

UNNJ Press Conference
Hon. Paul J. Fishman, U.S. Attorney
April 5, 2016

Good morning. I'm Paul Fishman, the United States Attorney for the District of New Jersey. With me are Sarah Saldana, the Director of ICE – Immigration and Customs Enforcement – at the United States Department of Homeland Security; Terry Opiola, the Special Agent in Charge of ICE's Homeland Security Investigations here in New Jersey; Brad Brouillette, the Associate Central Director of USCIS, and AUSAs Dennis Carletta and Sarah Devlin.

This morning, based on 15 separate federal criminal complaints, agents of Homeland Security Investigations and other federal law enforcement arrested 21 defendants; one is still being sought. All of those defendants are charged with scheming to exploit our country's immigration laws. As alleged in the complaints, these defendants were brokers, recruiters, and employers who unlawfully and fraudulently obtained or attempted to obtain student visas and foreign worker visas for approximately 1000 foreign nationals from approximately 26 different countries. How did they do it? Well, as the complaints allege, these defendants arranged to obtain visas by having individuals enroll in a fake university. Unfortunately for them, that fake university was run by undercover agents of the Department of Homeland Security.

Here's how it worked. By and large, United States law provides that visitors from foreign countries who want to stay in this country to go to school must have an F-1 visa, which is also known as a student visa. But those visa are necessarily temporary, and they last only as long as the foreign student is enrolled full-time in an approved educational program and is making normal progress toward completing a course of

study. When that program ends – that is, when the student leaves the program or graduates – the visa effectively expires in 60 days.

To get the F-1 visa, prospective students must get from the schools they attend a form known as an I-20. That form, issued by the school, certifies that the individual meets all of the standards of admission for the school, based on a review of the student's application, transcripts, proof of financial responsibility, and other records. The form also certifies that the prospective students has been accepted for and will be required to pursue a full course of study.

Now when this program works correctly, it's terrific. Foreign students can enroll in Princeton, NJIT, Montclair State, Rowan or any of the many legitimate secondary and postsecondary and graduate schools throughout New Jersey and across the country. But as prior investigations and prosecutions have revealed, in many instances, the schools are nothing more than sham visa mills. They have no curriculum, no classes, no instructors, and no real students. These purported schools and their corrupt administrators simply give out I-20 forms in exchange for payment. This illegal practice is known as "pay to stay" because foreign nationals pay money to brokers and recruiters, like the defendants, to be enrolled in a school for the sole purpose of obtaining immigration status as a student—but with no intention of or interest in going to class or making any progress toward an academic degree.

To catch these recruiters, HIS developed an undercover investigative strategy that involved the creation of a school called the University of Northern New Jersey or UNNJ. Although UNNJ was physically located here in New Jersey, in a real building in Cranford, the university was not a real school. Its only employees were undercover HSI

agents posing as corrupt administrators. The school had no instructors or educators; it had no curriculum; and no actual classes or educational activities ever occurred there.

As the complaints allege, once word got out, brokers descended on the school, clamoring to enroll their foreign student clients. But as the complaints also allege, the defendants did so while fully aware that those clients wouldn't be attending any classes at the university, wouldn't be furthering their educational goals, and wouldn't be getting a degree. Instead, UNNJ was just another stop on the "pay to stay" tour.

As you'll see in the complaints, the undercover agents specifically told each defendant – in conversations that were secretly recorded – that the university was a sham devised to get immigration status for foreign nationals. For example, Kate Wen and Alvin Yeun ["Yoon"] were two of the recruiters charged in this case. During a consensually recorded conversation with Yeun, here's what the undercover agents told him:

You know that none of these people are going to class.... [J]ust, you know, between us, you know, you're good with that right? Make sure your clients are good with it too, okay? I don't want anybody, you know, showing up at my doorstep thinking they're gonna be in my . . . advanced calculus class or anything like that. . . . That's not gonna happen, right? We know this is just to maintain status.

[Mag. No.: 16-6037, at ¶ 7]. And the complaint alleges that Yeun's answer couldn't have been clearer. Laughing, he admitted that "we've been doing this for years. . . .[n]o worries." And so they recruited approximately three dozen foreign individuals to the School and collected huge commissions from those purported students. In addition, like

many other defendants in this investigation, Wen and Yuen paid undercover agents thousands of dollars for phony academic transcripts and diplomas for their clients. Many of these fraudulent documents were then submitted by the defendants and their co-conspirator clients to US Citizenship and Immigration Services or the Department of State to obtain immigration benefits.

