

Service Center Operations
Monthly Stakeholder Teleconference Tuesday, March 29, 2011 at 2:00pm

USCIS posts on its [website](#) notes or “executive summaries” from engagement calls and meetings, so be sure to check those as well as these notes.

These notes were taken by NAFSA members and have not been reviewed by the government officials who provided this information. They 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.

Brief Service Center Updates

- CSC Director
 - Hiring 40 new officers to keep up with workload
 - Current with national processing time goals – only backlog is L-1 (slightly over 30 day national goal)
 - Upgrade to IT system on 3/25 – if you sent emails Friday 3/25, resubmit to be safe

- VSC Deputy Ctr Director
 - Hiring 50 new officers
 - End of Feb 2011 Inaugural Newsletter released – next one in early April

- Branch Chief Officers
 - *11/23/10 earliest version 129 can be used
 - H-1B season cap page for FY2012 has been posted

- See CIS Website for **Contact Us** Section for Emails (pasted below)
- **USCIS Service Centers** If you contacted the National Customer Service Center with a case-related inquiry and more than 30 days have passed and you have not received a response, you may email the appropriate USCIS Service Center with your inquiry:
 - California Service Center: csc-ncsc-followup@dhs.gov
 - Vermont Service Center: vsc.ncscfollowup@dhs.gov
 - Nebraska Service Center: ncscfollowup.nsc@dhs.gov
 - Texas Service Center: tsc.ncscfollowup@dhs.gov

If you do not receive a response within 21 days of contacting the Service Center, you may contact the USCIS Headquarters Office of Service Center Operations by email at SCOPSSCATA@dhs.gov.

NEW FORM I-129 QUESTIONS - Mandy Bouchard

- Part 2, item 2 - What is a new petition?
A New Petition is = new employment(2a) , new concurrent (2d) and change in employer (2e)

- Part 3, item 2 - Is SEVIS and EAD needed if bene is not F-1?
No, only if requesting change of status from F, M or J
- Part 4, item 11 - Previously held J status – to access applicability of 212e?
Routine adjudication questions –does not trigger any extra review
- Part 4, item 11 - What docs required when changing from J status?
Need DS 2019, visa, pp pages, most recent I-94, I-612 waiver approval. *If beneficiary is on an H but previously held J status, these docs regarding J status are not needed.*
- When beneficiaries cannot locate docs if they were destroyed, what can be done?
Look to secondary evidence but still need something for educational institution if diploma or transcripts are unavailable.
- Page 7 for Explanation Page– If not completed, does it need to be signed?
If blank page, does not need to be signed by petitioner.
- Pages 14-16 (Supplement) should these pages be submitted if not asking for H-2B, H-2A?
No need to provide to USCIS.
- Page 17, Part A, item 5 - DOT code?
Be sure to complete
- AC21 Extension, Page 17, Part C, item 3g?
Mark yes on this form when Petitioner: (1) requesting general H ext, (2) seeking to recapture remainder time or (3) seeking ext under AC21
- 129 Free Trade Supplement, pages do not mention E-3?
Please use for E-3 check box e for 'trade other'
- Documentation required for H-1B petitions. Is there a paystubs requirement?
Providing 2 paystubs not a set requirement but easily identified but other evidence such as W-2 or employment letter is also acceptable.
- Part 2, item 2e, When to use Change in Previously Approved Employment?
Use when requesting more time; use amended petition when you do not request for more time.
- Part 6, Export Controls – If employer later finds that that employee is subject to this based on a change in job duties, what happens?
Complete the form as to what is relevant at the time of filing.
- Caller Question - H Data Collection Part C, in typical extension box 'e' or 'g' – can both boxes apply?
You can check both boxes if they both apply (not limited to 1 box in this section)

- Caller Question - How to address RFE's that look for Petitioner's Nature, Scope and Activity of Nature's Business?
Look to companies with similar size and scope to see if truly comparable. The job posting provided might not be related b/c companies are not comparable.
- Caller Question – Part 2, a & e, New Employment & 2E Change of Employer?
Use Change of Employer when you are changing H-1B employers and extending your status. Use new employment if you are not already an H-1B.
- Caller Question – H-1B employees payroll changes from one subsidiary to another affiliated subsidiary with different FEIN. Are new H's required for I-9 regs or would new LCA's suffice?
Fact dependent scenario – if in doubt then submit amended petitions.
- Caller Question – Are documents filed with CSC or VSC scanned? Do you prefer double sided?
No and No
- Caller Question - Beneficiary Working Remotely from home office – how do respond to Part D, item a?
Check 'yes' and then clarify.

USCIS Website

Issue which services claims not interfacing well with website. They are working on a resolution.

PIMS

- Copy of approved petition is sent to DOS for entry into PIMS.
- I-129 Petitions Canadian – are they entered in PIMS & is second set needed for KCC?
KCC does not receive a copy of the petition for Canadians. PIMS does not accommodate visa exempt non-immigrants.
- What is sent to KCC for scanning?
Duplicate of the filing is scanned to KCC

Premium Processing (CSC)

- Lack of email filing receipt?
CSC uses automated system only if email is on I-129. You can call CSC if you fail to receive electronic receipt.

H-1B CAP

- Where to file if ER is non-profit – cannot choose to be subject to H cap
- New and extension petitions for cap exempt entity but be filed with CSC
- H-1B petitions are normally reviews initially for fee and whether cap subject

AC21 Extensions

- Is Form 9089 required for AC21 H-1B ext?
Yes, certified 9089 required

Itinerary for H's at Multiple Sites

- If employees are rotated to sites, can employer submit a generic itinerary if these locations are not known at the time of filing?
Be specific as possible – CIS will evaluate in its totality

O-1 & P-1s (could not hear speaker very well)

- RFE – P-1 extensions do not require supporting docs if there are not change in conditions of employment?
If changes have occurred, provide supporting docs
- USCIS - Office of Public Engagement will be posting executive summary shortly
- Service Ctr/Error: Contact 800 numbers first & then use CIS email address