

Request for Records Disposition Authority

Records Schedule Number DAA-0566-2016-0015
Schedule Status Approved

Agency or Establishment Citizenship and Immigration Services
Record Group / Scheduling Group Records of U.S. Citizenship and Immigration Services
Records Schedule applies to Agency-wide
Schedule Subject CAP Tracker
Internal agency concurrences will be provided No

Background Information

The CAP Tracker functions as a case management application and correspondence generator for rejected H-1B Form I-129 petitions. The H-1B classification allows U.S. employers to temporarily employ foreign workers in the United States in specialty occupations. In order to obtain authorization to employ a foreign worker as an H-1B, the importing employer (or agent) files the Form I-129, Petition for Non-Immigrant Worker.

The H-1B classification is generally subject to an annual numerical limit (commonly referred to as the "H-1B cap"). H-1B petitions subject to the annual cap may be filed up to six months before the date of intended employment. Since the annual cap is based on the fiscal year, which starts on October 1 of each year, cap-subject petitions may be filed as early as April 1. Given significant demand for H-1B visas, the H-1B cap is now typically reached during the first week of cap filings. When the number of cap-subject petitions exceeds the number of annual H-1B visas during the first 5 days of filing, a lottery is conducted pursuant to the regulations to select petitions in the annual cap. Those cap-subject petitions that are not selected are rejected and returned to the petitioner. The CAP Tracker tracks I-129 petitions that are rejected after the H-1B cap has been reached.

Cap-subject H-1B petitions that are properly filed and selected under the H-1B lottery (when applicable) are entered into CLAIMS 3. Cap-subject H-1B petitions that are not selected in the H-1B cap and rejected are not entered into CLAIMS 3.

The CAP Tracker serves as a centralized database that provides well-defined data that can be used to determine volume and trends of rejects that are issued. CAP Tracker data is used to:

- improve internal processes;

- improve communication with customers;
- enhance electronic documentation in the event of litigation; and
- standardize the response language in reject letters.

NOTE: Records that are linked to national security, law enforcement, fraud, administrative investigations or actions, congressional inquiries or similar matters may be extended beyond the applicable retention period in five-year increments.

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
6	0	6	0

GAO Approval

Outline of Records Schedule Items for DAA-0566-2016-0015

Sequence Number	
1	USCIS User Profiles: Disposition Authority Number: DAA-0566-2016-0015-0001
2	H-1B Petitioner (Business): Disposition Authority Number: DAA-0566-2016-0015-0002
3	H-1B Beneficiary: Disposition Authority Number: DAA-0566-2016-0015-0003
4	CAP Rejection Documents: Disposition Authority Number: DAA-0566-2016-0015-0004
5	Attorney or Accredited Representative Accounts: Disposition Authority Number: DAA-0566-2016-0015-0005
6	CAP Receipt Information System (CRIS) Disposition Authority Number: DAA-0566-2016-0015-0006

Records Schedule Items

Sequence Number	
1	<p>USCIS User Profiles:</p> <p>Disposition Authority Number DAA-0566-2016-0015-0001</p> <p>Information about the USCIS Federal Employee or Contractor may include, but is not limited to the following data: User Full Name, User ID, User USCIS Email.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p>Do any of the records covered by this item exist as structured electronic data? Yes</p> <p>Disposition Instruction</p> <p>Retention Period Delete/Destroy 7 years from last adjudicative action.</p> <p>Additional Information</p> <p>GAO Approval Not Required</p>
2	<p>H-1B Petitioner (Business):</p> <p>Disposition Authority Number DAA-0566-2016-0015-0002</p> <p>H-1B Petitioner data may include, but is not limited to the following data: Petitioner Full Name, Petitioner Full Address, Received Date.</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? Yes</p> <p>Do any of the records covered by this item exist as structured electronic data? Yes</p> <p>Disposition Instruction</p>

3	Retention Period	Delete/Destroy 7 years from date of rejection.
	Additional Information	
	GAO Approval	Not Required
	H-1B Beneficiary:	
	Disposition Authority Number	DAA-0566-2016-0015-0003
	H-1B Beneficiary data may include, but is not limited to the following: Beneficiary Full Name, Beneficiary DOB, Barcode number (assigned to the CAP Petitions filed with set time frame) used as CAP reject case number if Petition becomes non-selected or unacceptable, Received Date.	
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes
Do any of the records covered by this item exist as structured electronic data?	Yes	
Disposition Instruction		
Retention Period	Delete/Destroy 7 years from date of rejection.	
Additional Information		
GAO Approval	Not Required	
4	CAP Rejection Documents:	
	Disposition Authority Number	DAA-0566-2016-0015-0004
	Rejection notices are created to inform the petitioner and the accredited representative of the petition status. The Rejection notice may include, but is not limited to the following data: CAP Receipt Number, Attorney Name, Beneficiary Name, and reason why the petition was rejected are used to create the notice.	
	Final Disposition	Temporary
	Item Status	Active
	Is this item media neutral?	Yes
	Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?	Yes

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Do any of the records covered by this item exist as structured electronic data?

Yes

Disposition Instruction

Retention Period

Delete/Destroy 2 years from the date of creation.

Additional Information

GAO Approval

Not Required

Attorney or Accredited Representative Accounts:

Disposition Authority Number

DAA-0566-2016-0015-0005

Information about the Attorney/Accredited Representative may include, but is not limited to the following data: Attorney/Representative/Firm Name, Attorney/Representative/Firm Address,

Final Disposition

Temporary

Item Status

Active

Is this item media neutral?

Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?

Yes

Do any of the records covered by this item exist as structured electronic data?

Yes

Disposition Instruction

Retention Period

Delete/Destroy 7 years from date of rejection.

Additional Information

GAO Approval

Not Required

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CAP Receipt Information System (CRIS)

Disposition Authority Number

DAA-0566-2016-0015-0006

Database information in case of inquiries regarding litigation. The CRIS database may include but is not limited to the following data: CAP Receipt Number, Attorney Name, Beneficiary Name, and reason why the petition was rejected are used to create the notice.

Final Disposition

Temporary

Item Status

Active

Is this item media neutral?

Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing?

Yes

Do any of the records covered by this item exist as structured electronic data?

Yes

Disposition Instruction

Cutoff Instruction

Cut off at the end of the calendar year.

Retention Period

Delete/Destroy 2 years from cutoff.

Additional Information

GAO Approval

Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
06/23/2016	Certify	Joseph Martinez	Records Officer	US Citizenship and Immigration Services - Policy and Implementation Branch
07/25/2016	Return for Revision	Jeremy Schmidt	Archives Specialist	National Archives and Records Administration - ACRA Appraisal Team 1
08/05/2016	Submit For Certification	Joseph Martinez	Records Officer	US Citizenship and Immigration Services - Policy and Implementation Branch
08/05/2016	Certify	Joseph Martinez	Records Officer	US Citizenship and Immigration Services - Policy and Implementation Branch
08/10/2016	Return for Revision	Jeremy Schmidt	Archives Specialist	National Archives and Records Administration - ACRA Appraisal Team 1
08/10/2016	Submit For Certification	Joseph Martinez	Records Officer	US Citizenship and Immigration Services - Policy and Implementation Branch
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				Services - Policy and Implementation Branch
08/10/2016	Certify	Joseph Martinez	Records Officer	US Citizenship and Immigration Services - Policy and Implementation Branch
09/28/2016	Submit for Concurrence	Jeremy Schmidt	Archives Specialist	National Archives and Records Administration - ACRA Appraisal Team 1
10/03/2016	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/03/2016	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
10/05/2016	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist