

H-1B COS/EOS		H-1B Petition Fraud Referral Sheet <i>Petitions Not already identified in the Fraud Intelligence Digest</i>		H-1B COS/EOS	
Petitioner's Name: [REDACTED]			Receiver: [REDACTED]		
Beneficiary's Name/DOB: [REDACTED]			02/04/2009 [REDACTED] WPCR101		
Referred By: Name: [REDACTED] WS: 22026 Date:			A Number (If applicable)		
Adjudicative Status: Officers should attempt to complete adjudication before referring. If not, supervisory approval required.					
<input type="checkbox"/> Pending		<input type="checkbox"/> ITR sent		<input type="checkbox"/> Denied	
<input type="checkbox"/> RFE sent		<input type="checkbox"/> RFE/ITD/ITR response		<input type="checkbox"/> Revoked	
<input type="checkbox"/> ITD sent		<input type="checkbox"/> Approved		<input type="checkbox"/> Withdrawn	
Investigation requested:		<input type="checkbox"/> Post-adjudicative review and/or site visit			
		<input type="checkbox"/> Pre-adjudicative site visit - requires supervisor approval (Supervisor's initials: _____)			
Instructions: In order to ensure an actionable fraud referral is sent to the Center Fraud Detection Operation (CFDO), all petitions that possess 2 of the 3 10/25/10 criteria must be referred to the CFDO.					
<input checked="" type="checkbox"/> Gross Annual Income less than \$10 million		<input type="checkbox"/> Multiple filings: DHS records should indicate significant discrepancies between the number of petitions filed in the last three (3) years and the current number of employees.			
<input checked="" type="checkbox"/> Company claims less than 25 employees					
<input type="checkbox"/> Company established for less than 10 years		<input type="checkbox"/> Incomplete, inconsistent, or misstated information on the petition - excessive blanks, inflated figures, etc.			
<input type="checkbox"/> Contracts for consultants or staffing agencies show no end-client - no work description or itinerary					
<input type="checkbox"/> Not Paying the Claimed Wage		<input type="checkbox"/> NO Website for an IT Consulting Company. Also be aware of websites that look good but are always under construction.			
<input type="checkbox"/> Suspect Documents: Altered, counterfeit, or boilerplate, etc. (i.e., All employment letters have virtually the same text and signatures with letterheads being the only difference.)		<input type="checkbox"/> Preparer & Preparer's Address - The preparer, notary, petitioner, etc. are the same person and they have the same address while the actual work location shows a different address.			
<input type="checkbox"/> Location on the Labor Condition Application (LCA) Form ETA 9035 differs from place of employment.		<input type="checkbox"/> Photographs of petitioner's premises have been altered (i.e., company logos and signs added after photo was taken - many times digitally)			
<input type="checkbox"/> H-1B Dependent - Claims not to be dependent but a check of Mainframe CLAIMS indicates this may not be true.		<input type="checkbox"/> Occupations - Accounting, Human Resources, Analysts, & Managers (i.e., marketing research analysts, business analysts, financial analysts, Managers for advertising, marketing, promotions, public relations, and sales requested by marginal companies lacking the organizational complexity required to support the position on a full-time basis for a three-year period such as liquor stores, dry cleaners, gas stations, residential care facilities, convenience stores, donut shops, fast food restaurants, dental office, 99 cent stores, parking lots, etc.)			
<input type="checkbox"/> LCA Code does not match the claimed duties listed in the petition and cover-letter.					
<input type="checkbox"/> Evasive or ambiguous answers or complete failure to respond to requested information.		<input type="checkbox"/> Abandonment or withdrawal after request for evidence issued			
<input type="checkbox"/> Zoning inconsistent with business internet data - petitioner's address indicates that it is zoned residential rather than commercial.		<input type="checkbox"/> Questionable education credentials			
<input type="checkbox"/> Petitioner filing outside of jurisdiction					
<input type="checkbox"/> Attorney identified on the FID		<input type="checkbox"/> * FID Update - see additional relevant information to update the FID.			
Remarks: (If necessary attach another sheet with other fraud indicators) Requires supervisor approval (Supervisor's initials: _____)					

(Rev. 12/12/08, D10)

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