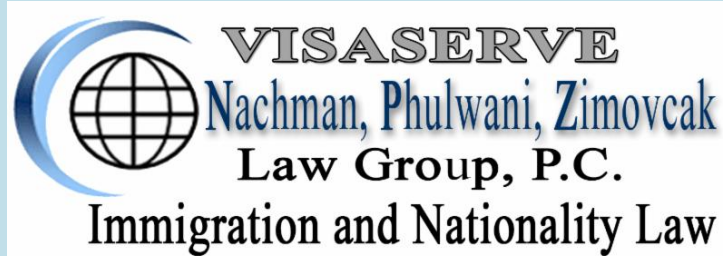


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## Nachman Phulwani Zimovcak (NPZ) Law Group, P.C. - U.S. and Canadian Immigration and Nationality Law Newsletter and Updates.



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### **In This Issue:**

[TRUMP CONTINUES  
EXPULSION OF TPS  
RECIPIENTS.](#)

[HIGH COURT UPHOLDS  
TRUMP's 3rd TRAVEL  
BAN.](#)

[LOOKING FOR A US  
VISA? YOU MAY BE  
FORCED TO DISCLOSE  
YOUR SOCIAL MEDIA  
HANDLES.](#)

[ICE MESSAGE -  
REPORTING  
VOLUNTEER  
POSITIONS DURING  
OPT EMPLOYMENT.](#)

[TIMES ARE CHANGING:  
USCIS PROVIDES  
HISTORICAL NATIONAL  
AVERAGE  
PROCESSING TIMES  
FOR ALL USCIS  
OFFICES \(4/30/18\).](#)

### **Dear Readers:**

Wishing all of our readers a safe and happy 4th of July Holiday celebration. Recently, the US Supreme Court dealt a balance of both "good and bad" decisions. The "good" decision will seemingly have broader implications on cases initiated by defective charging documents. The U.S. Supreme Court decided that charging documents - NTAs - that do not specify date and a time for a hearing, are defective.

Additionally, the Trump Administration is seeking to restrict family-based admissions by adding circumstances under which a non-U.S. citizen is deemed a "public charge" (i.e., financially supported at the public's expense). The new guidance expands the definition of inadmissibility for individuals who are "likely to depend" upon these means-tested benefits in the future.

This past week, nearly all media resources have reported on the significant developments related to family separation. A common thread in these stories is the lack of information regarding policies driving family separation and no identified methods for tracking and reunifying separated family members. Stay tuned for new developments in this arena.

Finally, the "bad" news from the U.S. Supreme Court was its 5-to-4

USCIS UPDATES FOR  
F-1 STUDENTS:  
AUTOMATIC  
TERMINATION OF  
OPTIONAL PRACTICAL  
TRAINING IF  
TRANSFER TO A  
DIFFERENT SCHOOL  
OR BEGIN STUDY AT  
ANOTHER  
EDUCATIONAL LEVEL.

DOS VISA BULLETIN  
UPDATE: VISA  
BULLETIN FOR JULY  
2018.

Em Foco: A Lei de  
Proteção ao Status da  
Criança (CSPA).

Suprema Corte dos EUA  
valida veto de Trump a  
cidadãos de sete países.

IMMIGRATION  
MARRIAGE CASES:  
WHAT TO EXPECT AT  
YOUR MARRIAGE  
INTERVIEW - I-130/I-  
485.

HAPPY  
INDEPENDENCE DAY.

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throughout the U.S. and

ruling which states that the President has "broad discretion" under the law to suspend entry into the United States of certain classes of individuals who are deemed "detrimental" to the national interest of the U.S. While we agree with the "right" to that power ... it is the "execution" of that right which appears to be questionable.

We remind our readers that we are immigration and nationality lawyers and immigration law professionals. If you, a member of your family, a colleague, or a friend is in need of immigration law services, please feel free to contact us by emailing us at [info@visaserve.com](mailto:info@visaserve.com) or by calling our offices at 201-670-0006.

