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MEMORANDUM

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To: International Education Program Administrators

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1) USCIS Responds to Ebola Outbreak

On August 15, 2014 USCIS released an announcement regarding “Ebola Outbreak-related Immigration Relief Measures to Nationals of Guinea, Liberia and Sierra Leone Currently in the United States.” The [News Release](#) notes that USCIS is offering relief measures to nationals of these three countries who are presently in the United States. These relief measures include:

- Change or extension of nonimmigrant status for an individual currently in the United States, even if the request is filed after the authorized period of admission has expired;
- Extension of certain grants of parole made by USCIS;
- Expedited adjudication and approval, where possible, of requests for off-campus employment authorization for F-1 students experiencing severe economic hardship;
- Expedited processing of immigrant petitions for immediate relatives (currently in the United States) of U.S. citizens;
- Expedited adjudication of employment authorization applications, where appropriate; and
- Consideration for waiver of fees associated with USCIS benefit applications.

2) NSC Liaison Q&As on OPT STEM Extensions

On August 14, 2014 the Nebraska Service Center held a Liaison Teleconference with AILA concerning their Students, Schools, and Other Product Line. The Q&A has two interesting issues regarding STEM extensions. The first is:

[QUESTION:] An Interim Policy Memorandum dated October 6, 2013, states that students may apply for the OPT STEM extension before completing their degree (thesis pending). However, SEVIS still asks advisors to ensure the student earned a STEM designated bachelors, masters, or doctorate degree prior to recommending a 17-month extension for Optional Practical Training (OPT). Will the NSC approve an OPT STEM extension when the thesis or thesis equivalent project is not completed?

RESPONSE: NSC will approve a request for a STEM extension if the student has completed all requirements other than the thesis or its equivalent.

The second issue is:

STEM extension – when can you file?

Response: STEM extension must be applied for when the original OPT is still valid.

Our office has noted that USCIS has been very rigid regarding the timing of STEM extensions. Unlike a late filing for a status extension or for a change of status for which there are provisions excusing late filings, there is no provision excusing the late filing of a STEM extension, or of an OPT request, for that matter.

3) CSC Open House Comments

On June 11, 2014 CSC held an Open House for Stakeholders. AILA's unofficial minutes contained several items of interest including (a) student issues, (b) J-1 waiver processing times, (c) J-1 waiver persecution issues, and (d) J-2 standard for financial evidence:

(a) Student Issues

- CSC has very limited access to SEVIS - while CSC can verify STEM extensions in SEVIS, it is an extra step that takes time.
- CSC will hold EAD for a year if returned as undeliverable.
- Students who take summer vacation: c/o DSO with school mailing address on I-765.
- I-539 Filing Tips:
 - Financials: cover first year or, for language program, full length of language program; valid Passport required.
- Reinstatements - within 5 months of status termination.
If reinstatement is requested outside of 5 months, exceptional circumstances. Do not create a new SEVIS ID.

(b) J-1 Waiver Processing Times

Q: 12. The current online USCIS Processing Time Information for CSC does not list processing times for J-1 waiver applications. What are current processing times for I-612 waivers for persecution and exceptional hardship? Are there plans to add processing times for J-1 waivers to the public report in the future?

A: Goal is 4 months. CSC is currently within that time frame.

(c) J-1 Waiver Persecution Issues

Q: 13. Stakeholders have reported examples of RFEs issued in connection with persecution waiver applications asking whether the applicant has applied for asylum, and if not, why[...]. Whether or not the waiver applicant has filed for asylum is not relevant to his or her eligibility for a J-1 waiver based on fear of persecution. In fact, many of these individuals are barred from filing for asylum based on the 1 year filing deadline. What is the basis for requesting this information?

A: CSC reserves the right to ask if the individual has applied for asylum. If they have filed for asylum, it is relevant to be sure that any

claims are consistent with one another. If the applicant has not filed for asylum, CSC will no longer ask why.

(d) J-2 Standard for Financial Evidence

Q: 15. J-2 & standard for financial evidence:

A: Applicant must establish purpose is not to support J1.

