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MEMORANDUM

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To: International Education Program Administrators

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1) A Visit from SEVP

A DSO has reported that their high school was recently visited by an SEVP agent. The DSO diligently made careful notes of the "visit" which we pass along:

The agent was very nice. She did show her credentials when she came on campus. She told us the purpose of her visit was to establish customer service to our school. She gave us her background in the arena of DHS/Sevis/ICE which was very impressive. She explained that she is one of 15 agents that have been hired, trained and released to start campus visits. I believe the target is for them to have approx 50 agents. (Give or take a few)

Our meeting went as such:

She gave us her background and then asked us to explain our process from beginning to end. We started with what occurs from the point of inquiry through graduation of a student. (And all there is in between)

Application

Evaluations

Qualifications

Testing

Skype interviews to ascertain English ability

Adequate Transcripts

"Proof of ability to pay" this was a main topic of conversation in what is acceptable and what is not.

All documents needed prior to issuing the form I 20

Completing the fields of the I 20

If we have ever:

Transferred a record

Terminated a student's record

Allowed a record to terminate on its own

Transferred a terminated record

Discussed the proper steps for "travel pending" transfer (this was something we have only dealt with two times and had not handled it properly.)

When to add a US address for a student to the fields (After they are here in the US) we had placed them into the boys or girls dorm and then changed if they switched into "Hosting status".

One thing that unnerved me a bit, she asked why I had entered two different dates as to "Program start date". We have boarding and hosting students report on different days so I was trying to be as accurate as possible. Big mistake. Yes.... they are watching what we do. This was just one thing we discussed that made us all realize this fact.

What to do when a program end date changes.

Signing the third page for travel

I-515 issues
Secondary inspection sites

She then emphasized the importance of keeping the I-17 up to the minute accurate. If it is kept clean, the re-certification process is smooth. If there are a number of changes, then obviously they will ask for more documentation as to when these changes went into effect. She was very nice, but also very empowered. All this took 2 hours.

It would appear that “the visitor” was highly focused on form, but did not appear able to interpret the substance of regulations. It was not reported whether “the visitor” left a key chain. Thanks to June Sadowksi-Devarez for passing this along this report.

2) STEM Employment Guidance Introduced – The Grassley Games Begin

SEVP has issued Broadcast Message 1407-06, “guidance” resulting from the GAO audit of March 7, 2014 “DHS Needs to Assess Risks and Strengthen Oversight of Foreign Students with Employment Authorization.” The report was requested by Senator Charles Grassley (R. Iowa). SEVP stated that the report questioned SEVIS “data integrity,” and identified “data integrity... as the number one concern in recent surveys of Principal Designated School Officials/Designated School Officials... and law enforcement officials. Since DSOs are vital partners in providing much of the data in SEVIS, they are the key to better data integrity. Therefore, SEVP requests that all DSOs confirm that their Optional Practical Training (OPT) system records in SEVIS are up-to-date and maintained in accordance with guidance...” found in the appropriate regulations. SEVP did not specifically reference any individual DSO or PDSO who participated in its research and seemed to generalize the comments of a few participants without setting forth the nature or substance of GAOs inquiry. The broadcast message guidance stated among other things that:

SEVP is starting reviews for the second stage of this effort, focusing on ensuring school officials are collecting the required validation information from students participating in STEM OPT every six months. DSOs confirm that they have received the required information by checking the 6-Month Verify box and entering the 6-Month Verify Date on the student’s SEVIS record. DSOs are expected to keep the collected information as reported on a student’s SEVIS record each time such information is received. SEVP may issue a Student Records Request to schools at any time to verify the collection and retention of the required validation information.

The validation-reporting period starts from the date that the 17-month OPT extension begins and ends at the earliest of any of the following events:

The student's F-1 status ends,

The student changes educational levels at the same school,

The student transfers to another school or program, or

The 17-month OPT extension ends.

DSOs must validate that the student's information in SEVIS, for the items listed in 8 CFR 214.2(f)(12)(ii)(A), is current and accurate.

