



PLC ▲ Southern Poverty Center

## About the Southern Poverty Law Center

The Southern Poverty Law Center (SPLC) is a 501(c)(3) nonprofit organization that monitors and exposes those who promote hate and violence in America. We are the nation's largest and most effective watchdog for civil liberties and social justice. We litigate, investigate, educate, and expose the activities of hate groups and extremists.

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THE EXPLOITATION OF  
J-1 CULTURAL EXCHANGE WORKERS



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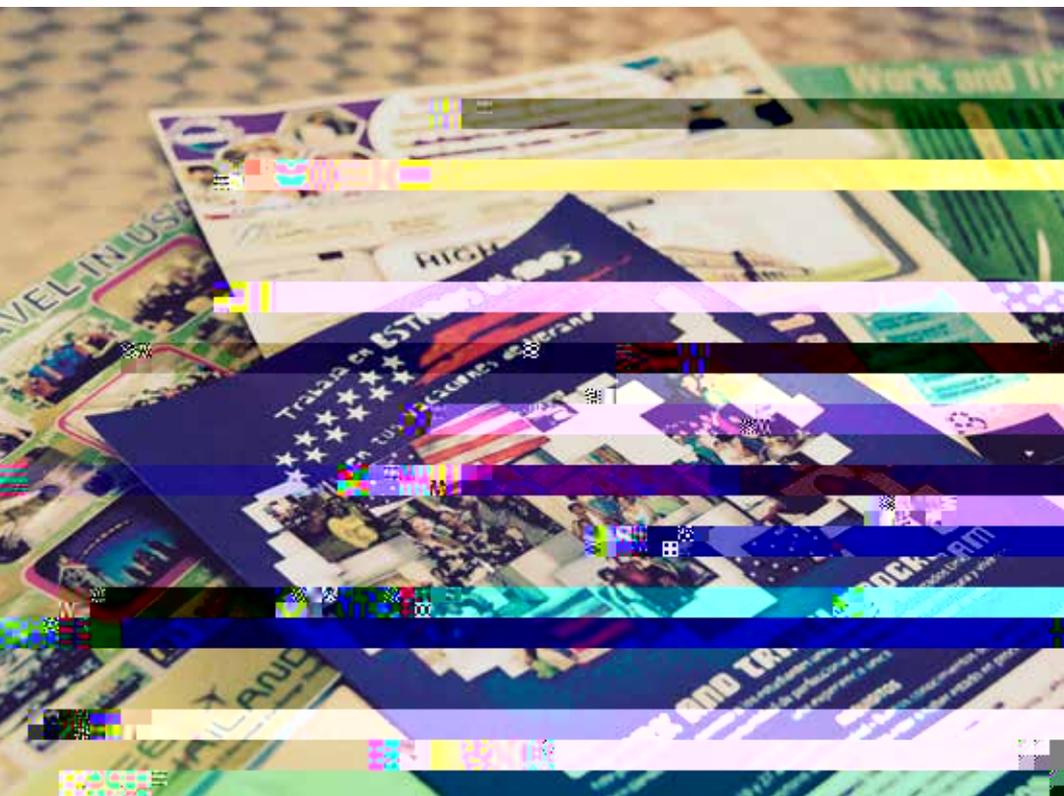
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# What is the J-1 Visa Exchange Visitor Program?

The J-1 Visa Exchange Visitor Program is a U.S. Department of State initiative that allows individuals from other countries to come to the United States for a temporary period to advance mutual understanding between the people of the United States and the people of other countries. The program is administered by the U.S. Department of State, Bureau of Consular Affairs, Office of Exchange Programs. The program is divided into several categories, including:

- N (Normal)
- R (Research)
- S (Scholarship)
- T (Teacher)
- F (Faculty)
- G (Government)
- I (Instructor)
- M (Medical)
- P (Professional)
- Q (Cultural Exchange)
- B (Business)

