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HOMELAND SECURITY

Performance of Foreign Student and Exchange Visitor Information System Continues to Improve, but Issues Remain

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Highlights of [GAO-05-440T](#), a testimony before the Subcommittee on 21st Century Competitiveness and the Subcommittee on Select Education, Committee on Education and the Workforce, House of Representatives

Why GAO Did This Study

The Student and Exchange Visitor Information System (SEVIS) is an Internet-based system run by the Department of Homeland Security (DHS) to collect and record information on foreign students, exchange visitors, and their dependents—before they enter the United States, when they enter, and during their stay. GAO has reported ([GAO-04-690](#)) that although the system had a number of performance problems during the first year that its use was required, several SEVIS performance indicators were positive at that time (June 2004). Nonetheless, some problems were still being reported by educational organizations.

In addition, concerns have been raised that the number of international students and exchange visitors coming to the United States has been negatively affected by the U.S. visa process. Accordingly, the Congress asked GAO to testify on its work on SEVIS and related issues. This testimony is based on its June 2004 report, augmented by more recent GAO work, reports that we issued in February 2004 and 2005 on student and visiting scholar visa processing, and related recent research by others.

www.gao.gov/cgi-bin/getrpt?GAO-05-440T.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Randolph C. Hite at (202) 512-3439 or hiter@gao.gov.

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What GAO Found

Indications are that SEVIS performance has improved and continues to improve. In June 2004, GAO reported improvement based on several indicators, including reports showing that certain key system performance requirements were being met, trends showing a decline in new requests for system corrections, and the views of officials representing 10 educational organizations. DHS attributed this performance improvement to a number of actions, such as installation of a series of new software releases and increased Help Desk staffing and training.

However, GAO also reported that several key system performance requirements were not being formally measured, so that DHS might not be able to identify serious system problems in time to address them before they could affect the successful accomplishment of SEVIS objectives. Further, some educational organizations were still experiencing problems, particularly with regard to Help Desk support. GAO also reported that educational organizations were concerned about proposed options for collecting SEVIS fees. Accordingly, it made recommendations aimed at improving system performance measurement and resolving educational organizations' Help Desk and fee concerns.

Since June 2004, DHS reports that it has taken steps to address GAO recommendations, and in particular it has taken a number of actions to strengthen Help Desk support. Moreover, educational organizations generally agree that SEVIS performance has continued to improve, and that their past fee collection concerns have been alleviated. However, these educational organizations still cite residual Help Desk problems, which they believe create hardships for students and exchange visitors. Most of these organizations, however, do not believe that SEVIS is the reason for the declining number of international students and exchange visitors coming to the United States.

These declining numbers were cited in a recent report by the Council of Graduate Schools, which describes declines in foreign graduate student applications, admissions, and enrollments between 2003 and 2004, and further declines in these applications between 2004 and 2005. The report attributes the decline to increased global competition and changed visa policies. In this regard, GAO recently reported on the State Department's efforts to address its prior recommendations for improving the Visas Mantis program (under which interagency security checks are performed to identify applicants who may pose a threat to national security by illegally transferring sensitive technology). According to this report, a combination of federal agency steps resulted in a significant decline in Visas Mantis processing times and in the number of cases pending more than 60 days. The Council of Graduate Schools' report also recognizes the recent Visas Mantis program changes as positive steps.

Messrs. Chairmen and Members of the Subcommittees:

We appreciate the opportunity to participate in the Subcommittees' hearing on the federal government's progress in tracking international students in higher education. As you know, a central component of this tracking is the Student and Exchange Visitor Information System (SEVIS), an Internet-based system run by the Department of Homeland Security (DHS) to collect and record information on foreign students, exchange visitors, and their dependents—before they enter the United States, when they enter, and during their stay. The system, which is the focus of our testimony, began operating in July 2002, and DHS required its use for all new and continuing foreign students and exchange visitors beginning in August 2003.

SEVIS automates the manual, paper-intensive processes that schools and exchange programs had been using to manage and report information about foreign students and exchange visitors. With SEVIS, schools and program sponsors can transmit information electronically to DHS and the Department of State. The system's two main objectives are

- to support the oversight and enforcement of laws and regulations concerning foreign students, exchange visitors, and schools, as well as sponsors of exchange visitor programs who are authorized by the government to issue eligibility documents, and
- to improve DHS's processing of foreign students and exchange visitors at ports of entry, through streamlined procedures and modernized data capture.

Our testimony today is based on a report that we issued in June 2004¹ on SEVIS performance, augmented by our recent work to determine DHS efforts to strengthen system performance since that report, reports that we issued in February 2004 and 2005 on student

¹ GAO, *Homeland Security: Performance of Information System to Monitor Foreign Students and Exchange Visitors Has Improved, but Issues Remain*, [GAO-04-690](#) (Washington, D.C.: June 18, 2004).

and visiting scholar visa processing,² and related recent research by others.

