

## Business Immigration Reporter

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### Attention HR Professionals:

The Department of Justice (DOJ) issued a new proposed rule concerning the provisions regarding the Office of Special Counsel (OSC) concerning investigations of unfair immigration-related employment practices.

Specifically, the proposed revisions update the ways in which charges of discrimination can be filed, clarify the procedures for processing of such charges, and conform the regulations to the statutory text to clarify the timeframes within which the Special Counsel may file a complaint with the Office of the Chief Administrative Hearing Officer (OCAHO).

If you wish to comment on the newly proposed rule you must do so prior to September 14, 2016 [here](#).

### Money Makes The World Go 'Round:

Did you know that the USCIS does not get appropriations from Congress to process your company's visa applications? This is the reason why you pay filing fees for every visa application you send to USCIS. Yes, you guessed right, USCIS is proposing to raise its fees and they published the following in the Federal Register:

The Department of Homeland Security (DHS) proposes to adjust certain immigration and naturalization benefit request fees charged by U.S. Citizenship and Immigration Services (USCIS). USCIS conducted a comprehensive fee review, after refining its cost accounting process, and determined that current fees do not recover the full costs of the services it provides. Adjustment to the fee schedule is necessary to fully recover costs for USCIS services and to maintain adequate service. DHS proposes to increase USCIS fees



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by a weighted average of 21 percent and add one new fee.

The comments period has lapsed. We will publish all fee changes once they become available.

### **CBP Prepared to Issue 5-year Nonimmigrant Waivers in Most Cases:**

Many foreign business travelers are required to obtain a nonimmigrant waiver to enter the United States because of often long past insignificant criminal infractions. Typically, such a nonimmigrant waiver case is processed within four to six months, but some linger for years. More troubling, waivers have been issued in one or two year increments only.

Now; however, U.S. Customs & Border Protection (CBP) is prepared to issue these waivers in five-year increments beginning around January 2017. This will include both initial waivers and extensions and include both waivers filed at consulates overseas and those applied for directly with CBP at U.S. borders.

### **September 2016 Visa Bulletin:**

The Department of State (DOS) released the last Visa Bulletin for Fiscal Year 2016. Although we rarely see visa number advancements when nearing the end of the fiscal year, both the second and third employment-based preference categories for India have advanced to 22 Feb 2005 and 15 Feb 2005 respectively.

As always, we expect more aggressive advancements in most categories with the start of the new fiscal year when the new visa numbers become available. You can find the September Visa Bulletin by clicking [here](#).



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Tampa  
813-221-1366  
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#### **Branch Offices**

##### **Immigration Help Center**

Tampa, Florida  
813-888-6700  
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##### **Orlando, Florida**

407-857-1300  
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##### **Albuquerque, New Mexico**

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