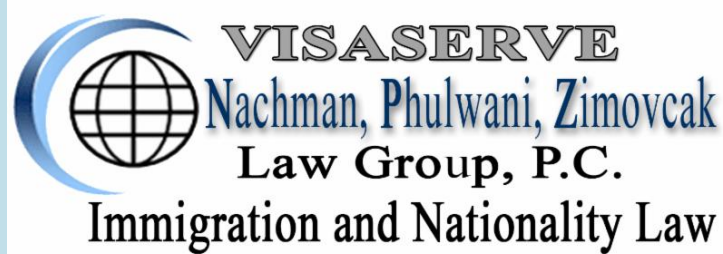


Hi, just a reminder that you're receiving this email because you have expressed an interest in Nachman Phulwani Zimovcak (NPZ) Law Group, P.C. (f/k/a, Nachman & Associates, P.C.) - Don't forget to add info@visaserve.com and david_nachman@visaserve.com to your address book so we can be sure to land in your inbox!

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



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Dear Readers:

The tumultuous state of the White House's US immigration law policy wish-list remains center-stage this past week. Riding on the coattails of raids, rumors of increased workplace enforcement and termination of benefits programs that have been in-place for decades, the confusion continues.

After President Trump ended the Deferred Action for Childhood Arrivals (DACA) initiative, he instructed Congress to pass legislation to protect Dreamers. However, Congress had to wait for direction from the White House on what type of legislation the President would sign into law.

In the one-page outline, the Trump Administration summarized its proposal to provide a long path to Citizenship for 1.8 million DACA-ians in exchange for a massive border package, dramatic cuts to family immigration, and elimination of the diversity visa program.

The outline proposes massive increases in enforcement dollars including for a "border wall system," as well as additional funds for DHS' other enforcement activities. The proposed Bill would also expand "expedited removal" as a way to deport/remove those who overstay their visas.

[FOR THE 2018-2019 H-1B PROFESSIONAL VISA LOTTERY? H-1B VISAS WILL HAVE TO BE FILED BY APRIL 2ND 2018.](#)

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UPCOMING EVENTS

Updates On Form I-9, E-Verify and IMAGE in the New Trump Era and H-1B Site Visits and DOL Audits and Investigations for HR Professionals.

When: March

The framework also proposes dramatic cuts to legal immigration in the US. These cuts to legal immigration are accomplished in two ways. First, it redefines the nuclear family by only allowing U.S. citizens and permanent residents to sponsor only their spouse and minor children, ending the visa categories that allow them to reunite with adult children, siblings, and parents.

Secondly, the framework criticizes and eliminates the diversity visa, claiming it is a program "riddled with fraud and abuse and does not serve the national interest."

Compromise does not seem to be in the air. The White House proposal was not well-received by Democrats, making it very challenging for this proposal to get the votes it would need to pass Congress.

The framework proposed by the White House diverges significantly from Bills offered before it, using Dreamers as bargaining chips in a much wider, harsher immigration plan.

Fraught with difficulties and vagueness from the Federal Government, many States continue to "take things into their own hands". States continue to pass legislation aimed at protectionism from enforcement of Federal mandates to comply with arbitrary immigration-related law initiatives.

If you, your friends, members of your family or your colleagues feel that you may be able to benefit from an understanding about your US immigration and nationality law options, we invite you to contact the immigration and nationality lawyers at the Nachman Phulwani Zimovcak (NPZ) Law Group by emailing us at info@visaserve.com or you can call us at 201-670-0006 (x107).

ABC's OF H-1Bs (THIS IS PART 1 OF AN 8 PART SERIES) H-1B FILING SEASON (FOR THE 2018-2019 DEADLINE ON APRIL 2ND) GETS INTO FULL-SWING FOR H-1B EMPLOYERS AND PROSPECTIVE H-1B EMPLOYEES - A LOTTERY IS ON THE HORIZON.

Based on the current predictions, given the new Republican Administration, the U.S. economy will rebound. What does this mean for the immigration practitioners, professionals, and prospective H-1B employers and employees? Assuming that the economy performs as projected, it is highly likely that we will once again, as we did in 2017, witness the H-1B lottery (technically referred to as "Random Selection Process") during April 2018. To better prepare for the H-1B cap, this article endeavors to summarize a few practice pointers which every prospective H-1B employer and employee needs to know.

The current annual cap on the H-1B category is 65,000. However, all H-1B nonimmigrant visas are not subject to this annual cap. Up to 6,800 visas are set aside from the cap of 65,000 during each fiscal year for the H-1B1 program designed specifically for the Nationals of Chile and Singapore. Unused numbers in the H-1B1 pool are made available for H-1B use for the next fiscal year. Thus, in effect, only 58,200 H-1B visas are granted each year with the exception of the 20,000 additional H-1B visas which are reserved for individuals who have received master's or higher degrees from a U.S. college or university.

