Grégory 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 RFE'd

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 RFE'd

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 RFE'd
- 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 RFE'd
- 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 RFE'd
- 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; Kruska, 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 RFE'd

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 RFE'd
- 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 RFE'd

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 RFE'd

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 RFE'd
- 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 RFE'd. 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 RFE'd

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; Kruszk, 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

(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: Kruszk, 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: Kruszk, 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 CAP	23,237	3,148	1,442	1,450	1,402	220	308	313	428	340	312	183	148	32,927
Regular Premium	10,028	874	185	188	96	14	14	35	9	52	23	55	48	11,401
Regular Masters	11,812	1804	872	486	504	83	89	50	56	49	28	27	15	15,575
Premium Masters	5,830	335	77	74	50	3	8	7	8	18	18	12	13	8,451
Total	51,007	5,759	2,366	2,208	2,052	330	399	405	499	459	379	277	224	88,354

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] (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.

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] - Voice (b)(6)
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

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)

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)

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

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

202-272-1542 FAX

(b)(6)

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

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.

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; Velardé, 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

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: Taylor, Anisa M [<mailto:Anisa.M.Taylor@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

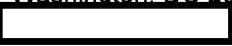
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 10:21 AM
To: Peck, Denis R
Subject: RE: CAP Count Need to know any not data entered from before Monday

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)

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]
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)

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
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Subject: CAP decision time

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

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- 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 –

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Mary-Lou

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To: Peck, Denis R
Subject: RE: CAP Count Need to know any not data entered from before Monday

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Mary-Lou

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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

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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

(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

(b)(6)

Bonnie.Robbins@dhs.gov

(b)(6)

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.

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: 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
SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[REDACTED]
202-272-1542 FAX

(b)(6)

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
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529
[REDACTED]
202-272-1542 FAX

(b)(6)

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 cushion?

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

 (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



(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
Subject: RE: CAP numbers - 633 petitions to be processed from Wednesday's volume.

How many if any are we holding for the cushion?

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

202-272-1542 FAX

(b)(6)

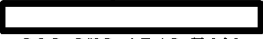
From: Fitzsimmons, James
Sent: Thursday, January 27, 2011 1:32 PM
To: Peck, Denis R
Cc: McConnell, James E
Subject: RE: CAP numbers - barcode all of yesterdays in one batch.

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

 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
(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.

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Rich Nicholson
Assistant Director Records/COTR

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Subject: CAP numbers

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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: 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.
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From: Peck, Denis R
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(b)(6)

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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

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Rich Nicholson
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(949) 389-3168

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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.

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.

Denis Peck
Branch Chief, Service Center Records Management
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[REDACTED] (b)(6)
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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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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] (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 (b)(6)
Mobile: [REDACTED]

<http://www.cgi.com/usfederal>

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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 through 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



(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

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

 (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

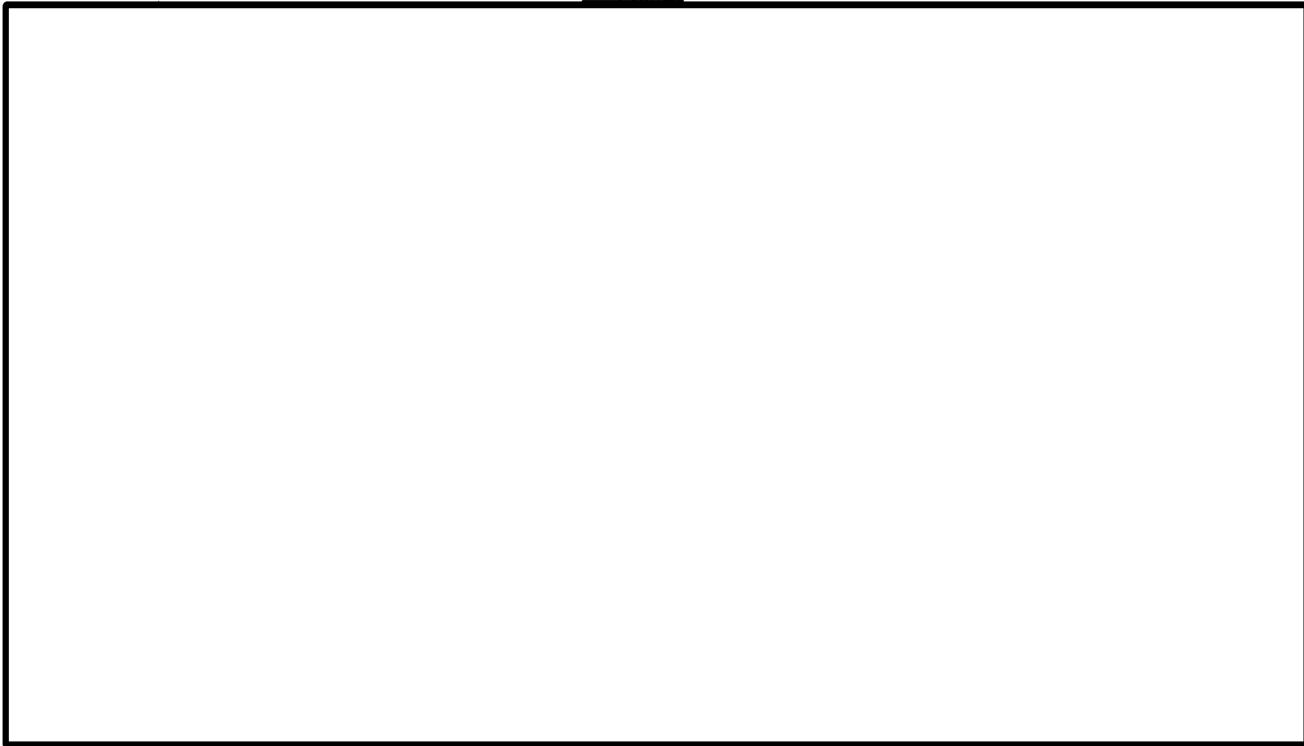
James,

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

Jim

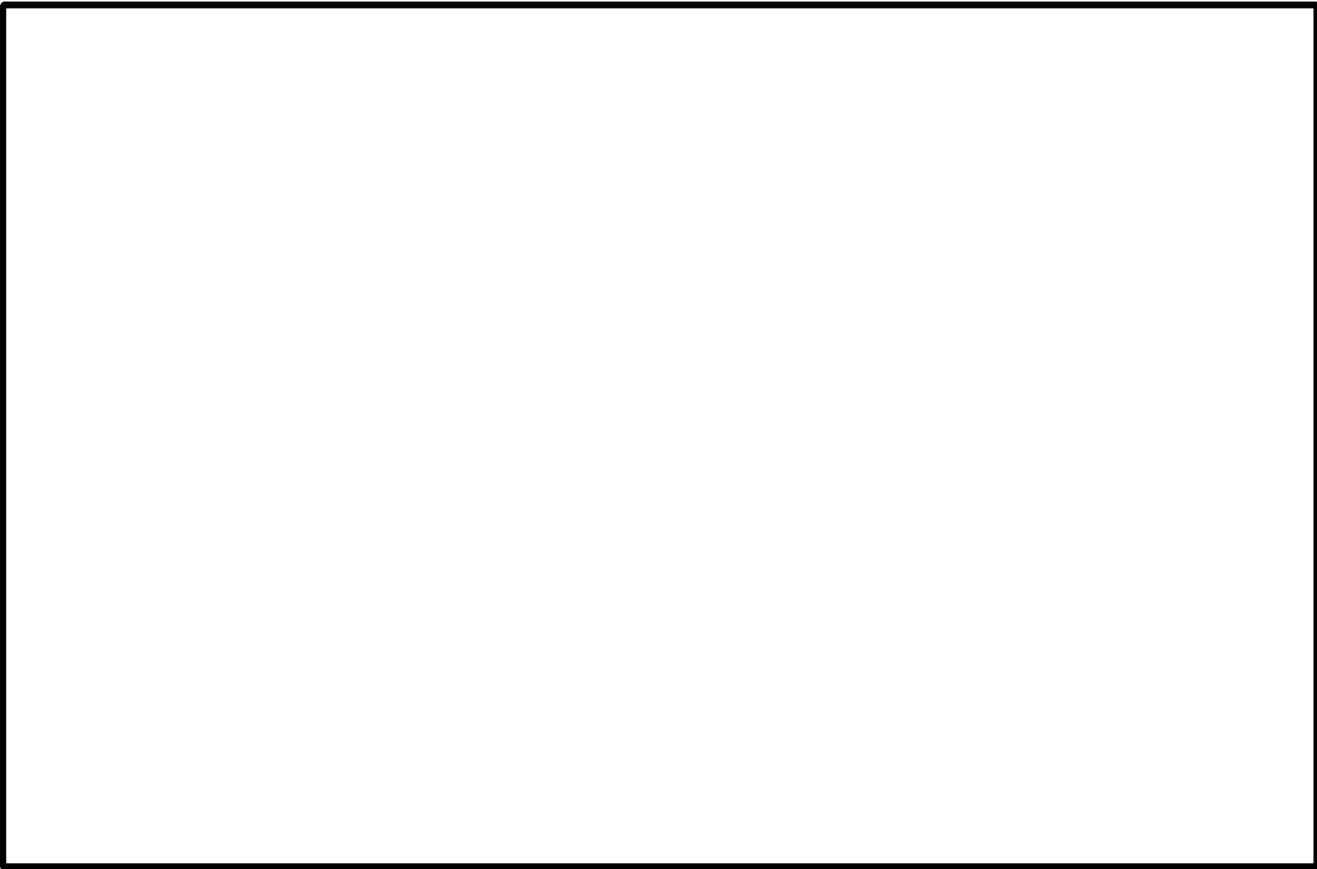
(b)(5)

Service Center



(b)(5)

_____ 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

Date:

Form No: I-129 H1B Cap Reject

All H1B cap-subject petitions received at the California or Vermont Service Centers on April 1 through April 7 2010, were subject to a computer-generated random selection process. USCIS received your petition during this filing period and it was among those randomly selected for processing. Your I-129 cap petition was reviewed for acceptability and/or required documents; however, it was not considered properly filed for the reason(s) noted below and is being returned to you. Please do not resubmit this petition as the H1B cap for FY-10 was closed on (insert date).

1. ☐ You submitted your I-129 H1B petition/H1B Data Collection and Filing Fee Exemption Form with an outdated version. The Form I-129/H1B Data Collection and Fee Exemption that you submitted was revised (REV. 3/17/2005).
2. ☐ You did not include the H1B Data Collection and Filing Fee Exemption/H- Supplement/Labor Condition Application (LCA) with your I-129 petition.
3. ☐ Labor Condition Application (LCA) form you submitted with your I-129 petition is not certified.
4. ☐ You submitted your I-129 petition/H1B Data Collection and Filing Fee Exemption Supplement Form without the original signature of the petitioner.
5. ☐ Your I-129 petition was signed by your representative and no evidence of such authority was provided.
6. ☐ The fee you submitted with your the I-129 petition was incorrect. The correct fee for your I-129 petition should be
 - A. **\$750.00 (ACWIA Fee for a company with 25 employees or less).**
 - B. **\$1,500.00 (ACWIA Fee for a company with 26 employees or more).**
 - C. **\$500.00 Fraud Prevention and Detection Fee.**
 - D. **\$320.00 I-129 base fee**
7. ☐ The ACWIA Fee must be paid by the petitioner or the representative and not by the beneficiary.
8. ☐ Incomplete petition. Page(s) _____ missing. Part _____ Number _____, Part _____ Number _____, Part _____ Number _____, Part _____ Number _____ missing incorrect/missing information.
9. ☐ Your I-129 petition must be filed with the Service Center that has jurisdiction over the place of temporary employment. If there are multiple work sites listed in the petition, the petition may be filed with the service center having jurisdiction over the petitioner's location.
10. ☐ Your I-129 H1B1 Chile/Singapore cap petition may only be filed at Vermont Service Center.
11. ☐ OTHER: _____

(b)(5)

