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**MEMORANDUM**

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To: International Education Program Administrators

**As many of you know, our firm provides presentations at schools for international students without charge.**

**Please let us know, as soon as possible, if you would like us to come to your campus.**

- 1) A Comprehensive Immigration Act?
- 2) "Customer Identity Verification" Launched
- 3) ACLU Releases Report on USCIS' CARRP Program – "Muslims Need Not Apply"
- 4) NSC Stakeholder Call on October 10, 2013
- 5) ICE Detainers Target Few Serious Criminals
- 6) Latest DACA Statistics
- 7) Office of Immigration Statistics "Annual Flow Report"
- 8) CBP Addresses GAO Recommendations on Training
- 9) Searching for "SEVP"

As this memo goes out, the government has shut down (see the NAFSA website for updates) – and the Dow Jones stock averages are up over 50 points – that must say something!

1) A Comprehensive Immigration Act?

It's been a quiet month in the immigration world. Whether the inactivity is a function of the possible passage of a comprehensive immigration act or just the result of long vacations is unknown. However, immigration changes are cooking. As you know, the Senate has already passed a Comprehensive Immigration Bill. What will happen in the House of Representatives is anybody's guess. Several bills are in the hopper and undergoing hearings. Whether the Senate bill will be introduced in the House is an open question. Will several House bills be sent to a House Senate Conference Committee for reconciliation? Will there be a Dream Act; a Dream Act lite; "noncontroversial" adjustments in H-1B numbers, quota adjustments, or even a legalization program are all possibilities. Will anything happen in October – or later in the year? Perhaps. The best predictions will come from British bookmakers.

2) "Customer Identity Verification" Launched

As discussed in our Memorandum of May, 2013 USCIS was intending to introduce a new identity verification tool called "Customer Identity Verification" (CIV). The purpose of the program was to "...enhance the integrity of the immigration system and combat identity fraud by having USCIS biometrically verify an applicant's identity..." when they physically come to the district office to interview for a benefit. However, the program was postponed. USCIS advises that the technical issues have been resolved and CIV will be in place by October 21, 2013, if not before. The USCIS announcement may be found [here](#).

3) ACLU Releases Report on USCIS' CARRP Program – "Muslims Need Not Apply"

In August the American Civil Liberties Unit released a study regarding a previously secret USCIS program which began in 2008 and is called the Controlled Application Review and Resolution Program (CARRP). This program has been found to prevent certain foreign nationals based solely upon race, nationality or religious activities, from receiving immigration benefits. The program has been aimed at Muslim applicants and provides no opportunity to respond or refute any "national security concerns" that would result in denial of any benefit. The program directs adjudicators to delay and ultimately deny immigration benefit applications if the applicant has in any way been blacklisted - without the individual having knowledge that they have been blacklisted, or why they are considered threats to the U.S. ACLU reviewed policy documents, memoranda, officer training manuals and other documents from litigation, as well as redacted documents obtained through FOIA requests. Some of the ACLU findings include: disproportionate impact on immigrants from Arab, middle eastern, and South Asian Muslim communities; an overly broad definition of "National Security concern;" denials for anyone on a terrorist watch list; anyone who has donated to a Muslim American charity; or anyone who has traveled to or resided in certain geographical areas. The report may be found [here](#).

4) NSC Stakeholder Call on October 10, 2013

USCIS has invited Nebraska Service Center stakeholders to a conference call regarding student and school issues. The phone conference will be held on Thursday, October 10th at 10am (Central time). It will discuss topics such as: I-765 student classifications as well as others, naturalizations, asylum, legalization, lost I-94s, affidavits of support, reentry permits, and hardship waivers, among other subjects. An RSVP is not required. Information may be found at [ceo.nsc@dhs.gov](mailto:ceo.nsc@dhs.gov).

5) ICE Detainers Target Few Serious Criminals

An interesting report regarding ICE detainers has been published by the Transactional Records Access Clearinghouse (TRAC) at Syracuse University. This clearinghouse has been the source of much interesting statistical material regarding the deportation process. When an individual is arrested or held by police, their immigration status is checked. As a result of that check, they may be “detained” for USICE. The latest report is entitled *Few ICE Detainers Target Serious Criminals*. It notes that the overwhelming majority of detainer subjects have committed no offence, or only traffic offenses, marijuana possession, DWI, or other non serious offenses. Fourteen percent of detainers involved individuals posing a serious threat to public safety or national security, and roughly half of the 347,691 individuals subjected to an ICE detainer had no criminal conviction or only minor traffic violation. The report may be found [here](#).

6) Latest DACA Statistics

From August 15, 2012 through August 31, 2013 USCIS has received 588,725 DACA applications, of which it has accepted 567,563. 455,455 were approved and 9,578 were denied. USCIS projects a processing time goal of 6 months.

Mexico continues to be the top county of origin with 433,318 applications. By comparison, El Salvador is next with 21,638 applications.

California had 161,624 applicants, Texas 93,277, and New York 30,160. New Jersey had 16,407, all within the top ten.

It would appear that fewer individuals are signing up for DACA, although a very substantial number of individuals from the potential pool of applicants are still out there.

7) Office of Immigration Statistics “Annual Flow Chart”

The Office of Immigration Statistics’, Policy Directives of the Department of Homeland Security has released its August, 2013 edition of its “Annual Flow Report” setting forth characteristics of nonimmigrant admissions by country of citizenship, port of entry, state of destination, age, and sex of applicant. In 2012 there were 1,566,815 F-1 admissions with 69,161 F-2 and M-2 spouses and children. There were 421,425 J-1 exchange

visitors with 53,807 spouses and children. New York, NY was the largest port of entry. The report may be found [here](#).

8) CBP Addresses GAO Recommendations on Training

Recently, CBP has been seriously criticized for the manner in which it has handled physical threats, as well as identifying behavioral indicators displayed by terrorists and criminals, and identifying fraudulent documents. The revised CBP officer training program now takes fifty six weeks and includes four weeks pre academy and on the job training, eighteen weeks at a field operations academy including basic law enforcement training, and classroom and practical exercises. There is also thirty four weeks at the port of entry being trained to emphasize law enforcement knowledge and skills learned at the academy. Whether approximately one year of training is sufficient for airport or land based admissions and for inspections within one hundred miles of the border is an open issue.

9) Searching for “SEVP”

A Yahoo! search for “SEVP” listed “Scandinavian erotic video productions” as the third link. Unfortunately, the first and second listings were for the more familiar and conventional entity.

*Many thanks for your comments, your suggestions and your confidence in 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.*

*Note (After all, we are lawyers!): The information provided in this Memorandum is not legal advice. Transmission of this information is not intended to create, and receipt by you does not constitute, an attorney-client relationship. Readers must not act upon any information without first seeking advice from a qualified attorney. Neither the publisher, nor any contributor is responsible for any damages resulting from any error, inaccuracy, or omission contained herein.*