## **TPS UPDATES: THE TRUMP ADMINISTRATION CONTINUE THE EXPULSION OF TPS RECIPIENTS.**

Why are so many U.S. diplomats in opposition to deportation of TPS recipients?

President Trump continues his seeming quest to deport hundreds of thousands of temporary protected status (TPS) recipients. The Trump Administration persists in taking such action, despite opposition by several career diplomats. In fact, evidence has now emerged as to embassy cables transmitted to the State Department last year that warned mass deportations could destabilize the region. Investigations into receipt of the cables are now ongoing, as embassy officials warn that should deportation occur, hundreds of thousands of people will be sent back to some of the most dangerous regions in the world.

TPS Ends for Haitians, Hondurans, and Salvadorans.

President Trump has now ordered an end to temporary protected status for the 57,000 Hondurans, the 195,000 Salvadorans, and the 46,000 Haitians currently residing in the U.S. Most of these TPS recipients will have less than 18 months to leave the country voluntarily or they will face mandatory deportation.

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

## **SUPREME COURT UPDATES: THE U.S. HIGH COURT UPHOLDS TRUMP'S 3RD TRAVEL BAN.**

The Supreme Court upheld President Trump's September 24th, 2017 Proclamation (Travel Ban 3.0), which currently excludes nationals from seven countries, stating that the proclamation was "squarely within the scope of Presidential authority under the INA."

Chief Justice Roberts delivered the opinion of the Court, and Justices Kennedy, Thomas, Alito, and Gorsuch joined. Justice Breyer filed a dissenting opinion, in which Justice Kagan joined. Justice Sotomayor filed a dissenting opinion, in which Justice Ginsburg joined.

If you should have any questions or need more information about the ways in which the U.S. Immigration and Nationality Laws may impact you, your family, your friends or your colleagues, please contact the U.S. Immigration and Nationality Lawyers at the NPZ Law Group - VISASERVE - U.S. Immigration and Nationality Lawyers by e-mailing us at [info@visaserve.com](mailto:info@visaserve.com) or by calling us at 201-670-0006 (x107). You can also visit our Law Firm's website at [www.visaserve.com](http://www.visaserve.com)

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in Ahmadabad).

**LOOKING FOR A U.S. VISA? YOU MAY BE FORCED TO DISCLOSE YOUR SOCIAL MEDIA INFORMATION.**

According to multiple stories from several news outlets, the United States may begin requiring visitors applying for U.S. Nonimmigrant Visas to provide their social media history. Pursuant to stories published by Reuters, The New York Times, and the BBC, it appears that the Trump Administration is adding a new social media information collection requirement for individuals applying for a Visa to enter the United States. The requirement would be a full disclosure of all social media identities that the person used within the past five years. In addition, applicants are also being more deeply-vetted and being forced to turn over other personal data when applying for a US Nonimmigrant Visa.

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

[..](#)

**ICE MESSAGE - REPORTING VOLUNTEER POSITIONS DURING OPT EMPLOYMENT.**

Volunteer positions that are not directly related to your course of study do not qualify as optional practical training (OPT) and must not be listed as OPT employment. Reporting non-qualifying volunteer opportunities as OPT employment will be deemed a violation of OPT reporting requirements and could subject international students to removal from the United States.

In addition, non-qualifying volunteer positions may, based upon earlier pronouncements by the USCIS (a proposed new policy that may be implemented on August 9th), lead an individual to immediately begin to accrue unlawful presence in the U.S. This is a significant departure from the previous interpretations of the law and may likely be met with litigation prior to implementation.

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

[..](#)

**TIMES ARE CHANGING: USCIS PROVIDES NATIONAL AVERAGE PROCESSING TIMES FOR ALL USCIS OFFICES AS OF APRIL 30TH 2018.**

USCIS provided the national average processing times for select forms based on all USCIS offices for FY2014 through FY2018 (as of 4/30/18). Processing times are based on the age of the workload that USCIS has awaiting adjudication (pending cases) and combines data from all of the USCIS offices.

