



December 4, 2012

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**Immigration Law Update**  
**Current Developments in Employment-Based Immigration**

**Dear Julie,**

*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.*

**Interview Waiver Program Introduced in India**

The U.S. Mission in India has expanded its interview waiver program to additional categories in an effort to improve wait times and efficiency at consular posts across India. The most significant addition to the list is the inclusion of certain H and L visa applicants. The program now allows individuals from certain categories to apply for a new visa stamp by dropping off applications and passports at designated locations, rather than attending the traditional in-person interview. The applicant must meet the eligibility criteria in order to use this "dropbox" procedure; however, the program is expected to improve the visa issuance process for thousands of foreign nationals. For further information regarding this program, and for further information regarding eligibility for this method, please contact Rosner Partners LLC.

**December 2012 Visa Bulletin**

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	22OCT07	01SEP04	C	C

3rd	22DEC06	01JUL06	01NOV02	22DEC06	15AUG06
Other Workers	22DEC06	01JUL03	01NOV02	22DEC06	15AUG06
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th Targeted Employment Areas/ Regional Centers and Pilot Programs					

## Advisory for All Non-Immigrants Regarding Visa Validity and Petition Validity Dates

A recent change in policy by the Department of State on the length of time given for visa stamp validity periods has led to quite a bit of confusion for many non-immigrants. The Department of State is now issuing visas with validity periods that in some cases are longer than the petition validity period. Understandably, having a visa stamp which has a longer duration than the I-797 Approval Notice, can lead to confusion as to when the foreign national is allowed to enter the United States and how long the foreign national is allowed to remain in the United States. Due to the recent nature of this change, immigration officials at the ports of entry are occasionally having difficulty in dealing with this change. Foreign nationals are advised to carry their approved petitions when entering the United States and ensure the officer correctly annotates the I-94 to match the petition period. The I-94 is the controlling document rather than the visa stamp validity period in determining an individual's authorized period of stay in the United States. Matching the I-94 expiration date to the visa validity period may cause inconsistent expiration dates for families and/or frequent travelers. Individuals with any questions or concerns should not hesitate to contact Rosner Partners regarding this matter, especially those who have applied via Blanket L petitions at the US Consulate abroad.

*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.*

**Sincerely,**  
**Rosner Partners, L.L.C.**

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