

SEVP Spotlight

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DIRECTOR'S CORNER



*A message from
Louis M. Farrell,
Director of the Student and
Exchange Visitor Program*

Importance of Tri-Valley University Conviction

March marked an important event for the Student and Exchange Visitor Program (SEVP). A federal jury in San Francisco convicted Susan Su, the founder and president of Tri-Valley University (TVU) on 35 counts, ranging from conspiracy to commit visa fraud to money laundering to alien harboring. Su operated the “scam school” known as TVU from 2008 until the time of her arrest in 2011 after she was investigated by U.S. Immigration and Customs Enforcement’s (ICE) Homeland Security Investigations (HSI) for visa fraud. According to the ICE news release,

Evidence at trial showed that Su engaged in a two-year scheme to defraud the Department of Homeland Security (DHS) by submitting fraudulent documents in support of Tri-Valley University’s petition for approval to admit foreign students. After obtaining such approvals, the university fraudulently issued visa-related documents to foreign students in exchange for ‘tuition and fees.’ In the petitions, Su made false representations to DHS regarding Tri-Valley University’s admission requirements, graduation requirements, administrators, instructors, class transferability, and intent to comply with federal regulations.

The news of this conviction generated media attention from U.S. publications like the San Jose Mercury News and the Associated Press to international outlets such as The Press Trust of India. Ms. Su’s sentencing will take place in June. She faces the possibility of federal prison.

As the news reports described, this was a case that “highlighted the growing problem of so-called ‘visa mills.’” This investigation, and the

subsequent law enforcement action, marks an important moment for SEVP. This long road to justice did not come easy, and it required a great deal of close, oftentimes sophisticated coordination between SEVP’s Analysis and Operations Center (SAOC) and a host of other players such as ICE’s Counterterrorism and Criminal Exploitation Unit (CTCEU), HSI’s special agent in charge (SAC) offices and the U.S. attorney’s office that prosecuted the case.

SEVP provides necessary intelligence and facilitates the investigation of bad apple schools such as TVU. These duties are led by the SAOC. On a daily basis, the SAOC’s adjudicators and case analysts work diligently on school compliance and student status issues. The SAOC conducts studies and analyses to determine what vulnerabilities exist in the system. It also develops mitigation strategies as they relate to SEVP’s school certification process and the data integrity of SEVIS. Lastly, the SAOC proactively gathers and analyzes data on student and school compliance. Then, it works earnestly to provide critical information to our government partners in the law enforcement and national security arenas. Behind the scenes, an incredible amount of cross-coordination takes place with one goal in mind – to root out the schools or individuals who have no intention of following government regulations. America offers unparalleled opportunities for learning, and SEVP strives to ensure legitimate entry paths for studying in the United States aren’t exploited.

I am as proud today to be a part of SEVP as any in my eight years as director. Convictions such as the TVU case underscore our mission to the American public and to the academic community: to remove from the world’s finest academic system the fraudulent schools which give an undeserved black eye to the entire community. It’s this kind of nose-to-the-grindstone compliance work that gets results and sends a message to all of the bad apple institutions that SEVP is tenacious and intentional in our compliance work.

Take Care,

Lou



**U.S. Immigration
and Customs
Enforcement**

SEVP's Spring/Summer 2014 Conference Season

The Student and Exchange Visitor Program (SEVP) kicked off the Spring/Summer 2014 Conference Season in April. While budget restrictions limit our traveling capabilities, SEVP continues to engage with stakeholders virtually via teleconference and webinars. The ability to connect virtually has allowed SEVP to increase the number of events in which we participate, access new groups and build new relationships.

You can check out SEVP's recorded presentation on the *Study in the States* Conferences and Outreach page. The presentation covers the latest program updates and hot topics, including regulatory updates and upcoming opportunities to submit feedback on draft guidance. SEVP values your feedback. After viewing the conference presentation or attending an event, provide your feedback to SEVP via the Stakeholder Satisfaction Survey. We use this feedback to tailor future presentations and provide stakeholders with useful information.

If your organization is interested in SEVP presenting at your event, please e-mail SEVPCommunications@ice.dhs.gov

I-901 SEVIS Fee

As part of the Student and Exchange Visitor Program's (SEVP) ongoing efforts to enhance and streamline the I-901 SEVIS fee payment process, the program recently automated the processing of Western Union Fee Payments. F and M nonimmigrant students and J-1 exchange visitors must pay the I-901 SEVIS fee prior to applying for a student visa to study in the United States. There is no change to the payment process when paying the fee by credit or debit card, check or money order.

Effective April 15, 2014, prior to going to a Western Union location, all F and M nonimmigrant students and J-1 exchange visitors electing to use Western Union to pay their I-901 SEVIS fee must complete the Form I-901 on FMJFee.com and receive a coupon number to take with them to Western Union. If using a third party, students must complete the Form I-901 on FMJFee.com and provide the coupon number to their third party so that they may take it with them to Western Union to complete the payment.

This process change allows for immediate availability of the student's online payment confirmation at FMJFee.com. Students may learn more about the I-901 SEVIS fee by watching the I-901 SEVIS fee payment tutorial on *Study in the States* offering a step-by-step guide to complete the payment process.



