

Questions and Discussion Topics
USCIS – California Service Center Open House
June 11, 2015

These notes were taken by members of [NAFSA's ISS-RP Regulatory Ombudsperson Subcommittee](#) and have not been reviewed by the agency officials who participated. They reflect information provided by government officials in an informal setting. Liaison notes and summaries are best used as general information concerning current agency processes and policies, and it is important to recognize that agency processes and policies are subject to change. NAFSA notes and liaison summaries do not constitute legal advice.

The [California Service Center \(CSC\)](#) Open House took place with a number of Associate Center Director (ACD) team members (including employment-based, student-based, family-based and resource management). Staff from the Lockbox Operations and the National Visa Center presented and answered some limited questions as well. The CSC Chief of Staff John Abram noted that USCIS will now have a fifth Service Center (the Potomac Service Center – PSC), which will be located in Crystal City, Virginia. It will supplement the work of the other four Service Centers, with the goal of balancing and redistributing workloads. PSC will have approximately 650 government employees and contractors, and will be fee-funded.

Lockbox Operations

Attendees were provided with a handout (at end of this Q&A) regarding Lockbox services. Please remember that information may change without advance notice.

Q. When the Lockbox performs scans, are they done in color?

A. No, scans are done in black and white.

Q. Does the USCIS adjudicator receive only the scanned file to review?

A. No, the adjudicator receives the paper file as well, except for ELIS-filed cases.

Q. When is a receipt notice issued from the Lockbox?

A. 80% of the time, receipting takes place within 48 hours of arrival at the Lockbox.

Attendees were reminded to email lockboxsupport@uscis.dhs.gov for service on inquiries related to receipting and rejection at the Lockbox.

A comment from an attendee noted it would be very helpful if the Lockbox could provide stakeholders with information that lists the order of how to submit petitions and applications so that crucial information is not lost when the petition or application is re-organized for scanning by the Lockbox staff, and that tabs which petitioners/applicants use to divide documentation into sections can still be useful.

The Lockbox representative clarified that the order of documents submitted is not important since lockbox employees disassemble petitions/applications for scanning and reassemble them afterwards in the preferred order. An attendee noted that if the lockbox provided the preferred order and petitioners/applicants could follow it in assembling their petitions, and then it could be beneficial for both the lockbox and petitioners/applicants.

Employment Session

A portion of the engagement was set aside for a presentation and question and answer session by the Employment Section. At CSC, employment is divided into three separate sections. Each focuses on different product lines, and within each section there are teams for certain products. Many of the teams or individuals are cross trained.

USCIS official, Emisa Tamanaha explained that USCIS at a national level is conducting a Request for Evidence (RFE) project to look at the consistency and quality of RFEs. She noted that at the local level they have a working group focused on quality review and looked at overall data. She stated that the RFE rates for I-29s was stable according to their data and that, despite rumors that the RFE rate is higher for premium processing cases, the RFE rate for Premium Processing and regular processing is approximately the same.

Joe Fierro, Assistant Center Director, Division 1, explained that he had five years working with employment based cases. This section primarily handles I-129s including initial H-1Bs under the cap and cap exempt petitions. There are seven teams in this section all trained for H-1Bs. He provided an update on the cap situation starting with basic information. He stated the cap was met immediately and the agency received over 233,000 cases which was a 30% increase over last year. They were placed in a lottery conducted on April 11, 2015, and receipt notices went out soon after. Rejection notices were slower to go out. They tried to set goals for processing based on the October 1 start date and set a 60 day processing goal.

CSC has sole jurisdiction over cap exempt H-1B filings. He stated that officers continued to work cap exempt cases while they were working cap subject cases and tried to maintain a 60 day processing time.

On April 9, 2015, the Administrative Appeals Office (AAO) issued a precedential decision, Matter of Simeio Solutions, LLC. The decision discusses what worksite or location changes require an employer to file an amended H-1B. At the time of the engagement, the agency was unable to take questions on the decision or how the agency would apply or implement the holding of the decision. It was noted that USCIS had posted draft guidance on the issue at www.uscis.gov and at the time of the engagement was accepting comments.