All work related to our testimony was conducted in accordance with generally accepted government auditing standards. Our SEVIS work was performed at DHS and State headquarters in Washington, D.C., and at 10 educational organizations,³ from December 2003 through March 2004; we also conducted follow-up work at DHS Headquarters and 6 of the 10 educational organizations in March 2005.⁴ Our work on student and visiting scholar visa processing was performed from May 2003 through January 2004, and July 2004 through February 2005 at several locations: DHS, State, and Federal Bureau of Investigation (FBI) headquarters in Washington, D.C.; and U.S. embassies and consulates in China, India, Russia, and Ukraine.

Results in Brief

After a number of problems during the first year that its use was required, SEVIS performance improved. As we reported last year, a number of indicators of how well SEVIS was performing were positive. In particular, DHS reports relating to certain system

² GAO, *Border Security: Improvements Needed to Reduce Time Taken to Adjudicate Visas for Science Students and Scholars*, [GAO-04-371](#), (Washington, D.C.: Feb. 25, 2004) and GAO, *Border Security: Streamlined Visas Mantis Program Has Lowered Burden on Foreign Science Students and Scholars, but Further Refinements Needed*, [GAO-05-198](#) (Washington, D.C.: Feb. 18, 2005).

³The 10 organizations were the Accrediting Council for Continuing Education and Training, Alliance for International Educational and Cultural Exchange, American Association of Collegiate Registrars, American Association of Community Colleges, American Council of Education, Association of American Universities, Association of International Educators, Council for Standards for International Educational Travel, Council of International Educational Exchange, and the National Association of State Universities and Land-Grant Colleges.

⁴The six organizations were the Accrediting Council for Continuing Education and Training, American Association of Community Colleges, Association of American Universities, Association of International Educators, Council of International Educational Exchange, and the National Association of State Universities and Land-Grant Colleges.

performance requirements⁵ showed that some key requirements were being met. Also, our analysis of new system change requests⁶ during the first year of required use, the majority of which related to fixing system problems, showed that the number of new requests was steadily declining. Further, the consensus among officials representing 10 educational organizations that we spoke to was that system performance had improved. At that time, DHS attributed this performance improvement to a number of actions, such as installation of a series of new software releases and increased Help Desk staffing and training.

However, we also reported that several key system performance requirements were not being formally measured, and that by not measuring them, DHS was not adequately positioned to know sooner rather than later of system problems that could jeopardize accomplishment of SEVIS objectives. Further, we reported that, despite DHS actions, educational organizations were still experiencing problems, particularly with regard to Help Desk support,⁷ and we reported that although collection of a SEVIS fee had been required since 1996, it was still not being collected, and educational organizations were concerned about proposed fee collection options. Accordingly, we made recommendations aimed at improving system performance measurement and resolving educational organizations' performance issues and fee concerns.

Over the last year, DHS reports that it has taken steps to address our recommendations, particularly with regard to strengthening Help Desk support. Moreover, educational organizations generally agree that SEVIS performance has continued to improve, and that their past fee collection concerns have been alleviated. However, despite

⁵ Examples of performance requirements are (1) the system is to be available 99.5 percent of the time to all users 24 hours a day, 7 days a week, excluding scheduled downtime and (2) the time to respond to user queries, as measured as the response time between the application server and database, is to be less than 10 seconds.

⁶ Change requests are used to track all system changes, including corrections to erroneous system programming, as well as planned system enhancements.

⁷ The SEVIS Help Desk was established, among other things, to assist system users by providing troubleshooting and resolution of technical problems.

DHS actions, these educational organizations still cite residual Help Desk problems, which they believe create hardships for students and exchange visitors. Most of these organizations, however, do not believe that SEVIS is the reason for the declining number of international students and exchange visitors coming to the United States.

A recent report by the Council of Graduate Schools cites declines in U.S. international graduate school applications, admissions, and enrollments between 2003 and 2004, and further declines in these applications between 2004 and 2005.⁸ The report attributes the decline to increased global competition and changed visa policies. We recently reported on the State Department's efforts to address our prior recommendations for improving the Visas Mantis program, an interagency security check that often affects foreign science students and scholars applying for visas to come to the United States. In particular, we reported that a combination of federal agency steps had resulted in a significant decline in Visas Mantis processing times and in the number of Mantis cases pending more than 60 days. The Council of Graduate Schools' report also recognizes the recent Visas Mantis program changes as positive steps.

Background

Within DHS's Immigration and Customs Enforcement (ICE) organization, the Student and Exchange Visitor Program (SEVP) is responsible for certifying schools to accept foreign students in academic and vocational programs and for managing SEVIS. Schools and exchange programs were required to start using SEVIS for new students and exchange visitors beginning February 15, 2003,

⁸ Council of Graduate Schools, *Findings from the 2005 CGS International Graduate Admissions Survey I*. We did not independently verify the information in this report.

and for all continuing students and exchange visitors beginning August 1, 2003.⁹

The following tables show the number of active students, exchange visitors, and institutions registered in SEVIS as of February 28, 2005.

Table 1: Number of Active Students and Exchange Visitors in SEVIS

Category ^a	Number	Percent
F visa holders	605,664	80
M visa holders	3,853	1
J visa holders	142,901	19
Total active students and exchange visitors registered in SEVIS^b	752,418	100

Source: DHS.

