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COMMENTARY
By Olga Kharif

Student Visas Aren't Making the Grade

It's relatively easy to get a visa to study English in the U.S. Some in Congress see the process as a security loophole that needs closing

When I immigrated to the U.S. from Russia nine years ago, I spent a year studying English in four different programs in Oregon. Most classes were filled with Russian, Ukrainian, and Vietnamese refugees and foreign students from Japan, Korea, and the Arabic countries. Like many of the other students, I was diligent and eager to learn the language.

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Not everyone was, though. Some paid their tuition, showed up for their first class, and then never set foot in the classroom again. Were the truants' student visas revoked? Not likely, say former and current English-language program employees.

What did these students do instead of going to class? Nobody knows. And that's a problem. Consider this: It has been reported that one of the suicide pilots on the American Airlines flight that crashed into the Pentagon was enrolled at an English-language course at a college in California, though he never showed up.

MAJOR LOOPHOLE? Since the September 11 terrorist attacks, the 500,000 foreign students already in the U.S. -- and the trickle of new ones that arrive every day -- have come under scrutiny. Can terrorists enter this country more easily if they pose as students rather than tourists? More specifically, do terrorists have an easier time getting in if they join the more than 73,000 foreign students enrolled in English-language schools and programs? Saudi Arabia, where at least two of the hijackers are believed to have come from, is the eighth-largest supplier of English-language students in the U.S., says the Institute of International Education.

While casting a suspicious eye at all students is unfair, it's reasonable to reexamine the relatively lax policies that allow students into this country. Senator Dianne Feinstein (D-Calif.), for one, believes student visas represent a major loophole in the system. She's among the members of

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represent a major loophole in the system. She's among the members of Congress working on a bill that would demand thorough background checks and fingerprinting of all applicants before student visas are issued.



Student visas are among the easiest nonimmigrant visas to get, according to F.J. Capriotti, adjunct professor of immigration law at Northwestern School of Law at Lewis & Clark College. They're also extremely flexible, remaining valid for as many years as a student is enrolled full-time at a school -- whether it's a degree-granting college or university, or an English-language.

EAGER TO ENROLL. Gaining admission into language programs can be very easy -- especially compared to getting into degree programs. The educational requirements are usually far less strict. Indeed, many of the schools, which can no longer rely on a steady stream of students from recession-strapped Japan, are eager to enroll applicants. Often, the only qualification is the ability to pay.

Also, compared with their counterparts at degree programs, English-language students are often given more leeway in their studies. It's not uncommon for the schools to display an avuncular attitude such as: "The kids are here to have fun." Heather Bridges, international-enrollment adviser at Western International University, says "90% or 95% of students who come here are here to study. But a few come here to relax." Western International has 2,200 students, 140 of whom are foreign.

As long as students pay their tuition, some schools will tolerate absences or poor grades for two or even three terms, say former and current employees. One reason: If a truant student is reported, his visa could get revoked. Not only would a school have to go through the time-consuming process of helping the student get a visa all over again but it could also lose his tuition -- temporarily or permanently. But the delay in reporting means that some "students" could remain in the U.S. for a year while never even attending school.

NO GATEKEEPERS. If the schools don't bother to report them, the students could conceivably stay on indefinitely. Once inside the country, foreign students are scarcely kept track of, thanks to a lack of resources at Immigration & Naturalization Service. Feinstein's bill would demand that the INS and the State Dept. work in concert to track foreign students via a single electronic system (see BW Online, 10/12/01, "[The Immigration Laws' Bureaucratic Babel](#)").

If asked about students falling through the cracks, officials at language schools are quick to point out that they aren't the gatekeepers. While the schools and programs assist students in getting the visas, they depend on the State Dept., which is responsible for granting them, to screen applicants.

However, officers at U.S. embassies spend an average of less than a

minute on reviewing a typical student's visa application, says Greg Siskind, immigration-law expert and partner at Siskind, Susser, Haas & Devine. At the embassies, visa-issuance tasks are generally delegated to the junior staff. "Given the importance of this, they need people who are more seasoned," suggests Judy Golub, senior director of advocacy for the American Immigration Lawyers Assn.

BIGGER PROBLEM. Not everyone sees the problem as specific to students. "The visa system in general is a problem," says David Ward, president of the American Council on Education, an association of colleges and universities. "I don't think there's anything about student visas in particular." He says it's important to allow foreign students to continue coming to this country.

But letting truant students to stay in the U.S. is, at the very least, a violation of the spirit behind student visas, and unfair to the students who come here to learn and apply themselves. At worst, it can be a major security breach.

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