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Nachman, Phulwani, Zimovcak

Law Group, P.C.

Immigration and Nationality Law

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

04/16/2013

In This Issue:

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.
H-1B CAP REACHED WITHIN FIRST WEEK

Dear Readers:

On Thursday, April 11th, 2013, David Nachman, Esq., one of the Managing Attorneys at Nachman Phulwani Zimovcak (NPZ) Law Group, P.C. attended AILA's "National Day of Action" (NDA) in Washington DC. As part of a delegation of immigration lawyer colleagues from New Jersey, Mr. Nachman met with the New Jersey Congressmen to discuss and lobby for Comprehensive Immigration Reform (CIR).

It seems clearly to be the case that the "winds of change are in the air". One of the most illuminating meetings Mr. Nachman had on Capitol Hill was with the representatives

WITHIN FIRST WEEK...
HIGHLIGHTS NEED FOR
IMMIGRATION REFORM.

OBAMA PREDICTS THAT
IMMIGRATION BILL
WILL PASS IN CONGRESS
SOON.

CIR GAINS MOMENTUM
AND INTEREST GROUPS
FROM THROUGHOUT
THE NATION ARE
HOPING THAT THE BEST
PROVISIONS WILL
ARRIVE SOON!

CBP ANNOUNCES THE
ELIMINATION OF THE
PAPER I-94... NOW IT
WILL BE UP TO THE
OTHER
ADMINISTRATIVE
AGENCIES TO
IMPLEMENT POLICIES
TO DEAL WITH THE
CHANGE.

USCIS TO IMPLEMENT
CUSTOMER IDENTITY
VERIFICATION AT FIELD
OFFICES.

VISA BULLETIN FOR MAY
2013: BRINGS SOME GOOD
NEWS FOR SOME
CATEGORIES AND NOT
FOR OTHERS.

YOUR

of the Offices of Senators Menendez and Lautenberg who are responsible for immigration issues. Mr. Nachman was briefed by Senator Menendez's Staff Members about the proposed CIR Bill that is likely to be introduced as early as Today. As most of our readers are aware, Senator Menendez is a member of the "Gang of Eight" and, as such, his staff members are well-versed on the provisions of the proposed new CIR Bill.

Only a day before Mr. Nachman's visit to Capitol Hill, tens of thousands of protesters marched in Washington DC in support of immigration reform. Attendees came from all over the country. They came to tell their stories with the hope of making real changes to the immigration law. The rally was

attended by Congresspersons and Senators alike. The rally was a kick-off of meetings and events on Capitol Hill that were attended by Mr. Nachman over the weekend.

On Thursday, Mr. Nachman (along with his AILA colleagues) attended meetings with NJ Congressmen and Senators to discuss the merits of CIR. After his meetings with members of Congress, he came away with the feeling that there is a political momentum in favor of a bipartisan immigration reform agreement. After the meetings, it seems to be the consensus that the Gang of Eight will be continuing their work and that they are expected to release a Bill perhaps as early as today.

The proposed CIR Bill will offer a path to legalization for the undocumented, and hopefully an overhaul of the patchwork of dysfunctional immigration policies that make-up our present legal immigration "system". Mr. Nachman reported from Washington DC that "amid the Wednesday march and all the events over the weekend (including reports by the Washington DC media) and the polls and the politicians seemingly lining up in favor of

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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

reform and Senator Rubio's statements on TV on Sunday)", he feels more encouraged about CIR than ever.

CIR seems to be not too far out of reach. The political climate is much different then it has been in the past and this is very encouraging. There seems to be a newfound courage by key Congressional leadership from both sides of the aisle. Some argue that the new posture of the Republican Party is a veiled attempt to garner votes for the next Presidential Election. The exciting part of the CIR "push" is that it is being heralded by Evangelicals, business and trade organization leaders in our financial hubs and industrial cities, moms and dads throughout America's heartland, all rallying together and recognizing that this is an important "first tier" political issue.

As with any "good" law, the Bill is likely to be quite balanced. We are given to understand that there are likely to be some rigid provisions on enforcement that may also include a robust long-term legalization program. The "key" proposition that Mr. Nachman heard on Capitol Hill was that the new proposed CIR Bill is likely to be designed to stem illegal immigration to the U.S. for many years into the future. It will also be designed to allow the government to take advantage of technological advances to ensure border security in the future. The exact provisions are still somewhat vague at this time.

Last week the U.S. Capitol was buzzing with energy about news about CIR. Once the "Bill drops" (is introduced formally), it is our hope that reasoned negotiations will ensue to ensure that CIR becomes a reality. For more information about Comprehensive Immigration Reform and/or how the CIR Bill may assist you, your friends, or the members of your family, please feel free to e-mail to us at info@visaserve.com or to call us at 201-670-0006 (x100).

[PHOTO GALLERY: NATIONAL DAY OF ACTION FOR](#)

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Comprehensive Immigration Reform (CIR) What, When, & How it will happen?



New I-9 Form for Employers, Automation of I-94 Form, Electronic I-94 Forms, how to get an I-94 Form, Comprehensive Immigration Reform (CIR)



Lawyer Vernonique Malka talks about Canadian Immigration

AIOLA IN WASHINGTON, D.C.

THE CAP HAS BEEN REACHED: THE H-1B CAP WAS REACHED WITHIN THE FIRST WEEK - HIGHLIGHTS THE NEED FOR IMMIGRATION REFORM.