^a F visas are for academic study at 2- and 4-year colleges and universities and other academic institutions; M visas are for nonacademic study at institutions, such as vocational and technical schools; and J visas for participation in exchange programs. SEVIS manages information for foreign students and exchange visitors having any of these types of visas (8 U.S.C. § 1101 (a) (15)).

^b State commented that some persons enrolled in SEVIS are not issued visas, and other persons may have more than one SEVIS record.

Table 2: Number of Institutions in SEVIS

Category	Number	Percent
Technical schools, colleges, and universities	7,984	85
Exchange visitor programs	1,453	15
Institutions in SEVIS	9437	100

Source: DHS.

SEVP is also responsible for providing program policies and plans; performing program analysis; and conducting communications, outreach, and training. Regarding SEVIS, SEVP is responsible for identifying and prioritizing system requirements, performing system release management, monitoring system performance, and correcting data errors.

⁹ According to program officials, SEVIS was available to certify schools on July 1, 2002, and to register students on July 15, 2002. According to State, SEVIS was available to exchange visitor programs in October 2002.

The Office of Information Resource Management, also part of ICE, manages the information technology infrastructure (that is, hardware and system software) on which the SEVIS application software is hosted. It also manages the SEVIS Help Desk and the systems life cycle process for the system, including system operations and maintenance.

The software for the SEVIS application runs on a system infrastructure that supports multiple DHS Internet-based applications. The infrastructure includes common services, such as application servers, Web servers, database servers, and network connections. SEVIS shares five application servers and two Web servers with two other applications.

To assist system users, the SEVIS Help Desk was established, which provides three levels of support, known as tiers:

- Tier 1 provides initial end-user troubleshooting and resolution of technical problems.
- Tier 2 provides escalation and resolution support for Tier 1, and makes necessary changes to the database (data fixes).
- Tier 3 addresses the resolution of policy and procedural issues, and also makes data fixes.¹⁰

SEVP uses a contractor to operate Tiers 1 and 2. Both the contractor and the program office operate Tier 3. According to an SEVP official, contractor staff for Tiers 1 through 3 include the following: Tier 1 has 21 staff, Tier 2 has 6 staff, and Tier 3 has 13 staff.

Data are entered into SEVIS through one of two methods:

- Real-time interface (i.e., an individual manually enters a single student/exchange visitor record) or
- Batch processing (i.e., several student/exchange visitor records are uploaded to SEVIS at one time using vendor-provided software or software created by the school/exchange visitor program).

¹⁰ According to State, fixes to records of J visas are made at Tier 3 after it reviews and approves the changes.

SEVIS Data and Users

SEVIS collects a variety of data that are used by schools, exchange visitor programs, and DHS and State Department organizations to oversee foreign students, exchange visitors, and the schools and exchange visitor programs themselves. Data collected include information on students, exchange visitors, schools, and exchange visitor programs. For example,

- biographical information (e.g., student or exchange visitor's name, place and date of birth, and dependents' information),
- academic information (e.g., student or exchange visitor's status, date of study commencement, degree program, field of study, and institution disciplinary action),
- school information (e.g., campus address, type of education or degrees offered, and session dates);
- exchange visitor program information (e.g., status and type of program, responsible program officials, and program duration).

SEVIS data are also used by a variety of users. Table 3 provides examples of users and how each uses the data.

Table 3: Examples of How Data Are Used by Different Types of Users

Users	How data are used
DHS users	
ICE and CIS ^a personnel	Certify schools' applications to use SEVIS and reinstate students.
Port of entry inspectors	Admit foreign students and exchange visitors into the United States at the ports of entry.
Intelligence officers	Conduct analyses and research regarding student and exchange visitors who may be out of status, and schools and exchange programs that may be in violation of program rules. Determine if agents should take corrective actions against individuals, schools, or exchange visitor programs. Identify patterns of criminal activity, including terrorism, narcotics, alien smuggling, trade fraud, weapons proliferation, and money laundering, as well as immigration fraud.
Investigators	Conduct analyses and research regarding student and exchange visitors who may be out of status, and schools and exchange visitor programs that may be in violation of program rules. Identify possible status violators and contact them to determine if they are in fact in violation; pass on valid leads to agents for enforcement activities. According to Office of Investigations officials, they have received about 31,000 leads from SEVIS since the summer of 2003.
Department of State users	
State consular officers	Compare information on the hard copy I-20 ^b or DS-2019, ^c such as the applicant's name, date and place of birth, and SEVIS identification number, against information that has been automatically extracted from SEVIS to State's Consolidated Consular Database to issue visas.
Exchange visitor program designation personnel	Administer exchange program rules and regulations in order to approve designation applications, including inputting certain actions for exchange visitors such as reinstatement, change of category, and extension beyond the maximum duration of the stay. Enter information on the receipt of applications, fees, and requested information.
Schools and exchange visitor program users	
Principal designated official	Submits and updates the school's certification application and adds, removes, or replaces other users for the school. Creates and updates student eligibility records.
Responsible officer	Submits and updates the exchange program's certification application and adds, removes, or replaces other users for the program. Creates and updates exchange visitor eligibility records.