Sincerely,

SERVICE CENTER DIRECTOR

129 Reject Notice_FY-10 cap_winner rejects

www.uscis.gov

Acceptability Review for I-129 CAP

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

I-129:

Revision Date

Only I-129 form that has "Y" indicated next to the revision date on page 1 of the I-129 form is to be accepted. If there is "N" indicated next to the revision date on page 1 of the I-129 form, the I-129 petition is to be rejected for old revision date. If the revision date information is missing on page 1 of the I-129 petition, send the case to USCIS review. ~~Need an approval from HQ to implement this. CAROL — This seems fine to me. Is this a change from last year?~~

Jurisdiction:

~~Verify the I-129 H1B CAP case for jurisdiction requirement as per current I-129 SOP instructions.~~

~~If the case I-129 H1B cap is out of the Service Center jurisdiction, reject the CAP case.~~

Page 2 - Part 3

Question #1

Beneficiary Name

> If all name fields are blank - reject as incomplete

Date of Birth

> If blank - send to USCIS for review

Page 3 - Part 5

Question #8

Dates of Employment

> Must be 10/1/1009 or later

> If pre 10/1/1009 or blank - reject

~~If blank - send to USCIS for review. Need confirmation from HQ. CAROL — Waiting for SCOPS to weigh in.~~

(b)(5)



Page 4 · Part 6

Signature Field

- > Signature anywhere in part 6 is acceptable
- > Signature must be the Petitioner
- > Power of Attorney (POA) letters are acceptable

I-129 H1B Data Collection Supplement - Part B

Question #1 through #8

- > Any question answered YES consider as a Fee Exempt case
- > Any questions left blank – send to USCIS for review

Question #9

- > If marked NO = \$1500 ACWIA fee is needed
- > If marked YES = \$750 ACWIA fee is needed
- > If fee that was submitted is inconsistent
 - > Verify I-129 petition, Part 5, Question #12
- > If no Labor Condition Application (LCA) is included with the petition – Check for printout indicating LCA was approved.
- > If no LCA/or printout is attached – reject petition

I-907 – Request for Premium:

Revision Date

- > Date must be 8/28/06 or later

Signature Field

- > Signature anywhere in part 3 is acceptable
- > Signature is acceptable if signed by anyone

FEES:

Scenario #1		Scenario #2		Scenario #3		Scenario #4	
Base	\$320	Base	\$320	Base	\$320	Base	\$320
Fraud	\$500	Fraud	\$500	Fraud	\$500	Fraud	\$500
ACWIA	\$750	ACWIA	\$1,500	ACWIA	\$750	ACWIA	\$1,500
				Premium	\$1,000	Premium	\$1,000
TOTAL:	\$1,570	TOTAL:	\$2,320	TOTAL:	\$2,570	TOTAL:	\$3,320

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

Review Part 2 block 1 to ensure that the Requested Classification is "H1B" or "H1BL"; if blank, send to USCIS review

Verify Part C of I-129 H1B Data Collection Supplement, if any of #1 through # 3 is 'Y'	Non-CAP, no need to go further. The H1B case is not subject to cap and it is a Cap-Exempt case. No RNG label is required

Regular CAP

1. Review **Part 2** (pg 1) which should be one of below combinations.

# 2	# 5
A	A/B
D	A/B
E	A/B

- If Page 1, Part 2, #2 is blank, the Part 2 information will be treated as though it was marked 2 "A".
- If Page 1, Part 2 # 5 is blank, send the case to USCIS review

2. Review **Part C** of I-129 H1B Data Collection Supplement

If # 1 through # 3 and # 5 are 'N'	CAP
If # 1 through # 3 are 'N', # 5 is 'Y', # 6 is 'Y'	CAP
If # 1 through # 3 are 'N', # 5 is 'Y', # 6 is 'N'	Non-CAP

Note: If an I-129 has been identified as a non-CAP according to this Matrix, but it clearly states on the envelope, petition, correspondence, H1B Processing Worksheet, and/or Attorney Letter that it is a CAP case, then send the case to USCIS review.

Note: If the I-129 petition does not clearly state on the envelope, petition, correspondence, H1B Processing Worksheet, and/or Attorney letter that it is a CAP case and the I-129 petition, Page 1, Part 2 # 2 is marked A, D or E and Part 2# 5 is marked C and in I-129 H1B Data Collection Supplement Part C # 5 & # 6 is checked "Yes", then send the case to USCIS review.

Masters CAP

3. If the I-129 petition is identified as a CAP, review H1B Data Collection Supplement **Part C # 7** and **Part A # 5**.

- If Part C # 7 is checked "YES", accept the case as a Master cap case.
- If Part C # 7 is checked "NO" or is "Blank", verify Part A # 5; if it is checked "Yes" route to USCIS review, if it is checked "NO" sort as Regular CAP

If the I-907 form is included with the cap case, the cap case is considered as PP Master or PP Regular cap case accordingly.

Chile/Singapore Cap cases:

4. Verify if the petitioner has indicated "C/S Cap (Chile/Singapore H1B1)" on their I-129 petition and/or a Chile/Singapore H1B1 cap box is checked on the Processing Worksheet and/or the beneficiary's COB or COC is indicated as "Chile" or "Singapore" on their I-129 petition (Part 3) then route the case to USCIS for Review.

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 Filing 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

 | 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:

(b)(6)

holly.j.jackson@dhs.gov

<http://osi.uscis.dhs.gov>

Securing America's Promise

WARNING: This document is FOR OFFICIAL USE ONLY. It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C.552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to Sensitive But Unclassified(SBU) information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval from the originator. If you have received this document by mistake please contact the originator for specific handling and destruction procedures.

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
 (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; Kruszká, 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


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]

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 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. 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].

USCIS will apply a computer-generated random selection process to all petitions that are subject to the cap and were received on [insert date]. 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 do not count toward the congressionally mandated 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

(b)(5)

(b)(5)

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


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
 (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


(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 Mail	23,237	3,148	1,442	1,450	1,403	220	308	313	426	340	312	183	148	32,827
Registered Mail	10,028	874	165	188	96	14	14	35	9	52	23	55	48	11,401
Regular Masters	11,912	1604	872	496	504	83	68	50	56	49	38	27	15	16,576
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	2,062	330	399	405	499	450	379	277	224	66,364

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 – Appreciate 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



(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 - 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 |  | 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; Kruszk, 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:

- o Regional Media Managers, Community Relations and Congressional – For your information and distribution as appropriate.
- o Internal – For your information and your use as appropriate.
- o Customer Service – For your information.
- o New Media – Please post USCIS Update on the News page and on the H-1B cap page. Request **EXPEDITED** posting.

r/
Bill



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...  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


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


(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, Lida 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
 (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
						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

 (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

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, Lida 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	
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	
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



(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
Deputy Program Manager, USCIS SCOSS Project
Stanley Associates, Inc.

 office
mobile

703-535-5065 fax

erin.treacy@stanleyassociates.com

www.stanleyassociates.com

(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
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(VMP) H1B Masters - Premium	786	77	37	11	28	0
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						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
 (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.
 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

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.
 office
 mobile
703-535-5065 fax

(b)(6)

AILA Doc. No. 17061919. (Posted 6/19/17)

Vermont Service Ce

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.

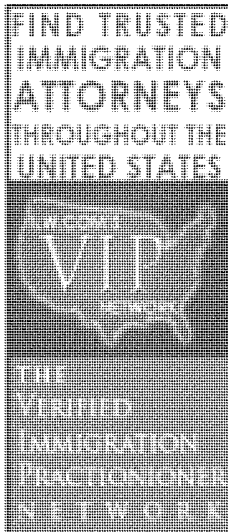
Posted at 11:12 AM | [Permalink](#) | [Comments \(0\)](#) | [TrackBack \(0\)](#)

April 01, 2010

Schumer and Graham on CIR

by Chris Musillo

AILA Doc. No. 17061919. (Posted 6/19/17)



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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."

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...  Revised H1B Post RNG ...  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

AILA Doc. No. 17061919. (Posted 6/19/17)

Phone:
Fax: (202) 272-1542

(b)(6)

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Section A - To Be Completed by Requester

1. Document Title/Description: Title: <u>Cap Count for H-1B and H-2B Workers for Fiscal Year 2010</u> URL: <u>http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=138b6138f898d010VgnVCM10000048f3d6a1RCRD&vgnextchannel=91919c7755cb9010VgnVCM10000045f3d6a1RCRD</u> Instructions for posting content must be provided - Please contact Web Content for guidance.		2. To be published on: ☒ <u>USCIS.gov</u> (Public Internet) ☐ <u>Intranet</u> (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. Shelly Sweeney [redacted] Shelly.Sweeney@dhs.gov		5. Date Submitted:	
6. Office Name and Location:			
8. Action Requested: ☒ Revise Existing Document(s) ☐ New Document ☐ Other			
9. Justification: 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: ☒ 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	12. Date:
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:

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.

RE: Cap Count Web Page

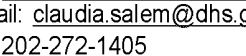
Tuesday, February 09, 2016

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,



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)

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 al,
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


(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.



(b)(5)

Thanks!
C
Claudia Salem
Department of Homeland Security
USCIS Chief Counsel's Office
Adjudications Law Division
w1. [redacted] (b)(6)
w2. [redacted]
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



(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

AILA Doc. No. 17061919. (Posted 6/19/17)

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)

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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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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...  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)



Please let me know if you have any changes, etc.

Thanks!

Shelly

Shelly Sweeney
Adjudications Officer
Business Operations Branch
Service Center Operations
Phone: 
Fax: (202) 272-1542

(b)(6)

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AILA Doc. No. 17061919. (Posted 6/19/17)

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.

OCCOMM: 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]
Cell: [REDACTED]
Fax: 202-272-1542
kevin.cummings@dhs.gov

(b)(6)

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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 [REDACTED]
email: claudia.salem@dhs.gov
fax 202-272-1405

(b)(6)

From: Young, Claudia F

AILA Doc. No. 17061919. (Posted 6/19/17)

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,



(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 
Fax: (202) 272-1542

(b)(6)

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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:  (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

Cell:

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


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	0

Rejects (System & Manual)		
(CRN) H1B CAP	0	
(CRP) H1B CAP - Premium	10	
(CMN) H1B Masters	0	
(CMP) H1B Masters - Premium	2	
Totals	12	0

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
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
 office
Blackberry
www.uscis.gov

(b)(6)

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
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov
 office
Blackberry
www.uscis.gov

(b)(6)

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

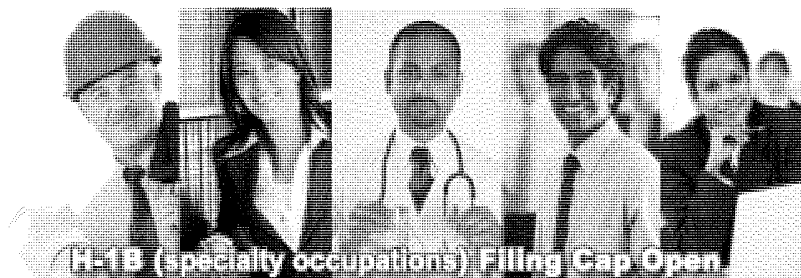
Hi OCOMM,

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



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



(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



(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

AILA Doc. No. 17061919. (Posted 6/19/17)



(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	<u>Shiflett, Julie M</u>
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
   (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:

Estimate d Daily Receipts	(Estimate based on 600 per page / 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 per cage)					
	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

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)

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

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

AILA Doc. No. 17061919. (Posted 6/19/17)

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

 (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
etc.	Total
	5,963
	1,558
	2,108
	909
0	10,538
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

Total
Total
4,503
1,096
1,744
622
7,965
Total
4,503
1,096
1,744
622
7,965

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
Attachment s	 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%

ceived.

