

**Worley, Jordan P**

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**From:** Cummings, Kevin J  
**Sent:** Friday, July 07, 2017 2:00 PM  
**To:** Viger, Steven W; Buten, Elizabeth C  
**Cc:** Parascandola, Ciro A  
**Subject:** FW: Computer Programmer Memo Service Center Consistency

Steven and Elizabeth,

Please check this out and let us know your thoughts. Thanks!

--Kevin

Kevin J. Cummings  
Chief, Business & Foreign Workers Division  
USCIS Office of Policy and Strategy  
Department of Homeland Security

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**From:** Doumani, Stephanie M  
**Sent:** Friday, July 07, 2017 2:48 PM  
**To:** Bump, Micah N  
**Cc:** Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny); Cox, Robert H; Nicklaw, Nicole C; Nakajima, Simon T; Cummings, Kevin J; Parascandola, Ciro A (b)(5)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Thanks, Micah. 



Policy, can you please weigh in at your earliest convenience? We would like to provide a response to this question to the centers by next week.

Happy Friday.

Stephanie

---

**From:** Bump, Micah N  
**Sent:** Friday, July 07, 2017 2:28:08 PM  
**To:** Doumani, Stephanie M  
**Cc:** Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny); Cox, Robert H; Nicklaw, Nicole C; Nakajima, Simon T  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Stephanie/SCOPS:

(b)(5)



Enjoy the weekend!

Best,

Micah

Micah N. Bump  
Associate Counsel  
Department of Homeland Security  
Citizenship and Immigration Services  
20 Massachusetts Avenue, NW  
Washington, D.C. 20529  
Tel: (202)272-1405  
Mobile: (202) 704-5095

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---

**From:** Doumani, Stephanie M  
**Sent:** Tuesday, June 27, 2017 3:06 PM  
**To:** Cox, Robert H; Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

(b)(5)

Hey Robert,



[Redacted]

Apologies for my obnoxious use of italics. It helps the time pass.

Thanks,  
Stephanie

---

**From:** Cox, Robert H  
**Sent:** Monday, June 26, 2017 4:27 PM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency (b)(5)

[Redacted]

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**From:** Nicklaw, Nicole C  
**Sent:** Monday, June 26, 2017 9:15:48 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny) (b)(5)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

[Redacted]

Thank you,

Nicole

---

**From:** Cox, Robert H  
**Sent:** Monday, June 26, 2017 2:49 PM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

I see. Thanks.

---

**From:** Nicklaw, Nicole C  
**Sent:** Monday, June 26, 2017 2:40 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Robert,



Thanks,

Nicole

---

**From:** Cox, Robert H  
**Sent:** Thursday, June 22, 2017 1:24 PM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

(b)(5)

Hi Nicole,



Thanks,  
Robert

---

**From:** Nicklaw, Nicole C  
**Sent:** Thursday, June 22, 2017 9:43 AM  
**To:** Nakajima, Simon T; Cox, Robert H; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi OCC,

Thanks so much for the comments and edits. We've incorporated your suggested edits, responded to the outstanding comments and attached a red-lined and clean version to this email.

Please let us know as soon as possible if you're good to go with the templates and we can let the centers know they're cleared and that they can begin using them.

Thank you!

Nicole

---

**From:** Nakajima, Simon T  
**Sent:** Wednesday, June 21, 2017 5:32 PM  
**To:** Cox, Robert H; Nicklaw, Nicole C; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Nicole,

Please find some comments and edits in the attached.

Thanks,  
Simon

---

**From:** Cox, Robert H  
**Sent:** Wednesday, June 21, 2017 3:39 PM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

LOL. Definitely don't have a better plan. ☺

Thanks for confirming.

---

**From:** Nicklaw, Nicole C  
**Sent:** Wednesday, June 21, 2017 3:25 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Robert,

That's the current plan, pending OCC suggestions for a better plan of attack. ☺

Thanks!

Nicole

---

**From:** Cox, Robert H  
**Sent:** Wednesday, June 21, 2017 2:48 PM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

(b)(5)

Hi Nicole,



Thanks,  
Robert

---

**From:** Nicklaw, Nicole C  
**Sent:** Tuesday, June 20, 2017 8:31 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny); ALD; OCC-Clearance  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Robert and OCC,

Attached are revised and reworked RFE templates based on the clarifying guidance you provided (thank you!) and many of your suggested edits were incorporated.



Thank you,

**Nicole Nicklaw**

Adjudications Officer

DHS|USCIS|SCOPS|Business Employment Services Team (BEST)

Desk: (202) 272-8174

Mobile: (202) 557-0347

---

**From:** Cox, Robert H

**Sent:** Wednesday, May 24, 2017 12:30 PM

**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N

**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny); ALD; OCC-Clearance

**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Nicole,

Our comments/edits are attached.

Thanks,

Robert

---

**From:** Nicklaw, Nicole C

**Sent:** Monday, May 22, 2017 2:48 PM

**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N

**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)

**Subject:** RE: Computer Programmer Memo Service Center Consistency

COB Wednesday will work – thank you!

(b)(5)



Thanks,

Nicole

---

**From:** Cox, Robert H

**Sent:** Monday, May 22, 2017 12:59 PM

**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Thanks. We will likely need a couple more days to complete our review. COB Wednesday okay?

**From:** Nicklaw, Nicole C  
**Sent:** Monday, May 22, 2017 12:56 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi OCC,

Attached are the other 2 documents for review.

Thank you,

**Nicole Nicklaw**  
Adjudications Officer  
DHS|USCIS|SCOPS|Business Employment Services Team (BEST)  
Desk: (202) 272-8174  
Mobile: (202) 557-0347

---

**From:** Cox, Robert H  
**Sent:** Monday, May 22, 2017 11:41 AM  
**To:** Nicklaw, Nicole C; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Cool. Thanks.

---

**From:** Nicklaw, Nicole C  
**Sent:** Monday, May 22, 2017 4:40:20 PM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi OCC,

(b)(5)



Thank you!

-Nicole

**From:** Cox, Robert H  
**Sent:** Monday, May 22, 2017 11:38 AM  
**To:** Nakajima, Simon T; Nicklaw, Nicole C; Bump, Micah N

**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Nicole,

Just following up on this since it looks like there was an error with the documents (since all 3 have the same text). I am trying to review the level 1 RFE, and want to cross reference with RFE 2120, but cannot since that document appears to have the wrong text. Can you please resend the 2-wage leveling and RFE 2120 documents with the correct text?

Thanks,  
Robert

**From:** Nakajima, Simon T  
**Sent:** Friday, May 19, 2017 3:04 PM  
**To:** Nicklaw, Nicole C; Cox, Robert H; Bump, Micah N  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny)  
**Subject:** RE: Computer Programmer Memo Service Center Consistency

Hi Nicole,

Is it me or are the three RFEs completely identical, even though they are labeled differently?

Thanks,  
Simon

**From:** Nicklaw, Nicole C  
**Sent:** Monday, May 15, 2017 11:23 PM  
**To:** Cox, Robert H; Bump, Micah N; Nakajima, Simon T  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim)  
**Subject:** FW: Computer Programmer Memo Service Center Consistency

Hi OCC,

(b)(5)

Is it possible to get your comments/edits by COB Monday, May 22? If you need more time, please let us know.