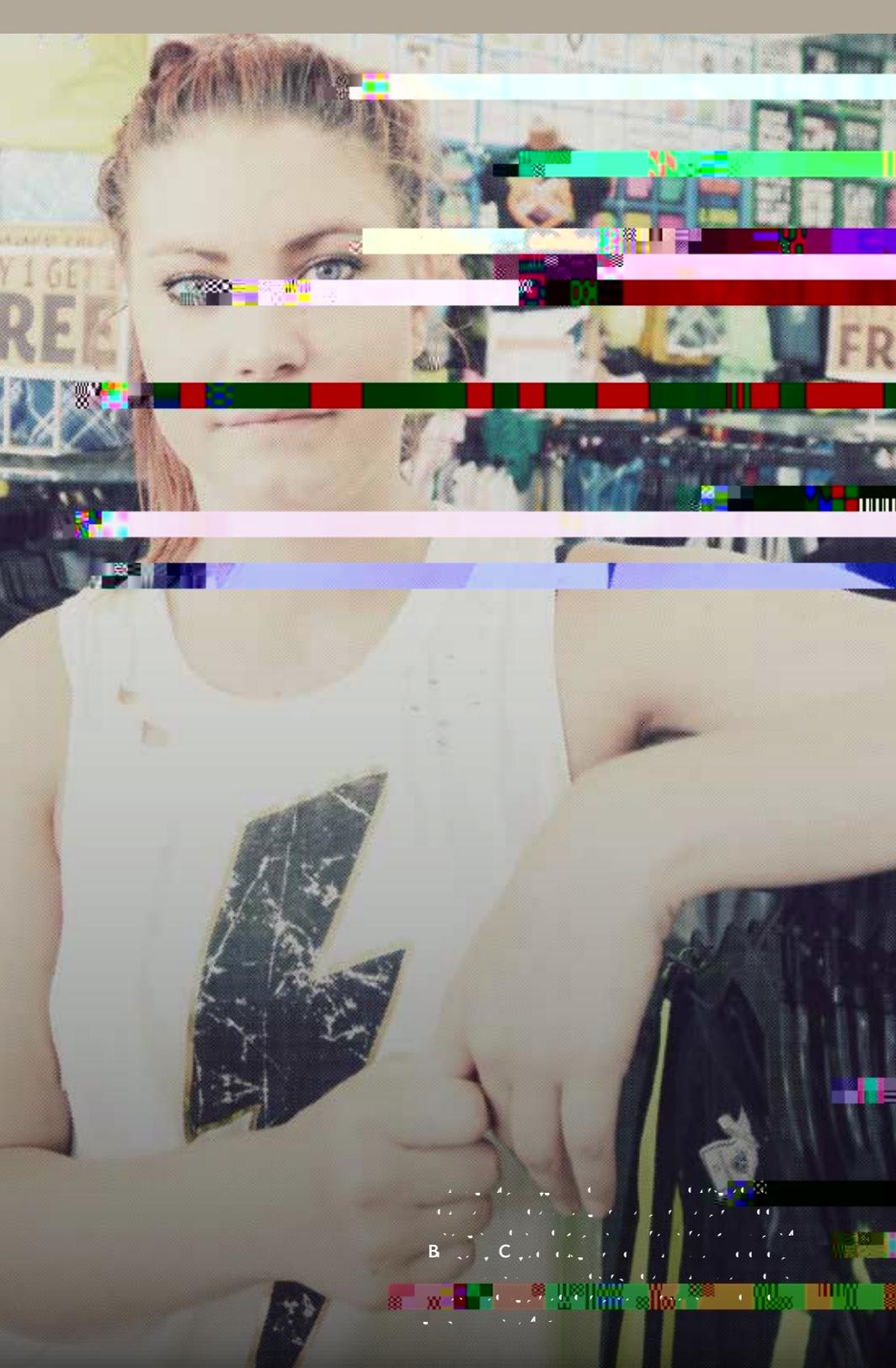


## Key points to know about the J-1 program

- **M**ost J-1 visas are issued for a period of 12 months, but some are issued for 5 years. The length of the visa depends on the category of the visa. **I**nternational students on J-1 visas are typically issued a 12-month visa. **M**ost J-1 visas are issued for a period of 12 months, but some are issued for 5 years. The length of the visa depends on the category of the visa. **I**nternational students on J-1 visas are typically issued a 12-month visa.
- **J** visas are issued to individuals who are coming to the United States for a temporary purpose. **D**epartments of State issue J visas to individuals who are coming to the United States for a temporary purpose. **J** visas are issued to individuals who are coming to the United States for a temporary purpose. **D**epartments of State issue J visas to individuals who are coming to the United States for a temporary purpose. **J** visas are issued to individuals who are coming to the United States for a temporary purpose. **D**epartments of State issue J visas to individuals who are coming to the United States for a temporary purpose.
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# Foreign students deceived, exploited with little recourse



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## 'Essentially work programs'

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**Complaints to sponsors may fall on deaf ears**