United States Citizenship and Immigration Services (USCIS) announced that within 5 days of accepting applications, the cap of 65,000 H-1B petitions and 20,000 graduates of U.S. advanced degree programs have been reached for fiscal year 2014.

Because of the high number of applications in the first five days, a lottery was held to determine which of the applications received within those five days would actually be considered while all the others would be rejected out of hand. This means that U.S. employers who need certain highly-skilled foreign-born workers will have to wait until April 2014 to, again, try to apply.

Reaching the cap this soon means we're back in the same situation we faced several years ago and is a sign that our economy is getting stronger since it means companies are hiring. We need a strong economy so that's the good news.

But reaching the cap so quickly shows that the limit set on recruiting foreign talent just isn't based on actual labor force demand and the human resource needs of U.S. companies.

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

WHEN WILL CIR HAPPEN? OBAMA PREDICTS, IMMIGRATION BILL WILL PASS BIPARTISAN



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UPCOMING EVENT

**EANJ - IMMIGRATION
LAW UPDATE:
Comprehensive
Immigration Reform, I-
9 Audits, The New I-9
Form, ICE Enforcement
Against U.S. Employers
and IMAGE.**

When: April 17th, 2013

Where: Hilton Parsippany,
1 Hilton Ct, Parsippany, NJ
07054

Time: 9:00 am to 12:00 pm

[FOR DETAILED](#)

BILL IN CONGRESS SOON.

President Obama made the statement recently that he is confident that an Immigration Bill will be introduced in the Congress in the next few months. The key senators charged with crafting the legislation indicated that, their process is almost complete.

Senator Charles Schumer (D-NY) also confirmed that a bipartisan senate group is 90 percent done with its draft of a bill which will revamp the U.S. Immigration Law. Overhauling the country's immigration system is one of President Obama's top legislative priorities during his second term. He said that the law makers have come close and his expectation is that we will actually see a bill on the floor of the Senate soon.

The biggest issue, however, is to resolve a long simmering dispute between organized labor and business groups, over a new program to provide U.S. work visas, for the low-skilled foreign workers and the wages that business should be required to pay to those workers. The position of the labor unions was that businesses are trying to create a program that would let them import workers to whom the employers would be required to pay the wages.

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

**MORE ON CIR: CIR HAS PRESSURE FROM EVERY
CORNER OF THE NATION .. NOW WE ARE HOPING
THAT THE PROVISIONS WILL ARRIVE SOON!!**

'CIR'- Comprehensive Immigration Reform, is a leading agenda in the world of U.S politics and certainly an issue on peoples' minds. In the past week, CIR has taken center stage and there are numerous interest groups who want to

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see it pass.

The N.Y Times recently published an article on CIR stating that a bipartisan group of senators who are the lead actors of CIR are also almost in agreement on the immigration bill provisions that cover issues like strengthening the border to finding a pathway to citizenship for 11 million undocumented people in U.S.

The "Gang of Eight" seems to have provided support to the DHS in the proposed new Bill by adding provisions aimed at strengthening the border through financing security goals during the first five years of the bill's passage.

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

ELECTRONIC I-94S PROCESS FROM CBP: DO YOU HAVE QUESTIONS ABOUT THE PROPOSED NEW AUTOMATED FORM I-94? WE DO!

U.S. Customs and Border Protection recently announced that it will automate Form I-94, Arrival/Departure Records, to streamline the admissions process for individuals lawfully visiting the United States.

Many people have questions about the impact of the new CBP process like how the new electronic process will impact those individuals who need the I-94 document to obtain benefits from agencies like the CIS, SSA and DMV . . .

[TO READ FAQs ON THE NEW AUTOMATED I-94 FORM PROCESS, PLEASE CLICK HERE . . .](#)

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IDENTITY VERIFICATION AT FIELD OFFICES.

Recently, the U.S. Citizenship and Immigration Services (USCIS) announced that it will implement Customer Identity Verification (CIV) in its field offices. Individuals will now be required to submit biometric data, specifically fingerprints and photographs, when appearing at USCIS offices for interviews or to receive evidence of an immigration benefit. CIV will help to both defend against threats to national security and protect customers from identity fraud by enhancing the agency's ability to verify identity.

Currently, USCIS requires applicants and petitioners requesting immigration or naturalization benefits to visit an Application Support Center (ASC) to provide biometric data. USCIS uses this data to help determine eligibility for requested benefits. This requirement, along with providing a government-issued document for examination, will not change.

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

MAY 2013 VISA BULLETIN: THE MONTH OF MAY BRINGS SOME GOOD NEWS FOR SOME CATEGORIES.

The Visa Bulletin for May 2013 contains great news for a select group of persons who have been waiting in line for years to obtain green cards through their jobs.

The worldwide EB-3 category jumps forward 5 months to December 1, 2007. What's more is that EB-3 workers born in the PRC are no longer hampered by the 7% per-country quota. Unfortunately, EB-3 workers born in India

are not so fortunate. Their category advances only 2 weeks.

The EB-3 category for Filipinos moves ahead only 1 week. The worldwide EB-2 category remains current (no backlog), but while EB-2 PRC advances 6 weeks, EB-2 India moves not at all. Hopefully, Congress will eliminate all per-country quotas for EB workers this year. We hope! After all, talent is talent!

The worldwide family-based preference categories move forward between 2 and 10 weeks except for the FB-4 sibling category which remains stuck at May 1, 2001. Family categories for the Philippines advance from 3 to 14 weeks while those for Mexico move ahead between 1 and 9 weeks.

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