15th, 2018

Where:

Fairleigh
Dickinson
University
(FDU),
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USCIS SAYS IT IS NOT CONSIDERING CHANGES TO H-1B EXTENSION RULES.

In a news update on January 8th, 2018, the McClatchy DC news service reported that the U.S. Citizenship and Immigration Services (USCIS) has stated that it not considering a regulatory change to the H-1B extension rules, as had previously been reported in a December 30, 2017 article by McClatchy DC. In particular, USCIS stated to McClatchy DC that the agency is not considering changing its interpretation of section 104(c) of the American Competitiveness in the Twenty-First Century Act (AC21), which provides for H-1B extensions beyond the six-year limit for H-1B workers who have reached certain milestones in the green card process. USCIS went on to note that "such a change would not likely result in these H-1B holders having to leave the United States because employers could request extensions in one-year increments under section 106(a)-(b) of AC21 instead." USCIS did, however, indicate that the agency is considering a number of policy and regulatory changes to carry out the President's Buy American, Hire American" executive order, including conducting a "thorough review" of employment-based visa programs.

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

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USCIS CLARIFIES PROXY VOTE USE FOR CERTAIN INTRACOMPANY TRANSFEREE VISA PETITIONS.

U.S. Citizenship and Immigration Services (USCIS) issued updated policy guidance clarifying that a proxy vote must be irrevocable to establish the requisite control of a company in an L-1 visa petition.

A U.S. or foreign employer may file an L-1 visa petition to temporarily transfer a foreign employee to the U.S. from one of its operations outside the country. The employer must prove that a qualifying relationship exists between the foreign employer and the U.S. company at the time they file their petition by showing that either the two companies are the same employer or the companies are related as a parent, subsidiary, or affiliate company.

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

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IS YOUR HUMAN RESOURCES DEPARTMENT READY FOR THE 2018-2019 H-1B PROFESSIONAL VISA LOTTERY? TO MAKE A LOTTERY ENTRY, H-1B VISAS WILL HAVE TO BE FILED BY APRIL 2ND 2018.

On April 1st, 2018, United States Citizenship and Immigration Services (USCIS) will begin accepting cap-subject H-1B petitions for professional workers starting employment on October 1st, 2018.

In past years, the high demand for this much sought after visa has resulted in an oversubscription of petition filings due to the limited number of visas available. There are only 65,000 visas available per fiscal year, with an additional 20,000 set aside for those who have graduated from master's degree programs in the United States. H-1B visas are the most common temporary work visas available to foreign national professionals. Employers should identify individuals who might

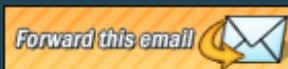
Migrations.

**Where: ICAI
Tower, Bandra
Kurla Complex,
Mumbai, India**

**When: February
22nd, 2018**

**Time: 5:30 PM
to 8:30 PM**

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require first time H-1B sponsorship. We anticipate that for this coming year, the H-1B cap will be reached the first week of April 2018. If you are considering sponsorship of a foreign national for an H-1B visa this year, advance preparation is crucial to be ready and prepared for the filing period.

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

USCIS TO TAKE ACTION TO ADDRESS ASYLUM BACKLOGS - IMPLEMENTATION OF FIFO?

U.S. Citizenship and Immigration Services (USCIS) announced today that the Agency will schedule asylum interviews for recent applications ahead of older filings, in an attempt to stem the growth of the agency's asylum backlog.

USCIS is responsible for overseeing the nation's legal immigration system, which includes adjudicating asylum claims. The agency currently faces a crisis-level backlog of 311,000 pending asylum cases as of January 21st, 2018, making the asylum system increasingly vulnerable to fraud and abuse. This backlog has grown by more than 1750 percent over the last five years, and the rate of new asylum applications has more than triple.

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

THE WAVE OF THE FUTURE? USCIS REMINDS E-VERIFY EMPLOYERS TO COMPLETE THE E-VERIFY VERIFICATION PROCESS.

USCIS reminded E-Verify employers that to properly complete the E-Verify process, employers must close every case they create. E-Verify is an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States. E-Verify is fast, free and easy to use - and it's the best way employers can ensure a legal workforce.

U.S. law requires companies to employ only individuals who may legally work in the United States - either U.S. citizens, or foreign citizens who have the necessary authorization. This diverse workforce contributes greatly to the vibrancy and strength of our economy, but that same strength also attracts unauthorized employment.

