

Statement from South Asian Groups and Allies about Entrapment of Indian Students in Fake University created by ICE

On behalf of the undersigned civil rights and social justice organizations, we write to express our grave concerns about a fake university set up by the U.S. Immigration and Customs Enforcement's ("ICE") Homeland Security Investigations ("HSI") and overseen by the U.S. Department of Homeland Security ("DHS"). The University of Farmington, set up to supposedly expose student visa fraud, led to the entrapment of Indian students who were eventually detained without due process, and whose tuition and fees totaling over six million dollars were seized by DHS. We demand an investigation into DHS' operations related to the University of Farmington, and redress for the students who were targeted.

DHS marketed the University of Farmington to prospective students as one that "provide[d] students from throughout the world a unique educational experience" and claimed accreditation by the Michigan Department of Licensing and Regulatory Affairs and the Accrediting Commission of Career Schools and Colleges. In addition, the University established a physical address, maintained a professional website, issued offers of acceptance, accepted tuition payments, and mailed students I-20 Certificates of Eligibility for Nonimmigrant Student Status.

In 2019, immediately following the public announcement that the University was a sting operation deliberately set up by DHS, ICE began terminating students' immigration status, claiming that any student who enrolled in the University had knowingly participated in visa fraud. All of the students who were targeted by ICE were of Indian descent, aside from one student from Palestine. We find this action by ICE to be targeting students for their national origin. The students were detained, and many were placed in removal proceedings in Immigration Court or left the country in fear. One of the students was awakened in the middle of the night by ICE agents and taken into custody for 45 days without any advance notice.

The students who enrolled in the University of Farmington were simply attempting to pursue their education at what they believed to be a legitimate and accredited university in the United States. These students suffered great injustice at the hands of ICE. In violation of the constitution, DHS took and refused to return the thousands of dollars the students spent in tuition and fees to attend the fraudulent university, totaling over six million dollars. Furthermore, DHS acted in violation of federal law by terminating the students' immigration status and detaining individuals for an extensive period, without so much as an individual hearing.

This is not an isolated incident. In 2013, ICE similarly created a fake university in New Jersey, ensnaring over a thousand students in their fraudulent scheme.¹ By allowing this injustice to continue, DOJ is effectively condoning ICE's actions of entrapping students and depriving them of their constitutional rights.

The University of Farmington Operation conducted by DHS and its agencies deprived students of over six million dollars in tuition and fees, without providing the services that it offered and promised. Furthermore, DHS determined that the students knowingly committed visa fraud,

¹ See <https://newjerseymonitor.com/2022/02/01/legal-settlement-in-works-over-sham-n-j-college-set-up-by-ice/>,

terminating their student visa status, and permanently depriving them of all immigration benefits without affording them due process and in violation of federal law.

As organizations that work with South Asian communities and as allies, we condemn the actions of DHS to entrap students, which is one of many ways that DHS continues to criminalize immigrants. DHS should not be utilizing taxpayer funds to conduct operations and activities that target and entrap people. We support efforts that call for investigations into DHS' operations with respect to the University of Farmington, and that seek redress for the affected students.

For these reasons and to rectify this great injustice, we urge you to sign off on a settlement agreement that restores the students' tuition money and immigration benefits² and ensures that these fraudulent and discriminatory operations by ICE do not continue in the future.

Sincerely,

South Asian Americans Leading Together (SAALT)

Legal Aid Justice Center

Massachusetts Jobs with Justice

Center for Security, Race and Rights

Council on American-Islamic Relations (CAIR)

No Separate Justice

South Asian American Policy & Research Institute (SAAPRI)

Asian American Advocacy Fund

Defending Rights & Dissent

National Asian American Pacific Islander Mental Health Association

Muslim Justice League

Muslims for Just Futures

Speakfire

² The United States recently settled the University of Northern New Jersey case, restoring immigration benefits to the students. It would be easy to model the University of Farmington settlement off of that settlement to restore immigration benefits to the students.

<https://www.kktpaw.com/wp-content/uploads/sites/1201730/2022/01/NoticeOfClassActionSettlement.pdf>.

Islamic Cultural Center of Fresno

Central Valley Islamic Council

Japanese American Citizens League

South Asian Public Health Association

Empowering Pacific Islander Communities

National Council of Asian Pacific Americans (NCAAPA)

Asian Americans Advancing Justice

Alliance of South Asians Taking Action (ASATA)

Restore The Fourth

North Carolina Asian Americans Together (NCAAT)

OCA-Asian Pacific American Advocates

Asian Law Alliance

ChangeLab

Project South

Sapna NYC

OPAWL - Building AAPI Feminist Leadership

National Asian Pacific American Families Against Substance Abuse

Asian Pacific American Labor Alliance, AFL-CIO

AAPI Victory Alliance

Advancing Justice - Asian Law Caucus

National Korean American Service and Education Consortium (NAKASEC)

Hmong National Development, Inc.

AAPI Equity Alliance

Asian Americans and Pacific Islanders for Justice in San Antonio, TX

Coalition of Asian American Leaders (CAAL)

Adhikaar

18 Million Rising

ICNA Council for Social Justice

Japanese American Citizens League

National Immigration Project of the National Lawyers Guild (NIPNLG)

the Sikh Coalition