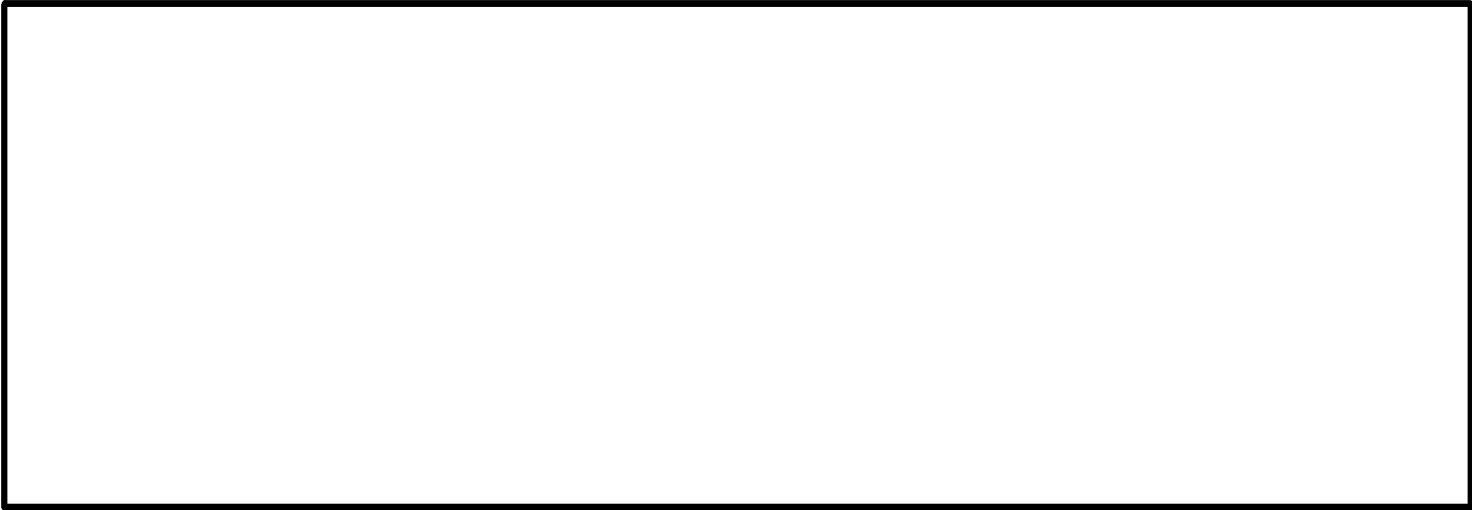
Thank you,  
Nicole

---

**From:** Boudreau, Lynn A  
**Sent:** Wednesday, May 10, 2017 12:04 PM  
**To:** Nicklaw, Nicole C  
**Cc:** Doumani, Stephanie M; Martin, Evelyn M; Fierro, Joseph; Whittier, Michelle J; Plastrik, Steven T; Schmalz, Peter N; Selby, Cara M (Carrie)  
**Subject:** FW: Computer Programmer Memo Service Center Consistency

Hi Nicole,





Please let me know if you have any additional question or concerns.

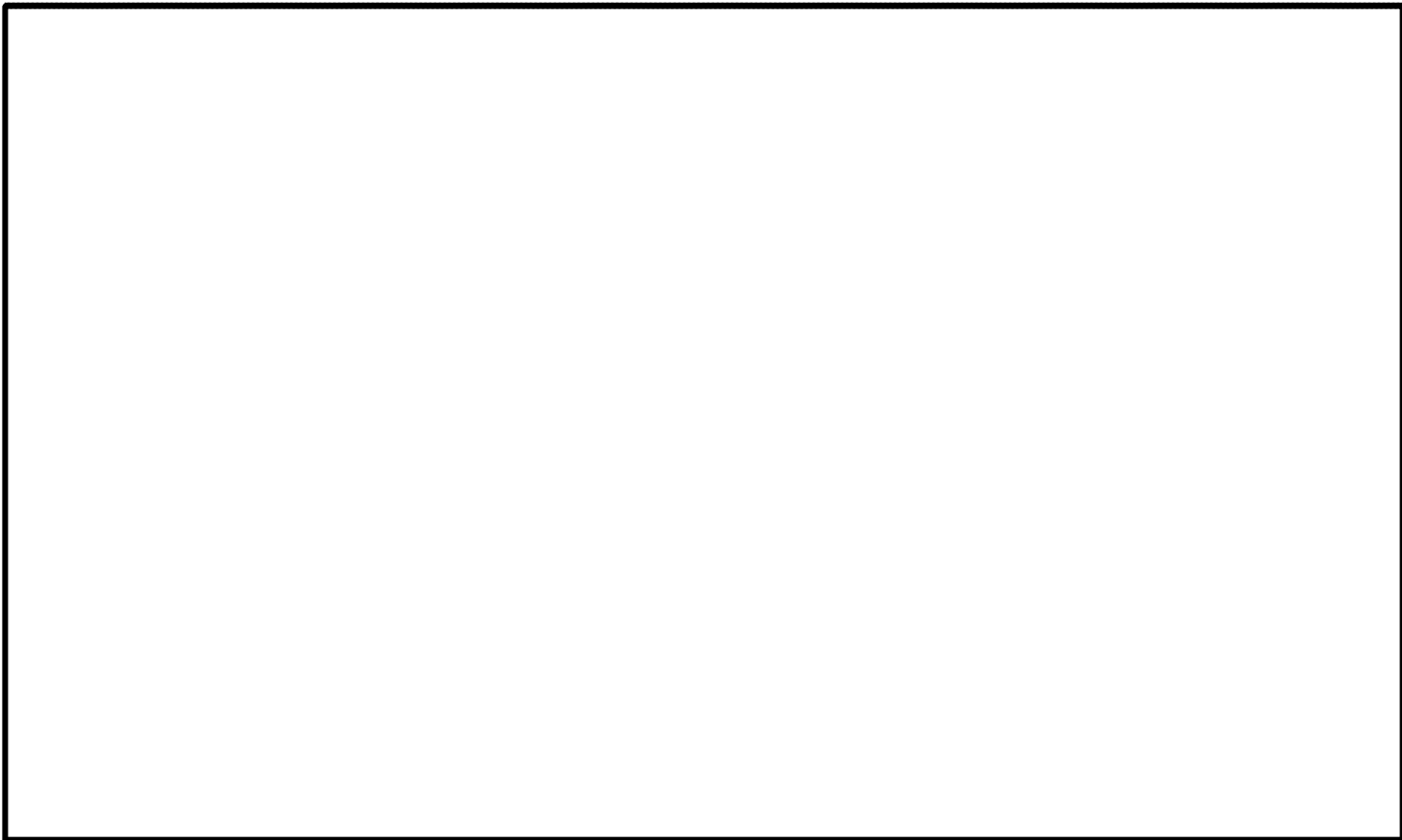
(b)(5)

Thanks,

Lynn

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Thank you for your feedbacks. I read the attached email and realized that you have run this matter through your local counsel.



