



The Honorable Delores Kelley
Chairwoman, Senate Finance Committee

3 East Miller Senate Office Building
Annapolis, Maryland 21401

February 27, 2020

Re: Oppose Senate Bill 742- Labor and Employment - Fair Recruitment and Transparency Act

Dear Chairwoman Kelley and Members of the Senate Finance Committee:

Thank you for the opportunity to comment on Senate Bill 742. The Council on International Educational Exchange (CIEE) respectfully requests an unfavorable report on Senate Bill 742.

As the nation's largest and oldest sponsor organization of the U.S. Department of State, CIEE gives students and professionals around the world a unique opportunity to experience life in the United States—to learn and grow in the classroom, in the workplace, and beyond. As a U.S. Department of State designated sponsor for 9 program categories under the J-1 Exchange Visitor Program, we sponsor more than 800 exchange visitors in Maryland each year: primarily Summer Work Travel along the Eastern Shore and Intern/Trainee categories in and around Baltimore City and the Washington, D.C. suburbs.

Senate Bill 742 seeks to address foreign labor abuses, an important public policy issue. We support these efforts. However, in defining employment broadly and including cultural exchange, in its current form it would be extremely detrimental to the J-1 Exchange Visitor Program, unnecessarily harming the state of Maryland and U.S. foreign policy. This is not a labor program; it is a cultural exchange program, bringing high potential young people from all over the world to the United States to experience American culture, improve their English, study, train, and, in some cases, work. The work component allows participants to offset some of their costs, and enables the participation of groups that would otherwise be unable to afford to travel to the U.S.

The J-1 Exchange Visitor Program is overseen and regulated by the U.S. Department of State and administered by program sponsors such as CIEE. By regulation, sponsors are responsible for the health, safety, and welfare of program participants: we provide 24-hour support, monthly check ins, program orientations, and vetting of all placements. The regulatory complexity and personal liability introduced in SB 742 would make the implementation of J-1 programs nearly impossible in Maryland. Furthermore, a prohibition on program fees being charged to participants would tie participants to one employer, which would be disallowed by regulation: J-1 participants are able to change or leave their employers, for any reason. Lastly, SB 742 establishes a workgroup to study international exchange visitor workers in Maryland, but does not explicitly include representation from sponsor organizations, the Department of State, or exchange industry associations who would be able to speak to program management and regulatory requirements.

Once again, thank you for the opportunity to comment on Senate Bill 742. If I can be of additional assistance, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "James P. Pellow".

Dr. James P. Pellow
President and CEO

CIEE Boston Offices

200 and 60 State Street
Boston, MA 02109
+1 617-221-6080

CIEE Corporate Headquarters

300 Fore Street
Portland, ME 04101
+1 207-553-4000