As part of this second stage of reviewing student records, in the near future SEVP will be contacting schools that appear to have discrepancies in records associated with 17-month OPT extensions for students who have STEM degrees. This notice will be sent in the form of a Remedial Action Plan (RAP). RAPs are administrative notices sent to schools when SEVP believes that it has identified regulatory reporting violations by schools, such as not meeting requirements for reporting of 17-month OPT extensions for students who have STEM degrees. If your school receives a RAP, the RAP will identify areas where SEVP believes your school's records are not in compliance. It will include an action plan, and will ask for validation that our information that appears to show non-compliance with your regulatory reporting responsibilities is accurate. The action plan will identify the areas of non-compliance in a student's SEVIS record and provide guidance and a timeline for correcting the issues. After receiving, reviewing and resolving the issues identified in the RAP, the PDSO may be requested to submit evidence that corrective action has been taken, as well as an explanation of how they will comply in the future. If you believe that SEVP has mistakenly identified a regulatory reporting violation, you can respond to the RAP with evidence showing compliance.

3) SEVP Issues Draft Guidance on F-1 Conditional Admission

As reported by NASFA Region X Regbuds Lucy Cheung and Gwyneth Smith on July 11, SEVP has posted the second round of Draft Policy Guidance on Conditional Admission on the Study in the States website – Release 1406-05. Comments will be accepted until August 25, 2014. This is the first in the series of related second round draft guidance and may be found [here](#).

NAFSA has also posted “Trending Issues: F-1 Conditional Admission and Bridge Programs” on the find resources page of its website. It may be viewed [here](#).

4) SEVIS 6.17 Scheduled for August 1 2014

As advised by NAFSA on its Find Resources page, “SEVIS 6.17 is scheduled for release on August 1, 2014. The release will contain functionality for generating a “Name Standardization Impact Report” which provides a preview of how names will be changed under new naming standards which will become mandatory with a SEVIS release scheduled for Spring 2015. 6.17 will also display new information regarding F-1 and M-1 OPT dates and types as well as changes to J data regarding the U.S. address label to physical address with the addition of an optional mailing address field. It will also modify the J-1 validation alerts and search results screen.” SEVIS release 6.17 may be downloaded [here](#).

5) DHS Launches Enhanced Website for Schools, International Students

On July 1 DHS announced the launch of an “enhanced website” for schools, and international students to be found on the Study in the States website. Four new features were announced which will permit SEVP:

...to convey pertinent information to stakeholders about the international student process in a clear and interactive manner.

The new features include:

- An interactive glossary
- An "Ask a Question" section
- An enhanced School Search page
- A mobile-ready version of Study in the States

"Being an international student is a complex process that involves several government agencies, and the new Study in the States tools will help students and schools easily find the latest news, information, interactive guides and videos they need," said SEVP Director Lou Farrell.

The revamped site also features streamlined navigation and a blog geared to international students and school officials. Users can translate the site into multiple languages.

The update may be found [here](#).

6) Summer Activities

For those of us looking for constructive and meaningful summer activities, we need look no further than DHS and the State Department which have provided:

- Virtual Brown Bag with DHS Office of Academic Engagement

On August 20 NAFSA will host the DHS Office of Academic Engagement for a “virtual brown bag with DHS Office of Academic Engagement.” As stated by NAFSA: “This brown bag will provide an opportunity for you to learn more about how the work of OAE and HSAAC (Homeland Security Academic Advisory Council) intersects with your work.” Questions and discussion topics are being assembled by NAFSA. The NAFSA announcement may be found at the NAFSA Find Resources page dated August 20, 2104.

- NSC Invitation to Stakeholder Call on “Students and Schools and Other Issues”

The Nebraska Service Center will be holding a monthly stakeholder conference on August 14 at 10 am (Central Time). The deadline for submission of questions was July 30, 2014. The NSC announcement may be found [here](#).