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

DOS VISA BULLETIN UPDATE: VISA BULLETIN FOR FEBRUARY 2018 - IF YOUR "PRIORITY DATE" IS CURRENT PLEASE LET US KNOW?

The employment-based, first preference (EB-1) category remains current for all countries of chargeability.

The cutoff date for India in the employment-based, second preference (EB-2) category moves ahead by about two weeks, to December 8, 2008. EB-2 China advances by almost two months, to a new cutoff date of October 1, 2013.

In the employment-based, third preference (EB-3) category, the cutoff date for India moves forward by one month, to December 1,

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* Please note that our immigration law practice is national and international in scope. We assist our clients throughout the U.S. and throughout the world.

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16th Floor, South Tower
Indianapolis, IN 46204
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INDIA AFFILIATED OFFICES:

Kaival Chalishazar,

2006. EB-3 China races ahead by five months, to September 15, 2014. EB-3 Philippines advances by two weeks, to March 1, 2016.

The cutoff dates for the EB-3 other workers category match those of the standard EB-3 category for all countries, except China. EB-3 other workers for China advances by about five weeks, to February 1, 2007.

In the employment-based, fourth preference (EB-4) category, not including those for certain religious workers, the cutoff date remains current for all countries, except Mexico, El Salvador, Guatemala, and Honduras. EB4 Mexico's cutoff date advances by three weeks, to June 22, 2016. The cutoff date for the other three countries remains stationary, at December 1, 2015.

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

NPZ ASSISTS THE GREATER BRAZILIAN AND PORTUGUESE COMMUNITY - OUR STAFF SPEAKS PORTUGUESE AND MANY OTHER LANGUAGES.

O fim do TPS para os cidadãos de El Salvador e a avaliação de advogados do NPZ Law Group

No dia 8 de janeiro, a secretária de Segurança interna dos Estados Unidos, Kirstjen Nielsen, anunciou que o governo do presidente Donald Trump vai encerrar o Status de Proteção Temporária (TPS, na sigla em inglês) para 200 mil cidadãos de El Salvador. O TPS fornece status de imigração legal e temporário para indivíduos

[Para ler mais, por favor, clique aqui . . .](#)

CHECKOUT VISASERVE'S REGULARLY UPDATED YOUTUBE VIDEO LIBRARY (SOME SELECTIONS BELOW) ABOUT U.S. AND CANADIAN IMMIGRATION LAWS:

"IMMIGRATION NEWS AND VIEWS" - NPZ'S NEW PRACTICAL SERIES ON YOUTUBE ABOUT VARIOUS U.S. AND CANADIAN IMMIGRATION LAW ISSUES.

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NPZ ANNOUNCES THAT EMPLOYERS NEED TO BE AWARE THAT THE 2018-2019 H-1B SEASON WILL BE STARTING SOON - ANOTHER H-1B LOTTERY MEANS "IF YOU ARE NOT IN IT . . . YOU CANNOT WIN IT".



On or about April 1st, 2018, United States Citizenship and Immigration Services (USCIS) will begin accepting cap-subject H-1B petitions for professional workers starting employment on October 1st, 2018. In past years, the high demand for this much sought after visa has resulted in an over-subscription of petition filings due to the limited number of visas available. There are only 65,000 visas available per fiscal year, with an additional 20,000 set aside for those who have graduated from master's degree programs in the United States.

H-1B visas are the most common temporary work permits available to foreign national professionals and employers should identify those who might require first time H-1B sponsorship. These might include:

- F-1 students currently working on OPT who require changes of status to H-1B;
- Highly sought after professionals currently located outside the United States seeking employment for the first time;
- Foreign nationals inside the United States currently holding other nonimmigrant status that will max out (i.e. L-1A or L-1B visas);
- Foreign nationals currently working in the United States in H-1B status working for a cap-exempt organization (not for profit or educational institution) who require a cap-subject H-1B to work for a private, for profit company; and
- TN NAFTA visa holders from Canada or Mexico who have spent much time in the United States and would benefit from a change of status to H-1B.

We anticipate that for this coming year, the H-1B cap will be reached the first week of April 2018.

If you are considering sponsorship of a foreign national for an H-1B visa this year, advance preparation is crucial to be ready and prepared for the filing period. A careful review of both the applicant's qualifications and position offered by the U.S. petitioning company is important to assure that the H-1B filing is approved by U.S. Citizenship Services.

Please feel free to contact the immigration and nationality lawyers at the NPZ Law Group to obtain an H-1B overview and checklists of information needed from the H-1B employer and the prospective H-

1B employee. You can e-mail to us at info@visaserve.com for this information. You can also visit our H-1B page at NPZ's H-1B Information Page.