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MEMORANDUM

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To: International Education Program Administrators

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1) President Establishes Visa Processing Goals

On January 19, 2012 the White House issued an “Executive Order – Establishing Visa and Foreign Visitor Processing Goals and the Task Force on Travel and Competitiveness.”

Noting that the U.S. market share of spending by international travelers fell more than thirty percent during the first decade of this century and recognizing that this fall was partly the result of more stringent security requirements, the administration recognized that new initiatives are needed “...to better capitalize on the economic opportunities presented by a dynamic 21st century travel and tourism industry.”

The Executive Order then goes on, to authorize the formation of a Task Force and an implementation of a plan “...to enhance and expedite travel to and arrival in the United States...” Specifically, the Task Force is directed to develop methods to increase visa processing capacity in China and Brazil, ensure that ninety percent of visa applicants are interviewed within three weeks of the receipt of the application; increase efforts to expand the visa waiver program and expand reciprocal recognition programs for expedited travel, as well as other appropriate measures to enhance and expedite travel and arrival in the United States.

2) SEVIS Broadcast Message on Obtaining Driver’s Licenses and Social Security Numbers

On January 17, 2012 SEVP released Broadcast Message 1112-05 entitled “Timing is Everything: Getting your Driver’s License or Social Security Number.” The Broadcast Message advises individuals to wait ten days after arrival in the U.S. before applying for a driver’s license or social security number in order that government databases have time to update arrival information. It further advises the student to talk with the DSO to learn about local driving rules and regulations, as well as eligibility for a social security number. Further advice is given on making certain that the SEVIS record is up to date and that all forms are in order. The applicant is then advised to wait another two days after the SEVIS record is activated before applying for a driver’s license or social security number and to bring all paperwork including the I-20 or DS2019, I-94, passport with visa and proof of residence, as well as a letter of employment and endorsed I-20 if the application is going to be for a social security number. The following websites are noted:

Driving in the United States

<http://studyinthestates.dhs.gov/students/resources/driving/>

Obtaining a Social Security Number (SSN)

<http://studyinthestates.dhs.gov/students/resources/social-security-number/>

DMV Fact Sheet

http://www.ice.gov/doclib/sevis/pdf/dmv_factsheet.pdf

3) One to World SEVIS II Workshop Highlights

On January 10, 2012 One to World held a Network Workshop for all DSOs and ROs as part of its monthly network program. A valuable summary of the SEVIS II transition workshop highlights may be found [here](#). The summary does not purport to be an exact version of SEVIS II materials.

4) SEVP Publishes: “Homeland Security Investigation, SEVP Spotlight”

SEVP has released Volume I, Issue 2 of “Homeland Security Investigations: SEVP Spotlight” for January, 2012. The publication may be found [here](#).

“Spotlight” is full of wonderful goodies including a message from Louis M. Farrell, Director of SEVP which notes that “...SEVP is currently being audited by the Government Accountability Office (GAO) as a follow-up to an investigation of a California university that was found to have engaged in visa fraud.” Mr. Farrell welcomes this audit and looks forward to reviewing the findings “...to determine if there are ways we might improve our operations to better serve the community of international students, exchange visitors, academic institutions and our other stakeholders.” It is noted that Tri-Valley University in Pleasanton, California has lost its SEVP certification and has ceased operations. The audit was requested by Senators Diane Feinstein of California and Claire McCaskill of Missouri, who apparently were curious as to how the “institution” had been certified and monitored in order to devise a method to better determine the system’s ability to detect fraud.

It’s nice to know that SEVP welcomes an audit, and that USCIS has also welcomed an audit on its transformation program. We work with such warm and fuzzy agencies.

In addition, “Spotlight” goes on to discuss Homeland Security Investigations (HSI), Counter Terrorism and Criminal Exploitation Unit (CTCEU) and its participation in several NAFSA regional conferences. It was noted that Special Agents presented sessions about Project Campus Sentinel, “...an outreach initiative aimed at establishing and strengthening professional relationships between academic institutions and local HSI offices” which is committed to “preserving the integrity of the international student program.” This mission, apparently, includes “...protecting SEVP-certified institutions against fraud and insuring national security by identifying individuals or groups who utilize schools to exploit the visa process for criminal or terrorism purposes.”

