



Nachman, Phulwani, Zimovcak (NPZ) Law Group, P.C. - U.S. and Canadian Immigration and Nationality Newsletter and Update.

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DEAR READERS

As the U.S. "Immigration Reform Storm" continues to advance, it is clear that reform legislation still has a long way to go. While it is true that the Senate Judiciary Committee "did a good job" (and we commend them for it!) by considering hundreds of amendments to the proposed Bill, there is still an uphill battle before the proposed Bill can become a statutory reality.

On nearly a daily basis, NPZ Law Group Lawyers, continue to receive questions from clients and prospective clients about their prospects for RPI and Blue Card status, etc. We remind our readers that the proposed immigration reform Bill is NOT the law and that while the information about the proposed new law is interesting (from a potential planning perspective) it is, at this juncture, purely "academic".

One of the questions posed regularly to our immigration lawyers and attorneys is whether we feel that the new law will pass. In general, it is difficult to say whether this proposed Bill will become a reality. However, unlike the proposed Immigration Reform Bills that have failed in the past, now we live in a different immigration-reform climate. What do we mean?

Well, unlike immigration reform in the past, today the pro-immigration reformers are better organized. It also appears that today pro-immigration reformers have better spokespeople than they did in 2007. Senator Marco Rubio (R-FL.) carries more weight in the GOP than did Senator John McCain (R-Ariz.), in 2007. Of late, a shortage of high-tech workers is more acute. Focus has been placed by USCIS upon "entrepreneurial spirit" (Entrepreneur-in-Residence Program) that is kindled by foreign nationals who bring jobs and capital infusion to the U.S. economy. Also, Republicans have lost two presidential races, doing poorly with Hispanic voters.

In addition, it is important to point out that the GOP itself has changed. Although immigration opponents are loath to admit it, Libertarians who are generally pro-immigration reform, are on the upswing in the Party. It seems that Republicans can accept a path to citizenship, under the conditions embodied in S. 744 that was crafted by the "Gang of Eight" (a bi-partisan working group), in order to obtain border security. This essentially relegates immigration opponents to argue that "immigration is bad for the economy" (which is neither a proposition of the conservatives nor true). On the other hand, immigration opponents may try to argue that the border provisions aren't good enough.

Please see "Dear Readers" on page 2

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The Republicans are basically between a "rock and a hard place" on the issue of Comprehensive Immigration Reform (CIR). If Republicans take a hard line approach on the issue, they are likely to severely damage the parties' prospects in the next Presidential Election. If the Republicans in the House and the Senate moderate on the issue, we are likely to see the passage of a Bill. However, moderation, like every political posture, will likely come at a price.

For more information about S.744, the proposed "Border Security, Economic Opportunity, and Immigration Modernization Act", or any other aspect of Comprehensive Immigration Reform, or in connection with any business or family-based immigration services, please feel free to e-mail to the members of the VISASERVE Team at info@visaserve.com or call us at 201-670-0006 (x107).

IMMIGRATION NEWS AND ANALYSIS

International Students to Be Subject to Increased Scrutiny Upon Return to the U.S.

According to an internal memorandum from a senior official at Customs and Border Protection (CBP), all F-1 visa holders seeking admission to the United States will now have the validity of their student status checked by a border agent prior to being admitted into the country.

Under prior procedure, a border agent at primary inspection would not have had access to information in the Student and Exchange Visitor Information System, or SEVIS. The information contained in SEVIS would have been verified only if the student was referred to secondary inspection, where his or her student status could be confirmed.

[TO READ MORE, PLEASE CLICK HERE...](#)

COMPREHENSIVE IMMIGRATION REFORM UPDATE: IMMIGRATION BILL STILL GAINING STEAM.

The U.S. Senate's Gang of Eight fended off poison-pill amendments, meant to derail a bipartisan immigration reform bill (Bill) supporters say is gaining steam.

The Senate Judiciary Committee, during a markup session in Mid-May, voted down Republican-sponsored amendments that sought to delay putting 11 million illegal immigrants on a path to citizenship and dramatically increase the number of Border Patrol agents and surveillance vehicles, among other things, The Hill reported.

Please see "[Comprehensive Immigration Reform Update](#)" on page 3

YOUR IMMIGRATION LAWYERS, MICHAEL PHULWANI, ESQ. AND DAVID NACHMAN, ESQ., PROVIDE U.S. IMMIGRATION LAW UPDATES ON TV ASIA & ITV: VLOG & USCIS NEWS UPDATES ON THE WEB & ON TV.

David Nachman, Esq. and Michael Phulwani, Esq., your Immigration and Nationality Lawyers, continue to bring employment and family-based immigration and nationality news and updates to your TV screen each week on TV Asia and iTV. Watch "YOUR IMMIGRATION LAWYERS" each week on iTV and TV Asia. Please contact us at info@visaserve.com for additional U.S. immigration law information or about how to subscribe to iTV or TV Asia.