Source: DHS.

^a Citizenship and Immigration Services.

^b Form I-20A-B: Certificate of Eligibility for Nonimmigrant (F-1) Student Status—for Academic and Language Students or Form I-20M-N: Certificate of Eligibility for Nonimmigrant (M-1) Student Status—for Vocational Students.

^c Form DS-2019: Certificate of Eligibility for Exchange Visitor (J-1) Status.

Following Significant Early Challenges, SEVIS Performance Improved, but Problems Remained

In 2002 and 2003, when SEVIS first began operating and was first required to be used, significant problems were reported. For example, colleges, universities, and exchange programs could not gain access to the system, and when access was obtained, these users' sessions would "time out" before they could complete their tasks. In June 2004, we reported that several performance indicators showed that SEVIS performance was improving. These indicators included system performance reports, requests for system changes to address problems, and feedback from educational organizations representing school and exchange programs. Each indicator is discussed below.

Some Key System Requirements Were Being Met, but Not All Were Being Measured

Whether defined system requirements are being met is one indicator of system performance. In June 2004, we reported that performance reports showed that some, but not all, key system requirements were being measured, and that these measured requirements were being met. Table 4 shows examples of key system performance requirements.

Table 4: Examples of Performance Requirements

Type	Requirement
System availability ^a	Be available 99.5 percent of the time to all users 24 hours a day, 7 days a week, excluding scheduled downtime.
Response time	Return a record in less than 10 seconds in response to a query using the identification number. (Time is measured from application server to database and back to application server.)
Capacity	Create at least 5,000,000 new records per year, store at least 12,500,000 eligibility records, and handle at least 7,500,000 record updates per year.
Resource usage	Identify when usage exceeds 50 percent of allocated resources for (1) central processing unit, (2) disk space, (3) random access memory, and (4) network usage.

Source: DHS.

^aSystem availability is defined as the time the system is operating satisfactorily, expressed as a percentage of time that the system is required to be operational.

However, we also reported that not all key performance requirements were being adequately measured. For example, reports used to measure system availability measured the time that the system infrastructure¹¹ was successfully connected to the network. While these reports can be used to identify problems that could affect the system availability, they do not fully measure SEVIS availability. Instead, they measure the availability of the communications software on the application servers. This means that the SEVIS application could still be unavailable even though the communications software is available.

Similarly, program officials stated that they used a central processing unit activity report to measure resource usage. However, this report focuses on the shared infrastructure environment, which supports SEVIS and two other applications, and does not specifically measure SEVIS-related central processing performance. Program officials did not provide any reports that measured performance against other resource usage requirements, such as random access memory and network usage.

Program officials acknowledged that some key performance requirements were not formally measured and stated that they augmented these formal performance measurement reports with other, less formal measures, such as browsing the daily Help Desk logs to determine if there were serious performance problems requiring system changes or modifications, as well as using the system themselves on a continuous basis. According to these officials, a combination of formal performance reports and less formal performance monitoring efforts gave them a sufficient picture of how well SEVIS was performing. Further, program officials stated that they were exploring additional tools to monitor system performance. For example, they stated that they were in the process of implementing a new tool to capture the availability of the SEVIS application, and that they planned to begin using it by the end of April 2004.

¹¹ This infrastructure supports multiple DHS Internet-based applications.

However, unless DHS formally monitored and documented all key system performance requirements, we concluded that the department could not adequately assure itself that potential system problems were identified and addressed early, before they had a chance to become larger problems that could affect the DHS mission objectives that SEVIS supports.

Trends in Reported System Problems Indicated Improved Performance

Another indicator of how well a system is performing is the number and significance of reported problems or requests for system enhancements. For SEVIS, a system change request (SCR) is created when a change is required to the system. Each of the change requests is assigned a priority of critical, high, medium, or low, as defined in table 5.

Table 5: Definitions of Priority Levels

Priority	Description
Critical	System capability is significantly prevented, seriously degraded, or compromised. ^a
High	System capability is significantly degraded, or the potential exists for significant or serious impact on the system, but the problem does not necessarily impede the system from functioning.
Medium	System capability is affected, but it is not a serious degradation in performance or usability.
Low	Problem causes only an inconvenience, annoyance, or lack of user-friendliness, or the request is a recommended change for future releases.

Source: DHS.