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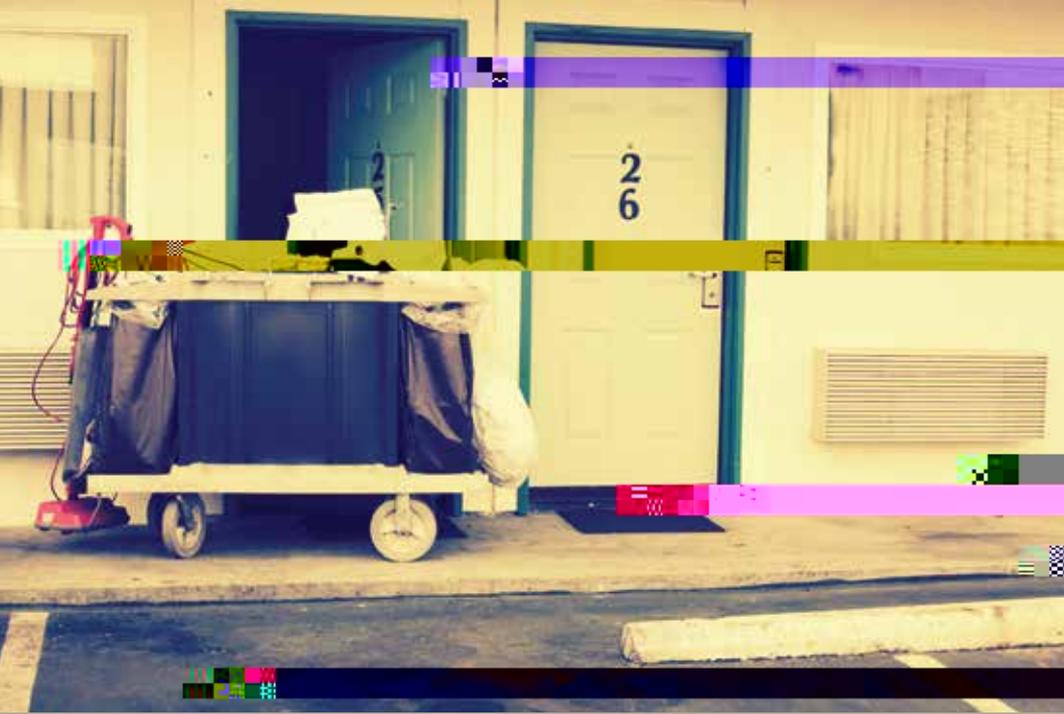
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# Summer Work Travel students end up cleaning rooms with no cultural exchange opportunities

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**Chakkvi "Maax" Suksawas**



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**Fernanda Alquinga Defaz**

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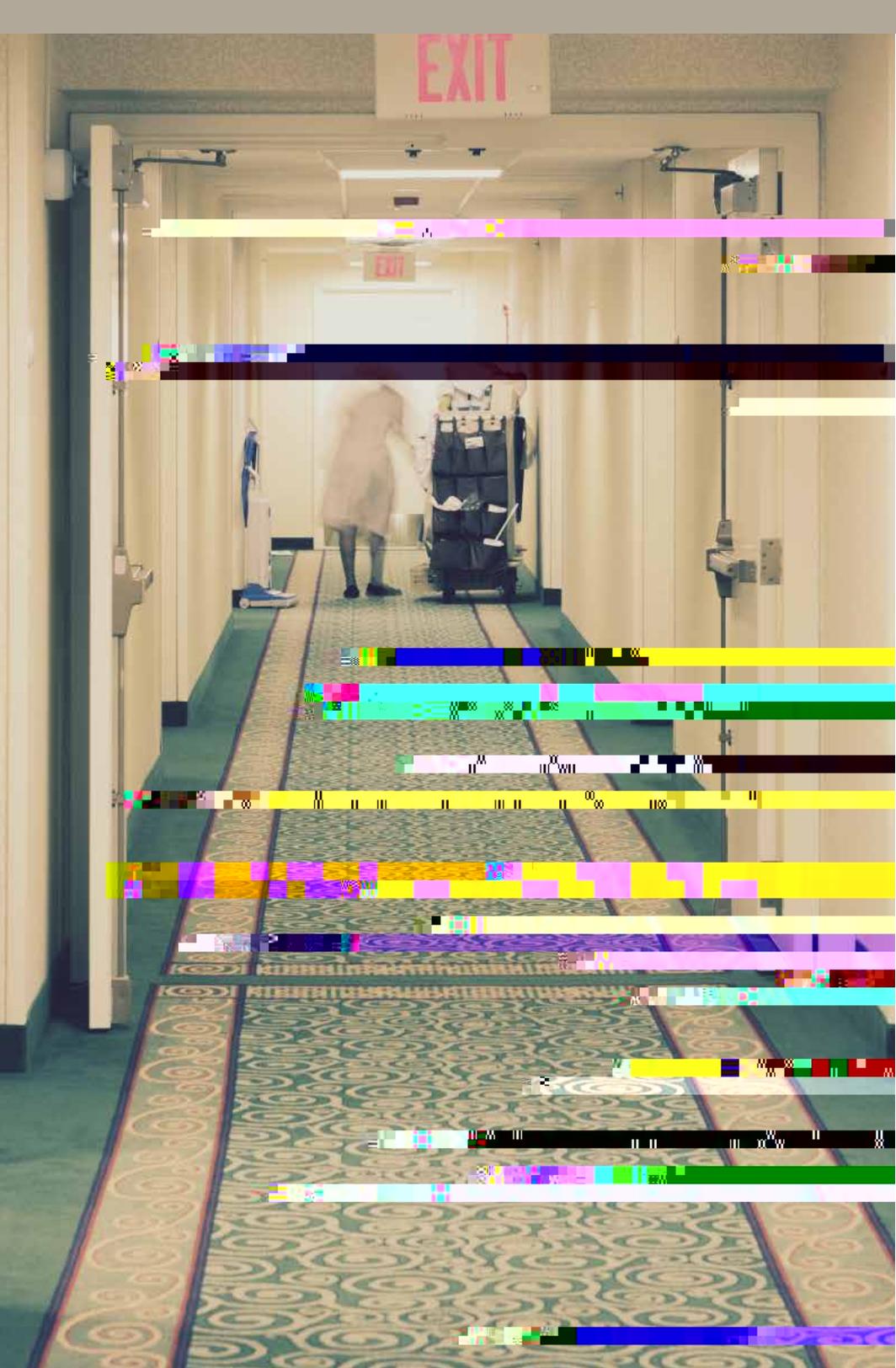