[TO VIEW THE PROCESSING TIMES FOR ALL USCIS OFFICE, PLEASE CLICK HERE . . .](#)

**USCIS UPDATES FOR F-1 STUDENTS: AUTOMATIC TERMINATION OF OPTIONAL PRACTICAL TRAINING IF TRANSFER TO A DIFFERENT SCHOOL OR BEGIN STUDY AT ANOTHER EDUCATIONAL LEVEL.**

USCIS reminds F-1 students on Optional Practical Training (OPT) that transferring to another school or beginning study at another educational level (for example, beginning a master's program after completing a bachelor's degree) automatically terminates their OPT as well as their corresponding employment authorization document

c/o Mr. Shishir Goyal,  
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(EAD).

Although authorization to engage in OPT ends upon transferring to a different school or changing educational level, students in F-1 status will not be otherwise affected as long as they comply with all requirements for maintaining their student status. These requirements include not working with a terminated EAD, because termination means that students are no longer authorized to work in the United States. Working in the United States without authorization has serious immigration consequences, including removal from the country and bars on reentry. Furthermore, remaining in the United States in violation of lawful nonimmigrant status could lead to an accrual of unlawful presence which includes another set of penalties under the Immigration and Nationality Act.

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

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

#### Employment-Based Preference Categories

EB-1 China and EB-1 India remain steady at January 1st 2012, and DOS anticipates this date will hold for the remainder of the fiscal year. It is hoped that these categories will become current again on October 1st 2018, but demand trends will be monitored over the summer. If USCIS District Offices are not interviewing EB-1 China and EB-1 India applicants with priority dates beyond the established final action date, DOS may not have clear visibility into total demand. If there is a surge in demand for these categories beginning in October, it could cause a final action date to be imposed more quickly in the fiscal year than otherwise anticipated.

[Read more . . .](#)

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

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

#### **Em Foco: A Lei de Proteção ao Status da Criança (CSPA) .**

Como a CSPA protege as crianças contra a perda da elegibilidade à residência permanente conforme os anos passam à espera da aprovação do processo?

Devido à longa fila de espera de aplicações para visto, o então presidente George Bush assinou em 2002 a Lei de Proteção ao Status da Criança (Child Status Protection Act, ou CSPA). A lei é usada quando um menor de idade aplica para um visto de imigrante ou para o ajuste de status e durante o processo ele completa 21 anos. Normalmente, isso impediria que esse indivíduo se tornasse residente

permanente dos Estados Unidos.

[PARALERMAIS, POR FAVOR, ELIQUÉ AQUI . . .](#)

**Suprema Corte dos EUA valida veto de Trump a cidadãos de sete países.**

A Suprema Corte dos Estados Unidos validou a terceira versão do veto migratório do presidente dos Estados Unidos, Donald Trump, que atualmente exclui cidadãos de sete países. A Corte considerou que a proclamação foi "enquadrada dentro do escopo da autoridade presidencial sob a INA". INA é a sigla em inglês para a Lei de Imigração e Nacionalidade.

[PARALERMAIS, POR FAVOR, ELIQUÉ AQUI . . .](#)

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**IMMIGRATION MARRIAGE CASES: IS YOUR  
MARRIAGE BONA FIDE? WHAT TO EXPECT AT YOUR  
MARRIAGE INTERVIEW - I-130/I-485.**



If you're part of a married couple that includes a U.S. citizen or lawful

permanent resident and a foreign national, and you've applied for the foreign national to get a U.S. green card (lawful permanent residence), the final step in your application process will be to attend an interview with U.S. immigration authorities.

Such an interview serves various purposes. The U.S. immigration authorities interview many people who apply for green cards, not just married couples. This gives them an opportunity to make sure that the relationship is the real thing, that all your paperwork checks out against what you say in person, and to examine your original documents. Through the interview process, the immigration authorities are seeking to confirm that the relationship is "bona fide" and not just a sham to get the immigrant a green card. Due to the ease and speed with which foreign nationals become citizens through marriage, many foreign nationals marry for immigration benefits rather than for love. The U.S. government is well aware of this, and will ask a number of personal questions of both spouses in order to test whether they're telling the truth.

### HAPPY INDEPENDENCE DAY CELEBRATION!!!



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