

IMMIGRATION UPDATE®

Monday, August 3, 2009

U.S. CONSULATES BEGIN DISTRIBUTING PAMPHLETS TO VISA

APPLICANTS TO ADVISE THEM OF THEIR RIGHTS UNDER U.S. IMMIGRATION AND LABOR LAW

In late June 2009, U.S. Consulates began distributing a pamphlet to certain visa applicants in order to advise them of their rights under U.S. immigration and labor law. The pamphlets were developed pursuant to requirements of the William Wilberforce Trafficking Victims Protection Reauthorization Act (WWTVPRA) of 2008. The Act requires Consulates to advise certain visa applicants of their rights not to be abused by their employers. Abuse is broadly defined, and includes unfair employment practices.

The <u>pamphlet</u>, recently made available to the public, must be provided to applicants applying for A-3, G-5, H, J, or NATO-7 visas, or for a B-1 visa for a domestic employee accompanying an employer to the United States. The U.S. Department of State has instructed consular officers to review applicable information in the pamphlet with visa applicants in a language the applicants understand, and to provide a copy of the pamphlet to the applicant.