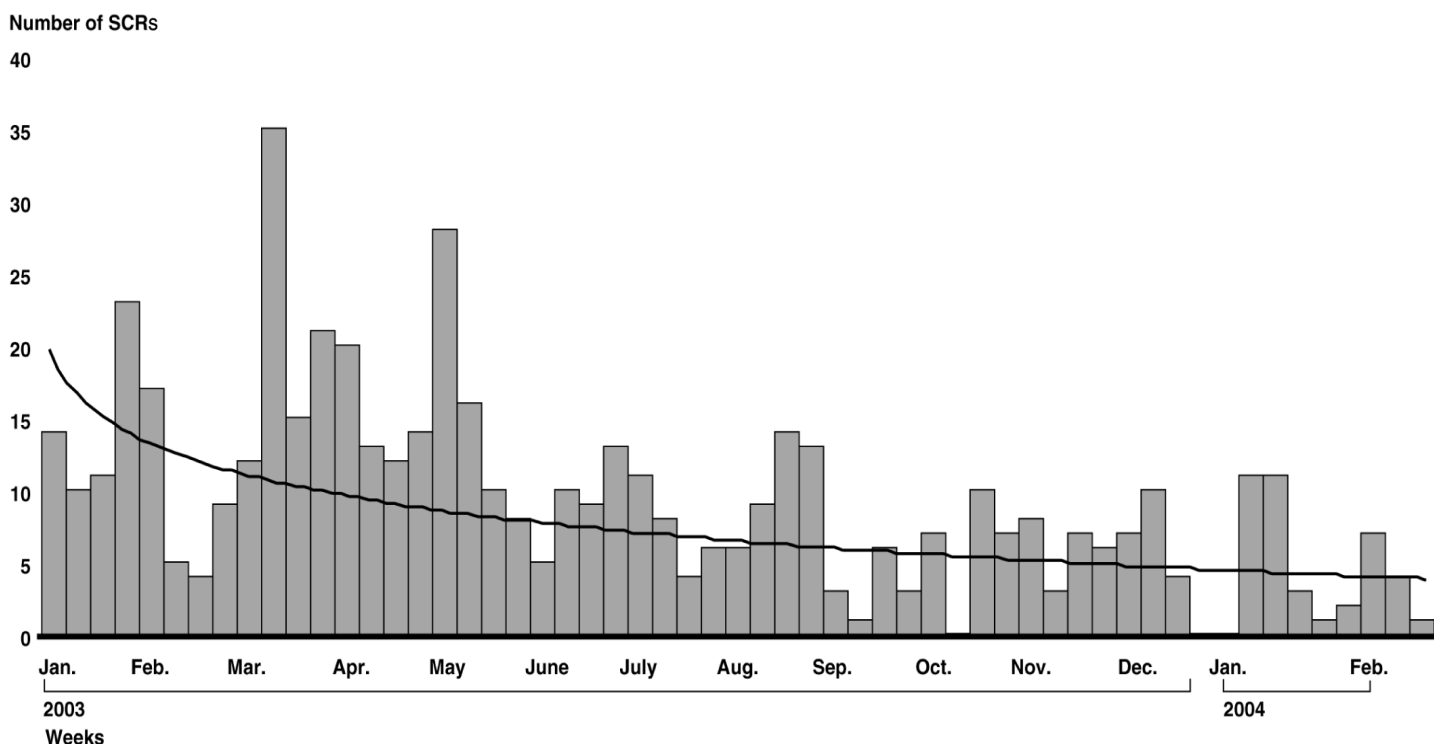
^a According to program officials, SCRs may be upgraded to critical or high priority, without regard to system capability, for practical and policy considerations, because the priority assigned affects the inclusion of an SCR in a system change.

Each change request is also categorized by the type, such as changes to correct system errors, enhance or modify the system, or improve system performance.

In June 2004, we reported that the number of critical or high priority change requests that were created between January 2003 and February 2004 was decreasing. Similarly, we reported that the trends in the number of new change requests that were to correct system errors had decreased for that same period. Over this period, the number of corrective fixes requested each month between

January 2003 and February 2004 decreased, with the most dramatic decrease in the first 7 months. Figure 1 shows the decreasing trend in SEVIS new corrective change requests between January 2003 and February 2004.

Figure 1: Decreasing Trend in New Corrective SCRs between January 2003 and February 2004



Source: GAO analysis of DHS data.

Educational Organizations Reported that System Performance Improved, but Identified Residual Problems Despite DHS Efforts to Address Them

A third indicator of performance is user feedback. According to representatives of educational organizations, overall SEVIS performance at the time of our report had improved since the system began operating and its use was required, and the program's outreach and responsiveness were good. In addition, these representatives told us that they were no longer experiencing earlier reported problems, which involved user access to the system, the system's timing out before users could complete their tasks, and

merging data from one school or exchange visitor program with data from another.

However, seven new problem types were identified by at least 3 of the 10 organizations, and three of the seven problems were related to Help Desk performance. Table 6 shows the problems and the number of organizations that identified them.

