



U.S. Immigration and Customs Enforcement

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There's no question that from the world's largest cities to its smallest villages, the promise of America has always represented the place where liberty meets opportunity. It's the call of freedom, supported by the dream of an individual to achieve. And it's unique in all the world.

As educators and school administrators you really understand this, and you understand that your institutions remain the destination for the best and brightest of every generation, from all parts of the globe. In fact, more than 10 percent of the students who enrolled here at the University of Maryland this year came from outside the United States, placing the University of Maryland once again among the top 20 U.S. universities serving international students, a distinction that the University of Maryland has held for more than 15 years.

And as Dr. Woolston has noted, with more than 3,400 international students and about 2,000 international faculty and scholars on campus, there are more than 150 different countries represented right here in the University of Maryland community. And I'm sure each of your institutions has the same sort of stories to tell about the diversity of backgrounds and the number of students that come and are a part of your universities.

And these students go on to do great things. You equip them with the tools they will use to establish productive businesses when they leave, to write great novels or great plays, or even in some instances to go back and be leaders in their home countries and help equip their nations to move out of poverty or out of famine.

We at ICE value our partnership with schools and programs all across the United States. And I wanted to talk a little bit today about the changes that are coming, what we've done

to prepare for them and how we're going to work with you to ensure that these changes only continue to strengthen our international program.

I think it's appropriate to begin with a little bit of historical background. If you think about why the SEVP program was created, I think you'll find it was created, along with many other visa programs, as a response to the attacks of 9/11. In the aftermath of 9/11, both the American people and the United States Congress were frustrated with our immigration system, feeling that there were many different parts of our immigration systems that were broken, that weren't really working. And it was out of that that the Congress asked us at ICE to handle the Student and Exchange Visitor Program, and to handle it in a way that would encourage foreign students to come, but in a way that would also make sure that we could track those foreign students when they were there. And for those particular bad apples or individuals who are out of status, that we can actually locate those individuals and remove them from the country.

As far as schools are concerned, when we formed this program, one of our challenges was to implement a system that would help us effectively maintain the records of students and exchange visitors in a way that did not unduly burden the schools and didn't place excessive administrative costs, either monetarily or otherwise on the schools, or negatively affect the ability of schools and institutions to recruit students to the United States. And that is absolutely critically important.

It's important for a number of reasons. The first reason is seldom talked about – it is the effect that international students have on American students attending these schools, how having students from 150 different countries broadens the life experience of kids at the University of Maryland who have may never have been out of the tri-state area, who have never left the country.

This applies to me on a personal level. I grew up in Kansas and had never been out of the United States at the time I went to college. By the time I went to law school I'd been out of the U.S. once, but I didn't have a broad or deep knowledge of many areas around the world.

My law school roommate was a foreign student. She was from Grenada, and she was able to share with me not only what she learned, but also how she saw the United States, coming here as a foreign student. It was her first visit to the United States, as she had done her undergraduate work at the University of Toronto.

And that changed my world view. And I think that is so true for American students all around the country. Of course, a critical thing as well is what it does with the foreign students and how foreign students who come here, they may have all different kinds of views of America. When they leave, they leave kind of knowing their roommate, their best friend, the person down the hall, the professor. They have a different view of America because they've actually been here and lived here for a number of years.

And certainly I think that we at the Department of Homeland Security are very hopeful that this helps the view of America overseas, that it helps when people hear things or hear myths, that foreign students who studied in the United States are able to dispel these myths and to talk about our country as we know it and the opportunity that it brings.

Now, in terms of our mandate from the Congress, the mandate that we received after 9/11 to really address the student population more effectively, SEVIS, which is the Student and Exchange Visitor Information System and the foundation of the Student and Exchange Visitor Program, was a great start.

We moved from an outdated paper-driven system that had incomplete and missing data, lag times in reporting and the headaches that come from filling out and maintaining paper records, to a web-based system that helps maintain and exchange records in near to real-time. Not perfect, we'll get to some of the changes in a minute, but I think it was a huge step above the previous system.

The system performed fairly well as a starting system, considering the challenges that we had as a government bureaucracy to take this on. And the reason that I think it performed well is because of all of you, and the work that you have done as school administrators, throughout this area and throughout the country, in terms of giving us information and input on what we need to do and how to build a system that works, without compromising your ability to continue to recruit international students from all across the globe.