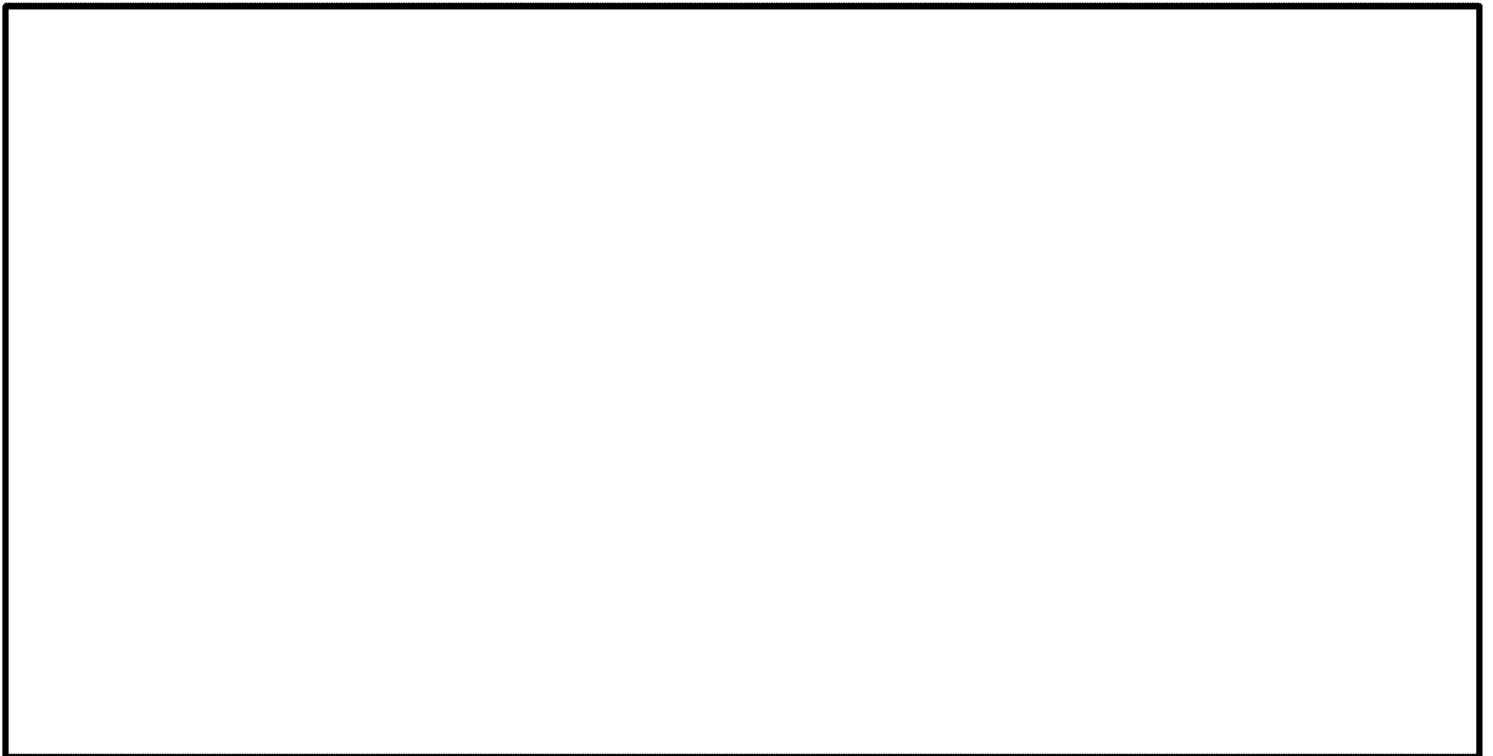
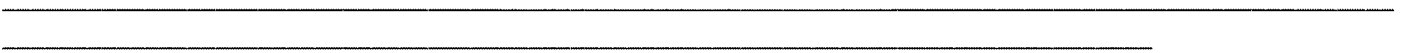
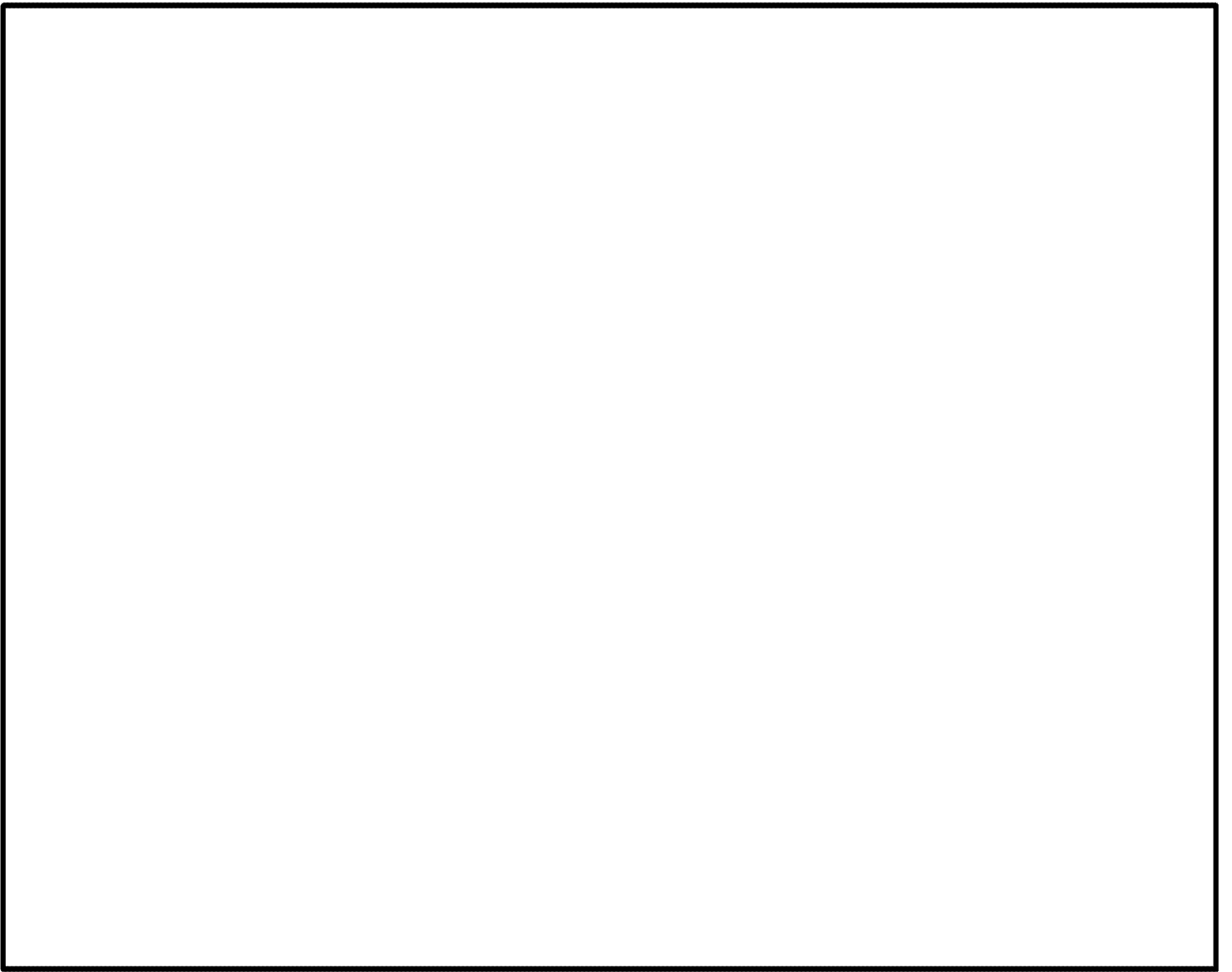
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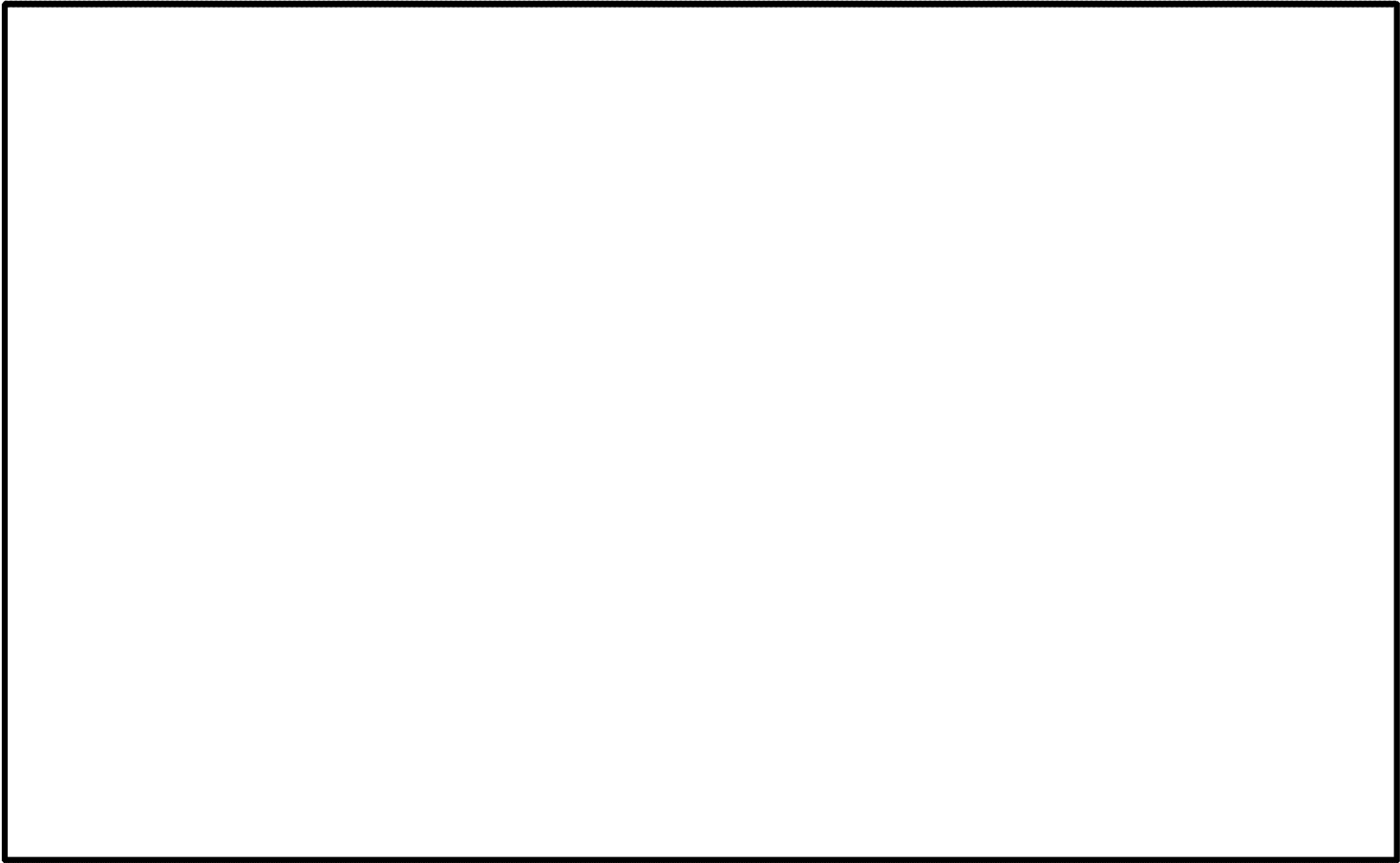
I tried to respond to your points below in red.