His tips included making sure the petitioner's address was accurate in Part 1 question 3 of the I-129 because of issues involving *Validation Instrument for Business Enterprises* (VIBE). He also emphasized the importance of spelling names correctly, putting the first name in the spot for first name (and the same for last name) and making sure the date of birth was correct. He also reminded the audience to make sure to use the newest forms and to answer all of the questions on the forms.

Prior to the engagement, NAFSA submitted questions regarding how CSC adjudicates H-1B petitions for coaches/ involving coaching duties. He answered that CSC applies existing law to determine eligibility and that the petitioner must meet the burden of preponderance of the evidence. The issue was not further addressed.

The second employment section in CSC also handles I-129s but for L, E, O, P, Qs and concurrently field I-539s. They stated that they were working on revising their RFE templates. For tips they advised reviewing the [entrepreneur visa guide](#) available, submitting fees on separate checks, and that blue or black ink was acceptable. They also noted the benefit of the premium processing email and that the proper way to pursue an expedite request was to make the request with the National Customer Service Center and the follow up at csc-nsc-followup@uscis.dhs.gov.

The third employment section handles H2A, H2B, religious workers, and extensions of H-1B status. The new regulations and procedures allowing employment authorization documents for H-4 were discussed as well as the suspension of premium processing for H-1B extensions for two months so USCIS could timely process the expected influx of H4 EADs. General tips included filing a duplicate of the petition and any response to Request for Evidence if seeking consular processing.

Q. Have Requests for Evidence (RFE) been issued for April 1 H-1B cap-subject filings?

A. Yes, as well as some approvals and some denials. CSC is about halfway through initial review of submitting petitions.

Q. Will tabs put into petitions and applications be seen by adjudicators, or should indices or cover letters be used in lieu of tabs?

A. I-129s do not go through the Lockbox, so if petitions are submitted with tabs, the Adjudicator will be able to see and use them. Dividers, tabs and an index are very helpful.

Q. There were multiple questions about H-4 Employment Authorization Documents (EAD).

A. Adjudicators will look for all pending I-539s that are tied to I-129s. CSC has indicated that they will hold off on processing EADs until the I-539 has been adjudicated.

Q. It seems that H-1B cap exempt case processing times are slower during cap season. Is this true?

A. CSC monitors processing times daily. The goal continues to be processing cases under 60 days. Some may be taking a little longer than 60 days to be approved, but the case is pulled off the shelf by day 60 and it may take a bit longer to be processed.

Student session

A portion of the engagement was set aside for a presentation and question and answer session by the Student Section. Helen Tran provided the following updates, and then answered some questions.

Student-focused updates:

- CSC noted that the I-765 and I-539 were both revised recently.
 - Regarding the I-539: Starting July 6, 2015, USCIS will accept only the 04/06/15 edition. USCIS will not accept editions dated 12/18/12 or earlier on or after July 6, 2015.
- CSC emphasized that the I-765 must be received by the Service Center within 30 days of the DSO making the OPT recommendation in SEVIS I-20 and within 30 days of the DSO having signed the I-20.
- CSC allows a P.O. Box in the mailing address on the I-765. Students may use c/o school address in Line 3.
- Reminder: Signatures on the I-765 must fit in the space provided - not touching the lines or text on the form. CSC noted that black ink is preferred.
- Common Request for Evidence issuance reasons for OPT applications:
 - Photos. The background should be white or off-white. Applicants are encouraged to write their names and SEVIS ID numbers lightly on the backs of photos.
 - I-20. If a student has received CPT or OPT previously, students are advised to include copies of previous I-20s and any previously issued EADs to show these practical training authorizations and recommendations.
 - I-94. CSC is looking for a copy of the paper I-94 card (front and back), or a print out of the electronic I-94 document.
- Mailing address changes:
 - DSOs can send a request on the student's behalf to have the student's I-765 mailing address updated via the EAD email box: CSC.studentead@uscis.dhs.gov
- I-539 filing tips
 - The applicant can use the DSO's name and the school's address as the mailing address on the I-539.
 - The applicant must sign his or her full legal name on the I-539, and the full legal name on the I-539 should match the applicant's government-issued document (usually passport).
 - Black ink is recommended for the filing of this form.