Here in the Washington, D.C. area, the SEVP program is active at more than 700 schools and includes more than 36,000 students from countries as diverse as Canada, China, Thailand, and Saudi Arabia.

I also want to talk for just a minute about a few of the exceptional foreign-born students who have come to the United States to pursue excellence within our university system. Being responsible for the SEVIS program is one of the things I've enjoyed most at ICE, but far too often we talk only about the enforcement side. And I wanted to talk about a few of the students that I have heard about that have done really great things, done great things because they've come here on a visa, experienced the United States, and then shared that knowledge.

And the first one is someone that you all may know kind of far better than I, particularly if you're an NBA fan. And that's Dikembe Mutombo, a graduate of Georgetown University. He was born in the capital city of Kinshasa in the Democratic Republic of the Congo, the seventh of ten children.

Dikembe arrived in the United States back in 1987 on an academic scholarship to study at Georgetown. He was a pre-med student and his dream was to return to his home a medical doctor ready to practice in the Congo. In his second year at Georgetown, the head basketball coach had a different idea. He thought that Mutombo, who was seven-

foot-two, might have something to add to the school's renowned basketball program, and encouraged him to try out for the team.

And, of course, he was an incredible success at Georgetown, one of the nation's most highly regarded basketball institutions. After joining the team he redirected his academic ambitions and graduated from Georgetown with degrees in linguistics and diplomacy.

He's an incredible man; he's fluent in nine languages, including five African languages. In addition to his professional basketball career, Dikembe established a humanitarian foundation in 1997 to do whatever he could to improve living conditions in his home country.

And the work of his foundation has earned him worldwide acclaim as he's tirelessly worked over the last ten years to provide food, clothing, and medicine and educational assistance to the people of the Congo.

Another student that I want to point went to MIT. This individual's name is Dr. Saul Griffith, and he's a native of Sidney, Australia. Since his graduation from MIT he's achieved a great many things, including his selection as a 2007 recipient of the prestigious MacArthur Fellowship, more commonly known as the genius grant.

Dr. Griffith received this award for his work on producing low-cost eyeglasses. Think about how valuable that will be to developing countries. When he was interviewed after being chosen to receive this grant, he was asked what inspired him to succeed. And he said, "You know what inspired me to succeed? It was my colleagues at MIT and the drive and dedication I saw around me from my colleagues at MIT."

I think both of these examples, these two remarkable individuals, show how foreign students, each and every day, provide tremendous value to our schools and our educational institutions.

But, of course, success stories like these would not be possible without enforcement activities on the other side of the coin. We must assure the Congress and the American public that we have a system that works, that we're able to track students as they go throughout the system, and that we're also able to find schools that abuse the system and we're able to take appropriate regulatory steps.

I want to give just two examples of SEVIS at work. The first example is something that you might have heard about last summer, and it involved 11 Egyptian students who did not show up for classes.

What happened is Montana State University offered a 30-day English class in the summer. They had 17 Egyptian students that were supposed to come and study in this program and 11 of them didn't show up. And what Montana State University did, well before they had to do it under the law, is that they called ICE and they called the FBI.

They said, “You know what, we don't know what the story is, but there are these 11 students and they haven't shown up, and you might want to look into it. They're probably not up to anything nefarious, but they may be out of status because they're not here at this program.”

And so based on what Montana State University did and the information that we had in our computer system, we were able to track down all 11 students, put them in the removal proceedings, and send them back home.

Now, these students were not a national security threat, but they were all out of status. They were all here on a visa, they were supposed to be doing something, and they were doing something else.

I think this is a great example of the SEVIS program at work. We were able to show that when there is a targeted concern, that we're able to identify individuals who are out of status and take appropriate action.

Another example I want to give relates to schools. Most schools participate in the SEVIS program because they want to ensure that they can help educate American students as well as foreign students. Unfortunately, we've found, on some occasions, that there are sham schools, schools that are set up to solely abuse the visa process.

So we are using our investigatory resources to look for schools that exist only in fiction, schools that exist only to take advantage of our visa system, and to make sure that those schools are shut down so they don't harm the reputation of other schools that might be trying to do the same thing legitimately.