(b)(5)

The second RFE was created to address this guidance provided by SCOPS:

(b)(5)





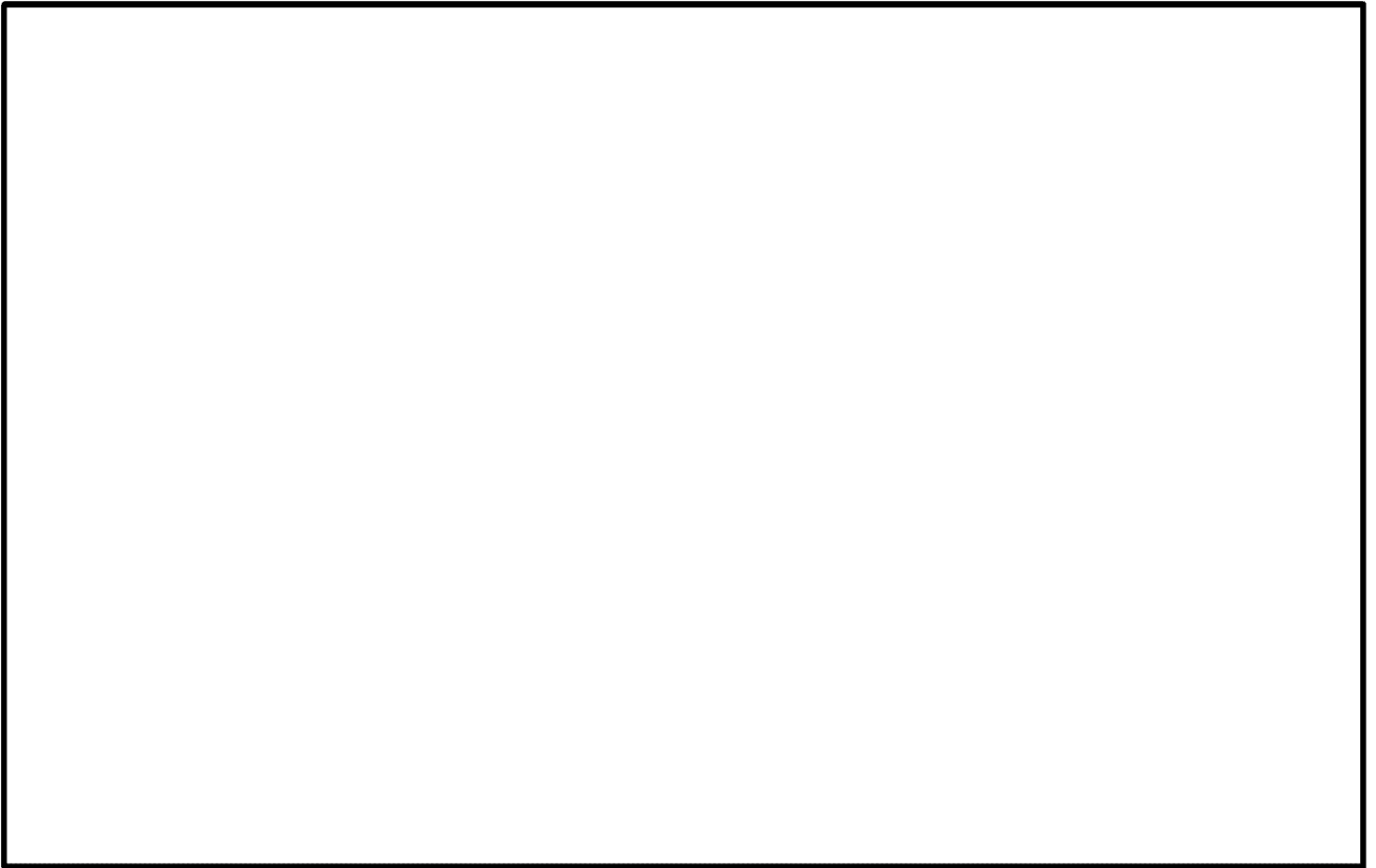
(b)(5)

**Worley, Jordan P**

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**From:** Parascandola, Ciro A  
**Sent:** Wednesday, June 14, 2017 1:54 PM  
**To:** Hale, Paola R; Buten, Elizabeth C; Chulapakorn, Adrienne; Viger, Steven W  
**Subject:** FW: Final Guidance on PM-602-0142  
**Attachments:** RE: URGENT: For urgent review - RTQ on policy memo rescission

**Follow Up Flag:** Follow up  
**Flag Status:** Completed (b)(5)



**From:** Nicklaw, Nicole C  
**Sent:** Monday, May 01, 2017 11:21 AM  
**To:** Fierro, Joseph; Boudreau, Lynn A; Martin, Evelyn M  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim)  
**Subject:** Final Guidance on PM-602-0142

(b)(5)

Hello all,



[Redacted]

(b)(5)

Thank you,

**Nicole Nicklaw**

Adjudications Officer

DHS|USCIS|SCOPS|Business Employment Services Team (BEST)

