



IMMIGRATION UPDATE- JANUARY 21, 2020

Posted on January 21, 2020 by Cyrus Mehta

Headlines:

[USCIS Announces Countries Eligible for H-2A and H-2B Visa Programs](#) – For 2020, the countries designated as eligible in 2019 are unchanged.

[USCIS Releases Final FY 2019 Statistics](#) – The statistics include naturalizations, green cards, employment authorizations, and protected populations, among other categories.

[OFLC Completes Randomization Process on H-2B Applications Requesting an April 1, 2020, Start Date](#) –OFLC has assigned H-2B applications submitted during the initial three-day filing window, January 2-4, 2020, requesting an April 1, 2020, work start date for the second half of the fiscal year 2020 H-2B statutory visa cap.

Firm in the News...

USCIS Announces Countries Eligible for H-2A and H-2B Visa Programs

U.S. Citizenship and Immigration Services (USCIS) and the Department of Homeland Security, in consultation with the Department of State, have announced the list of countries whose nationals are eligible to participate in the H-2A and H-2B visa programs in 2020. For 2020, the countries designated as eligible in 2019 are unchanged.

The notice does not affect the status of H-2 beneficiaries who currently are in the United States unless they apply to extend their status. It does apply to nonimmigrants changing status in the United States to H-2A or B. Each country's designation is valid, subject to removal for failure to meet the requirements for continued designation, from January 19, 2020, until January 18, 2021.

USCIS may approve H-2A and H-2B petitions, including those that were pending as of the date of the Federal Register notice, for nationals of countries not on the list on a case-by-case basis only if doing so is determined to be in the interest of the United States.

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USCIS Releases Final FY 2019 Statistics

U.S. Citizenship and Immigration Services (USCIS) has released its final fiscal year (FY) 2019 agency statistics. They include naturalizations, green cards, employment authorizations, and protected populations, among other categories. Highlights from FY 2019 include:

- USCIS naturalized 834,000 new citizens, which the agency said was an 11-year high.
- USCIS granted lawful permanent residence to nearly 577,000 individuals.
- USCIS received nearly 2.2 million employment authorization applications and approved more than 500,000 petitions for nonimmigrant workers in FY 2019, including specialty occupation, temporary agricultural and non-agricultural, and other workers.
- USCIS processed more than 40 million cases through E-Verify.

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OFLC Completes Randomization Process on H-2B Applications Requesting an April 1, 2020, Start Date

The Department of Labor's Office of Foreign Labor Certification (OFLC) has completed a randomization process to assign all H-2B applications submitted during the initial three-day filing window, January 2-4, 2020, requesting an April 1, 2020, work start date for the second half of the fiscal year 2020 H-2B statutory visa cap. OFLC said it will provide written notification to employers (and the employer's authorized attorney or agent) with their H-2B Assignment Group. OFLC has published the list of the H-2B applications assigned to each Assignment Group, along with a list of frequently asked questions (FAQ).

OFLC received a total of 5,677 H-2B applications requesting 99,362 worker positions during this filing period.

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Firm in the News:

Cyrus Mehta spoke at the Georgia-Alabama AILA Chapter January 2020 Employment & Litigation Conference on a panel entitled, *Employment-Based Ethics: Motivating Business Clients With Problem Cases to Litigate* in Atlanta, GA on January 17, 2020.

Cyrus Mehta spoke in the Alliance of Business Immigration Lawyers Training Teleconference on *Employment-Based Adjustment Interviews* on January 14, 2020.