GOPIO - CT, Interview Waivers, Consular Processing, India, Mumbai, Visas, 214(b), AOS interviews, investors, immigration, entrepreneurs, EB-5



Comprehensive Immigration Reform (CIR), S. 744, Republicans, visas, immigration, Mumbai, green cards, blue cards, RPI, Electronic I-94



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The Bill's sponsors also held off an effort U.S. Sen. Chris Coons (D-Del.), a liberal, to halt Homeland Security Secretary Janet Napolitano from deporting undocumented workers to unsafe areas. Sen. Charles Schumer (D-N.Y.), one of the Bill's chief authors, said Coons's proposal was so broad that it could stop almost all deportations to Mexico.

The members of the Gang of Eight on the panel -- Schumer and Sens. Dick Durbin (D-Ill.); Lindsey Graham (R-S.C.); and Jeff Flake (R-Ariz.), stood firm to defeat amendments that could undermine the bill's bipartisan support.

Schumer said he was encouraged by support from Republicans during the hearing and predicted it would grow, The Hill reported.

[TO READ MORE, PLEASE CLICK HERE . . .](#)

REMINDER TO EMPLOYERS: NEW I-9 FORM IS UP AND ROLLING.

From May 7th 2013, USCIS has asked all employers to start using New I-9 form. Improvements to Form I-9 include new fields, reformatting to reduce errors, and clearer instructions to both employees and employers.

The Department of Homeland Security (DHS) has published a Notice in the Federal Register informing employers about the new Form I-9. A Spanish version of Form I-9 (Rev. 03/08/13)N is available on the USCIS website for use in Puerto Rico only. Spanish-speaking employers and employees in the 50 states, Washington, D.C., and other U.S. territories may use the Spanish version for reference, but must always complete the English version of the form.

The revised forms are available in English and Spanish online at <http://www.uscis.gov/> The Nachman Phulwani Zimovcak (NPZ) Law Group continues to be extensively involved in Form I-9 Training for Employers (and their HR Staff), assisting employers with self and third-party audits, assisting Employers with ICE Investigations, litigating I-9 cases before the Administrative Law Judge to seek mitigation of I-9 Form penalties.

For additional information about our Firm's I-9 or employment verification law services or for burgeoning information about the "NEW I-9 FORM", please feel free to e-mail us at info@visaserve.com or you can contact us at 201-670-0006 (x100).

[FOR MORE INFORMATION ON I-9 FORMS, PLEASE CLICK HERE . . .](#)

CIR ADVANCES: A GOOD JOB BY THE SENATE JUDICIARY COMMITTEE.

Yes, Senate Judiciary Committee did a good job on Immigration Reform Bill.

Gail Collins in his NY Times Article said, "Immigration reform has been the 2013 bipartisan bright spot in the Senate, unless you were really moved by the day they voted to debate gun control before killing all the gun control plans.

The committee members cheerfully plowed through 300-odd proposed amendments, while taking turns telling which country their great-grandfather came from. There was, of course, a lot of disagreement, although almost everybody seemed to enjoy slapping down ideas offered by Senator Jeff Sessions of Alabama.

[TO READ MORE ON THE "PROGRESS OF CIR", PLEASE CLICK HERE . . .](#)

GOT A LAWYER? USCIS STARTED ACCEPTING THE NEW G-28 APPEARANCE FORM.

After May 26th, 2013, the USCIS started accepting the New version of Form G-28, Notice of Entry of Appearance as Attorney.

The G-28 form is used to enter appearances before USCIS, which includes the asylum office. Attorneys must file a G-28 form with every application they prepare on behalf of a client.

Filing a G-28 also ensures that the attorney will receive a copy of all correspondence sent to the client.

[FOR MORE INFORMATION ABOUT THE "NEW G-28 FORM", PLEASE CLICK HERE . . .](#)

A FORM IS A FORM: OCAHO CASE REVEALS THE IMPORTANCE OF I-9 COMPLIANCE.

To be in I-9 Form compliance is important for every employer. Many businesses nationwide have been and continue to be served with Notices of Inspection (NOIs) by the U.S. Immigration and Customs Enforcement (ICE).

Please see "A Form is a Form" on page 4

[“A Form is a Form” from page 3](#)

They affect every employer, whether you have foreign nationals working for you or U.S. citizens. Recently OCAHO described a case in which a company was penalized for violating rules of I-9 Form compliance by improperly preparing I-9 Forms.

[TO READ THE CASE IN DETAIL, PLEASE CLICK HERE...](#)

****THIS INFORMATION IS PROVIDED COURTESY OF AILA - of which David Nachman, Esq., one of the Managing Attorney at NPZ Law Group, is the State of New Jersey Chapter Chair and Member of the AILA National Board of Governors.*

VISA BULLETIN FOR JUNE 2013.

The Visa Bulletin summarizes the availability of immigrant numbers during the month of June.

Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; U.S. Citizenship and Immigration Services in the Department of Homeland Security reports applicants for adjustment of status. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000.

The worldwide level for annual employment-based preference immigrants is at least 140,000.

Our readers are reminded that the priority dates are likely to advance significantly if the new CIR becomes the law as there are many provisions that are likely to accelerate both family and employment-based immigration visa processing (see above).

[FOR DETAILED INFORMATION, PLEASE CLICK HERE...](#)