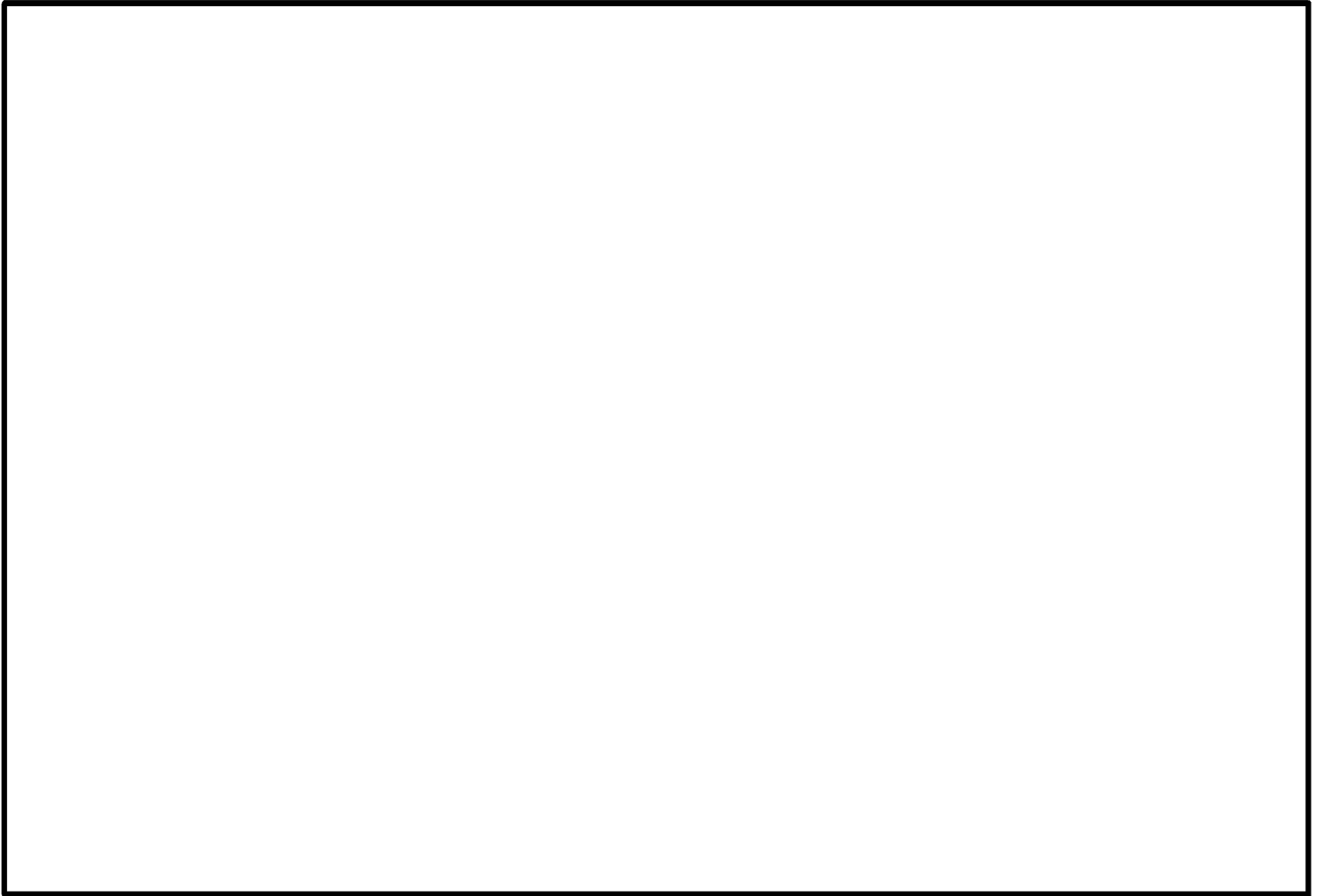
Desk: (202) 272-8174

Mobile: (202) 557-0347

\*\*\*\*\*  
\*\*\*\*\*  
\*\*\*\*\*

(b)(5)

[Large Redacted Area]



## Worley, Jordan P

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**From:** Symons, Craig M  
**Sent:** Tuesday, April 04, 2017 8:10 AM  
**To:** Cummings, Kevin J; Hirsch, Angela H; Levine, Laurence D; Parascandola, Ciro A; Dalal-Dheini, Sharvari P (Shev); Risch, Carl C; Nuebel Kovarik, Kathy  
**Cc:** Catania, Kathryn A; Carter, Jeffrey T (Jeff); Fitzgerald, Arwen  
**Subject:** RE: URGENT: For urgent review - RTQ on policy memo rescission

Hi Kevin and Angela,

Was this RTQ finalized and shared with DHS OPA? We just received an e-mail from them this morning, and they don't seem to have it. Also, can you please send us the final, clean version?

Thanks,  
Craig

---

**From:** Symons, Craig M  
**Sent:** Saturday, April 01, 2017 2:18:16 PM  
**To:** Cummings, Kevin J; Hirsch, Angela H; Levine, Laurence D; Parascandola, Ciro A; Dalal-Dheini, Sharvari P (Shev); Risch, Carl C; Nuebel Kovarik, Kathy  
**Cc:** Catania, Kathryn A; Carter, Jeffrey T (Jeff); Consaul, Arwen E  
**Subject:** RE: URGENT: For urgent review - RTQ on policy memo rescission

Hi Kevin / Angela,

Beachhead clears. This looks good. Please just delete the extra "Q" at the end of the document. Also, please send us a copy of the final, clean version when it's ready. Thanks so much for the quick turnaround on this!

- Craig

---

**From:** Cummings, Kevin J  
**Sent:** Saturday, April 01, 2017 1:36 PM  
**To:** Hirsch, Angela H; Levine, Laurence D; Parascandola, Ciro A; Dalal-Dheini, Sharvari P (Shev); Risch, Carl C; Nuebel Kovarik, Kathy; Symons, Craig M  
**Cc:** Catania, Kathryn A; Carter, Jeffrey T (Jeff); Consaul, Arwen E  
**Subject:** RE: URGENT: For urgent review - RTQ on policy memo rescission  
**Importance:** High

Here is the text. Including the beach head team members **for visibility and the final word on clearance**. Thanks.

## Response to Media Queries

## USCIS Rescinds Policy Memorandum

### Introduction

This policy memorandum (PM) supersedes and rescinds the December 22, 2000 memorandum titled “Guidance memo on H1B computer related positions” issued to Nebraska Service Center (NSC) employees by Terry Way.

### Talking Points

- This is not a change in policy on H-1B and H-1B1 eligibility in computer-related fields. The 2000 memo relied on obsolete information and had not been used as a standard for adjudicating H-1B petitions for many years. It is being rescinded to ensure all service centers use current and consistent standards when reviewing H-1B petitions.
- As the guidance provided in this NSC memorandum is not an accurate articulation of current agency policy, USCIS is rescinding it to prevent inconsistencies in H-1B and H-1B1 adjudications between the three service centers that currently adjudicate H-1B petitions.
- The Nebraska Service Center resumed processing H-1B and H-1B1 petitions in 2016 after a ten year hiatus.
- For more information about classifications of computer-related fields, please contact the Department of Labor public affairs office.
- The rescission memo outlines the requirements companies petitioning for an H-1B visa in a computer-related field must meet: a petitioner must provide evidence to establish that the particular position requires both (1) the theoretical and practical application of a body of highly specialized knowledge and (2) a bachelor’s or higher degree in a specific specialty directly related to the occupation, or its equivalent, as a minimum for entry into the occupation in the United States. Please visit the rescinded policy memo guidance for further information.

Q.

