

U.S. DEPARTMENT OF STATE PROPOSES NEW RULE AMENDING THE REGULATIONS FOR SPONSORSHIP OF J-1 EXCHANGE VISITORS

On December 10, 2008, the U.S. Department of State published a Proposed Rule in the Federal Register, proposing certain changes to the J-1 Exchange Visitor program which will directly impact both existing and new program sponsors as well as J-1 exchange visitors.

Among the changes in the proposed rule is a clarification of the scope of the health insurance requirement, an increase in the required health insurance coverage levels, and an expansion of the requirement to include dental insurance.

Additional provisions of the regulation require that Responsible Officers (RO's) and Alternate Responsible Officers (ARO's) undergo a criminal background check. While the results of the background check need not be provided to the Department of State, the Department anticipates that the results of such checks will be taken into account during the hiring process.

Another proposed change in the regulations governing J-1 program sponsorship is the proposed requirement that organizations applying for designation or re-designation as a program sponsor must undergo a site inspection at the applicant's expense.

For more information regarding the impact of these changes, contact your Tindall & Foster or Quan, Burdette, & Perez immigration attorney. Your attorney will be able to assist you in evaluating the proposed changes and how they may impact your business as a program sponsor, or as a host organization or program participant. In the event that your organization opposes the regulation, your immigration attorney is able to assist you in preparing an appropriate comment for submission to the Department of State in response to this proposed rule-making. Comments are due by February 8, 2009.