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# J-1 workers vulnerable to trafficking, other dangers

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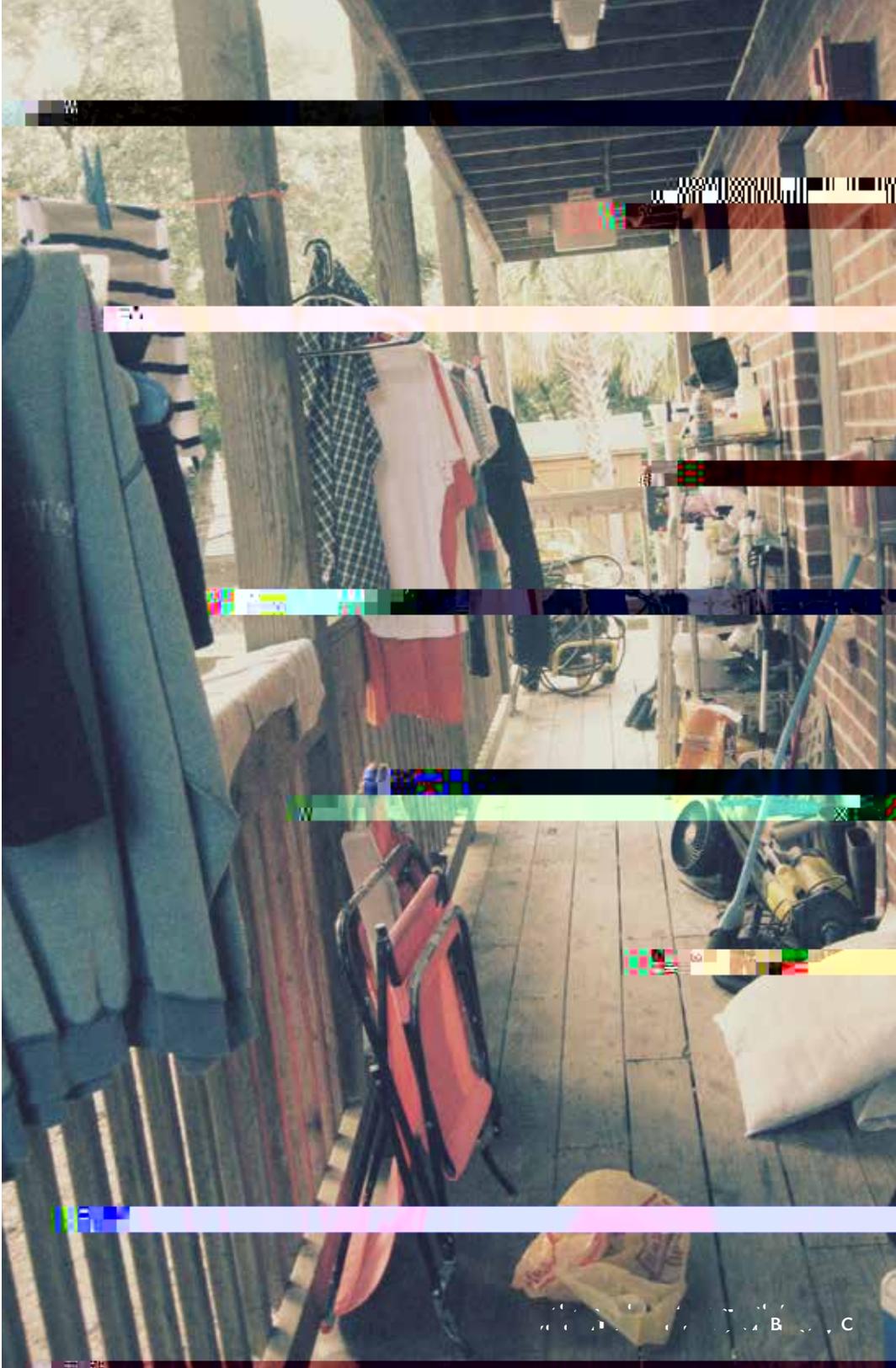
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**J-1 workers flood charities**