Apparently, Mr. Farrell is grateful for Tri-Valley University. It would be interesting to know in specific, rather than in conclusory terms, just what this new law enforcement body plans to do on campuses. SEVP appears to be following the normal beaurocratic imperative of finding and justifying more reasons to build its empire – all at tax payer's expense.

"Spotlight" also mentions the creation of a Field Representative Unit (FRU). This unit was previously the SEVP Liaison Program and works with external stakeholders, including DSOs. Unit members will visit each campus in order to conduct training, review non-immigrant student files, answer questions, conduct site visits, attend conferences/meetings, and aid in the implementation of SEVIS II by providing training. Three regional managers will be hired to cover the East, Central, and West and another thirty field representatives will be added in the second quarter, with an additional thirty in the third quarter, with deployment in 2012 and 2013.

Unfortunately, there is no explanation as to why campus visits and student file inspections are necessary. SEVP has produced no hard evidence whatsoever to justify the formation and deployment of two law enforcement units tasked with "visiting" campuses. Aside from some anecdotal evidence, SEVP has not justified its intensive expansion. It would appear that SEVP feels that there is no need for it to demonstrate any need or potential wrong-doing in order for its U.S. government agents to search through university files. Hopefully, SEVP will not be "serving" the higher education community – as dinner.

"Spotlight" also notes that SEVIS Release 6.9 has been deployed, with 6.10 tentatively planned for the second quarter of fiscal year 2012. It also reports that SEVIS II continues to progress with visualization scheduled for completion in mid March. Thereupon, a design and development phase will begin, with the ultimate plan of linking SEVIS II to other U.S. government agencies with a single "customer account for each SEVIS II user." Assumedly, the completion of SEVIS II is being coordinated with the completion of USCIS Transformation.

5) TPS Extended for El Salvador

The "Federal Register" of January 20, 2012 carried an extension of the designation of El Salvador for Temporary Protective Status, with automatic extension of employment authorization documents. This extension corrected the dates for re-registration to January 9, 2012 through March 12, 2012. It was noted that there are approximately 212,000 citizens of El Salvador who are eligible for re-registration.

6) NYC USCIS Opens New Office in Long Island City

On January 20, 2012 USCIS announced the opening of a new office in Long Island City, Queens. The new office is being used for green card and for naturalization interviews, generally for applicants from Brooklyn and Queens.

7) Eugene Goldstein Comments on I-601 Hardship Waiver Change

As may be recalled, in January, the Administration announced that waivers of inadmissibility for green card applicants subject to the three and the ten year bars would, prospectively, be permitted to be filed in the United States before an individual went to a U.S. consulate in their home country for a green card interview. This liberalization of the immigration process is actually very narrow, and will apply to few individuals. Our commentary may be found [here](#).

8) Immigration Policy Center Publishes “Immigrant Entrepreneurs, Creating Jobs And Strengthening the Economy”

The Immigration Policy Center of the American Immigration Council has published a study entitled “Immigrant Entrepreneurs, Creating Jobs and Strengthening the Economy.” The publication, as announced on January 25th, discusses immigrant entrepreneurship in many frame-works: business, science, technology, and neighborhood growth, among others. The recommendations are made for DHS to create business friendly policies, cut red tape, create permanent residence status for job creating entrepreneurs on a more liberal basis than presently exists, permit students in STEM programs to remain in the U.S. after graduation, and provide opportunities for talented individuals from all backgrounds. The publication may be found by clicking [here](#).

9) Congressional Research Service Publishes: “Unauthorized Alien Students, Higher Education, and In-State Tuition Rates: A Legal Analysis”

On December 22nd the Congressional Research Service announced publication of a study entitled “Unauthorized Alien Students, Higher Education, and In-State Tuition Rates: A Legal Analysis.” The legal study discusses how state law may indirectly permit unauthorized state resident aliens to receive in-state tuition, as local higher school graduates despite federal law prohibiting in-state tuition to residents. The publication may be accessed [here](#).

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

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

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