Table 6: SEVIS Problems Identified by Organizations

Problem	Organizations citing problem	Example
1. Inability to download data so that users could manipulate it themselves and create useful reports	7	A user needed a report showing the number of students who are registered for training outside the school in which they are enrolled. However, SEVIS allows a user to view only 20 such records at a time, and because her school had over 800 foreign students, she had to run the SEVIS report repeatedly to get the full list.
2. Slow Tier 2 and 3 Help Desk responses	7	A correction to a student's status took 6 weeks to fix.
3. Incomplete record updates in the nightly transmission from SEVIS to the Consolidated Consular Database	6	A foreign visitor was denied a visa at the consulate because the birth date on the hard copy form did not match the birth date in the automated record.
4. Inconsistent Help Desk answers to technical questions	5	A user received varying Help Desk responses for how to record multiple training records for a student.
5. Incorrect Help Desk answers to policy questions	3	A user was told that she did not need to sign a student's I-20 ^a for travel purposes, but the signature was required at the port of entry.
6. Insufficient identification of schools in SEVIS pull-down menus for transfer purposes	3	A user attempting to transfer a student to a college in Arizona erroneously selected a college in California with a similar name.
7. Unexplained data differences in SEVIS	3	A user entered data and printed a form showing the correct information. Subsequently the data were found to be different in SEVIS.

Source: GAO analysis of organization data.

^aCertificate of Eligibility for Nonimmigrant Student Status.

At the time of our report, DHS had taken a number of steps to identify and solve system problems, including problems identified by educational organizations. In particular, DHS steps to identify problems included

- holding biweekly internal performance meetings and weekly technical meetings,

- holding biweekly¹² conference calls with representatives from educational organizations,
- establishing special e-mail accounts to report user problems, and
- having user groups test new releases.

Further, DHS cited actions intended to address six of the seven types of problems identified by the educational organizations. These included releases of new versions of SEVIS and increases in Help Desk training and staffing. These officials also stated that they were evaluating potential solutions to the remaining problem.

Table 7 shows the problem types, the number of organizations that identified them, and DHS's actions taken to address each.

Table 7: DHS Actions to Address User Problems

Problem	Organizations citing problem	DHS actions
1. Inability to download data so that users could manipulate it themselves and create useful reports	7	Software options to extract user requested data, provide summary reports, and perform statistical analyses were being evaluated.
2. Slow Tier 2 and 3 Help Desk responses	7	In March 2003, Tier 2 staffing increased from 8 to 9 people, and Tier 3 staffing increased from 5 to 8 people.
3. Incomplete record updates in the nightly transmission sent from SEVIS to the Consolidated Consular Database	6	On January 2, 2004, a software change was implemented in Release 4.8.
4. Inconsistent Help Desk answers to technical questions	5	Since June 2002, training is provided to Help Desk staff every time a new release is implemented or a major workaround is devised.
5. Incorrect Help Desk answers to policy questions	3	Since June 2002, training is provided to Help Desk staff every time a new release is implemented or a major workaround is devised.
6. Insufficient identification of schools in SEVIS pull-down menus for transfer purposes	3	Since July 2003, the list of school codes needed in SEVIS has been available on the DHS Web site, with the schools identified by city and state.
7. Unexplained data differences in SEVIS	3	On May 11, 2003, a software change was implemented in Release 4.6.2.

Source: GAO and DHS.

Despite DHS actions, educational organizations told us that some problems persisted. For example:

¹² The conference calls were being held weekly until January 2004.

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- Although the program office increased Help Desk staffing in March 2003, representatives from seven organizations stated that slow Tier 2 and 3 Help Desk responses were still a problem. In response, program officials stated that the majority of calls handled by Tiers 2 and 3 involve data fixes that are a direct result of end-user error, and that fixing them is sometimes delayed until end-users submit documentation reflecting the nature of the data fix needed and the basis for the change.
 - Although the program office began in June 2002 providing training to Help Desk staff each time a new SEVIS release was implemented, representatives from 5 of the 10 organizations stated that the quality of the Help Desk's response to technical and policy questions remained a problem. According to program officials, Help Desk response is complicated by variations in user platforms and end-user knowledge of computers. The officials added that the program office is working to educate SEVIS users on the distinction between platform problems and problems resulting from SEVIS. Further, they said that Help Desk responses may be complicated by the caller's failure to provide complete information regarding the problem. Program officials also stated that supervisors frequently review Help Desk tickets to ensure the accuracy of responses, and these reviews had not surfaced any continuing problems in the quality of the responses.

SEVIS Fee Was Not Being Collected, and Educational Organizations Were Concerned about Fee Payment Options

Various legislation¹³ requires that a fee be collected from each foreign student and exchange visitor to cover the costs of administering and maintaining SEVIS, as well as SEVP operations. In 2004, we reported that 7 years had passed since collection of the fee was required, and thus millions of dollars in revenue had been and would continue to be lost until the fee was actually collected. We also reported that representatives of the educational organizations

¹³ The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) first required that schools and exchange programs collect the fee (Pub. L. 104-208, Div. C, Sept. 30, 1996). The Visa Waiver Permanent Program Act (2000) amended IIRIRA to require that the government collect the SEVIS fee (Pub. L. 106-396, Oct. 30, 2000).

were concerned with the fee payment options being considered because the options were either not available to all students in developing countries, or they would result in significant delays to an already lengthy visa application and review process, and increase the risk that paper receipts would be lost or stolen.