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# New laws, regulations required to protect J-1 foreign exchange students and U.S. workers

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## RECOMMENDATIONS FOR THE SUMMER WORK TRAVEL AND TRAINEE AND INTERN PROGRAMS

### I. Recommendations for Congress:

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III. Recommendations for Trainee and Intern Program regulations:

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## E D E,

1 22 U.S.C. § 2451.

2 26 U.S.C. §§ 3121(b)(19), 3306(c)(19).

3 S , . ., Seasonal Staffing Solutions, [www.seasonalstaff.org/Tax-Benefits-For-Employers-Hiring-J1-Foreign-Staff.html](http://www.seasonalstaff.org/Tax-Benefits-For-Employers-Hiring-J1-Foreign-Staff.html) (“American Employers can legally save 7.79% off their total payroll expenses simply by promoting cultural exchange and hiring J1 students.”) (last visited Nov. 7, 2013).

4 S , . ., *U S v S v L . T r o o , v al.*, No 11-cr-00614-VM (S.D. N.Y. filed Nov. 17, 2011) (J-1 SWT students forced to work as exotic dancers in New York); *USA v B r a , v al.*, 3:07-cr-00114-LC-2 (N.D. Fla. filed Sept. 18, 2007) (J-1 SWT students used in labor trafficking scheme in the Florida panhandle).

5 U.S. Dep’t of State, *2013 Tra f P r R r s* 385-86, [www.state.gov/documents/organization/210742.pdf](http://www.state.gov/documents/organization/210742.pdf).

6 77 Fed. Reg. 27,593, 27,601 (May 11, 2012) (discussing the SWT program in light of high youth unemployment rates).

7 Fredreka Schouten, *I ra t A C a D al S b l v*, USA Today, June

26, 2013, [www.usatoday.com/story/news/politics/2013/06/26/immigration-bill-carveouts-](http://www.usatoday.com/story/news/politics/2013/06/26/immigration-bill-carveouts-)

Oct. 6, 2011, [www.theworld.org/2011/10/j-visa-exploiting-foreign-students/](http://www.theworld.org/2011/10/j-visa-exploiting-foreign-students/).

25 David Wenner, *Foreign Students at Work Exploit Harrisburg, Pa.*, The Patriot-News, March 11, 2013, [www.pennlive.com/midstate/index.ssf/2013/03/mcdonalds\\_foreign\\_students\\_che.html](http://www.pennlive.com/midstate/index.ssf/2013/03/mcdonalds_foreign_students_che.html).

26 See 22 C.F.R. §§ 62.32, 62.15, App'x D (requiring sponsors to submit annual reports on their activities).

27 See *Swartz v. Icahn*, 38 (discussing the conflict of interest inherent in the SWT program).

28 22 C.F.R. § 62.32(g)(2).

29 U.S. State Dep't, *Closed-Sanction-cases-2006-to-Date-Master\_Final.pdf* (last visited Nov. 4, 2013), [www.state.gov/j1visa.state.gov/wp-content/uploads/2013/09/Closed-Sanction-cases-2006-to-Date-Master\\_Final.pdf](http://www.state.gov/j1visa.state.gov/wp-content/uploads/2013/09/Closed-Sanction-cases-2006-to-Date-Master_Final.pdf) (last visited Nov. 4, 2013).

46 22 C.F.R. § 62.22(f)(2)(v).

47 *S. v. U.S. State. Trial, et al.*, No 11-cr-00614-VM (S.D. N.Y. filed Nov. 17, 2011) (J-1  
SWT students forced to work



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