- DOS “Notice” for Comments on DS-2019

On July 22, The State Department posted a 30 day “Notice” for comments regarding DS-2019 in the “Federal Register.” The DS-2019 is the “Certificate of Eligibility for Exchange Visitor Status.” In other words, it is an analog to the I-20. The form may be commented upon until August 20, 2014. The “Notice” estimates that there are 325 individual forms filed by 1400 respondents, each form taking 45 minutes for a “total estimated burden time” of 243,750 hours. The “Notice” may be found [here](#).

- CBP “Request for Comments on Improving Entry Process for International Travelers to the U.S.”

On July 23, 2014 CBP (together with the International Trade Notice with an Administration of the Department of Commerce) posted a opportunity for comments in the “Federal Register.” The summary of the rule states that:

On Thursday, May 22, President Obama issued a Presidential Memorandum, Establishing a National Goal and Developing Airport Specific Action Plans to Enhance the Entry Process for International Travelers to the United States. The Memorandum directs the Secretaries of

Commerce and Homeland Security to develop within 120 days a national goal for improving service levels for international arrivals. It also directs the Secretaries to develop airport-specific action plans that include actions from both private and public sectors to measurably improve the entry experience for international arrivals to those airports. This notice notifies interested stakeholders about how to submit comments and ideas on determining the national goal and how to improve all aspects of the international arrivals process.

There has been some concern that the CBP complaint process, although in place, has long been non-responsive. This issue, as well as any other concern could be placed in a comment which must be received before August 15, 2014. The “Notice” may be found [here](#).

7) USCIS Office of Inspector General Criticizes ELIS

For several years USCIS has been developing and publicizing the use of its ELIS electronic filing system. Apparently, the torch has not been shining on ELIS. A recent report by DHS’ Office of Inspector General has noted some serious issues. The report states that:

USCIS’ IT systems do not fully provide the functionality needed to support its mission. For example, as part of its Transformation program, USCIS created ELIS, an electronic immigration system. The aim of ELIS is to provide a more efficient and higher quality adjudication process. However, instead of improved efficiency, time studies conducted by service centers show that adjudicating on paper is at least two times faster than adjudicating in ELIS. Immigration service’s officers take longer to adjudicate in ELIS in part because of the estimated 100 to 150 clicks required to move among sublevels and open documents to complete the process. Staff also reported that ELIS does not provide system features such as tabs and highlighting, and that the search function is restricted and does not produce usable results.

OIT and the Office of Transformation Coordination leadership are aware of the problems with ELIS and solicited concerns from users in operations. USCIS made changes in subsequent releases of ELIS, such as reducing the number of clicks required to perform operations. However, USCIS has been limited in its ability to make changes to ELIS because of challenges with the existing architecture. The architecture consists of 29 commercial software products, which are difficult to integrate. Most changes, like adjusting the interface to

make it more intuitive, will be implemented as part of the program's transition to a more flexible architecture. The start of development in the new architecture began in October 2013. ELIS2 is scheduled to be deployed by the end of calendar year 2014.

The entire report may be found [here](#).

8) USCIS Publishes "Characteristics of Individuals Requesting and Approved for Deferred Action for Childhood Arrivals (DACA)"

A report published by USCIS summarizing characteristics of DACA requesters through September 2013 (13 ½ months) has noted some interesting findings. The report contains charts regarding the ages and sex of applicants. 76% of applicants were Mexicans of which 52% were 20 years of age or older and 52% female. The only non western hemisphere countries were Korea with 1% and the Philippines with 1%. California has 29%, Texas 16 %, Illinois 6%, New York 5% and New Jersey 3%. The Los Angeles area had 13%, and the New York, New Jersey Metropolitan area had 8%. The report may be viewed [here](#).

9) Congressional Research Service Publishes "Unlawfully Present Aliens, Higher Education, In-State Tuition, and Financial Aid: Legal Analysis"

On July 21, 2104 the Congressional Research Service published a report setting forth a legal analysis underlying in-state tuition and financial aid for students unlawfully present in the United States. The report may be found [here](#).

Many thanks for your comments, your suggestions and your confidence in us, and for referring your students, scholars and faculty members.

Please let us know if you have any questions, or if you would like copies of any of the materials covered.

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