

## Immigration Alert

# New J-1 Visa Provisions Effective January 5, 2015

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In October 2014, the Department of State (“DOS”) amended Subpart A of the J exchange visitor regulations. These new regulations go into effect in 2015 and apply to all exchange visitor programs and program categories. There are two primary changes that will directly affect J-1 applicants:

1. New testing and documentation requirements for English language proficiency (effective January 5, 2015)
2. Increased insurance coverage amounts (effective May 15, 2015)

Additional rule changes will affect the sponsor organizations and their management of J-1 programs.

## English Language Proficiency

Currently, J-1 exchange program sponsors are required to determine that participants possess “sufficient proficiency in the English language to participate in his or her program.” However, the rule did not previously specify how this evaluation should or would be accomplished. The amended rule added language stating that “an objective measurement” must be used to evaluate English proficiency. In addition, the participant’s English language proficiency must be at a level to allow the participant “to function on a day-to-day basis.”

The Department of State clarified that the objective measurements accepted include:

- Recognized English test
- Signed documentation from an academic institution or English language school; or
- A documented interview conducted by the sponsor either in-person or by videoconferencing, or by telephone if videoconferencing is not a viable option

Sponsors must also retain documentation regarding how they determined English language proficiency for potential review by the DOS.

## Increased Insurance Coverage

The Department of State increased the amount of insurance coverage program participants are required to maintain per the current rule at 22 CFR 62.14. This rule change does not come into effect until May 15, 2015. The old and new amounts are as follows:

Item	Current Amount	Final Rule Amount (5/15/15)
Medical benefits	\$50,000	\$100,000
Repatriation of remains	\$7,500	\$25,000
Medical evacuation	\$10,000	\$50,000
Deductible per accident or illness	\$500	\$500



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