Q. How can a student request the expedite of an OPT application?

A. The student should call the National Customer Service Center at 800-375-5283.

Q. If an EAD is lost between CSC and the applicant's mailing address, must the student file a new application and pay the application fee?

A. If the EAD was delivered to the last address on file, and returned to USCIS, then the applicant must file all of the documents and fee again. If the EAD was never delivered/didn't reach the address on file, attendees were advised to inquire with CSC about the possibility of issuing a replacement EAD without a new application.

Q. Are the processing times for paper-filed I-539 applications the same as ELIS-filed I-539 applications?

A. No. CSC notes that they are behind in processing ELIS-filed applications, and on time with paper-filed applications. They further noted that they are working overtime to address the ELIS backlog.

Q. Is the STEM OPT application subject to the same 30 day rule (that the I-765 must be received by the Service Center within 30 days of the DSO making the recommendation in SEVIS I-20) as a standard OPT application:

A. No, there is no 30 day rule for STEM OPT applications as there is for the initial OPT application. Remember that STEM OPT applications must be received by CSC before the current EAD expires.

National Visa Center

Phillip Slattery, Director of the National Visa Center, provided some historical background and information regarding the National Visa Center (NVC) and its role in centralizing immigrant visa processing in the United States to reduce the burden on the consular posts. When USCIS approves a visa petition and the beneficiary is either out of the United States or not eligible to adjust status, the matter can be set for processing for permanent residence at a US Embassy or consulate. This is often termed consular processing. Prior to the creation of the NVC, each consular post had its own procedures, and there could be great difficulty in navigating those procedures and communicating with the post. The NVC opened in 1994 and over time, has taken on more of the paperwork associated with consular processing and has goals of streamlining the process. The NVC does not adjudicate any petition or applications, but rather serves as a clearing house. The NVC handles a very large volume and received 14,000 to 16,000 approved visa petitions in a week.

Tips for working with the NVC included a reminder that NVC no longer requires the submission of original documents (a fairly recent change), that an attorney can (and should) utilize NVCAttorney@state.gov, and if escalation to a supervisor is needed to put Attn: "PI Supervisor" in the email subject line.



Lockbox Operations

Mission

Together, the OIDP Intake Operations and Forms and Requirements Divisions continuously improve the efficiency and effectiveness of the electronic and paper intake channels.

Key Activities

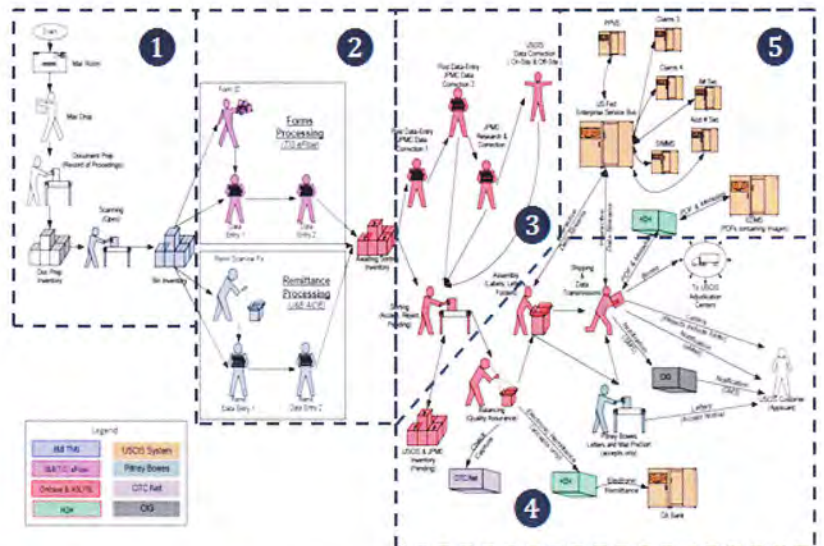
- Manage the lockbox operations provided by the Department of Treasury's financial agent, JP Morgan
- Resolve issues with forms and adjudicate fee waiver requests
- Plan and implement the transition of intake for all fee-bearing forms to the lockbox

Chicago IL | Dallas TX | Phoenix AZ | Williston VT

The lockboxes, including USCIS case resolution analysts, are responsible for: data entry of applications, petitions and requests, determining whether to accept or reject forms, depositing fees, sending receipt or reject notices, physically assembling cases in accordance with the business requirements, sending the files to the appropriate USCIS offices and transmitting the electronic data to the appropriate USCIS offices.

