



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:

We appreciate the opportunity to share our views of Senate Bill 742. While we understand SB 742 has been altered from its predecessor bill, SB 526, it nonetheless poses a significant threat to the viability of international exchange visitor programs in Maryland. For that reason, we recommend an unfavorable report on the bill.

The J-1 Exchange Visitor Program was authorized by the Mutual Educational and Cultural Exchange Act of 1961, Senator William Fulbright's landmark legislation to engage and influence future leaders around the world. International visitors currently have opportunities to learn much more about Americans in Maryland through the Summer Work Travel, Intern, Trainee, Camp Counselor, Au Pair, Research Scholar, Short-Term Scholar, and Specialist programs.

These programs are heavily regulated by the Department of State ("DOS"). DOS identified program sponsors to be the key people who are responsible for the health, safety, and welfare of participants. To protect participants, sponsors vet all placements, provide program orientation, make available twenty four hour support, conduct monthly check ins, and find new opportunities for participants when the first placement is not the right fit. But, to administer these programs successfully, sponsors must be able to collect fees and rely on a set of uniform regulations nationwide. Without those two things, international exchange programs in Maryland would collapse.

SB 742 differs from SB 526 by using the term "migrant worker." While regular use of that term clearly would not include exchange participants, the definition of "employment" in the SB 742 includes "cultural exchange" and "training" programs. Eliminating those two terms from the bill would be a big step forward. The Committee, however, should leave no doubt about the scope of the bill by expressly exempting J-1 Exchange Visitor Programs. Participants in all these programs express high degree of satisfaction and there are already significant mechanisms in place to address concerns when they arise.

SB 742 also creates a Working Group to assess the J-1 programs, but the composition of that Group is unbalanced. It should include representatives with expertise on the J-1 Exchange Visitor Program. It should also include representatives of the U.S. Department of State. Lastly, SB 742 should charge the Working Group with conducting a thorough review of the current U.S. regulations of these programs with an eye toward making recommendations to DOS, if warranted.

International exchange programs are an essential tool of our foreign policy. By fostering people-to-people diplomacy, these programs create greater understanding of the United States – our culture, economy, and political system. Participants deepen their understanding of English and sharpen the problem solving skills, both of which make them more marketable when they go home. They also form strong relationships with Americans that often span many years and generations. Participants contribute significantly to the U.S. economy while they are here. Many also come back often to visit as tourists. Please see attached a fact sheet demonstrating the positive impact of these programs on Maryland, as well as summaries of reports on the Camp Counselor, Intern, Trainee, and Summer Work Travel programs.

The U.S. Department of State's Exchange Visitor Program is functioning well and achieving its goals of increasing mutual understanding between people and enhancing peace and prosperity globally. It should be expressly excluded in Senate Bill 742.

Sincerely,



Ilir Zherka
Executive Director