One recent example of this is found in a case that broke just a few weeks ago out in California. We arrested a California man who was operating two purported schools that were supposed to teach English to foreign students. It turns out, according to the affidavits and the court papers, that he was actually running a very, very large visa fraud scheme. He was bringing hundreds of individuals not to study English, but to line his pockets.

In fact, the 76-page affidavit in which this individual is charged recounts examples of an Indonesian man who said, you know, I don't really feel like going to school, and according to the affidavit the defendant said, no problem, just pay me, you'll be in status. Don't pay me regularly and you're not going to be in status. So that's the kind of school we have to look at, the kind of school we have to go after, and the kind of individual we have to charge.

By the way, the defendant in this case is also accused of bringing Russian prostitutes into the country in this manner. So he's really someone who, according to the affidavit and the court papers, was flagrantly abusing the system. Of course, he is innocent until proven guilty, but the court documents indicate some very serious charges against him.

Now, what have we been doing with respect to SEVIS? Where are we now, in terms of our IT and our program, and where are we going? Well, since SEVIS was rolled out in 2003 we've really been listening to you and we've been trying to make some on-the-fly changes that will make your lives easier as well as potentially increase the number of students that will come into this country to study.

I think we've made some good, although modest, improvements based upon user input. One improvement was to develop online web-based training for SEVIS, allowing school administrators to learn the system without leaving campus. We also developed an online fee payment system for students so they can simply go to the website, pay the student fee, and get on the plane.

Those are just two improvements that we've made to the system. But we realized that we really need to do more. In order to ensure the success of this system, and of this program overall, and continue to encourage foreign students to come into this country, we need to do more. So I want to talk a little bit about even more enhancements that we've developed. Our goal is to introduce all of these by the fall semester later this year.

But as Dr. Woolston noted, these changes aren't free, and as a result we will be implementing fee increases for the first time since SEVIS was introduced nearly five years ago. SEVIS has always been funded by a fee system. That's the way Congress set it up, for schools to cover their certification costs and for students and exchange visitors to cover SEVIS operations. In order to implement the changes we need to make to the system, we're proposing to increase the student fee and the initial school participation fee.

I'm assuming that most of the schools represented in this room have already gone through the certification process once, and you may be wondering what's going to happen with recertification. That's something Congress has not been requiring us to do, was recertification every two years. But we will be beginning this process and the good news is there will be no fee for recertification. So the fee increase for schools only applies to those that are not currently registered in the program.

In terms of the impact for students, what's going to be the additional cost for them?

Well, the increase for F-1 and M-1 visa holders is from \$100 to \$200. We tried to keep that as low as possible, and in terms of the overall expenses incurred by students coming to study here in the United States, it's less than 1 half of 1 percent of the average yearly cost of tuition at private institutions.

In a few minutes SEVP Director Lou Farrell will go through the fees in greater detail, why they're necessary, and talk also about what we're going to do with the money.

But before I turn it over to Lou, I want to give just an overview of that. The first thing we're going to do with the money is upgrade our IT system. What we now call the SEVIS system will be known as SEVIS II, emblematic of the significant changes we'll be making to make it more interoperable with your systems, to cut down on the time that

you all have to spend inputting information into the system and getting those systems to interconnect.

SEVIS II enhancements will also include more robust search capabilities and will also actually be person based rather than document-centric. So it's going to be person-centric, focused on individuals. This will help you, for example, if you have a student who comes to the University of Maryland to study undergraduate, goes back home, kind of applies later on, wants to come back in for a doctoral program or something else, you'll be able to then see, kind of track what happened with the student back when they first came in and first studied.

And we think that will be of significant help to school administrators. In addition, one of the things that we've heard kind of all around the country is that sometimes it's frustrating if you have a question, you have to call a bureaucrat in Washington. That may not be as much of a concern here as Washington is just a few miles away, but we want to make sure we have local folks who are able to work with the schools on the certification process, on the recertification process, and on particular questions.

