

AMPTP Personal Information Processing and Protection Policies

The European Union General Data Protection Regulations (“GDPR”) require that an organization handling the personal information of individuals who are residents of the European Economic Area (“EEA”) document the data protection policies it applies to that information. The policies of the Alliance of Motion Picture and Television Producers (“AMPTP”) are detailed below.

1. Background

The Alliance of Motion Picture and Television Producers (“AMPTP”) handles personal information of alien individuals seeking an O-1, O-2 or P-1 visa from the United States Citizenship and Immigration Services (“USCIS”).¹ In order to obtain an O-1 or O-2 visa, the USCIS requires the visa petitioner to provide a consultation letter from both a management organization and a peer group (such as a labor union) with expertise in the beneficiary’s area of ability. The AMPTP is the management organization that provides such consultation letters for individuals who will be employed in the motion picture and television industry. While the USCIS does not require a management organization consultation letter for individuals seeking a P-1 visa, the AMPTP provides such letters as a courtesy, if requested by the petitioner.

2. Receipt of Personal Information

Petitioners seeking a consultation letter from the AMPTP are required to submit a packet of documents in hard copy, which includes protected personal information. The AMPTP does not accept initial submissions in electronic or digital form. However, if a petitioner inadvertently omits one of the required documents from the original submission, or if the petitioner later amends one of the required documents, the AMPTP will accept the missing or replaced document via e-mail at immigration@amptp.org.

2. Policy for Handling of Personal Information

a. Policy for Hard Copy Documents

After the AMPTP receives a petitioner’s request for a consultation letter and until the AMPTP issues the consultation letter, the hard copy packet containing documents with personal

¹ O-1 nonimmigrant visas are issued by USCIS to individuals, among others, who have a demonstrated record of extraordinary achievement in the motion picture or television industry and have been nationally or internationally recognized for those achievements. O-2 visas are for individuals who will accompany artists or athletes for whom O-1 visas have been or will be issued. P-1 visas are issued for internationally renowned groups of artists or athletes.

information will be maintained in a locked file cabinet, and accessed only when employees need to review the documents for purposes of preparing and issuing the consultation letter.

The AMPTP may need to review and correct errors in consultation letters shortly after issuance. Thus, it will maintain these hard copy documents in a locked file cabinet for up to 90 days after the issuance of the requested consultation letter. During this period, the file cabinet may only be accessed by employees reviewing and administering the visa consultation letters. After the 90-day period has expired, the hard copy documents will be destroyed.

b. Policy for Digital Documents

Except in unusual circumstances, only the employees reviewing and administering the visa consultation letters have access to the immigration@amptp.org e-mail account where petitioners may send digital documents.

Some documents that the AMPTP may receive via e-mail, such as a completed I-129 form, almost always contain protected personal information, due to the fact that the form requires the petitioner to provide certain personal information. Similarly, a USCIS Notice of Approval (I-797) also contains protected personal information. Other documents that the AMPTP may receive via e-mail may or may not contain protected personal information, depending on what information is provided therein.

In light of the above, whenever a petitioner sends an I-129 form or I-797 via e-mail, the digital I-129 form or I-797 must be:

- maintained in a secure email folder; and
- deleted within 90 days after the issuance of the requested consultation letter.

Other documents received via e-mail will be reviewed on a case-by-case basis by the employees reviewing and administering the visa consultation letters. If it is determined that the document contains protected personal information, the e-mail and the attached document will be deleted within the 90-day period described above.

The AMPTP retains electronic copies of its consultation letters and certain information in digital form beyond the 90-day period noted above, in case it is necessary to respond to inquiries from USCIS regarding its consultation letters, such as requests for verification. The information retained consists of the following:

- the date the materials were received;
- the date the consultation letter was sent out;
- the petitioner's name;
- the visa applicant's name;
- the applicant's job title;

- the projects or jobs to which the job title applies;
- and the law firm or agent involved, if any.

c. Policy Regarding Third Parties

The personal information reviewed by the AMPTP may not be used or given to third parties for marketing purposes. The AMPTP may give copies of its consultation letter to the USCIS if requested for verification purposes. It may also give copies of its consultation letter to a beneficiary's new attorney if authorized by the beneficiary.

d. Rights of Data Subject

An individual whose personal information is reviewed by the AMPTP as provided in this document may request access to and rectification or erasure of personal data from the agent or entity to which the person provided the information or by contacting the AMPTP via the immigration@amptp.org email address.

3. Breach Notification

In the event of a breach of the data protection policies noted above, the AMPTP will notify the relevant EEA authorities as well as any individual applicants affected within 72 hours.