

Legislative Blast April 2018*

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FEDERAL GOVERNMENT APPROVES OMNIBUS SPENDING BILL

Congress passed and President Trump signed a Fiscal Year 2018 omnibus appropriations bill, a \$1.3 trillion spending package to fund the federal government through September 30, 2018. The measure increases fiscal 2018 appropriations by \$143 billion over and above previous funding levels. The bill includes some important immigration provisions that are of interest to Human Resources professionals and employers using nonimmigrant and/or E-Verify programs.

Extends 4 expiring immigration programs until September 30, 2018: E-Verify, the Conrad 30 waiver program, EB-5, and the special immigrant non-minister religious worker program.

Provides funding for Department of Homeland Security programs. Allocates \$108.8 million for operations and support of E-Verify and \$22.6 million for the procurement, construction and improvements of E-Verify, to remain available until September 30, 2020. Provides funds for additional Immigration and Customs Enforcement and Customs and Border Protection law enforcement officers, and increases funds for visa screening and to combat human trafficking.

Extends DHS and DOL Authority to Issue H-2B visa relief. Provides the Secretaries of the Department of Homeland Security (DHS) and Department of Labor (DOL) with discretion to raise the H-2B cap for the remainder of the fiscal year up to a total of 129,547 H-2B workers. Last fiscal year, 15,000 additional H-2B visas were provided under this discretion. The bill also provides other important H-2B relief, such as to employers in the seafood industry, with flexibility to stagger the entry of workers to better handle natural variations in harvest season.

Provides J-1 Educational and Cultural Exchange Program funding and protection. Provides \$646.1 million for J-1 Educational and Cultural Exchange Programs, a 1.89 percent increase from the last fiscal year. Assists in protecting these programs from modifications being considered under the Buy American, Hire American executive order, ensuring that no funds appropriated under the 2018 Department of State, Foreign Operations and Related Programs are used to modify the programs unless the changes were done through formal federal rulemaking and after consultations with the Appropriations Committees.

Source: SHRM, Chatrane Birbal

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