So we are actually establishing 60 local and regional SEVIS field liaisons. And they are going to be responsible for providing better customer service to you, to help guide you through the recertification process and initial certification process for schools that have not yet been certified. The fee increase, I'll note, will also go toward hiring more than 150 additional field agents that will help us to ensure the integrity of the system so that we can make sure when there are folks who are abusing the system or trying to game the system, that we are taking appropriate enforcement action in this way.

One final thing I want to highlight is I think when we think about kind of changes to the SEVIS system and how can we improve it and how can we keep the numbers going up. And I'm very proud that the number of foreign students is now above kind of the 9/11 levels. I think that was a very significant milestone.

I think we really have to think overall what are the broader visa implications and broader systems that affect foreign students and affect their decisions about whether or not they want to come to the United States and study versus go to some other country to study. I think we have to think about those and make sure that we address those and tweak those so we provide additional incentives for our institutions to be the most competitive throughout the world.

One step that we've taken recently, it's a small step, it's not kind of a final or perfect solution, but does relate to the Optional Practical Training. And so for students who are studying in the STEM areas of study, science, technology, engineering and mathematics, these students will be able in many cases to extend their Optional Practical Training from 12 months up to 29 months. We think that will be helpful for the cap gap and we also really want to see kind of how that works in terms of making sure that some of those students, the best and the brightest that we're trying to recruit here, we're trying to have stay here on different visas later on, will come and will stay.

So that's really all that I had in terms of kind of going through kind of the student program at kind of a 50,000 foot. I do want to turn over to Lou. Lou is the director of this program and knows it really inside out, and he's going to go through a few more details in the weeds.

But before I do that I want to see if there's any questions that anybody had for me or anything you'd like me to address this afternoon before I leave.

Question: In terms of the STEM, do you also intend to widen that opportunity for others outside of the STEM areas?

ASSISTANT SECRETARY MYERS: I think that's something that we're going to have to evaluate as it goes forward. I will tell you speaking personally, although this is not – you know, the decision will not ultimately be solely with me. I think it would make sense to kind of look at that if the program is successful with the STEM categories, look and see if there are other areas that we should widen it to. But I think that will probably be kind of a little bit down the road, probably into the next administration.

Question: And one last question, just to follow up. What strategies are you using with the private sector, i.e. companies that are going to be asked to E-Verify employees? What do you have in place to guide them towards looking at this as an acceptable way to look at the foreign employment market?

ASSISTANT SECRETARY MYERS: Well, the administration has been highlighting E-Verify as a way for employers to ensure they know the identity of their work force, had it for several years. And in fact since I started at ICE we had under 10,000 employers who participated in E-Verify. We now have over 62,000 employers who are members of E-Verify. They're joining at the rate now of I think about a thousand a week is kind of the last I heard in terms of the improvements.

We are making improvements to E-Verify because that system is not perfect. But we think it's a good start and it does help eliminate some of the problems that employers have when they're kind of going through I-9 issues and kind of "no match" issues there.

So we're out doing education. ICE actually did education on hiring best practices to over 5,000 companies last year. And if there are any particular kind of companies or educational institutions that are interested in learning more about E-Verify, we would be happy at ICE to come and set up a demonstration and talk about what E-Verify does and what some of the other best hiring practices are.

Question: We as the community colleges are left out completely in the OPT extension. I'm wondering who did you talk to before making the decision to extend OPT for 27 months, if it included anybody in the two-year community colleges?

ASSISTANT SECRETARY MYERS: You know, at this time it's going to be hard for us to answer a lot of specific questions with respect to OPT or who we consulted since it's currently in the comment period. So I would certainly encourage, if there are two-year institutions or other institutions that have particular comments about the scope of OPT or other things, during this comment period to get the comments in.

There were kind of a number of department-wide kind of discussions on this and I think looking to see could we test this out, could we extend this. And, frankly, OPT was an area where I think we really need to strengthen, and I'm sure you'll talk about that when you talk in more details later, we need to strengthen the reporting requirements and strengthen how we actually track these students through that process.

But certainly if you're interested in seeing it expanded, I think the best way to get your comments on the record would be to do so during the public comment period.

Anything else? Well, I certainly appreciate that and again I want to thank you. I want to introduce Lou. And I do want to say Lou is a great friend to colleges and universities and I hope you'll take advantage of his resources and his skills and I know he'll look forward to going through some of the more details. Thank you so much.