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
 Office
Cell
luz.irazabal@dhs.gov

(b)(6)

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, Liede 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 per cage)					
	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

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, Liede 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 per cage)					
	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

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 |  | 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

(b)(6)

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: (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

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



(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: (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
 (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

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	INTEHTS	APPROVALS	RFES	DEHIALS	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)	H29 H1B	3	488	134	35		2	301.25	20.75	3.50	0.00	325.50	662	523	2.03	1.61	2.65	STD APH
20100924		48	ISO (2)	H29 H1B	1	442	119	14		8	226.50	77.25	8.25	0.00	312.00	584	456	1.87	1.46	2.65	STD APH
20100925		32	ISO (2)	H29 H1B							4.00	179.75	0.75	0.00	184.50	0		0.00	0.00	2.65	STD APH
20100926		23	ISO (2)	H29 H1B		36						137.75	0.00	0.00	137.75	36	36	0.28	0.28	2.65	STD APH
20100927		51	ISO (2)	H29 H1B	2	606	171	26		8	213.25	66.75	2.25	0.00	284.25	1013	832	3.56	2.93	2.65	STD APH
20100928		75	ISO (2)	H29 H1B		1117	275	26		8	293.75	73.00	1.25	0.00	368.00	1426	1143	3.88	3.11	2.65	STD APH
20100929		66	ISO (2)	H29 H1B	1	622	230	13		3	336.00	122.25	0.25	0.00	458.50	1069	835	2.33	1.82	2.65	STD APH
20100930		65	ISO (2)	H29 H1B	2	1032	239	29		6	364.75	98.75	1.00	0.00	464.50	1308	1061	2.82	2.28	2.65	STD APH
20101001		46	ISO (2)	H29 H1B	1	388	106	19		1	205.50	0.00	2.50	0.00	208.00	515	407	2.48	1.96	2.65	STD APH
20101002		15	ISO (2)	H29 H1B		119	40				43.50	0.00	13.50	0.00	57.00	159	119	2.79	2.09	2.65	STD APH
20101003		0										0.00	0.00	0.00	0.00	0	0				
20101004		50	ISO (2)	H29 H1B	1	541	134	25		5	251.00	0.00	5.25	0.00	256.25	706	566	12 ISOs w missing hours			
SEP23rd-OCT#th	1,2,3,5,6,CTU	515	ISO (2)	H29 H1B	11	5793	1448	187		41	2239.50	778.25	38.50	0.00	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		0.00	350.50						

David K. Lloyd | Immigration Services Analyst | Data Reporting Group |

Vermont Service Center | DHS - USCIS |

(b)(6)



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552).

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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	INTEITS	APPROVALS	RFES	DEIMALS	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)	H29 H1B	3	466	134	35	0	2	301.25	20.75	3.50	0.00	325.50	662	523	2.03	1.61	2.65	STD APH
20100924		46	ISO (2)	H29 H1B	1	442	119	14	0	8	226.50	77.25	8.25	0.00	312.00	584	456	1.87	1.46	2.65	STD APH
20100925		32	ISO (2)	H29 H1B	0	0	0	0	0	0	4.00	179.75	0.75	0.00	184.50	0	0	0.00	0.00	2.65	STD APH
20100926		23	ISO (2)	H29 H1B	0	38	0	0	0	0	0.00	137.75	0.00	0.00	137.75	38	38	0.28	0.28	2.65	STD APH
20100927		51	ISO (2)	H29 H1B	2	606	171	26	0	8	213.25	68.75	2.25	0.00	284.25	1013	832	3.56	2.93	2.65	STD APH
20100928		75	ISO (2)	H29 H1B	0	1117	275	26	0	8	293.75	73.00	1.25	0.00	368.00	1426	1143	3.88	3.11	2.65	STD APH
20100929		66	ISO (2)	H29 H1B	1	822	230	13	0	3	336.00	122.25	0.25	0.00	458.50	1069	835	2.33	1.82	2.65	STD APH
20100930		65	ISO (2)	H29 H1B	2	1032	239	29	0	6	364.75	98.75	1.00	0.00	464.50	1306	1061	2.82	2.28	2.65	STD APH
20101001		46	ISO (2)	H29 H1B	1	388	106	19	0	1	205.50	0.00	2.50	0.00	208.00	515	407	2.48	1.96	2.65	STD APH
20101002		15	ISO (2)	H29 H1B	0	119	40	0	0	0	43.50	0.00	13.50	0.00	57.00	159	119	2.79	2.09	2.65	STD APH
SEP23rd-OCT2nd	1,2,3,5,6,CTU	465	ISO (2)	H29 H1B	10	5252	1314	162	0	36	1988.50	778.25	33.25	0.00	2800.00	6774	5414	2.42	1.93	2.65	STD APH
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	0	0	0.00	0.00	0.00	

Thanks,
Peter Shuttle
USCIS - VSC
Assistant Center Director AG-3
[REDACTED]

From: Lloyd, David K
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

(b)(6)

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 SCRD04..

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
[REDACTED]

(b)(6)

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
[REDACTED]

(b)(6)

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

AILA Doc. No. 17061919. (Posted 6/19/17)

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.

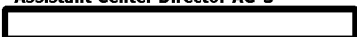
Older than 60 days:	
F1 COS to H1B	854
With Officer	757
With Contractor	0
ADJ Staged	72
Other	25

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



(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_EXT	REG HOURS	OT HOURS	CREDIT HOURS	HOLIDAY WORKED HOURS	TOTAL PROD HOURS	TOTAL_ACTIONS
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

(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 A CTIONS	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

(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 A CTIONS	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



luz.irazabal@dhs.gov

(b)(6)

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

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

 Office

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

 office
Blackberry

www.uscis.gov

(b)(6)

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 (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:  (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; Kruska, Robert F; McConnell, James E; Alexander,

AILA Doc. No. 17061919. (Posted 6/19/17)

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
Division|USCIS/SCOPS|20 Mass., Ave.,
Room 2246, Washington, D.C. 20529-2060

(b)(6)  |  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
Division|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] (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
 (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: 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)

AILA Doc. No. 17061919. (Posted 6/19/17)

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...  DRAFT QA H-1B FY11 ...  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]
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]

(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
California Service Center
[REDACTED]

(b)(6)

AILA Doc. No. 17061919. (Posted 6/19/17)

FW: FY11 Cap Documents

Wednesday, February 10, 2016

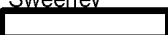
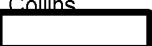
11:29 AM

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,

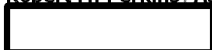
Here are the consolidated comments from VSC. I will send a summary of issues/questions down separately.

The VSC H1B Cap POCs for FY11 will be:

<u>Name</u> <u>one Number</u>	<u>Title</u>	<u>Section</u>	<u>Ph</u>
Robert Perkins	ACD	Adjudications	
Mark Sweeney	SISO	Adjudications	
			
Tanya Howrigan (3)	ISO Adjudications		
Stephen Loughlin	ACD	Records	
Mary Lou Collins	SISA (b)(6)	Records	
			
Becky Stoddard (2)	ISA Records		(b)(6)
Janice Cullen (2)	ISA Records		

Thanks,

Robert M. Perkins | Assistant Center Director | Vermont Service Center | USCIS | 



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 |  802.527.4843
| : tanya.howrigan@dhs.gov

(b)(6)

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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



(b)(6)

From: Benavente, Jessy J
Sent: Thursday, January 21, 2010 6:14 AM
To: Nicholson, Richard E
Subject: FW: FY11 CAP

Our comments.

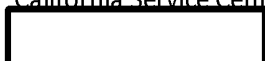
From: Mehta, Dilipkumar N
Sent: Wednesday, January 20, 2010 3:44 PM
To: Benavente, Jessy J
Cc: Bennett, Linda J; Villahermosa, April L; Robbins, Bonnie M
Subject: RE: FY11 CAP

Jessy,

I inserted my comments in blue in the attached documents.

Please review.

Dilip Mehta
Immigration Services Analyst
California Service Center, Laguna Niguel, California



(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

(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 ...  DRAFT H-1...  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
Subject: RE: FY11 H-1B Cap Documents

(b)(5)

Shelly,

~~ATLA Doc. No. 17061010. (Posted 6/10/17)~~

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:

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.

(b)(6)

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

Office

(b)(6)

AILA Doc. No. 17061919. (Posted 6/19/17)

(b)(6)

Cell: [REDACTED]
Fax: [REDACTED]
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

Washington, D.C. 20529-2120

Office: [REDACTED]

Cell: [REDACTED]

Fax: (202) 272-1405

Email: Sharvari.Dalal-Dheini@dhs.gov

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Thank you.

(b)(6)

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 ...  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

AILA Doc. No. 17061919. (Posted 6/19/17)

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; Rummary, 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

AILA Doc. No. 17061919. (Posted 6/19/17)

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

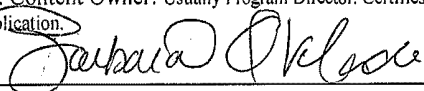
Section A - To Be Completed by Requester

1. Document Title/Description: Title: <u>Cap Count for H-1B, H-2B, and H-3 Workers for Fiscal Year 2010</u> URL: <u>http://www.uscis.gov/h-1b_count</u> Instructions for posting content must be provided - Please contact Web Content for guidance.		2. To be published on: ☒ <u>USCIS.gov</u> (Public Internet) ☐ <u>Intranet</u> (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. Shelly Sweeney Shelly.Sweeney@dhs.gov (b)(6)		5. Date Submitted:
6. Office Name and Location: Service Center Operations, 20 Massachusetts Ave, Washington DC		
8. Action Requested: ☒ 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: ☒ 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 Cleared – Shev Dalal-Dheini, Adjudications Law Division,	12. Date: 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. 	15. Date: 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.

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 RFE'd

⁸ Percentage of petitions approved or denied that have been denied

Jim

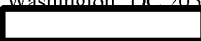
RE: H-1B cap numbers for FY 2010 UPDATE 5/26/09

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
 (b)(6)

FOR OFFICIAL USE ONLY (FOUO)

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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


(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"

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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.

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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...

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Tim Pearce, Adjudications Officer
USCIS
SCOPS (detail)
Business Operations Branch



(b)(6)

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This page can be found at http://www.uscis.gov/h-1b_count

Last updated:05/18/2009

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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

AILA Doc. No. 17061919. (Posted 6/19/17)

Importance: High

All,

Below are the latest H-1B cap numbers for FY 2010 as of May 15th:

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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:



(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; Kruska, 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; Kruska, 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; Kruska, 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

AILA Doc. No. 17061919. (Posted 6/19/17)

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

(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.

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: 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



(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

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)

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

AILA Doc. No. 17061919. (Posted 6/19/17)

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:
Fax: (202) 272-1542

(b)(6)

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.

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



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
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

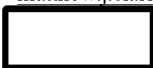
From: Clark, Matthew J
Sent: Friday, March 19, 2010 10:33 AM
To: Sweeney, Shelly A; Herrmann, Mary K
Cc: Johnson, Bobbie L
Subject: RE: H-1B Filing Address Reminder

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
U.S. Citizenship and Immigration Services
matthew.j.clark@dhs.gov

(b)(6)

 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)  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

(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

AILA Doc. No. 17061919. (Posted 6/19/17)

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 –



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 –



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 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

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 Form 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-129 and 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

Fax: (202) 272-1542

(b)(6)

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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

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) announced today that as of close of business on April 7, 2009, H-1B visa numbers remain available for the general H-1B cap of 65,000 and for the cap for persons who have earned a “master’s or higher degree” from a U.S. institution of higher education of 20,000 for fiscal year 2010 (FY 2010). As such, USCIS continues to accept FY 2010 H-1B cap filings.

USCIS will continue to 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 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.

– 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: (b)(6)
Cell:
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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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.

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 435,000 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:



Fax: (202) 272-1542

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AILA Doc. No. 17061919. (Posted 6/19/17)

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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

(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) (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
 (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


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 RFE'd

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

 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



(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



(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
  (202) 272-1542  Julie.Shiflett@dhs.gov
(b)(6)

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: (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 response 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

----- 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

 (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 [REDACTED]

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: [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

[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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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.

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.