– USCIS –

--Kevin

Kevin J. Cummings  
Chief, Business & Foreign Workers Division  
USCIS Office of Policy and Strategy  
Department of Homeland Security

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**From:** Hirsch, Angela H  
**Sent:** Saturday, April 01, 2017 1:00 PM  
**To:** Cummings, Kevin J  
**Cc:** Catania, Kathryn A; Carter, Jeffrey T (Jeff); Consaul, Arwen E  
**Subject:** For urgent review - RTQ on policy memo rescission  
**Importance:** High

Hi Kevin,





I'm including an ECN link as well as an attachment, in case you're not online on a Saturday afternoon 😊

Angela

**Angela Hussein Hirsch**

Deputy Chief – Strategic Communications Division

*Office of Communications* | **U.S. Citizenship and Immigration Services**

20 Mass. Ave. NW, Suite 3100 | Washington, DC 20529

Office: **(202) 272-2977** | Mobile: **(202) 841-9651**

**[angela.h.hirsch@uscis.dhs.gov](mailto:angela.h.hirsch@uscis.dhs.gov)**

**Sent While Teleworking.**

**Worley, Jordan P**

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**From:** Viger, Steven W  
**Sent:** Monday, August 28, 2017 9:44 AM  
**To:** Nicklaw, Nicole C; Cox, Robert H; Nakajima, Simon T; Bump, Micah N; Buten, Elizabeth C  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Cummings, Kevin J; Parascandola, Ciro A  
**Subject:** RE: Media query/Law360 inquiry on H-1B requests for evidence



Steven Viger  
Adjudications Officer (Policy)  
Office of Policy and Strategy  
U.S. Citizenship and Immigration Services  
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(b)(5)

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---

**From:** Nicklaw, Nicole C  
**Sent:** Monday, August 28, 2017 10:21 AM  
**To:** Viger, Steven W; Cox, Robert H; Nakajima, Simon T; Bump, Micah N; Buten, Elizabeth C  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Cummings, Kevin J; Parascandola, Ciro A  
**Subject:** RE: Media query/Law360 inquiry on H-1B requests for evidence

(b)(5)



Thanks,  
Nicole

**From:** Viger, Steven W  
**Sent:** Monday, August 28, 2017 10:16 AM

**To:** Nicklaw, Nicole C; Cox, Robert H; Nakajima, Simon T; Bump, Micah N; Buten, Elizabeth C  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Cummings, Kevin J; Parascandola, Ciro A  
**Subject:** RE: Media query/Law360 inquiry on H-1B requests for evidence



Steven Viger  
Adjudications Officer (Policy)  
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Telework: Mon and Fri  
[steven.w.viger@uscis.dhs.gov](mailto:steven.w.viger@uscis.dhs.gov)

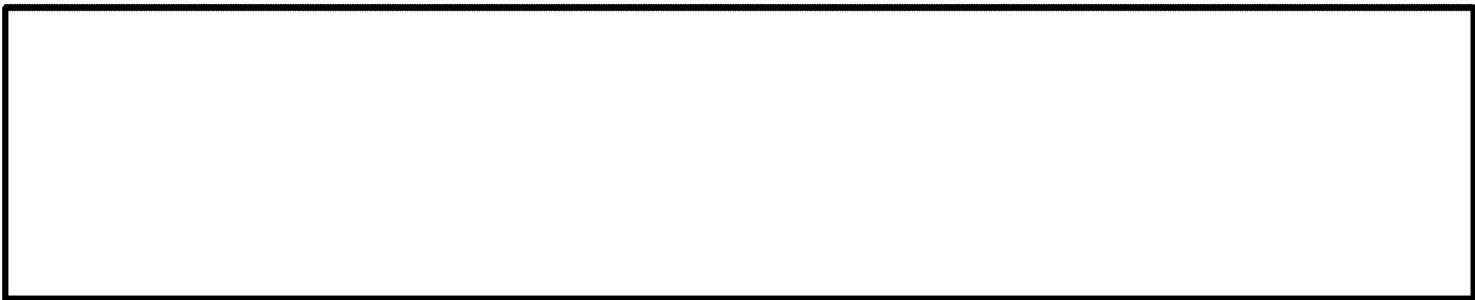
(b)(5)

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**From:** Nicklaw, Nicole C  
**Sent:** Monday, August 28, 2017 10:06 AM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N; Buten, Elizabeth C; Viger, Steven W  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim)  
**Subject:** FW: Media query/Law360 inquiry on H-1B requests for evidence  
**Importance:** High

(b)(5)

Hi OCC and OP&S,



- (Law 360) Has there been a specific policy change about adjudication standards for H-1B petitions with Level 1 wages, or what counts as a specialty occupation? (Perhaps due to the Buy American, Hire American executive order?)  
USCIS is utilizing currently existing policy to evaluate petitions and make a determination regarding whether the wage level is consistent with the position description in the petition.
- (SF Chron) There is a clear trend of lawyers across the country receiving RFE's for their clients who will be getting a Level 1 salary level. Several lawyers, as well as the former director of the USCIS, are telling me this is the first time they have seen these kinds of requests. How do you explain the sudden uptick in these RFEs regarding Level 1 salary levels? Did USCIS receive any directive to adjudicate petitions specific to Level 1 wage levels?

Historically during cap season, USCIS sees an increase in RFE rates based on the increased number of petitions processed. As done in the past, officers evaluate each petition on a case-by-case basis to determine if a petition qualifies for the benefit being requested. USCIS officers utilize currently existing policy to evaluate a petition and request further evidence when the preponderance standard has not been met. An RFE may be issued when the petition does not provide sufficient evidence to show the selected wage level is appropriate for the position.

---

**From:** USCIS.Media  
**Sent:** Friday, August 25, 2017 3:01 PM  
**To:** Moran, Karla V; Weller, Angela V  
**Cc:** Arroyo, Susan K  
**Subject:** Media query/Law360 inquiry on H-1B requests for evidence

Karla and Angela,

We provided the below response to Law 360 on a query regarding H-1B RFEs and level-1 petitions. (The response was approved by OP&S and DHS OPA just this afternoon for a San Francisco Chronicle query).

However, both SF Chronicle and Law 360 have follow-up questions, can you please assist?

- (Law 360) Has there been a specific policy change about adjudication standards for H-1B petitions with Level 1 wages, or what counts as a specialty occupation? (Perhaps due to the Buy American, Hire American executive order?)
- (SF Chron) There is a clear trend of lawyers across the country receiving RFE's for their clients who will be getting a Level 1 salary level. Several lawyers, as well as the former director of the USCIS, are telling me this is the first time they have seen these kinds of requests. How do you explain the sudden uptick in these RFEs regarding Level 1 salary levels? Did USCIS receive any directive to adjudicate petitions specific to Level 1 wage levels?

Thanks,  
CeCe

**From:** Allissa Wickham [<mailto:allissa.wickham@law360.com>]  
**Sent:** Friday, August 25, 2017 2:35 PM  
**To:** USCIS.Media  
**Subject:** Re: Law360 inquiry on H-1B requests for evidence

Thanks, CeCe! Just to clarify though, has there been a specific policy change about adjudication standards for H-1B petitions with Level 1 wages, or what counts as a specialty occupation? (Perhaps due to the Buy American, Hire American executive order?)

On Fri, Aug 25, 2017 at 2:29 PM, USCIS.Media <[uscis.media@uscis.dhs.gov](mailto:uscis.media@uscis.dhs.gov)> wrote:  
Allissa,

Historically during cap season USCIS sees an increase in RFE rates based on the increased number of petitions processed. As done in the past, officers evaluate each petition on a case-by-case basis to determine if a petition qualifies for the benefit being requested. USCIS officers request further evidence when the preponderance standard has not been met. USCIS is committed to protecting the interests of U.S. workers (as directed under the Buy American and Hire American Executive Order) and has received numerous valuable fraud tips since rolling out our new tip line. For more information, visit the USCIS page on the President's [Buy American and Hire American Executive Order](#).

Thanks,  
CeCe  
Carolyn Gwathmey

USCIS PAO

**From:** Allissa Wickham [mailto:[allissa.wickham@law360.com](mailto:allissa.wickham@law360.com)]

**Sent:** Friday, August 25, 2017 2:03 PM

**To:** USCIS.Media

**Subject:** Law360 inquiry on H-1B requests for evidence

Hi all,

I'm writing a story today about how immigration attorneys are receiving more requests for evidence (RFEs) for H-1B visa petitions that list a Level 1 wage, as well as more RFEs challenging whether the job at issue is actually a specialty occupation.