As we then reported, DHS's submission of its fee collection rule went to the Office of Management and Budget in February 2004, and it received final clearance in May 2004. The final rule,¹⁴ which was effective on September 1, 2004, (1) set the fee at \$100 for nonimmigrant students and exchange visitors and no more than \$35 for those J-1 visa-holders who are au pairs, camp counselors, or participants in a summer work/travel program, and (2) identified options for students and exchange visitors to pay the fee, including

- by mail using a check or money order drawn on a U.S. bank and payable in U.S. dollars or
- electronically through the Internet using a credit card.

According to DHS officials, another option for paying the SEVIS fee permits exchange visitor programs to make bulk payments to DHS on behalf of J visa-holders.

DHS Continues to Take Steps to Address Our Recommendations

To help strengthen SEVIS performance and address educational organizations' concerns, our report recommended that DHS

- assess the extent to which defined SEVIS performance requirements are still relevant and are being formally managed;
- provide for the measurement of key performance requirements that are not being formally measured;
- assess educational organization Help Desk concerns and take appropriate action to address these concerns; and

¹⁴ 69 Fed. Reg. 39814 (2004).

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- provide for the expeditious implementation of the results of the SEVIS fee rulemaking process.

According to program officials, a number of steps have been taken relative to our recommendations, and other steps are under way. For example, program officials stated that they have established a working group to assess the relevance of the requirements in the SEVIS requirements document. The working group is expected to provide its recommendations for changing this document by the end of March 2005. The changed requirements will then form the basis for measuring system performance.

Program officials also stated that they are in the process of selecting tools for monitoring system performance and have established a working group to define ways to measure SEVIS's satisfaction of its two main objectives, relating to oversight and enforcement of relevant laws and regulations and to improvement in port of entry processing of students and visitors. In this regard, they said that they have begun to monitor the number of false positives between SEVIS and the Arrival Departure Information System¹⁵ to target improvements for future system releases.

Program officials also reported that they are taking steps to address Help Desk concerns. For example, they said that they continue to hold bi-weekly meetings with educational organizations and directly monitor select Help Desk calls. They also said that Tier 1 Help Desk staffing recently increased by five staff, and the knowledge-based tool used by the Help Desk representatives to respond to caller inquiries had been updated, including ensuring that the tool's response scripts are consistent with SEVP policy. Additionally, these officials stated that they are reaching out to the Department of State to more quickly resolve certain system data errors (commonly referred to as data fixes),¹⁶ and said that a process has been

¹⁵ The Arrival Departure Information System is a component of the U.S. Visitor and Immigrant Status Indicator Technology system that stores traveler arrival and departure data and provides query and reporting information.

¹⁶ According to State, fixes to records for J visas are made at Tier 3 after it reviews and approves the changes.

established to ensure that high-priority change requests are examined to ensure correct priority designation and timely resolution. As of January 1, 2005, SEVP also established new performance level agreements with its Help Desk contractor, and it has been receiving weekly Help Desk reports to monitor performance against these agreements.

DHS also began collecting the SEVIS fee in September 2004. Additionally, it introduced another payment option, effective November 1, 2004, whereby students can pay the fee using Western Union. This method allows foreign students to pay in local currency, rather than U.S. dollars. Program officials also stated that DHS has developed a direct interface between the payment systems and SEVIS and the State Department's Consolidated Consular Database (CCD).¹⁷ According to these officials, this allows the consular officer to verify without delay that the visa applicant has, in fact, paid the SEVIS fee before completing the visa issuance process.

SEVIS Educational Organizations Report That Performance Continues to Improve, but Some Problems Still Persist

According to representatives of educational organizations, overall SEVIS performance continues to improve. We contacted 6 of the 10 organizations that were part of our 2004 report on SEVIS performance, and representatives for all six organizations told us that SEVIS performance has generally continued to improve. In addition, five of the organizations stated that there were no new system performance problems. All of the organizations stated that they did not have any concerns with the SEVIS fee implementation.

However, most representatives stated that some previously reported problems still exist. For example, representatives from five of the six organizations stated that slow Tier 2 and 3 Help Desk responses in correcting errors in student and exchange visitor records were

¹⁷ CCD is used by consular officers to verify that the student or exchange visitor has been accepted by a particular school or exchange visitor program.

still a problem. Three representatives stated that these corrections can take months, and in some cases even years, to fix. Two of the three stated that this has a major impact on the individuals involved. One organization reported that some exchange visitors' records have been erroneously terminated, and as a result, the visitors' families are unable to join them in the United States until a data fix occurs. According to the representative, this creates a very difficult situation for the individuals and makes it difficult to retain them in their academic programs. A representative for another organization reported that two participants' records erroneously indicate that they have violated their status as exchange visitors. Were these individuals to leave the country to visit their families before a data fix is made, they would be denied re-entry.

In addition, representatives from three organizations stated that they were still experiencing problems with downloading and manipulating data from SEVIS. For example, one representative reported an inability to pull reports on the exact number of exchange visitors in its program and their status. This person expressed concern because DHS holds schools and programs accountable for tracking exchange visitors, but then does not give them the tools necessary to do so. Further, representatives from two organizations stated that they were still experiencing problems with incorrect Help Desk responses. For example, one representative reported that he was erroneously told by a Help Desk employee that there was no need to correct an individual's record of training, yet another Help Desk employee correctly stated that a fix was needed and gave detailed instructions on how to make the correction.