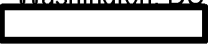
Thanks,

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
 (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

 (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
[REDACTED]
202-272-1542 FAX (b)(6)

From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 10:11 AM
To: Benavente, Jessie 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, Jessie 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, Jessie 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

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

Bonnie.Robbins@dhs.gov

(b)(6)

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

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

 202-272-1542 FAX

(b)(6)

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

202-272-1542 FAX

(b)(6)

Shirk, Georgette L

From: Johnson, Bobbie L
Sent: Monday, April 05, 2010 2:40 PM
To: Sweeney, Shelly A
Subject: FW: CAP numbers

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
 (b)(6)
202-272-1542 FAX

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

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]
202-272-1542 FAX

(b)(6)

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)

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, Liede 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				
H-1Bs	Initials	Status	Counts filed before 02/04/2011	Everything filed up today
		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	
Div II	Total:	
	I-129 H1B	
	I-129 H1B EOS	
	I-129 PP H1B	
	I-129 PP H1B EOS	
Div V	Total:	
	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				
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			Data S
Div I	I-129 H1B		
	I-129 H1B EOS		
	I-129 PP H1B		
	I-129 PP H1B EOS		
Div II	Total:		
	I-129 H1B		
	I-129 H1B EOS		
	I-129 PP H1B		
	I-129 PP H1B EOS		
Div V	Total:		
	I-129 H1B		
	I-129 H1B EOS		
	I-129 PP H1B		
	I-129 PP H1B EOS		

		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

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

Data S

Div I	I-129 H1B	
	I-129 H1B EOS	
	I-129 PP H1B	
	I-129 PP H1B EOS	
Div II	Total:	
	I-129 H1B	
	I-129 H1B EOS	
	I-129 PP H1B	
	I-129 PP H1B EOS	
Div V	Total:	
	I-129 H1B	
	I-129 H1B EOS	
	I-129 PP H1B	
	I-129 PP H1B EOS	

		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 Source		
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 RFE'd.

	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				
H-1Bs	Initials	Status	Counts filed before 02/25/2011	Everything filed up today
		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		
Div II	Total:		
	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 RFE'd.			

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				
Data Source: C3				
H-1Bs	Initials	Status	Counts filed before 02/18/2011	Everything filed up today
		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			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 RFE'd.				

	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

cell:

(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	REFS	DEALS	RELOCS	COS_ EXTS	REG HOURS	OT HOURS	CREDIT HOURS	HOLIDAY WORKED HOURS	TOTAL PROD. HOURS	1 A
20100923		44	ISO (2)	H29 H1B	3	488	134	35	0	2	301.25	20.75	3.50	0.00	325.50	
20100924		48	ISO (2)	H29 H1B	1	442	119	14	0	8	226.50	77.25	8.25	0.00	312.00	
20100925		32	ISO (2)	H29 H1B	0	0	0	0	0	0	4.00	179.75	0.75	0.00	184.50	
20100926		23	ISO (2)	H29 H1B	0	38	0	0	0	0	0.00	137.75	0.00	0.00	137.75	
20100927		61	ISO (2)	H29 H1B	2	806	171	26	0	8	213.25	68.75	2.25	0.00	284.25	
20100928		75	ISO (2)	H29 H1B	0	1117	275	26	0	6	293.75	73.00	1.25	0.00	368.00	
20100929		66	ISO (2)	H29 H1B	1	822	230	13	0	3	336.00	122.25	0.25	0.00	458.50	
20100930		65	ISO (2)	H29 H1B	2	1032	239	29	0	6	364.75	98.75	1.00	0.00	464.50	
20101001		46	ISO (2)	H29 H1B	1	300	106	19	0	1	205.50	0.00	2.50	0.00	208.00	
20101002		15	ISO (2)	H29 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	0.00	
20101004		50	ISO (2)	H29 H1B	1	541	134	25	0	5	251.00	0.00	5.25	0.00	256.25	
SFP23rd OCT4th	1,2,3,5,6,CTU	515	ISO (2)	H29 H1B	11	5793	1448	187	0	41	2239.50	778.75	38.50	0.00	3056.75	
SEP23rd OCT2nd	ADJ 3 ONLY	29	ISO (1)	CIS REVIEW	0	0	0	0	0	0	152.25	108.25	0.00	0.00	260.50	

Peter Shuttle
USCIS - VSC
Assistant Center Director AG-3

cell:

(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
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All Non PP Initial Cap > 60 days	3141	2696	2200	1908	1968	1891	1767
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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	REFES	DEIALS	RELOCS	COS_EXTS	REG HOURS	OT HOURS	CREDIT HOURS	HOLIDAY WORKED HOURS	TOTAL PROD HOURS	1 A
20100923		44	ISO (2)	H29 H1B	3	488	134	35	0	2	301.25	20.75	3.50	0.00	325.50	
20100924		48	ISO (2)	H29 H1B	1	442	119	14	0	8	228.50	77.25	8.25	0.00	312.00	
20100925		32	ISO (2)	H29 H1B	0	0	0	0	0	0	4.00	179.75	0.75	0.00	184.50	
20100926		23	ISO (2)	H29 H1B	0	38	0	0	0	0	0.00	137.75	0.00	0.00	137.75	
20100927		51	ISO (2)	H29 H1B	2	606	171	26	0	8	213.25	68.75	2.25	0.00	284.25	
20100928		75	ISO (2)	H29 H1B	0	1117	275	26	0	8	293.75	73.00	1.25	0.00	368.00	
20100929		66	ISO (2)	H29 H1B	1	822	230	13	0	3	338.00	122.25	0.25	0.00	460.50	
20100930		65	ISO (2)	H29 H1B	2	1032	239	29	0	6	364.75	90.75	1.00	0.00	456.50	
20101001		46	ISO (2)	H29 H1B	1	388	106	19	0	1	205.50	0.00	2.50	0.00	208.00	
20101002		15	ISO (2)	H29 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	0.00	
20101004		50	ISO (2)	H29 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	615	ISO (2)	H29 H1B	11	5703	1118	187	0	11	2238.50	778.25	38.50	0.00	3056.25	
SEP23rd-OCT2nd	ADJ 3 ONLY	29	ISO (1)	CIS REVIEW	0	0	0	0	0	0	152.25	190.25	0.00	0.00	350.50	

Peter Shuttle
USCIS - VSC
Assistant Center Director AG-3

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 RFE'd 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)

cell: [REDACTED]

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)

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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

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



Bonnie.Robbins@dhs.gov

(b)(6)

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

(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:

April 8, 2009

USCIS Continues to Accept FY 2010 H-1B Petitions

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B visa petitions subject to the fiscal year 2010 (FY 2010) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 master's degree educational exemption cap.

USCIS will provide regular updates as the receipt of FY 2010 H-1B cap cases continues. Once the agency has received the necessary number of petitions to meet the cap, it will issue an update to advise the public it has met the H-1B cap, known as the "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.

Petitions filed on behalf of current H-1B workers do not count toward the congressionally mandated 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 –

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
Phone:
Fax: (202) 272-1542

(b)(6)

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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 Figueroa 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).

Thanks!

(b)(5)

Shelly

Shelly Sweeney
Adjudications Officer
Business Operations Branch
Service Center Operations
Phone: [REDACTED]
Fax: (202) 272-1542

(b)(6)

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.

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

cell:

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

cell:

(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

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Peter Shuttle
USCIS - VSC
Assistant Center Director AG-3

cell:

(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
Supervisory 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
Supervisory 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

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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
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Subject: RE: F-1 students and Cap Gap
Importance: High

Pete and Joe,

Any word on the data below?

Thanks!

Shelly

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From: Fierro, Joseph
Sent: Monday, September 20, 2010 11:34 AM
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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

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From: Shuttle, Peter J
Sent: Monday, September 20, 2010 6:58 AM
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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

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- Peter Shuttle
Supervisory 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

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Do you have any thoughts or concerns on this course of action?

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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

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To: Sweeney, Shelly A; Tamanaha, Emisa T
Cc: Renaud, Daniel M; Bouchard, Armanda M; Howrigan, Tanya L; Sweeney, Mark M; Fierro, Joseph
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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

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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
 office
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
 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,

 (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]
Cell: [REDACTED]
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

(b)(6)

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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]
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Email: Sharvari.Dalal-Dheini@dhs.gov

(b)(6)

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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
 (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

 ()  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)

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 #51-129 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:

(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)

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

(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 (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

(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; Kruszk, 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; Kruszk, 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:

(b)(6)

Cell: [REDACTED]
Fax: 202-272-1542
kevin.cummings@dhs.gov

(b)(6)

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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: 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: [REDACTED]
Fax: (202) 272-1542

(b)(6)

FOR OFFICIAL USE ONLY (FOUO)

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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 RFE'd

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 RFE'd

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 RFE'd

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

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


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
 (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


202-272-1542 FAX

(b)(6)

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.

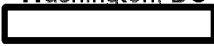
Carol L. Williams
Adjudications Officer
Service Center Operations
Business and Trade Branch
U.S. Citizenship and Immigration Services
Department of Homeland Security
P: [REDACTED] (b)(6)
F: 202-272-1543

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

 (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.

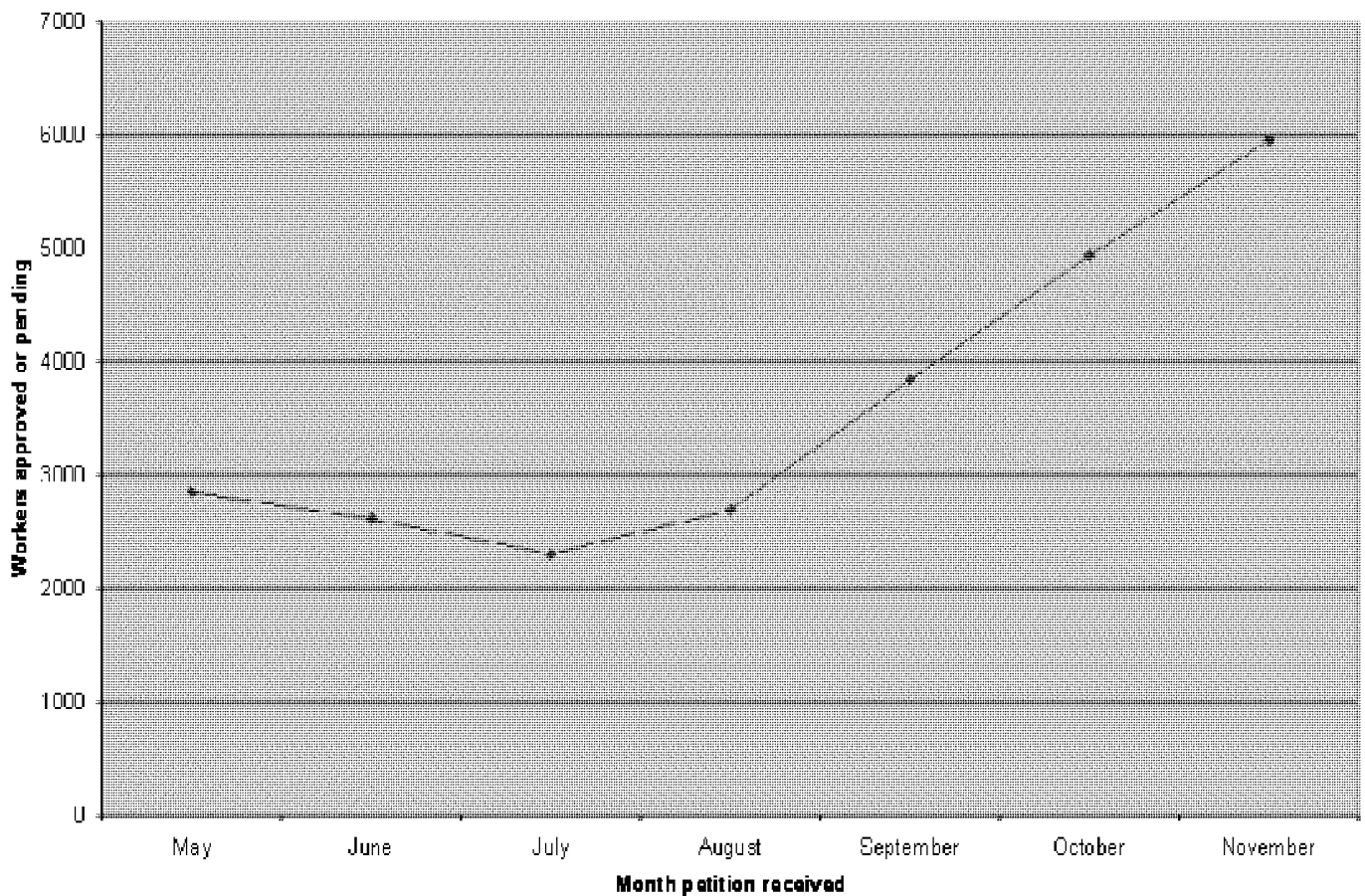
Jim

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

Volume of H-1B Cap petitions based on mailroom date



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 begin 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


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


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

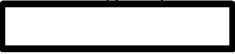
Shirk, Georgette L

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


202-272-1542 FAX

(b)(6)

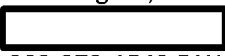
-----Original Message-----

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


202-272-1542 FAX

-----Original Message-----

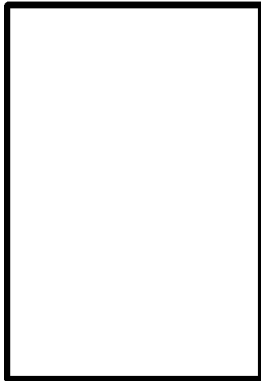
From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 4:10 PM
To: Loughlin, Stephen J; Stoddard, Becky M; Peck, Denis R

Subject: RE: Monday receipts

Denis -

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

(b)(6)



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

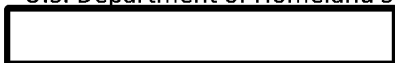
Rec'd date is 12/18 but entered 12/21/09 in CLAIMS

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



(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 erroneously 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)



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.

