

## **U.S. Departments of Justice and State Announce Partnership to Challenge Visa Fraud and Safeguard U.S. Workers**

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The U.S. Department of Justice and the U.S. Department of State have announced the launch of a partnership designed to protect U.S. workers from discrimination and counter abuses of the employment-based visa system. Introducing the measure, Acting Assistant Attorney General John M. Gore stated, “Employers [who] discriminate against qualified U.S. workers by favoring foreign visa workers will be held accountable. Today’s agreement reflects the Civil Rights Division’s commitment to use all available tools, including collaboration with other federal agencies, to protect U.S. workers from discrimination”.

According to a [summary](#) of the corresponding Memorandum of Understanding (MOU), the new initiative will be carried out by the U.S. Department of Justice’s Civil Rights Division, Immigration and Employee Rights Section (IER), and the U.S. Department of State’s Bureau of Consular Affairs and will facilitate the exchange of information to identify unlawful discrimination, fraud, and other instances of misrepresentation in U.S. employers’ use of employment-based visas. The Departments’ collaboration will also facilitate technical assistance between the agencies and encourage complaint referrals.

The new effort follows the “Protecting U.S. Workers Initiative” launched in February 2017 by the IER, which is responsible for enforcing the anti-discrimination provisions of the Immigration and Nationality Act (INA). The IER’s previously announced initiative similarly seeks to identify, investigate, and bring enforcement actions against companies who are alleged to have committed discrimination by favoring foreign national workers with employment-based visas over U.S. workers. The first [lawsuit](#) stemming from the Initiative was filed in late September.

In light of the federal government’s increased efforts to combat perceived visa fraud and prevent discrimination against U.S. workers, it is important for employers to thoroughly review internal hiring and on-boarding procedures, including the content of job announcements and employment-based visa sponsorship policies. Employers should conduct regular training sessions and consult with experienced counsel to prevent the appearance of unlawful discrimination and proactively address any concerns related to existing immigration compliance practices.

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