April 24, 2003

The Honorable Asa Hutchinson
Under Secretary for Border & Transportation Security
U.S. Department of Homeland Security
Washington, DC 20528

Dear Under Secretary Hutchinson:

On behalf of the member universities of the Association of American Universities (AAU), the American Council on Education (ACE), and the National Association of State Universities and Land-Grant Colleges (NASULGC), we write to bring to your attention a matter of significant concern related to the yet-to-be proposed fee collection system associated with the Student and Exchange Visitor Information System (SEVIS), and to ask your assistance to help implement a solution that will avoid potential problems.

We believe that SEVIS is the most important step that the federal government can take to improve its ability to monitor international students and exchange visitors and we strongly support its implementation. With respect to implementation, while we collectively strive to make SEVIS work now, we are also concerned about a potential problem on the horizon with respect to the fee collection system. We believe that the fee system should not rely on a paper-based system and that the fee should be collected along with other visa fees at consular offices.

Under current law, prospective international students must pay a fee before they are included in the SEVIS database. We understand that the Bureau of Immigration and Customs Enforcement (ICE) plans to publish interim final regulations that will govern this fee, and that the fee collection process will require potential students to pay either by using a credit card and the Internet or by sending a check in American dollars to a bank in the United States. Regardless of which approach a student uses, the bank will then mail a paper receipt to the student that must be presented at a U.S. embassy or consulate when the student applies for a visa. Without the paper receipt, a visa application will not be accepted.

We fear that the use of a paper receipt in a completely electronic system invites significant problems that will only further impede the full implementation of SEVIS. Paper receipts will significantly delay the visa process and, more importantly, they can be lost or stolen. Given the potential value of a SEVIS payment receipt to those who wish to enter this country, we fear that fraudulent use is a real possibility.

We believe that these problems can be avoided if the SEVIS fee is collected, like other visa fees, at the consular offices when the individual applies for a visa. Consular offices currently collect visa fees from all visa applicants, and they accept local currency. Under our proposal, consular offices would simply transmit SEVIS fees to ICE. There would be no need
for a receipt, since paying the fee would become an automatic part of the application process, and payment would be recorded in the SEVIS database. Such a step eliminates delay, the possibility that paper receipts could be lost or stolen, and the need for the federal government to pay a contractor to collect the fee.

We offer this proposal as a possible alternative to a paper-based fee collection system. The issue is not whether there will be a SEVIS fee or not, or how much the fee will be. Of concern in this instance is only that we have a fee collection system that is workable, efficient, and minimizes the possibility of visa delay, fraud, and abuse.

We thank you for considering our proposal. We appreciate your meeting with university leaders last week and your willingness to engage with the higher education community on international student and exchange visitor visa issues. We hope this will be the first in a series of opportunities in which we can work with you on SEVIS and other visa-related issues to ensure that our nation's security and exchange needs are realized.

Sincerely,

Nils Hasselmo       David Ward   C. Peter Magrath
President       President   President
AAU        ACE   NASULGC

cc: Maura Harty, Assistant Secretary, Bureau of Consular Affairs,
    U.S. State Department