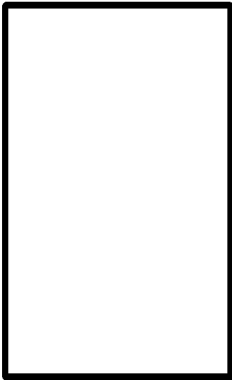
On closer inspection, 170 H-1B cap numbers are left.

Jim

RECEIPT

Recvdate

Rcptdate



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 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

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 RFE'd

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 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

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



(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

(b)(6)

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Please print only when necessary.

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



(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

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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 RFE'd

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

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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 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

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

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Please print only when necessary.

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



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Please print only when necessary.

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



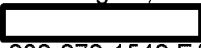
(b)(6)

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

 (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: 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.

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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



(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



(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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 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

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

FOR OFFICIAL USE ONLY (FOUO)

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

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
Office: [REDACTED]
Cell: [REDACTED]
Fax: 202-272-1542
kevin.cummings@dhs.gov

(b)(6)

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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]
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: Kruska, 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; Kruska, 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	94⁰%	44⁰%	15⁰%

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 RFE'd

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

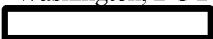
Shirk, Georgette L

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

 (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 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

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 RFE'd

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 RFE'd

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



(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

(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 RFE'd

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

(b)(6)

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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 RFE'd

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


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)

C

Claudia Salem

Department of Homeland Security

USCIS Chief Counsel's Office

Adjudications Law Division

w1:

w2:

(b)(6)

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

 (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

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

 (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.

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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.

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



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 approved 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



(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

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.

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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



(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: 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

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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
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,

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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]
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(b)(6)

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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-

C-

(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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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?

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To: Peck, Denis R; Young, Claudia F; Harton, Frank A; Velarde, Barbara Q
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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,

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PP H1B - 272
Total: 494

If you have any questions, please let me know.

Thank you,
Heidi Ashline (b)(6)
VSC/SISA/CPAU


-----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
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



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202-272-1542 FAX

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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.

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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: 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



(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)

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Please print only when necessary.

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


(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


(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)


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Please print only when necessary.

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

(b)(6)

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Please print only when necessary.

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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[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

Phone

(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
Service Center Operations
Phone: [REDACTED]
Fax: (202) 272-1542

(b)(6)

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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

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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 [REDACTED]
w2 [REDACTED]
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: [REDACTED] (b)(6)
Cell: [REDACTED]
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; Kruszk, Robert F
Subject: RE: H-1B Duplicate Filing Question

Claudia,
Thank you. As an FYI, we are probably looking at less than 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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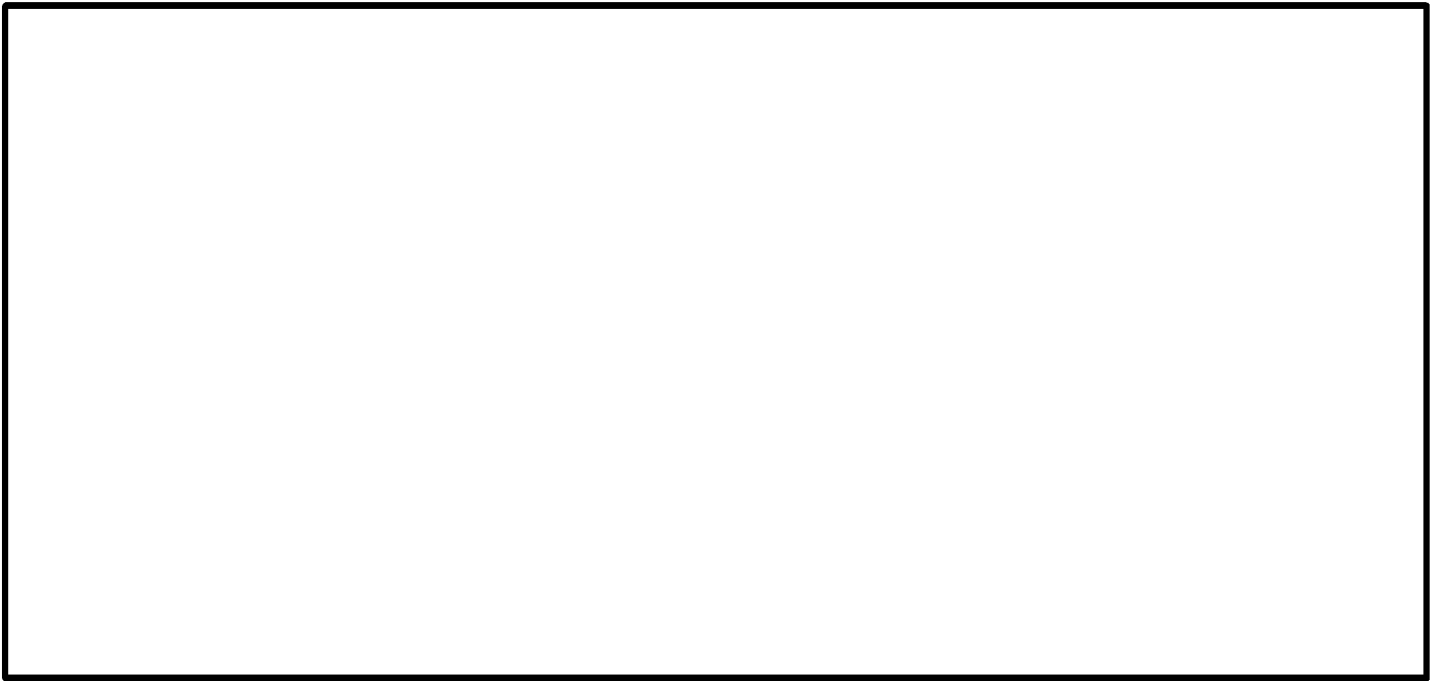
-----Original Message-----

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; Kruszk, 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.



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:

(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 be 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 on 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 Figueroa Irazabal (b)(6)
USCIS Media Relations
[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 Figueroa 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

 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



(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,

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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 (b)(6)
[redacted] Cell
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 on 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
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		RULE 103	2,400	2,545
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		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

CSC	Current nonimmigrant status		
	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
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	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

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

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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

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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 on 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
P: [REDACTED]
F: 202-272-1543

(b)(6)

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] (b)(6)
202-272-1542 FAX

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, Jessie 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 | 



(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
Office:
Cell:
Fax: 202-272-1542
kevin.cummings@dhs.gov

(b)(6)

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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:

April 8, 2009

USCIS Continues to Accept FY 2010 H-1B Petitions

WASHINGTON – U.S. Citizenship and Immigration Services (USCIS) today announced it continues to accept H-1B visa petitions subject to the fiscal year 2010 (FY 2010) cap. USCIS will monitor the number of petitions received for both the 65,000 general cap and the 20,000 master's degree educational exemption cap.

USCIS will provide regular updates as the receipt of FY 2010 H-1B cap cases continues. Once the agency has received the necessary number of petitions to meet the cap, it will issue an update to **advise (instead of advice)** the public it has met the H-1B cap, known as the “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.

Petitions filed on behalf of current H-1B workers do not count toward the congressionally mandated 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 –

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: (202) 272-1562
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

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

 (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

(b)(6)

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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: 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


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 erroneously process a few that came in on Monday? Here are the receipt numbers.

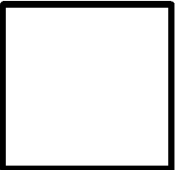
If they misdated the received date, it is okay to continuing processing them (correcting the received date and recording it as a contractor error however). If they processed 5 from yesterday's mail, try to intercept the receipt notices if you can before they go out. Suspend them from further processing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

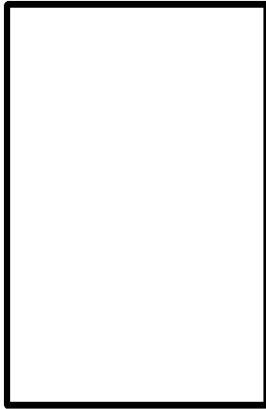
 (b)(6)
202-272-1542 FAX

-----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.



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



(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 erroneously 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)

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.

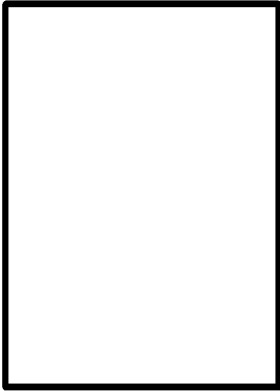
On closer inspection, 170 H-1B cap numbers are left.

Jim

RECEIPT

Recvdate

Rcptdate



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: [REDACTED]
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)

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: [REDACTED]
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

(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

Washington, D.C. 20529-2120

Office: [REDACTED] (b)(6)

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Fax: (202) 272-1405

Email: Sharvari.Dalal-Dheini@dhs.gov

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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: [REDACTED]
Fax: (202) 272-1405
Email: Sharvari.Dalal-Dheini@dhs.gov

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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)
[REDACTED] 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

 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



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 Receipt 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



(b)(6)

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: 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



(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



(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,

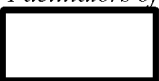
This is an example of what DHS thinks it would like to have included in our weekly report:

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
 (Office) (b)(6)
(Cell)
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.

<i>Fiscal Year</i>	<i>2010^[2]</i>	<i>2009</i>	<i>2008</i>	<i>2007</i>	<i>2006</i>	<i>Average</i>
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.

<i>Fiscal Year</i>	<i>2010*</i>	<i>2009</i>	<i>2008</i>	<i>2007</i>	<i>2006</i>	<i>Average</i>
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
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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.

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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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Cc: Office Of Communications; Johnson, Bobbie L; Young, Claudia F
Subject: RE: Status of USCIS Update for H-1B Cap
Importance: High

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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
Fax: (202) 272-1405
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
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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
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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

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 | (:



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)

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 | (



(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 (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:

(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
 (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: 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 RFE'd

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

(b)(6)

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Please print only when necessary.

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

(b)(6)

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Please print only when necessary.

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



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 RFE'd

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

 (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-

(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



-----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
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)

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: 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 have 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 was 10/25 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*

(b)(6)

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 Source
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		
Total:			

- 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

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

/ cell:

(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 rfd 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)



Office of Communications

U.S. Citizenship
and Immigration
Services

USCIS Update

[Insert Date]

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 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. 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]. Cases will be considered accepted on the date that USCIS took possession of the petition; not the date that the petition was postmarked.