Last, representatives from all six organizations stated that there have been declines in international students and exchange visitors coming to the United States. However, representatives from four of the six stated that SEVIS was not a factor, while representatives from the remaining two stated that SEVIS was just one of many factors. Other factors cited as contributing to this decline, which are discussed in the following section, were a lengthy visa application process and increased competition by other countries for students and exchange visitors.

Recent Report Cites U.S. Decline in International Graduate Students, While Recognizing Recent Efforts to Improve Visa Processing for Science Students and Scholars

A recent Council of Graduate Schools report¹⁸ indicates that foreign graduate student applications, admissions, and enrollments are declining. According to the report, international graduate applications to U.S. colleges and universities declined 28 percent from 2003 to 2004, resulting in an 18 percent fall in admissions and a 6 percent drop in enrollments for the same period. In addition, while 2005 data on admissions and enrollments were not yet available, the report cited a 5 percent decline in applications between 2004 and 2005. According to the report, the declines in 2004 and in 2005 were most prominent for students from China and India. It also noted that between 2004 and 2005 applications were unchanged from Korea and up 6 percent from the Middle East.

The report attributes this decline to two factors: increasing capacity abroad and visa restrictions at home. According to the report, countries in Europe and Asia are expanding their capacity at the graduate level through government policy changes and recruitment of international students. At the same time, the report says that the U.S. government has tightened the visa process since September 11, 2001, inadvertently discouraging international graduate students through new security procedures and visa delays.

The Council of Graduate Schools also recognized recent federal actions to improve the student visa process. These actions are directly related to our work on the State Department's Visas Mantis program—an interagency security check aimed at identifying those visa applicants who may pose a threat to our national security by illegally transferring sensitive technology. The program often affects foreign science students and visiting scholars whose background or proposed activity in the United States could involve exposure to technologies that, if used against the United States, could potentially

¹⁸ Council of Graduate Schools, *Findings from the 2005 CGS International Graduate Admissions Survey 1*. We did not independently verify the data in this report.

be harmful. In February 2004, we reported and testified¹⁹ that there were delays in the Visas Mantis program and interoperability problems between the State Department and the FBI that contributed to these delays and allowed Mantis cases to get lost. We determined that it took an average of 67 days for Mantis checks to be processed and for State to notify consular posts that the visa could be issued,²⁰ and that many Visas Mantis cases had been pending 60 days or more. We also determined that consular staff at posts we visited were unsure whether they were contributing to waits because they lacked clear program guidance. Accordingly, we recommended that the State Department, in coordination with DHS and the FBI, develop and implement a plan to improve the Visas Mantis process.

In February 2005, we reported that Visas Mantis processing times had declined significantly. For example, in November 2004, the average time was about 15 days, far lower than the average of 67 days that we reported previously. We also found that the number of Mantis cases pending more than 60 days has dropped significantly. Our report recognized a number of actions that contributed to these improvements and addressed other issues that science students and scholars face in traveling to the United States. These actions included adding staff to process Mantis cases; defining a procedure to expedite certain cases; providing additional guidance and feedback to consular posts; developing an electronic tracking system for Mantis cases; clarifying the roles and responsibilities of agencies involved in the Mantis process; reiterating State's policy of giving students and scholars priority scheduling for interview appointments; and extending the validity of Mantis clearances.

Although we also identified opportunities for further refinements to the Visas Mantis program, we believe that the actions outlined above should allow foreign science students and scholars to obtain visas more quickly and to travel more freely. We did not determine the

¹⁹GAO, *Border Security: Improvements Needed to Reduce Time Taken to Adjudicate Visas for Science Students and Scholars*, [GAO-04-443T](#) (Washington, D.C.: Feb. 25, 2004).

²⁰The average of 67 days was based on a random selection of Mantis cases submitted to the State Department between April and June 2003.

effect of these actions on the overall volume of international students traveling to the United States. However, representatives from the academic and international scientific community have indicated that they also believe the actions will have a positive impact. For example, the Association of American Universities identified the extension of Mantis clearances as “a common-sense reform that removes an unnecessary burden that caused enormous inconvenience for thousands of international students and discouraged many more from coming here to study.”

In closing, indications are that SEVIS performance has improved and continues to improve, as has visa processing for foreign science students and scholars. Moreover, recent SEVIS-related initiatives demonstrate program officials’ commitment to future improvements. This commitment is important because educational organizations continue to report some persistent system problems, primarily with respect to Help Desk responsiveness in making certain “data fixes.” These problems can create hardships for foreign students and exchange visitors that can potentially have unintended consequences relative to these foreign students and exchange visitors applying to and enrolling in U.S. learning institutions. Therefore, it is important for DHS to effectively manage SEVIS performance against mission objectives and outcomes, as well as against system requirements. To this end, we have made several recommendations to DHS concerning SEVIS performance management.

Messrs. Chairmen, this concludes our statement. We would be happy to answer any questions that you or members of the subcommittees may have at this time.

Contact and Acknowledgments

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