Buy American, Hire American (BAHA) Fact Sheet

Overview

On April 18, 2017, President Trump signed a “Buy American, Hire American” Executive Order. The EO focused primarily on strengthening the “Buy American” policies of the U.S. government and reforming the H-1B skilled worker visa program. It called on the Departments of Labor and State, along with other agencies to propose new rules and guidance “…to protect the interests of United States workers in the administration of our immigration system…” The White House also made it clear that they envisioned this EO as part of a larger immigration reform effort.

While J-1 visa programs were never specifically mentioned in the EO, multiple sources are reporting that as part of the BAHA EO implementation, senior White House staff plan to significantly cut J-1 visas, including the Summer Work Travel, Intern/Trainee, and Camp Counselor programs. Stephen Miller leads an interagency group on this initiative, which includes representatives from the Department of State, Homeland Security, Labor, and staff from the NSC and OMB.

Legislation

The Senate Appropriations Committee on September 7, 2017 added legislative language to the FY 2018 funding bill directing the Trump administration to follow the full regulatory process, before making any modifications to the J1 Exchange Visitor Program. The Committee also required the administration to consult with and provide an analysis to the Committees of the impact to our public diplomacy and economy from any modification of those programs. The amendment, Sec. 7034(d)(5), cosponsored by Senators Chris Coons, Patrick Leahy, and Lisa Murkowski, can be found on p. 156 of the Committee-reported bill. The Senate committee deemed it crucial to take this step because of concerns over the lack of a transparent process by the administration to date.

In the House of Representatives, Rep. LoBiondo and Rep. Keating cosponsored House Resolution 529, “expressing the sense of the House of Representatives that the J-1 visa programs...are vital to the economy and national interests of the United States and the Congress should continue to monitor the administration of these programs in their current form.” The resolution has gathered 43 cosponsors with strong bipartisan representation, with additional members likely to sign on. Both the Appropriations directive and the House Resolution send a strong signal from Congress regarding their willingness to protect these valuable international exchange programs.
Implications

**Diplomacy & Security:** J-1 programs make up a critical part of our nation’s people-to-people diplomacy and create leaders and partners for the future. These programs were created as part of the Mutual Educational and Cultural Exchange Act of 1961, Senator William Fulbright’s landmark legislation to engage and influence future leaders around the world. The programs are self-funded through program fees and cost U.S. taxpayers nothing, with diplomatic benefits that reach far into the future. J-1 programs are supported and regulated by the Department of State.

Through these valuable programs, businesses develop a crop of young leaders around the world who truly understand America and how to do business with us. According to a recent report, 76 percent of participants have a higher overall regard for the United States after the program, a statistic that is consistent with State Department reports of cultural exchange programs. Preserving these programs will benefit America’s image around the globe at a time when the U.S. favorability rating worldwide is below 50 percent.

**Businesses and Families:** Restricting or eliminating J-1 exchange programs would seriously damage many companies’ ability to do business, especially in terms of expanding into new global markets and training American staff in the international context. In addition, seasonal businesses and camps would be economically devastated without the influx J-1 participants during peak seasons. Many would be forced to reduce their hours of operation, close portions of their business, and even lay off year-round American employees. Further, American families who host international au pairs would lose a culturally valuable source of child care, including the ability to teach young children language and intercultural skills.

**Economic Contributions:** J-1 participants serve to supplement American workers rather than displace them, and are paid the exact same wage as their American counterparts. In fact, results from a recent report show that 51 percent of employers cite labor shortages and lack of available American staff as their primary reasons for participating in the Summer Work Travel program. The addition of J-1 participants during peak seasons ensures that Americans in these industries remain at work. Furthermore, the report also shows that through program fees, travel, housing, and entertainment, Summer Work Travel participants contribute more than $500 million to the U.S. economy each year.