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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 [insert date]. 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 do 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.

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Comment [sas2]: This was added to the last USCIS update on cap numbers by OCOMM

– USCIS



Office of Communications

U.S. Citizenship
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Services

USCIS Update

[Insert Date]

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– USCIS

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Services

USCIS Update

[Insert Date]

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Services

USCIS Update

[Insert Date]

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USCIS Update

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[Insert Date]

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 congressionally mandated statutory 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. 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. Cases will be considered accepted 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 FY2010 that arrive after [insert date]. 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.

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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]. Cases will be considered accepted on the date that USCIS took possession of the petition; not the date that the petition was postmarked.

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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 [insert date]. 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.

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Petitions filed on behalf of current H-1B workers who have been counted previously against the cap will do 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.



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

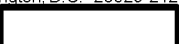
From: Dalal-Dheini, Sharvari P
Sent: Wednesday, March 03, 2010 11:56 AM
To: Sweeney, Shelly A
Cc: OCC-Clearance; ALD
Subject: RE: For Your Review-H-1B 2011 Cap Season Materials-REMINDER

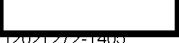
Shelly,

I'm good with your edits. We clear.

Ms. Sharvari (Shev) Dalal-Dheini

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Office of the Chief Counsel
USCIS, Dept. of Homeland Security
20 Massachusetts Avenue, N.W. Suite 4210
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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

AILA Doc. No. 17061919. (Posted 6/19/17)

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.



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
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(b)(6)

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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

WASHINGTON—U.S. Citizenship and Immigration Services (USCIS) announced today that it will begin accepting H-1B petitions subject to the Fiscal Year (FY) 2011 cap on April 1, 2010. Cases will be considered accepted on the date that USCIS takes possession of a properly filed petition with the correct fee; not the date that the petition is postmarked.

The numerical limitation on H-1B petitions for FY 2011 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 ~~has~~ received the necessary number of petitions to meet the H-1B cap. If needed, USCIS will 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.

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 Dec. 31, 2014. Employers may continue to file petitions for these cap-exempt H-1B categories seeking work dates starting in FY 2010 or 2011.

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; 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 possible requests for evidence. USCIS has developed detailed information, including a processing worksheet, to assist in the completion and submission of a FY2011 H-1B petition which can be found on our website.

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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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 –

Fiscal Year (FY) 2011 H-1B 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 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 ~~or by~~ 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			
H-1B Master’s Exemption	20,000			

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. 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.

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.

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

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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.

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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); and
 - 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.

When to ~~How to mail~~ 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; or
- 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; and
- 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.
- 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.
- 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 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)

- Please be sure to complete all sections of the form accurately.
- Please 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

- Please be sure to 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. We will only accept the 08/10/09 edition of Form I-907 after April 30, 2010.

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- 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.
- 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.

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

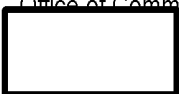
Date for Release: Monday, Apr. 27, 2009

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



(blackberry)

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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; Rummary, 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
 Office
Cell
luz.irazabal@dhs.gov

(b)(6)



Office of Communications

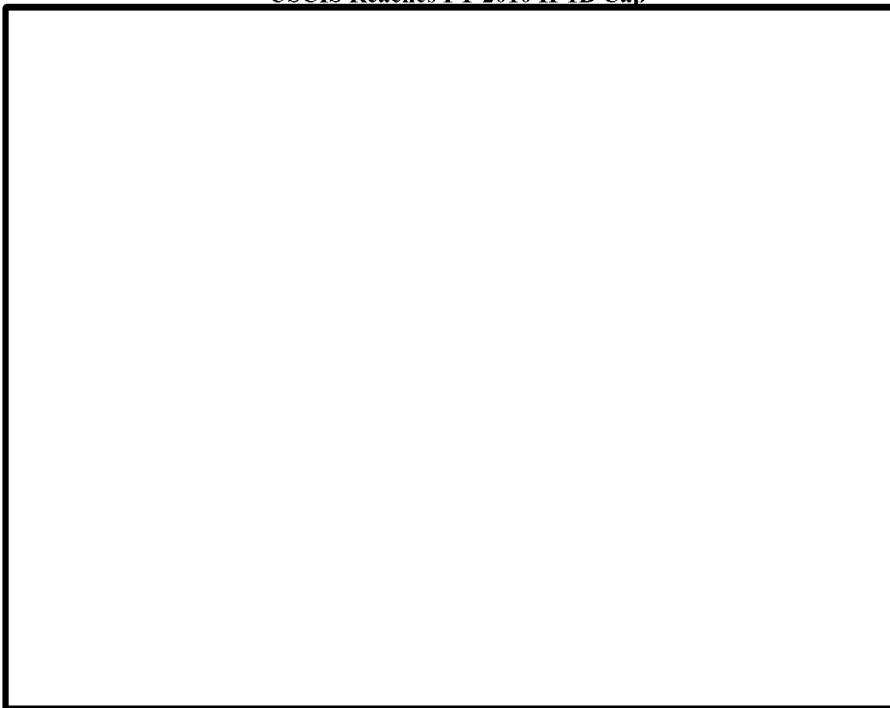
U.S. Citizenship
and Immigration
Services

(b)(5)

USCIS Update

[Insert Date]

USCIS Reaches FY 2010 H-1B Cap



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.

– USCIS

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

202-272-1542 FAX

(b)(6)

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



Site Manager
Stanley SCOSS
USCIS Vermont Service Center

(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 |  or
| x7614  shawn.briggs@dhs.gov
 Consider the environment before printing

??? Service Center

Date	Cap Cases				Masters Cases			
	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

office

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

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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	<u>33</u> ~~29~~ , <u>97</u> ~~00~~		8/ <u>20</u> ~~13~~ /2010
H-1B Master's Exemption	20,000	12, <u>6</u> ~~3~~ 00		8/ <u>20</u> ~~13~~ /2010

Cap Eligible Petitions

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Petition Target

This is the number of petitions that USCIS projects it will need for the cap to be met.

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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.

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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.

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Please comply with the following to ensure that your petition is properly filed:

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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.

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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



(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

AILA Doc. No. 17061919. (Posted 6/19/17)

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-----

AILA Doc. No. 17061919. (Posted 6/19/17)

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

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)



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.

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	<u>20,800</u> 19,600		5/ <u>22</u> 18/2010
H-1B Master's Exemption	20,000	<u>8,700</u> 8,200		5/ <u>28</u> 21/2010

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 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 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	<u>16,025</u> 13,600		4/ <u>22</u> 15/2010
H-1B Master's Exemption	20,000	<u>6,739</u> 5,800		4/ <u>22</u> 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 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 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	~~265,030~~		~~7/23/16~~ /2010
H-1B Master's Exemption	20,000	11,300		~~7/23/16~~ /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

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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	<u>232,590</u> 0		6/ <u>25</u> 18/2010
H-1B Master's Exemption	20,000	<u>109,070</u> 0		6/ <u>25</u> 18/2010

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

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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.

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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

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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	8,2400		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 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 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	<u>198</u> ,000		5/ <u>6</u> 14/2010
H-1B Master's Exemption	20,000	<u>87</u> ,1600		5/ <u>6</u> 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 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 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 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 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	13,600500		4/158/2010
H-1B Master's Exemption	20,000	5,600300		4/158/2010

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.

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.

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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

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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

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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.

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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.

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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	13,600500		4/158/2010
H-1B Master's Exemption	20,000	5,600300		4/158/2010

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.

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 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 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	<u>40</u> 39,600		<u>10</u> 9/ <u>1</u> 24/2010
H-1B Master's Exemption	20,000	14, <u>9</u> 400		<u>10</u> 9/ <u>1</u> 24/2010

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	<u>60</u> 58,700		1/ <u>14</u> 7/2011
H-1B Master's Exemption	20,000	20,000		1/ <u>14</u> 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. 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	276,300		7/30/2010
H-1B Master's Exemption	20,000	11,630		7/23/2010

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

3:57 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.

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

4:10 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

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	<u>186,050</u> 00		<u>54/627</u> /2010
H-1B Master's Exemption	20,000	<u>76,690</u> 0		<u>54/627</u> /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 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 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		8/27/2010
H-1B Master's Exemption	20,000	132,060		8/27/2010

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		9/17/2010
H-1B Master's Exemption	20,000	143,0700		9/17/2010

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.

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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

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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.

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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	<u>51,200</u> ~~50,400~~		<u>12/31</u> ~~26~~ /2010
H-1B Master's Exemption	20,000	18, <u>740</u>		<u>12/31</u> ~~26~~ /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	<u>50,400</u> 48,977		11/ <u>26</u> 19/2010
H-1B Master's Exemption	20,000	<u>187,400</u> 836		11/ <u>26</u> 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
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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.

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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

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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.

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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		11/05/29/2010
H-1B Master's Exemption	20,000	176,2700		11/05/29/2010

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	424,8900		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 85.

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	<u>62,800</u> 0,700		1/ <u>21</u> 44/2011
H-1B Master's Exemption	20,000	20,000		1/ <u>21</u> 44/2011

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: [REDACTED]
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!

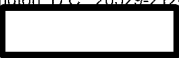
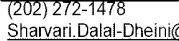
Shelly

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:  (b)(6)
Cell: 
Fax: (202) 272-1478
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

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	24,8 <u>2</u> 00		7/ <u>9</u> 2/2010
H-1B Master's Exemption	20,000	10, <u>6</u> 400		7/ <u>9</u> 2/2010

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	524,4200		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.

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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

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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

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Master's

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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

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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.

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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

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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		12/17/2010
H-1B Master's Exemption	20,000	19,7400		12/17/2010

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

(b)(6)

FOR OFFICIAL USE ONLY (FOUO)

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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 435,000 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	<u>22,200</u> 20,800		<u>65/11</u> 28/2010
H-1B Master's Exemption	20,000	<u>9,400</u> 8,700		<u>65/11</u> 28/2010

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 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 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)
[REDACTED]
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

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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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	FY 2011 ¹	FY 2010 ²
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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: 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
Regular			
Approved	12,600	21,700	34,200
Pending	5,000	5,700	10,700
	17,600	27,400	45,000
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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
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Sent: Monday, August 16, 2010 6:42 AM

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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: 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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	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.