SEVP Deploys First Group of Field Representatives

In April, the Student and Exchange Visitor Program (SEVP) deployed the first group of 15 field representatives. The field representatives serve as direct day-to-day liaisons between SEVP and certified schools, and those schools seeking initial SEVP certification. As a new stakeholder resource, the field representatives also serve to enhance national security by fostering regulatory adherence and Student and Exchange Visitor Information System (SEVIS) data integrity.

Field representatives will be deployed in three regional groups — eastern, central and western — throughout the United States. Each region will eventually consist of 20 field representatives, for a nationwide total of 60.

SEVP field representatives are here to:

- **Ensure SEVP-certified schools understand SEVP rules and regulations**
- **Answer general questions related to the nonimmigrant student process**
- **Provide training and assistance to principal designated school officials and designated school officials**
- **Meet in-person with each SEVP-certified school in their geographical area at least twice per year**
- **Help school officials with the SEVP certification and recertification process by conducting scheduled school site visits**
- **Attend conferences and meetings in their areas that pertain to nonimmigrant students**

If your school falls within one of the territories covered by the first group of field representatives, your field representative will contact you within 30 days.

Additional information about the SEVP field representatives and how they can help you is available on this *Study in the States* resource page.

DSOs and the Importance of Campus Police

Academic stress, along with cultural and language barriers, can become overwhelming for nonimmigrant students. A recent situation with a nonimmigrant college student could have turned into another college tragedy without the quick coordination between law enforcement entities.

The student requested to drop below full-time study and had caused some minor disturbances near campus. He attempted to purchase a firearm from a local gun store, but the shop owner refused the sale because nonimmigrants are not permitted to purchase firearms. The student went to another gun store, this time claiming to be a U.S. citizen. Twenty-six minutes later, he purchased a firearm. Luckily, per state law, he had to wait three days to possess that firearm, so he left empty-handed.

Within that time, the first store owner notified local law enforcement because the student had exhibited erratic behavior. That notification prompted

communication to law enforcement entities throughout the state, including campus police, who soon after, responded to an incident involving that student. The student claimed to hear voices and told campus police that he tried to purchase the gun to intimidate others who he perceived as a threat. The campus police notified HSI who arrested and charged the student with making a false statement to acquire a firearm. While in federal custody, he received medical attention, and ICE officials escorted him back to his home country. A potential campus tragedy was prevented.

HSI special agents work diligently to prevent exploitation of the student visa system, and they rely on partners within the law enforcement and academic communities to notify them of potential issues or concerns regarding students. Designated school officials often work with you notice a change in a student's behavior, make sure to notify the campus police or your local HSI office for assistance.

COMPLYING WITH REGULATIONS

Preparing Students for Arrival at the U.S. Port of Entry

The Student and Exchange Visitor Program (SEVP) works with its federal partners to ensure nonimmigrant students and exchange visitors are eligible to be admitted to the country at U.S. ports of entry.

The admissibility indicator is a tool used by U.S. Customs and Border Protection (CBP) officers. It determines whether nonimmigrant students and their dependents can enter the United States based on the current status of their Student and Exchange Visitor Information System (SEVIS) records. CBP officers will use it at points of inspection to review nonimmigrant students' SEVIS records, as well as required documentation nonimmigrant students and their dependents need for arrival to the United States.

If the CBP officer at the port of entry cannot verify the student's information, or if the student does not have all of the required documentation, the officer may direct them to an interview area known as secondary inspection. Secondary inspection allows inspectors to conduct additional research to verify information without causing delays for other arriving passengers. Being prepared reduces the risk that your students will be sent for secondary inspection.

Designated school officials, please educate your new and returning nonimmigrant students for their arrival to the United States. They must have required paperwork with them, as well as a valid I-901 SEVIS fee payment associated with their SEVIS record.

Learn more about preparing for arrival into the United States on *Study in the States*.

SEVIS UPDATE

Recently Implemented SEVIS Enhancements

Schools certified by the Student and Exchange Visitor Program (SEVP) rely on the Student and Exchange Visitor Information System (SEVIS) to comply with U.S. laws and regulations. SEVP is modernizing SEVIS so it is easier to use and additional improvements are underway to mitigate security vulnerabilities.

SEVP deployed SEVIS Release 6.16 on April 18, which includes the following enhancements:

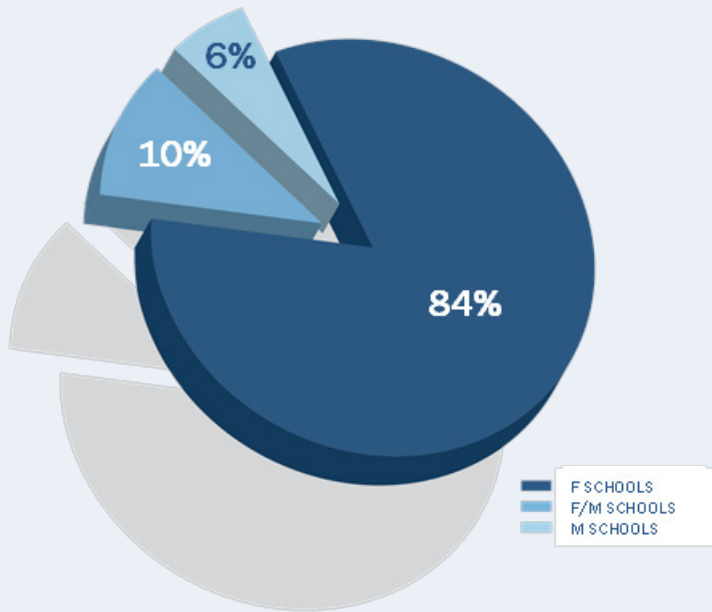
- **Users can search for a SEVIS ID number with or without a lowercase "n" or without leading zeroes.**
- **Users can return to the same point in any alert, student or exchange visitor list.**
- **The system now includes the date of birth and date of last event on the student record in student search results.**

The SEVIS Form I-17 Accreditation and Recognition Conversion Project is a key part of the release. This project enables school officials to provide more complete accreditation and recognition data within SEVIS. The additional information helps SEVP verify and certify schools and mitigate potential national security issues. Every F/M school must convert their accreditation and recognition information in SEVIS by July 18, 2014.

Please visit *Study in the States* for more detailed information on SEVIS Release 6.16, including new functionality and instructions on how to update the accreditation and certification section of the Form I-17. Additionally, you can find information in our SEVIS webinar series. Recordings of previously held webinars are available on the *Study in the States* webinars page, with additional resources to support current and upcoming releases. If you are interested in receiving notifications about future webinars, please follow *Study in the States* on Facebook and Twitter, and watch for SEVIS Broadcast Message announcements.

SEVIS by the Numbers

The latest *SEVIS by the Numbers* Report will be released on *Study in the States* in early May. This quarterly report highlights trends and changes in the F and M student population in the United States. This quarter's report will feature information about nonimmigrant students studying Science, Technology, Engineering and Mathematics (STEM) fields. Be sure to follow *Study in the States* on Twitter or Facebook to receive notification of the release of this quarter's *SEVIS by the Numbers* report.



Upcoming Draft Guidance

The Student and Exchange Visitor Program (SEVP) periodically requests comments from the public on draft and interim final guidance. Guidance is SEVP's interpretation of federal laws and regulations that guide SEVP adjudicators in their decision-making. Guidance is not the same as governing regulations.

In the coming months, SEVP expects to release the following draft guidance documents that were previously posted for stakeholder comment and are being revised to incorporate applicable feedback.

- **Student Absence for F-1 Students:** This guidance clarifies regulation 8 CFR 214.2(f)(4). This regulation explains the process for how an F-1 student leaving the United States during school should apply for a temporary absence and how they will be readmitted afterward.
- **Student Absence for M-1 Students:** This guidance clarifies regulation 8 CFR 214.2(m)(4). This regulation explains the process for how an M-1 student leaving the United States during school should apply for a temporary absence and how they will be readmitted afterward.
- **Annual Vacation:** This guidance provides clarification on regulation 8 CFR 214.2(f)(5)(iii). This regulation defines vacation and explains when and under what conditions an F-1 student may take an annual vacation.

The previous Temporary Absence Draft Guidance has since been split into two separate guidance documents, Student Absence for F-1 Students and Student Absence for M-1 Students. This guidance is intended to further clarify discrepancies between the processes for F and M students.

In addition to these draft guidance documents, SEVP will release interim final guidance on Timely Filing. This guidance explains changes in how much time school officials have to respond to notices from SEVP. These changes are a result of the move to paperless administrative processes.

To learn more about the stages to the guidance process, visit SEVP's guidance page on *Study in the States* for the latest information.

CONTACT US

SEVP Contacts

The Student and Exchange Visitor Program (SEVP) is dedicated to maintaining open communication with international students and academic officials to provide the necessary support while studying in the United States. SEVP has multiple contact options:

Our offices are open Monday through Friday, 7:00 a.m. to 5:00 p.m. Eastern Time, except holidays

Phone: 703-603-3400

E-mail: SEVP@ice.dhs.gov

Find us on the Web:

www.ice.gov/sevis

<http://studyinthestates.dhs.gov>

Follow us on Twitter @StudyinStates

Like *Study in the States* on Facebook

If you need assistance with passwords or Student and Exchange Visitor Information System (SEVIS) technical help, call the SEVIS Help Desk at 800-892-4829 between 8:00 a.m. and 8:00 p.m. Eastern Time or e-mail SEVIShelpdesk@hp.com

Disclaimer: The information presented in the SEVP Spotlight is provided for informational purposes only and should not be considered legal advice.

ICE Contacts

To report national vulnerabilities or national security concerns:

Contact ICE's **Counterterrorism and Criminal Exploitation Unit** at CTCEU@dhs.gov

To report exploitation of student visa programs:

Contact your local **HSI Special Agent** or call 1-866-DHS-2ICE (1-866-347-2423) or visit www.ice.gov