



IMMIGRATION UPDATE- DECEMBER 24, 2019

Posted on December 24, 2019 by Cyrus Mehta

Headlines

[Spending Bill Extends EB-5 Regional Center Program, Includes Immigration Provisions](#) – Congress has passed a spending bill for fiscal year 2020 that includes several immigration-related provisions. President Trump is expected to sign the legislation.

[January Visa Bulletin Includes Projections in Employment-Based Categories](#) – The Department of State's Visa Bulletin for January 2020 includes information on potential monthly movement in the employment-based categories, and on programs set to expire.

[USCIS Updates Guidance on Travel by TPS Beneficiaries in Removal Proceedings](#) – In particular, this update covers beneficiaries who have final removal orders, and who depart the United States and return with an advance parole travel document.

[ICE Steps Up Deportations of DREAMers](#) – According to reports, all DACA recipients whose deportation cases were administratively closed are being reopened.

[Justice Dept. Settles Immigration-Related Discrimination Claim Against Large Staffing Company](#) – The Department of Justice reached a settlement agreement with Adecco USA Inc., one of the largest staffing companies in the United States.

Spending Bill Extends EB-5 Regional Center Program, Includes Immigration Provisions

Congress has passed a spending bill for fiscal year 2020 that includes several immigration-related provisions. President Trump is expected to sign the legislation. According to reports, highlights include, among other things:

- EB-5 regional center program sunset date extended to September 30, 2020
- A new ombudsman to investigate Department of Homeland Security personnel misconduct and violations of the rights of migrants in detention
- Provision for unannounced inspections of detention facilities and allowing lawmakers to visit them
- Information posted publicly on numbers and categories of people in U.S. Immigration and Customs Enforcement custody
- \$1.38 billion toward President Trump's border wall

[Back to Top](#)

January Visa Bulletin Includes Projections in Employment-Based Categories

The Department of State's Visa Bulletin for January 2020 includes information on potential monthly movement in the employment-based categories. The bulletin also explains procedures for various programs set to expire, if not extended by Congress, including the EB-4 non-minister special immigrant religious worker program, the EB-5 regional center immigrant investor pilot program, the Conrad 30 waiver program for foreign medical graduates working in underserved areas, and E-Verify.

[Back to Top](#)

USCIS Updates Guidance on Travel by TPS Beneficiaries in Removal Proceedings

U.S. Citizenship and Immigration Services (USCIS) has updated the *USCIS Policy Manual* to clarify the effect of travel outside the United States by temporary protected status (TPS) beneficiaries who are subject to removal proceedings.

In particular, USCIS noted, this update covers beneficiaries who have final removal orders, and who depart the United States and return with an advance parole travel document. TPS beneficiaries in removal proceedings who travel abroad temporarily with the authorization of the Department of Homeland Security (DHS) remain subject to those removal proceedings. If they are under a final order of removal, the travel does not execute or fulfill the order, USCIS said. The person in question remains subject to the removal order.

[Back to Top](#)

ICE Steps Up Deportations of DREAMers

According to reports, U.S. Immigration and Customs Enforcement (ICE) has escalated reopening of deportation cases that were administratively closed, in some instances long ago, against "DREAMers" under the Deferred Action for Childhood Arrivals (DACA) program. ICE told CNN that all DACA recipients whose deportation cases were administratively closed are being reopened. ICE said that "re-calendar of administratively closed cases is occurring nationwide and not isolated to a particular state or region."

[Back to Top](#)

Justice Dept. Settles Immigration-Related Discrimination Claim Against Large Staffing Company

The Department of Justice announced on December 20, 2019, that it reached a settlement agreement with Adecco USA Inc. (Adecco), one of the largest staffing companies in the United States. The settlement resolves a claim that Adecco's Gardena, California, office violated the antidiscrimination provision of the Immigration and Nationality Act (INA) by discriminating against a lawful permanent resident and other work-authorized non-U.S. citizens when verifying their work authorization. The settlement also resolves allegations that when using employment eligibility verification software, the company requested unnecessary work authorization documents from non-U.S. citizens because of their citizenship status.

Under the settlement, Adecco will pay \$67,778 in civil penalties, ensure that its Form I-9 software complies with all relevant rules and regulations, and submit to monitoring and reporting requirements. Additionally, Adecco will ensure that relevant employees attend a training the Civil Rights Division approves and take a knowledge assessment to demonstrate their understanding of relevant rules.

"Employers must ensure that their onboarding software is compliant with relevant laws, and cannot make unnecessary demands for work authorization documents because of someone's citizenship status," said Assistant Attorney General Eric Dreiband of the Civil Rights Division.

[Back to Top](#)