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Regular	14,900	10,700
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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
Assistant Center Director AG-3

(b)(6)

[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 21 receipts

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

(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

202-272-1542 FAX

(b)(6)

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

 (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
Sent: Monday, February 07, 2011 7:22 AM
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
Subject: FW: CAP Rejects - letter

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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

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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
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Sent: Tue Feb 01 09:08:47 2011
Subject: RE: CAP Rejects

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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

 (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
[REDACTED] 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

 (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, Jessie J; Bennett, Linda J; Downing, Karen T; Fries, Juliet M; Lundquist, Liede 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)

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	INTERVIS	APPROVALS	REFS	DEMALS	RELOC'S	COS_ EXTS	REG HOURS	OT HOURS	CREDIT HOURS	HOLIDAY WORKED HOURS	TOTAL PROD. HOURS	1 A
20100923		44	ISO (2)	H29 H1B	3	488	134	35	0	2	301.25	20.75	3.50	0.00	325.50	
20100924		48	ISO (2)	H29 H1B	1	442	119	14	0	8	226.50	77.25	8.25	0.00	312.00	
20100925		32	ISO (2)	H29 H1B	0	0	0	0	0	0	4.00	179.75	0.75	0.00	184.50	
20100926		23	ISO (2)	H29 H1B	0	38	0	0	0	0	0.00	137.75	0.00	0.00	137.75	
20100927		61	ISO (2)	H29 H1B	2	806	171	26	0	8	213.25	68.75	2.25	0.00	284.25	
20100928		75	ISO (2)	H29 H1B	0	1117	275	26	0	6	293.75	73.00	1.25	0.00	368.00	
20100929		66	ISO (2)	H29 H1B	1	822	230	13	0	3	336.00	122.25	0.25	0.00	458.50	
20100930		65	ISO (2)	H29 H1B	2	1032	239	29	0	6	364.75	98.75	1.00	0.00	464.50	
20101001		46	ISO (2)	H29 H1B	1	300	106	19	0	1	205.50	0.00	2.50	0.00	208.00	
20101002		15	ISO (2)	H29 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	0.00	
20101004		50	ISO (2)	H29 H1B	1	541	134	25	0	5	251.00	0.00	5.25	0.00	256.25	
SFP23rd OCT4th	1,2,3,5,6,C,TU	515	ISO (2)	H29 H1B	11	5793	1448	187	0	41	2239.50	778.75	38.50	0.00	3056.75	
SEP23rd OCT2nd	ADJ 3 ONLY	29	ISO (1)	CIS REVIEW	0	0	0	0	0	0	152.25	108.25	0.00	0.00	260.50	

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 | :  
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 (b)(6)

[REDACTED] / cell: [REDACTED]

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 rfd 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
Supervisory 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
Supervisory 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

 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 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; Kuncitis-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

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	

/03/2010

12

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


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				
H-1Bs	Initials	Status	Counts filed before 12/28/2010	Everything filed up today
		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
Notes:				

CSC I-129 H1Bs (C)	
Data Source: C3	
Div I	I-129 H1B
	I-129 H1B EOS
	I-129 PP H1B
	I-129 PP H1B EOS
Div II	Total:
	I-129 H1B
	I-129 H1B EOS
	I-129 PP H1B
Div V	I-129 PP H1B EOS
	Total:
	I-129 H1B
	I-129 H1B EOS
Div VI	I-129 PP H1B
	I-129 PP H1B EOS
	Total:
	I-129 H1B
	I-129 H1B EOS
	I-129 PP H1B
	I-129 PP H1B EOS

- are
- Resubmits are cases that have already been RFEd.
 - Cases "In file room/JIT Shelf" beyond reported times 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

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 RFE'd.
- 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
		VW/Clerical/Incl Resubmits	144	300
		VW/Officer/Incl Resubmits	289	621
	Others	At BCU	15	18
		At CFDO	23	26
		In File Room/Jit Shelf	29	3,862
		On RFE Shelf/Rule 103	339	420
		Other Location	32	41
		VW/Clerical/Incl Resubmits	60	294
		VW/Officer/Incl Resubmits	169	649
Total:		2,399	7,781	

Notes:

- Resubmits are cases that have already been RFE'd.

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

cell:

(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



(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
Service Center Operations
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

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, 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

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, 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

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, 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

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, 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

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, 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

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 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
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, 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 have 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 was 10/25 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



(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 RFE'd.
- 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 Source

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\Div\I\CSC I-129 H1Bs Pending.xls](O:\PDA\PDA_Reports\DivX\Div\I\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

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

(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

 (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: 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- [REDACTED]
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
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)

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: 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



(b)(6)

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



(b)(6)

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]

(b)(6)

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**

/ cell:

(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

(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

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

(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
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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
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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
 (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
[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.

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

(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

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

202-272-1542 FAX

(b)(6)

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 your contact number or you can call me at [REDACTED]

Thanks,
Mark (b)(6)

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-[REDACTED]
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
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)

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: 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	

/03/2010

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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: 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	
Div II	Total:	
	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

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

cell: [REDACTED] (b)(6)

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

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

cell

(b)(6)

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

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 rfd 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

cell:

(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

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: (b)(6)
Blackberry:

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

(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 as 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 assigned 52 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).

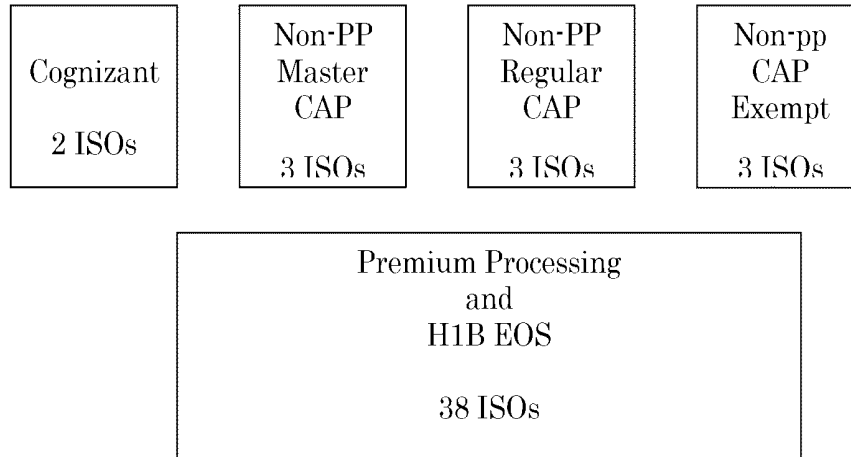
- FID cases are currently redistributed to two officers.
- Re-engineer, establish new SOP and map out process.
- Implement new process.

VIBE:

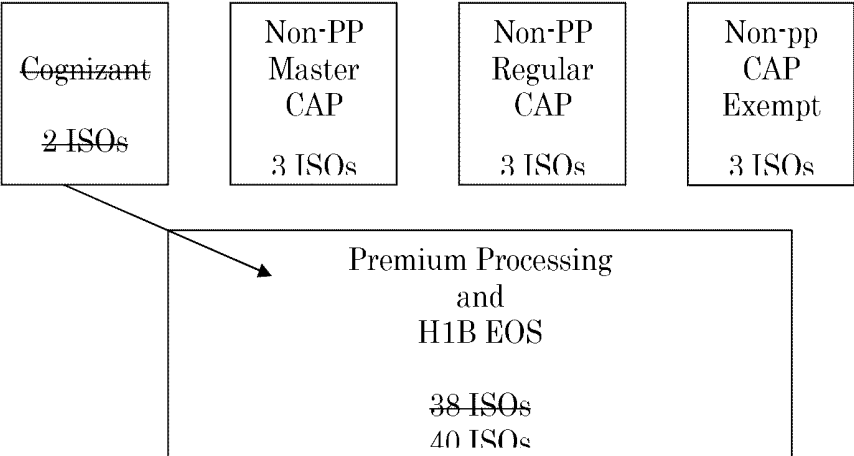
HQ continues to require three full-time officers to pilot the VIBE program.

- Estimated completion date, 3 months.

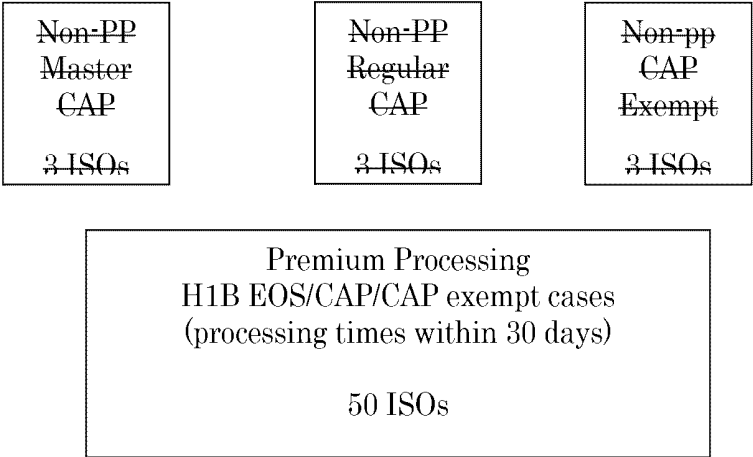
Initial process – currently implemented



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.



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:

H-1B PP/Non- PP

(b)(6)

Other assignments:

COGNIZANT	Master CAP
Regular CAP	CAP exempt

Charter School	AmCon (24534) ASVVP (24415)	FID Officers
VIBE	CNMI - INA	

(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.

AILA Doc. No. 17061919. (Posted 6/19/17)

· 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&vgnnextchannel=73566811264a3210VgnVCM100000b92ca60aRCRD>>; link to front page banner <<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=5b29dd1d5fd37210VgnVCM100000082ca60aRCRD&vgnnextchannel=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&vgnnextchannel=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&vgnnextchannel=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&vgnnextchannel=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

AILA Doc. No. 17061919. (Posted 6/19/17)

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- ...  VT CAP Mail Scan - Sort...  Barcoding Process- D...  Cap Arena DUAL CUS...  CAP IPRS - DRAFT 2-1...  FY '11 H1B Pre-RNG C...  H1B Post RNG Draft ...  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

AILA Doc. No. 17061919. (Posted 6/19/17)

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
 202-272-1542 FAX (b)(6)

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

202-272-1542 FAX

(b)(6)

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
 (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

(b)(6)
202-272-1542 FAX

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

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.

(b)(6) **Kerry T. Contaldi**
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

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

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]
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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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
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] (b)(6)
202-272-1542 FAX

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] (b)(6)
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

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

4/7/11	Total
89	1,519
46	972
78	1,392
27	699
240	4,582

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

[illegible]

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								
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4/26/2011								
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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

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

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4/21/11

4/22/11

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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

(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,

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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: 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]
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
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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

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Denis Peck
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SCOPS/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529


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	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	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

etc

From: Peck, Denis R
To: "Walter.Peacock@stanleyassociates.com"
Cc: [Shiflett, Julie M](mailto:julie.shiflett@dhs.gov)
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, Liede F; Nicholson, Richard E; Taylor, 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>

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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?

----- 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: 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

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)

-----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
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)

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



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

V [REDACTED] (b)(6)
C

----- 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

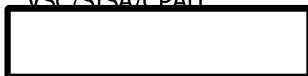
Denis,

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
VSC/STSA/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

[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

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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

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1/21/2011

H-1B Master's Exemption*

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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.

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 • 20,000 U.S. Advanced Degree	• October 1, 2004 • Advanced Degree cap not met⁵⁰
2006	• 65,000 Regular • 20,000 U.S. Advanced Degree	• August 10, 2005 • 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 • 20,000 U.S. Advanced Degree	• May 26, 2006 • July 26, 2006
2008	• 65,000 Regular • 20,000 U.S. Advanced Degree	• April 2, 2007 • April 30, 2007
2009	• 65,000 Regular • 20,000 U.S. Advanced Degree	• April 5, 2008 • April 5, 2008
2010	• 65,000 Regular • 20,000 U.S. Advanced Degree	• December 21, 2009 • July 9, 2009
2011	• 65,000 Regular • 20,000 U.S. Advanced Degree	• January 26, 2011 • 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

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 INA⁶⁰ 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 statute⁶¹ 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 (b)(6)

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

Washington, DC 20529

T: [REDACTED]

(b)(6)

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
Washington, DC 20529

T: [REDACTED]

(b)(6)

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

1129 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

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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 Phone: [REDACTED]

E-Mail: ann.lees@fcifederal.com

www.fcifederal.com

<image003.png>

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
Office: [REDACTED]
Ronald.Peters@DHS.GOV
Ron.Peters@FCiFederal.com

(b)(6)

From: Peck, Denis R
To: Roman-Riefkohl, 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
202-272-1542 FAX

(b)(6)

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
I-129 (H1B CAP)		158	158				
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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	
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 2126
Washington, DC 20529
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

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
[REDACTED] (b)(6)
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: 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 2126
Washington, DC 20529

[REDACTED]
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-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

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I-907/I-129 (Premium Master H1B CAP)		33	33				
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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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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?

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

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

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; 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

(b)(6)

=====
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
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	Caps Left	Days Left	20K Cap	Caps Left	65k Count on day	65K Left	Days Left	65K Cap Reached
				85K	Under 21K		Reached	Under 71K	20K 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: 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 485/765/131 bundle 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] (b)(6)
202-272-1542 FAX

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] (b)(6)
202-272-1542 FAX

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


202-272-1542 FAX

(b)(6)

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

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

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; 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

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*



(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


202-272-1542 FAX

(b)(6)

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

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

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

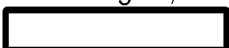
Just wanted to point out a small error in your numbers on the chart below. I think the total for 4/7 should be 338, which would make the grand total 10,240. The rest seem to add up.