Would you be able to confirm that USCIS has increased the amount of RFEs it's issuing for H-1B petitions, and that the agency is specifically taking a closer look at Level 1 wage and specialty occupation issues?

If so, has there been any policy change regarding H-1B wage standards, specialty occupation standards or RFE issuances?

My deadline on this story is 5pm ET today. Please feel free to email me a statement or give me a call at 646-783-7216.

Best,  
Allissa

**Worley, Jordan P**

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**From:** Cox, Robert H  
**Sent:** Wednesday, June 14, 2017 3:15 PM  
**To:** Parascandola, Ciro A; Doumani, Stephanie M  
**Cc:** Nicklaw, Nicole C; Stern, Kimberly M (Kim); Hutchings, Pamela G; Viger, Steven W; Buten, Elizabeth C; Chulapakorn, Adrienne; Buono, Paul M; Hale, Paola R; Bailey, Morgan; Choi, Hae-Jin; Dalal-Dheini, Sharvari P (Shev); Choi, Heesun S (Sunny); Bump, Micah N; Nakajima, Simon T; Plastrik, Steven T; Hanehan, Brendan J; Luna, Maria P (Pilar)  
**Subject:** RE: Rescission Memo Discussion

(b)(5)

Hi Stephanie and Ciro,



Please let us know if you have any questions.

Thanks,  
Robert

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**From:** Parascandola, Ciro A  
**Sent:** Monday, June 12, 2017 2:49 PM  
**To:** Doumani, Stephanie M; Cox, Robert H  
**Cc:** Nicklaw, Nicole C; Stern, Kimberly M (Kim); Hutchings, Pamela G; Viger, Steven W; Buten, Elizabeth C; Chulapakorn, Adrienne; Buono, Paul M; Hale, Paola R  
**Subject:** RE: Rescission Memo Discussion

(b)(5)

Hi Stephanie –



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**Ciro Parascandola**

Acting Chief, Business and Foreign Workers Division

USCIS Office of Policy and Strategy, DHS

Office: 202-272-1366; Cell [REDACTED] (b)(6)

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**From:** Doumani, Stephanie M

**Sent:** Monday, June 12, 2017 2:17 PM

**To:** Parascandola, Ciro A; Cox, Robert H

**Cc:** Nicklaw, Nicole C; Stern, Kimberly M (Kim); Hutchings, Pamela G

**Subject:** Rescission Memo Discussion

Hi Ciro and Robert,

Happy Monday.

I wanted to see if by chance you were able to confer with your leadership regarding our discussion last week. If so, we would really like to discuss next steps.

Thanks,  
Stephanie

**Worley, Jordan P**

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**From:** Nicklaw, Nicole C  
**Sent:** Friday, September 08, 2017 11:33 AM  
**To:** Cox, Robert H; Nakajima, Simon T; Bump, Micah N; Bernstein, Lauren J; Buten, Elizabeth C; Viger, Steven W  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim); Parascandola, Ciro A  
**Subject:** Rescission Memo, Related RFEs and AILA  
**Attachments:** FW: Rescission call

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi OCC and OP&S,

We held our normal rescission memo roundtable discussion yesterday and CSC flagged a few things we wanted to bring to your attention.



Thanks,

(b)(5)

**Nicole Nicklaw**  
Adjudications Officer  
DHS|USCIS|SCOPS|Business Employment Services Team (BEST)  
Desk: (202) 272-8174  
Mobile: (202) 557-0347



**Worley, Jordan P**

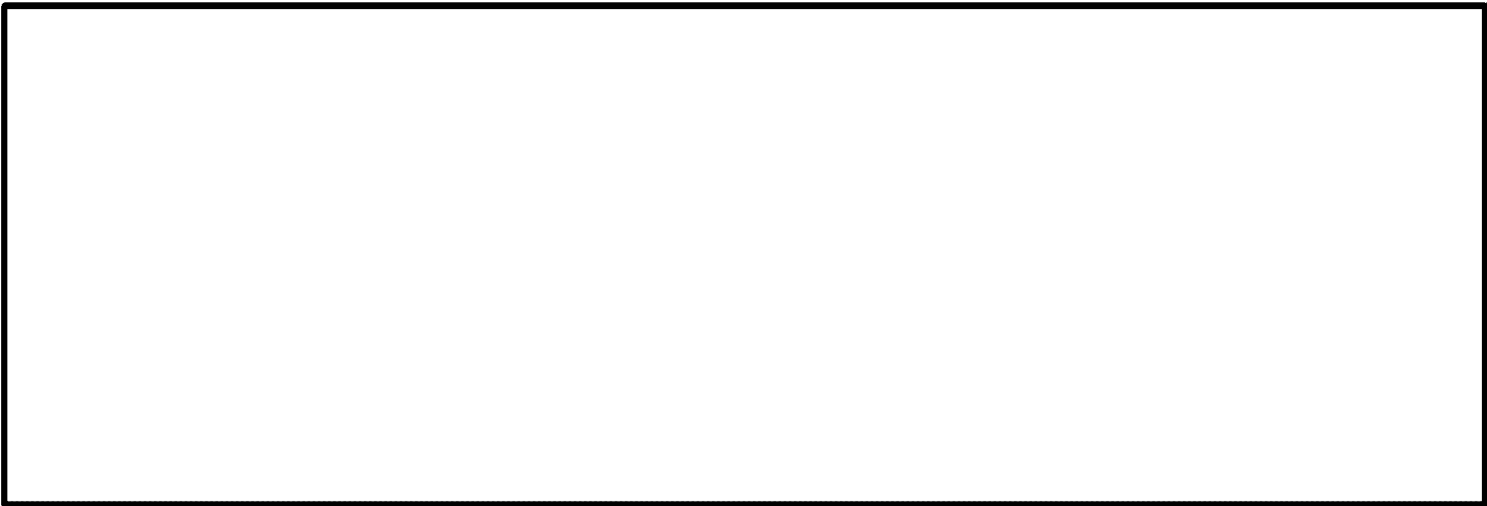
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**From:** Nicklaw, Nicole C  
**Sent:** Wednesday, August 02, 2017 9:58 AM  
**To:** Buten, Elizabeth C; Choi, Hae-Jin; Parascandola, Ciro A; Cummings, Kevin J; Viger, Steven W; Nakajima, Simon T; Fortes, Michael J; Bailey, Morgan; Cox, Robert H; Dalal-Dheini, Sharvari P (Shev); Doumani, Stephanie M; Renwick, William K; Zimonjic, Milica; Bump, Micah N; Hale, Paola R  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim)  
**Subject:** Deference and PM-602-0142 (Rescission Memo)

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

(b)(5)

Hello Working Group,



Please let us know by **COB on Tuesday, August 8** if providing interim [redacted] is something we can move forward with.