DSO emails:

I539: CSC.school@uscis.dhs.gov

I765: csc.studentsEAD@uscis.dhs.gov

4) ICE Removes P/DSOs from Micropower Institutes and Affiliated Schools

In early August, SEVP announced that:

On May 29, 2014, SEVP removed all Principal Designated School Officials and Designated School Officials (P/DSOs) from the following schools:

- Micropower Career Institute in New York, New York
- Micropower Computer Institute in Linden, New Jersey
- The Institute for Health Education in Jersey City, New Jersey and
- International School of Health, Beauty & Technology in Lauderhill, Florida

Both Micropower Career Institute and The Institute for Health Education have since added new PDSOs. Nonimmigrant students who have questions about their options should call the SEVP Response Center (SRC) at 703-603-3400 or email sevp@ice.dhs.gov. This number is staffed from 7 a.m. to 5 p.m. (ET), Monday through Friday, except holidays. Students who call the SEVP Response Center should provide the following information to the SEVP staff:

- First and last name
- SEVIS ID number
- Address
- Telephone number where you can be reached
- Email address

SEVP did not announce whether any students have called with any questions.

5) USCIS Announces Applicant Use of Courier Services

On August 20, 2014 USCIS released a clarified Notice advising applicants that if they wish to receive certain documents by overnight delivery service they may include a valid prepaid air bill or shipping label with their filing. The prepaid air bill or shipping label will be used whenever possible, but with USCIS Service Centers it may only be used for return of either approval or denial notices. The complete, clarified Notice may be found [here](#).

6) VSC Annual Stakeholder Event on October 24, 2014

On August 21, 2014 the Vermont Service Center announced that it would hold its Annual Stakeholder Event on Friday October 24th in Essex, Vermont, and that a formal invitation will be forthcoming with more details and a request for an RSVP. VSC requested that questions or specific topics which stakeholders would like discussed be emailed to VSCCommunityEngagement@uscis.dhs.gov. They are requesting that emails be received by September 19, 2014.

7) NAFSA Executive Director Appointed by ICE to “SEVIS Modernization Analysis of Alternatives Oversight Board”

NAFSA has announced that its Executive Director and CEO Marlene M. Johnson has been appointed by ICE to its “SEVIS Modernization Analysis of Alternatives Oversight Board” which is described as “...a new body chartered by ICE to help SEVP consider alternatives for improving the security of its SEVIS system and enhancing the value of SEVIS to designated school officials.” The announcement in NAFSA.news of August 19th contains a link on how one can learn more about the Board and how input may be provided. We congratulate NAFSA on this opportunity to exercise a critical and independent input into SEVIS, and hope that one day we all will be able to pronounce this new acronym.

8) The Role of the USCIS Ombudsman

When you are ready to tear your hair out in frustration at a failure by USCIS to act or, at least, provide a reasonable explanation of why it is not acting, there may be relief. Other than contacting your favorite Congress member or Senator, there is the office of the USCIS Ombudsman. This office was created under the Homeland Security Act of 2002 and is now led by Maria M. Odom, who was appointed in September, 2012. The website of the Ombudsman may be found [here](#).

A review of the website and of its’ case assistance process is suggested, however, keep expectations low and you might be pleasantly surprised.

9) SEVP Releases Quarterly Report on International Student Studying

On August 6, 2014 SEVP released its quarterly report on international students studying in the U.S. The report is a snapshot of statistics as of July 8th on which there were 966,333 international students enrolled in approximately 9,000 U.S. schools in the For M category. The report notes that this is nearly a 5% decrease from April, but attributes the decrease to graduation rates. It notes that when compared to the July, 2013 statistics it is an actual increase of about 8%. It further notes that 75% of all students were Asian with 28% from China. South Korea and Vietnam had the greatest percentage decrease at 8% and 7% respectively compared to April statistics. The top ten countries are China, India,

South Korea, Saudi Arabia, Canada, Japan, Taiwan, Vietnam, Mexico, and Brazil. The schools having the largest international populations are USC, Purdue, NYU, and Columbia.

Further, nearly 350,000 F-1 students are in STEM subjects, 69% of which were male and 85% Asian. 70% of international students studying engineering are from China and India with more F-1 students studying engineering than any other STEM field. 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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