

STATEMENT OF ETHICS - H2 VISA PROGRAM

GENERAL CONDITIONS FOR REGISTERED AGENTS AND REPRESENTATIVES WITH THE U.S. CONSULATE IN MONTERREY FOR THE H2 VISA PROGRAM

GENERAL CONDITIONS

By reading this *Statement of Ethics*, you agree to comply with all the regulations and laws that govern the H2 non-immigrant visa program, as stated by the Immigration and Nationality Act (INA) and the Code of Federal Regulations (CFR). These regulations are as follows:

1. Charging fees of any sort, in addition to the visa fee, is forbidden.
2. Coercing workers to do anything in exchange for the visa or job opportunity is not permitted.
 - a. Workers are permitted to use the services of other agencies to help them to process visas to work for other companies, after the expiration of the visa.
3. All documentation and paperwork given to the worker to be filled out or signed, including the contract, should be in Spanish.
 - a. If the worker does not speak Spanish or does not know how to read, the agent should make sure that the worker understands the terms and conditions of the contract and any paperwork that is turned in and/or signed by the worker.
4. Workers must not be forced to use transportation or hotel services that the representative or agent recommends. Workers are free to choose their own services:
 - a. If the worker decides to stay in a hotel of his or her choosing, the agent or representative should provide the same assistance and support that is given to the rest of the workers.
 - b. Worker should not be forced to use any other services provided by the agent or representative, including transportation to the Consulate, assistance in completing the application, or general coordination of the visa process.
5. The agent or representative should coordinate the workers' arrival date with their appointment date in order to minimize the wait time for workers during visa processing.
6. The agent or representative must protect the personal information of workers and petitioners in accordance with current laws in Mexico.

7. Any adverse information related to worker abuse or employers not complying with the terms of the contract or the H2 visa program, as reported first hand from workers, should be shared with the U.S. Consulate.
 - a. The agent or representative is also responsible for informing workers of the telephone numbers and email address of the U.S. Consulate in Monterrey to report abuse or breach of contract.

COMPLETION OF APPLICATION FORM

8. The agent or representative is responsible for making sure that the information listed in the worker's application, including the name and address of the petitioner and the petition number, is complete and correct:
 - a. This includes:
 - i. Illegal time in the U.S.
 - ii. Deportations
 - iii. Attempts to enter the U.S. illegally
 - iv. Relatives living in the U.S., regardless of their status
 - b. Records in the U.S. (traffic tickets, arrests, deportations, etc.) do not expire and should be disclosed in every visa application with no exception.
 - c. The representative or agent should refrain from suggesting or advising workers on what information to disclose, or not disclose, in the visa application.
 - d. The representative or agent should inform the worker that failing to provide correct information or any voluntary omission can result in the refusal of the visa.

EMPLOYEES OF THE AGENT OR REPRESENTATIVE

9. The representative or agent is responsible for informing his/her employees and associates about the terms and conditions of the H2 visa program. The agent or representative will be responsible for any voluntary omission, misconduct or misuse of the visa program, or illegal fees charged to the workers by any of his/her employees or associates.

SEALS, LOGOS, AND NAMES ASSOCIATED WITH THE U.S. GOVERNMENT

10. The representative or agent is not allowed to use logos or images that include or make reference to the seal of the United States of America, the President, Vice-President, Senate, Congress, and/or House of Representatives, or the name of any U.S. Federal Agency in any sort of advertising and/or in social media.
 - a. Legislation of the United States of America restricts (Title 18, section 709 and 713) the improper use of the aforementioned symbols and names.

REGISTRATION OF AGENTS AND REPRESENTATIVES BEFORE THE U.S. CONSULATE IN MONTERREY

11. Agents or representatives are not permitted to advertise that their services are authorized, registered, or certified by the U.S. Consulate or U.S. government.

12. Registration as a H2 representative or agent is not a certification by the U.S. Consulate or the U.S. government.
- a. The petitioner must authorize registered agents or representatives. The final registration confirmation is at the discretion of the U.S. Consulate in Monterrey.
 - b. There is no expiration date for the registration; however, it should be updated any time there is a change in address, telephone number, agency, or petitioner.
 - c. The registration can be withdrawn at the discretion of the U.S. Consulate in Monterrey.

Through this *Statement of Ethics*, the U.S. Consulate in Monterrey notifies registered agents and/or representatives of their responsibilities in participating in the H2 visa process.