(b)(5)

Thank you,

**Nicole Nicklaw**  
Adjudications Officer  
DHS|USCIS|SCOPS|Business Employment Services Team (BEST)  
Desk: (202) 272-8174  
Mobile: (202) 557-0347

**From:** Nicklaw, Nicole C  
**Sent:** Monday, May 01, 2017 11:21 AM  
**To:** Fierro, Joseph; Boudreau, Lynn A; Martin, Evelyn M  
**Cc:** Doumani, Stephanie M; Stern, Kimberly M (Kim)  
**Subject:** Final Guidance on PM-602-0142

(b)(5)

Hello all,





Thank you,

(b)(5)

**Nicole Nicklaw**

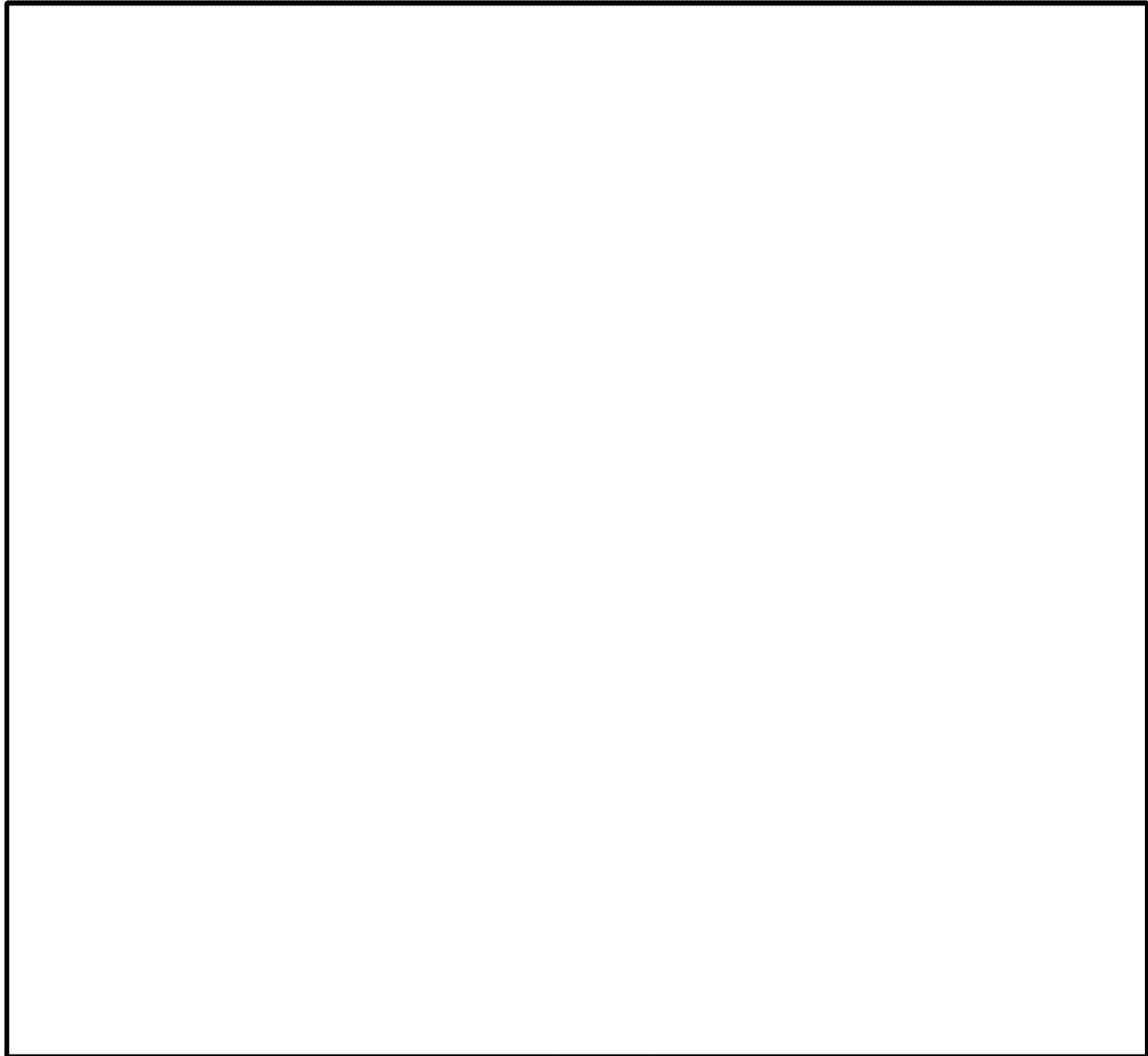
Adjudications Officer

DHS|USCIS|SCOPS|Business Employment Services Team (BEST)

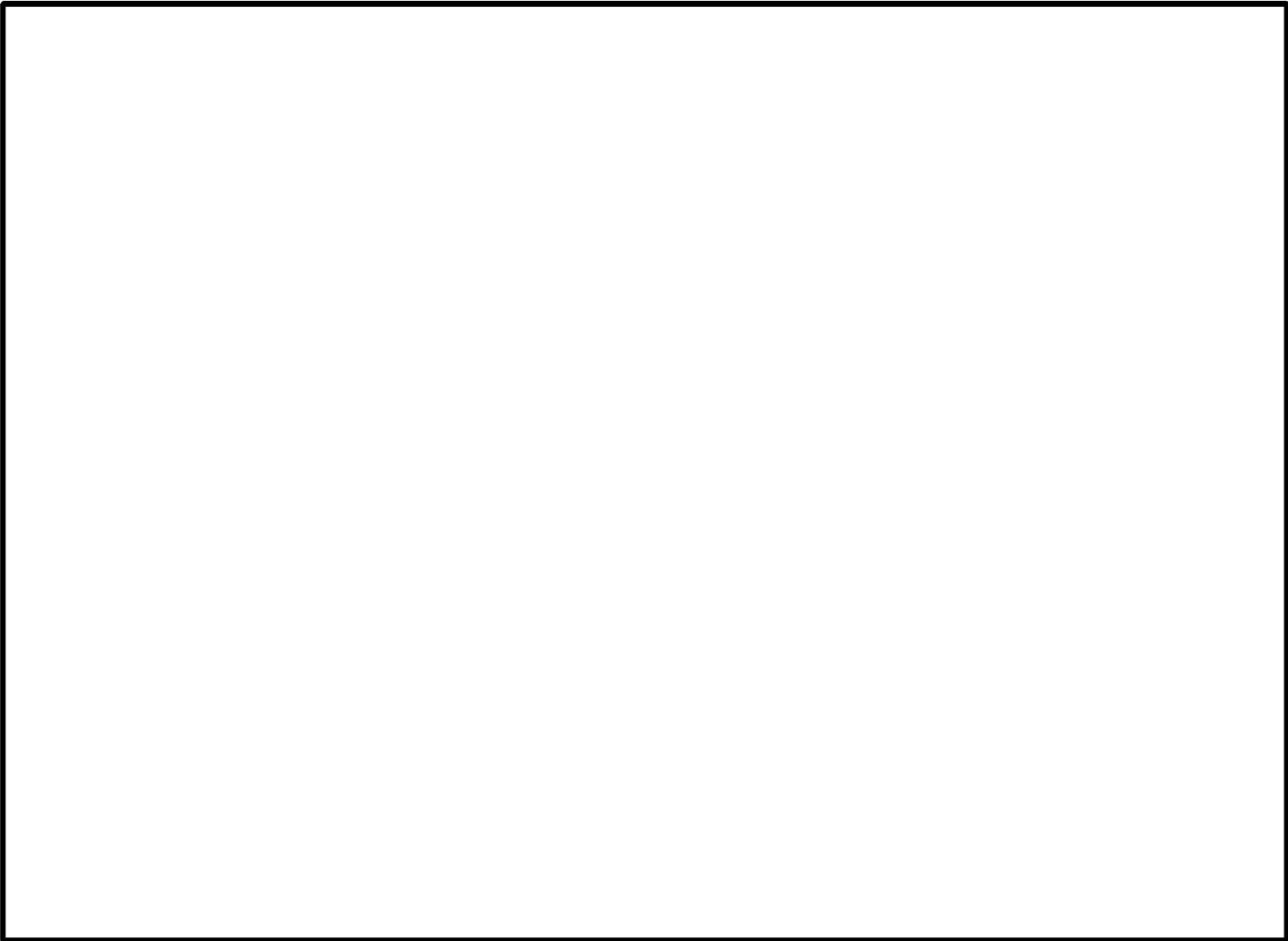
Desk: (202) 272-8174

Mobile: (202) 557-0347

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