In exchange for their illegal services, the defendants made money in several different ways. Some defendants had their foreign national clients make payments to the university – disguised as tuition – and then the defendants received kickbacks or “commissions” from the university. Other defendants charged their clients thousands of dollars and then the defendants made sham tuition payments directly to the university. In one case, a defendant gave an undercover agent a \$7,000 watch as “tuition fees” for seven purported students. [US v. Vicky Zhang and Jack Lui, Mag. No.: 16-6039, at ¶ 11].

During the undercover investigation, several defendants became aware of other schools that had been shut down by federal agents for this some type of conduct in other districts. Several of these defendants discussed their concerns with the undercover agents. Some defendants even devised methods to throw off investigators to insulate themselves and cover up their involvement in what they believed to be a bogus school. For example, one complaint alleges that a defendant named Jeanette Shen was worried that federal authorities were tracking students because of heightened concerns about terrorism as a result of the Boston Marathon bombings. [Mag. No.: 16-6035] So she allegedly suggested to an undercover agent that it would be beneficial for the university to set up phony classrooms and to have her clients sign fake attendance

sheets to create the illusion that they had attended actual classes. And she had them do exactly that: some of her clients met with undercover agents and signed attendance sheets for the whole school year (and in different color inks, believing they would trick investigators in the event of an investigation). [Mag. No.: 16-6035, at ¶ 10].

To further complete the illusion, the complaints allege that virtually every defendant knowingly purchased fake documents from the undercover university, including fraudulent transcripts with made up classes and grades; diplomas; attendance sheets; student ID cards; sham receipts; and even phony parking passes. In the majority of instances, the undercover agents e-mailed blank templates to the defendants, who then – with their clients – filled in the phony information (such as classes and grades for transcripts) and e-mailed these false documents back to the agents. The agents then placed the university's letterhead on the forms, printed and signed them, and e-mailed them back to the defendants.

In addition to this “pay to stay” scheme, several defendants were involved in H1-B fraud, that is, visas that allow foreign nationals to lawfully work in the United States. These defendants requested that undercover agents create phony Information Technology projects at the university, like software development. Although the defendants were explicitly told by undercover agents that the university had no need for any such projects, at least three of the charged defendants requested and paid thousands of dollars for a variety of false documents from the university to trick USCIS into issuing H1-B visas to the defendant's foreign national employees. For example, one defendant, Syed Abbas, from New York, is the owner of Fastnet Software International, an information technology staffing and consulting company. He

purchased a lot of false documents from undercover agents and petitioned USCIS on behalf of approximately 20 foreign workers. None of these visas were issued.

As I invite my friend Sarah Saldana to speak, I want to thank and publicly acknowledge the special agents at HSI who did an enormous amount of very difficult work in this investigation. I'm delighted that Sarah, who many of you know was the United States Attorney in Dallas before being confirmed to this position, was able to come up today from Washington for this announcement.

Before we take questions, I want to say two more things. First, I want to thank Assistant US Attorney Dennis Carletta from my office's National Security Unit, who is spearheading the prosecution of these important cases; and AUSA Sarah Devlin, from our Asset Forfeiture Unit, who has done a tremendous job working with Dennis on the investigation. Their work, and the work of the agents, is critically important.

It goes without saying that international students are a very valuable asset to our country. They enrich our universities, our economy, and our society by sharing their diverse perspectives, skills and experience.

But, as these cases show, the program can be exploited and abused. "Pay to Stay" schemes not only damage our perception of legitimate student and foreign worker visa programs, they also pose a threat to national security, And if undiscovered, the consequences can be really risky. Not only do these purported students get to stay in the country because schools are vouching for them, but student visas, under the right circumstances, can start people on the pathway to legal permanent residence and citizenship.

I'm proud of the work that HIS and my office did. Today's arrests, which were made possible by the great undercover work of our law enforcement partners, stopped brokers, recruiters and employers across multiple states who recklessly exploited our immigration system for financial gain.