

February 5, 2013

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## **Immigration Law Update**

### **Current Developments in Employment-Based Immigration**

#### **Greetings!**

*This is the latest installment in our efforts to keep you apprised of the rapidly changing U.S. immigration environment. Some of the most recent changes could have a serious impact on you or your employees, and we urge you to communicate these changes to interested parties.*

## **H-1B Cap Season Fast Approaching**

USCIS will begin to accept H-1B petitions for fiscal year 2014 starting April 1, 2013, for start dates of October 1, 2013 or later. H-1Bs are available on a fiscal year basis with an annual limit of 65,000 with 20,000 extra H-1B's available to individuals who have U.S. Master's degrees. Employers with new hires who are impacted by the H-1B cap count should contact Rosner Partners early to begin the H-1B preparation process. Last year the quota was reached on June 11, 2012, five months earlier than the previous year. To minimize the risk of not getting H-1B status before the annual quota is reached, we encourage you to contact us right away if you are in need of an H-1B petition or are considering sponsoring an individual in H-1B status.

## **Rosner Partners Welcomes Attorney Andrew Bramante**

Andrew Bramante joined Rosner Partners this past month to expand our firm's capabilities in the areas of deportation defense and related immigration law services. Prior to joining the firm, Mr. Bramante practiced law with Margaret W. Wong & Associates. He also served as an Extern for the Cleveland Immigration Court.

Mr. Bramante has extensive experience in I-601 waivers, deportation defense, asylum, family-based adjustment of status, relief from detention, DACA, motions to reopen, appeals before the BIA and Federal Courts of Appeals, U-visas, and prosecutorial discretion. Mr. Bramante's clients frequently comment on his intelligent, proactive, and compassionate legal representation and his

responsiveness to their needs.

Mr. Bramante earned his bachelor degree from Dartmouth College summa cum laude and his law degree from Case Western Reserve University Law School, also summa cum laude. He was a senior editor of the Case Western Reserve Law Review. His prior professional experience includes corporate marketing and finance, non-profit development, education administration, and teaching.

Mr. Bramante is a member of the American Immigration Lawyers Association and the Cleveland Metropolitan Bar Association. He is admitted to the Ohio Bar.

## February 2013 Visa Bulletin

Employment- Based	All Chargeability Areas Except Those Listed	CHINA- mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	15JAN08	01SEP04	C	C
3rd	15MAR07	15NOV06	15NOV02	15MAR07	22AUG06
Other Workers	15MAR07	01JUL03	15NOV02	15MAR07	22AUG06
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th Targeted Employment Areas/ Regional Centers and Pilot Programs					

## New Immigrant Visa Fee at U.S. Embassies and Consulates

Effective February 1, 2013, individuals applying for immigrant visas at U.S. Consulates or Embassies abroad will need to pay a new \$165 immigrant visa fee. This fee will be collected online through [www.uscis.gov](http://www.uscis.gov). Individuals wishing to consular process an immigrant petition are advised to contact Rosner Partners, LLC for assistance in these matters.

## Impact of Potential Government Shutdown on Foreign Nationals in the U.S. and Abroad

Without action from Congress, government funding will run out on March 27, 2013. A government shutdown would force the closure of USCIS, and the U.S. Consulates and Embassies abroad; key agencies to foreign national employees. While we are hopeful such an event will not come to pass, Rosner Partners wishes to urge all foreign nationals with nonimmigrant status, employment authorization documents or U.S. visa stamps set to expire in the next six months to contact Rosner Partners LLC as soon as possible to plan appropriately in advance of this date.

## USCIS Announces New Provisional Waiver of Inadmissibility Process

Starting March 4, 2013, immediate relatives of U.S. citizens will be able to apply for a provisional unlawful presence waiver before leaving the United States to attend a visa interview at the U.S. Embassy or Consulate in their home country. Currently, immediate relatives of U.S. citizens applying for lawful permanent residence who are in need of a waiver of unlawful presence must leave the U.S. and obtain both an immigrant visa and a waiver of inadmissibility abroad. Having to complete both steps abroad separates families for a significant period of time and creates financial and emotional hardship. This change in policy should greatly reduce the amount of time families spend apart in order to complete the immigration process.

*For additional information about any of the topics presented here, please contact us. If you would prefer not to receive future e-mails of this nature, please unsubscribe on the link below.*

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