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)

AILA Doc. No. 17061919. (Posted 6/19/17)

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

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

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
 202-272-1542 FAX (b)(6)

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)

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]
<http://www.cgi.com/usfederal>

(b)(6)

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

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

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.

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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)
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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Washington, DC 20529
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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; Taylor, 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)						Total
	4/1/11	4/4/11	4/5/11	4/6/11	4/7/11	4/8/11	
(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
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Washington, DC 20529

(b)(6)
202-272-1542 FAX

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, Jessie J; Bennett, Linda J; Fries, Juliet M; Lundquist, Liede 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)						Total
	4/1/11	4/4/11	4/5/11	4/6/11	4/7/11	4/8/11	
(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, Liede 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, Liede 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)						Total
	4/1/11	4/4/11	4/5/11	4/6/11	4/7/11	4/8/11	
(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

(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 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

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
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529


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]
202-272-1542 FAX (b)(6)

From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 10:11 AM
To: Benavente, Jessie 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, Jessie 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, Jessie 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, Jessie 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



Bonnie.Robbins@dhs.gov

(b)(6)

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


202-272-1542 FAX

(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

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
[REDACTED] (b)(6)
202-272-1542 FAX

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
<i>All Mail Received - Not Opened</i>	
Number of Envelopes / Packages	24,801

<i>Opened and Barcoded</i>	
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

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

(b)(6)

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, Jessie J; Bennett, Linda J; CR Bobeng, John; Dinh, William H; Downing, Karen T; Fries, Juliet M; Herrera, Zonia; Lundquist, Lida 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	
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	
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

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

AILA Doc. No. 17061919. (Posted 6/19/17)

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

[REDACTED]

(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)

AILA Doc. No. 17061919. (Posted 6/19/17)

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...  FY12 VSC H1B CAP R...

Assuming volume and data entry rates remain the same CSC should be 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

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, Lida F; Ly, Pam P; Martin, James L; Nicholson, Richard E; Peacock, Walter W.; Petherbridge, Dan R; Printup, Maurice; Siesel, Gregory P; Taylor, 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

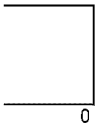
Vermont Service Center

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



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]
<http://www.cgi.com/usfederal>

(b)(6)

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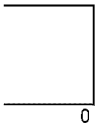
Vermont Service Center

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



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

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...  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
6363 Walker Lane
Alexandria, VA 22310
Mobile: [REDACTED] (b)(6)
<http://www.cgi.com/usfederal>

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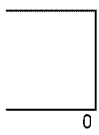
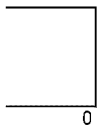
Vermont Service Center

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	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



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
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

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] (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

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)
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
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Alexandria, VA 22310
Mobile: (b)(6)

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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



(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



(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

(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

(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

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



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
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
<i>All Mail Received - Not Opened</i>	
Number of Envelopes / Packages	31,394

<i>Opened and Barcoded</i>	
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



(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



(b)(6)

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



(b)(6)

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



(b)(6)

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

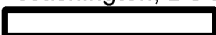
Shirk, Georgette L

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

202-272-1542 FAX

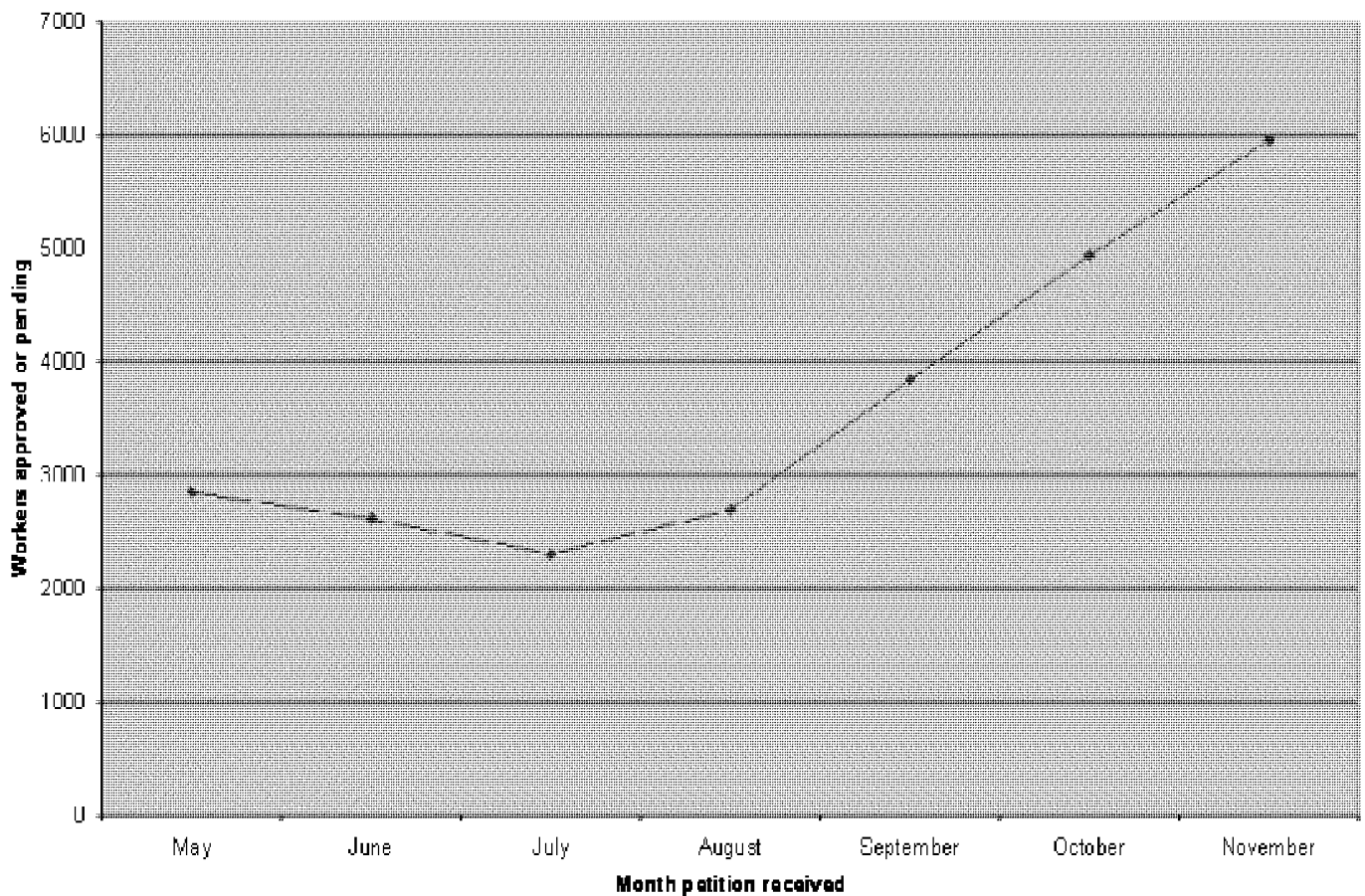
(b)(6)

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

Volume of H-1B Cap petitions based on mailroom date



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

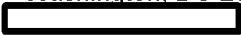
VSC & CSC,

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 begin 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

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


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

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

202-272-1542 FAX

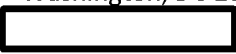
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-----Original Message-----

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

202-272-1542 FAX

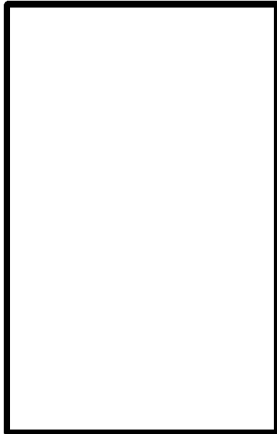
-----Original Message-----

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.



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



(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 erroneously 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)

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.

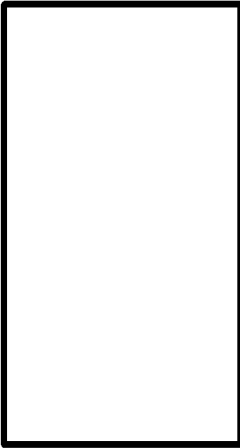
On closer inspection, 170 H-1B cap numbers are left.

Jim

RECEIPT

Recvdate

Rcptdate



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



(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



(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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 23th.

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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

(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] (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.

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


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)

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.

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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

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

 (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

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: 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 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

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
 (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
 (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] (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

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] (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
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

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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?

Denis Peck
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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
[REDACTED] (b)(6)
202-272-1542 FAX

From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 10:11 AM
To: Benavente, Jessie 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, Jessie 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, Jessie 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.

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: 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.

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: 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
20 Massachusetts Avenue, NW Room 2126
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

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 cushion?

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 (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

 (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

 (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



(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.

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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20 Massachusetts Avenue, NW Room 2126

Washington, DC 20529

(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



(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



(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



(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
SCOPS/DO/USCIS/DHS
20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

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
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Washington, DC 20529

(b)(6)
AILA Doc. No. 17061919. (Posted 6/19/17)

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]

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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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)

<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 through 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



(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
 (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
 (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?

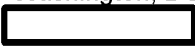
r/
Bill

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
 (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

 (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,

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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

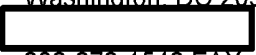
CSC/VSC,

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


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
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: [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; Rummary, 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



(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



(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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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 RFE'd

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.

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

=====

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

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

202-272-1542 FAX

(b)(6)

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

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

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

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: 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 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

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

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.

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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.

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: 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?

Denis Peck
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Washington, DC 20529

(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.

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(b)(6)

From: Collins, Mary Lou E
Sent: Tuesday, December 22, 2009 10:11 AM
To: Benavente, Jessie 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, Jessie 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, Jessie 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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SCOPS/DO/USCIS/DHS
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Washington, DC 20529

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

(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.

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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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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.

Denis Peck
Branch Chief, Service Center Records Management
SCOPS/USCIS/DHS
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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
SCOPS/USCIS/DHS
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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

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 cushion?

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
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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

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

(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



(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...

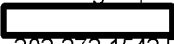
Combined total, 64,110.

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
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20 Massachusetts Avenue, NW Room 2126
Washington, DC 20529

 202-272-1542 FAX

(b)(6)

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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AILA Doc. No. 17061919. (Posted 6/19/17)

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.

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[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] (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]
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: 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

 (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: Kruszk, 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


202-272-1542 FAX (b)(6)

From: Wright, William G
Sent: Monday, February 01, 2010 9:52 AM
To: Peck, Denis R
Cc: Kruszk, 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?

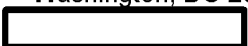
r/
Bill

From: Peck, Denis R
Sent: Monday, February 01, 2010 9:43 AM
To: Wright, William G
Cc: Kruszk, 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)

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
Washington, DC 20529

[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 |  | 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.

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
 (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.

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.

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: 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)

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]
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

Subject: FW: Latest H-1B cap numbers

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Cc: McConnell, James E; Harton, Frank A
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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.

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

202-272-1542 FAX
(b)(6)

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
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

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Branch Chief, Service Center Records Management
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Washington, DC 20529

[REDACTED]
202-272-1542 FAX

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Sent: Tuesday, January 18, 2011 10:07 AM
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(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

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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: Peck, Denis R
To: Loughlin, Stephen J; Nicholson, Richard E
Subject: FW: Latest H-1B cap numbers
Date: Thursday, January 13, 2011 9:04:00 AM

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Cc: McConnell, James E; Harton, Frank A
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¹ moving average over last 4 weeks

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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From: Fitzsimmons, James
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
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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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.

(b)(6) =====
James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[REDACTED] 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)

Vermont Service Ce

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

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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

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

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

 202-272-1542 FAX

(b)(6)

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
 (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

 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	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)

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

(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

 202-272-1542 FAX

(b)(6)

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]
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

=====

(b)(6) James E. McConnell
Branch Chief
Systems, Quality Assurance and Training
Service Center Operations
[REDACTED] - 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)


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



(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.

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H-1B cap Receipts approved or pending

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Fri, 28 Jan 2011

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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.

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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.

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

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
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* 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

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: 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



(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)

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
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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.

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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

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.

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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