Lockbox Services

- Receive, open, sort and stage mail
- Prepare and scan documents
- Enter document data in system from scanned images
- Accept or reject applications and fees
- Deposit payments to the US Treasury
- Send Receipt Notices for accepted applications and return rejected applications
- Run daily reports and receipts
- Transmit application and payment data to the US Treasury and USCIS



- 1 File Set Up
- 2 Data Capture
- 3 Accept/Reject Decision
- 4 Hard Copy Shipping
- 5 Electronic Transmission

Contact Us @



Customer Inquiries

Please contact our customer service support team with any questions related to lockbox operations or inquiries related to intake receipting or rejection of USCIS forms.

lockboxsupport@uscis.dhs.gov

Leadership

Sheri Sheehan
Division Chief

Kevin Richard
Acting Deputy Chief



Lockbox Operations

Tips for Filing Forms with USCIS

Complete the Form Completely and Accurately

- Use the most current form version from www.USCIS.gov
- Complete the entire form
- Write with black ink and make neat, legible entries
- If you make an error, start over

Submit Required Documents and Evidence

- Submit documents and evidence listed in the form instructions
- Submit copies unless original documents are requested
- Documents must be in English or accompanied by a translation

Check Your Application

- Sign the form
- Answer all questions completely and accurately
- Write your name and date of birth exactly the same on each form
- Pay the correct fee

Top Reject Reasons

Case resolution analysts have to reject cases that do not meet the minimum acceptance requirements established by USCIS. Highest volume reject reasons include:

- Fee Issues
- Application Not Signed
- Principal Applicant Error
- Invalid Revision Date
- Required Fields Missing

For additional filing tips and common questions, go to www.uscis.gov/forms-filing-tips

Lockbox Forms and Filing

| Form | CHI | DAL | PHO | Form | CHI | DAL | PHO | Form | CHI | DAL | PHO |
|--------------|-----|-----|-----|--------------|-----|-----|-----|---------|-----|-----|-----|
| EOIR-29 | ✓ | ✓ | | I-600 | | ✓ | | I-817 | ✓ | ✓ | |
| G-1145 | ✓ | ✓ | ✓ | I-600A | | ✓ | | I-821 | ✓ | ✓ | ✓ |
| G-28 | ✓ | ✓ | ✓ | I-601 | ✓ | ✓ | ✓ | I-821D | ✓ | ✓ | ✓ |
| I-102 | ✓ | ✓ | ✓ | I-601A | ✓ | | | I-824 | ✓ | ✓ | ✓ |
| I-129F | | ✓ | | I-690 | ✓ | | | I-864 | ✓ | ✓ | ✓ |
| I-130 | ✓ | | ✓ | I-694 | ✓ | | | I-864EZ | ✓ | | |
| I-131 | ✓ | ✓ | ✓ | I-698 | ✓ | | | I-90 | | | ✓ |
| I-140 | | ✓ | | I-765 | ✓ | ✓ | ✓ | I-910 | | ✓ | |
| I-212 | ✓ | | | I-800 | | ✓ | | N-300 | | ✓ | |
| I-290B | ✓ | | ✓ | I-800 Sup 1 | | ✓ | | N-336 | | | ✓ |
| I-360 | ✓ | ✓ | ✓ | I-800A | | ✓ | | N-400 | | ✓ | ✓ |
| I-485/I-485A | ✓ | ✓ | ✓ | I-800A Sup 1 | | ✓ | | N-470 | | | ✓ |
| I-526 | | ✓ | | I-800A Sup2 | | ✓ | | N-600 | | | ✓ |
| I-539 | ✓ | ✓ | | I-800A Sup3 | | ✓ | | N-600K | | | ✓ |