

Congress of the United States

Washington, DC 20510

January 15, 2020

The Honorable Betsy DeVos
Secretary
U.S. Department of Education
400 Maryland Avenue SW
Washington, D.C. 20202

Dear Secretary DeVos,

We are writing regarding reports that the Department of Homeland Security (DHS) worked with the Accrediting Commission of Career Schools and Colleges (ACCSC) to create a fake university, the University of Farmington in Michigan, to attract and deport hundreds of students with legal student visas.¹ Newly released emails obtained by Democracy Forward through an open records request further indicate that Department of Education (ED) officials corresponded with two senior officials at the Domestic Policy Council in May and June 2018 about another ED-sanctioned accreditor, the Accrediting Council for Independent Colleges and Schools (ACICS), and its role in the Student and Exchange Visitor Program (SEVP). Given these unusual activities, we seek more information about the nexus between ACCSC, ACICS, ED, and DHS and the extent of ED's role in—or knowledge of—DHS's scheme.

The University of Farmington operated from 2017 through January 2019 and had a website, a physical address with offices and administrators, and advertised to prospective students that they were accredited by ACCSC and part of SEVP.² An archived website from the University of Farmington states, "The University of Farmington is accredited by the Accrediting Commission of Career Schools and Colleges (www.accsc.org) and licensed by the Michigan Department of Licensing and Regulatory Affairs as a private postsecondary college. The University of

¹ Forbes, "DHS Created Fake University to Lure Students So ICE Could Arrest Them," Lisette Voytko, November 27, 2019, <https://www.forbes.com/sites/lisettevoytko/2019/11/27/dhs-created-fake-university-to-lure-students-so-ice-could-arrest-them/#501d5bb12b09>; New York Times, "Students at Fake University Say They Were Collateral Damage in Sting Operation," Liz Robbins, May 5, 2016, <https://www.nytimes.com/2016/05/06/nyregion/students-at-fake-university-say-they-were-collateral-damage-in-sting-operation.html>;

² Detroit Free Press, "ICE arrests 90 more students at fake university in Michigan," Niraj Warikoo, November 27, 2019, <https://www.freep.com/story/news/local/michigan/2019/11/27/ice-arrested-250-foreign-students-fake-university-metro-detroit/4277686002/>; NPR, "Homeland Security Created a Fake University in Michigan As Part of Immigration Sting," Bill Chappell, January 31, 2019, <https://www.npr.org/2019/01/31/690260797/homeland-security-created-a-fake-university-in-michigan-as-part-of-immigration-s>; About University of Farmington, <https://web.archive.org/web/20180415000555/http://www.universityoffarmington.edu/about.html>

Farmington is approved by the U.S. Department of Homeland Security Student and Exchange Visitor Program (SEVP) to enroll international students.”³

News reports additionally stated that DHS’s website explicitly listed the University of Farmington as approved to participate in SEVP.⁴ Undercover DHS agents posed as administrators to actively enroll foreign students.⁵ According to court documents, eight alleged recruiters were indicted after they collected more than \$250,000 by luring students to enroll.⁶ To date, about 250 Farmington students have been arrested and many have been deported as a result of these operations.⁷

As these anti-immigrant activities were ongoing, senior officials at ED were having discussions with the White House Domestic Policy Council regarding the status of ACICS and the SEVP program. Specifically, Diane Auer Jones, who was leading the Department’s overhaul of federal accreditation policies, discussed the status of ACICS and the SEVP program with two Domestic Policy Council officials: Robert Goad, an Education policy advisor, and John Zadrozny, Former Special Assistant for justice and homeland security.⁸ Prior to joining the Domestic Policy Council, Mr. Zadrozny worked at the Federation for American Immigration Reform, which has been designated as a hate group by the Southern Poverty Law Center.⁹

ED tentatively restored ACICS’s recognition as a federal accreditor on April 3, 2018, pending a new review.¹⁰ On May 10, 2018, emails show that Mr. Goad contacted Ms. Jones about the

³ Accreditation, University of Farmington (Archived),

<https://web.archive.org/web/20180414215517/http://universityoffarmington.edu/facts.html>.

⁴ U.S. Department of Homeland Security, “SEVP Certified Schools,” Page 104, July 12, 2018,

<https://studyinthestates.dhs.gov/assets/certified-school-list-07-12-18.pdf>

⁵ NPR, “Homeland Security Created a Fake University in Michigan As Part of Immigration Sting,”

<https://www.npr.org/2019/01/31/690260797/homeland-security-created-a-fake-university-in-michigan-as-part-of-immigration-s>

⁶ NPR, “Homeland Security Created a Fake University in Michigan As Part of Immigration Sting,”

<https://www.npr.org/2019/01/31/690260797/homeland-security-created-a-fake-university-in-michigan-as-part-of-immigration-s>; Kakireddy et. al. v. U.S., Indictment, pg 8, US DC Eastern District of Michigan, Southern Division, Case 2:19-cr-20026-GAD-EAS, filed January 15, 2019, available at <https://www.npr.org/2019/01/31/690260797/homeland-security-created-a-fake-university-in-michigan-as-part-of-immigration-s>.

⁷ According to news report in November 2019, 80 percent of the student have been voluntarily deported while others have received deportation orders or are contesting removal. See Forbes, “DHS Created Fake University to Lure Students So ICE Could Arrest Them,” <https://www.forbes.com/sites/lisettevoytko/2019/11/27/dhs-created-fake-university-to-lure-students-so-ice-could-arrest-them/#501d5bb12b09>

⁸ Politico, “Trump picks new policy staffers,” Matthew Nussbaum, January 5, 2017,

<https://www.politico.com/blogs/donald-trump-administration/2017/01/trump-policy-staffers-233240> and Democracy Forward, “Another anti-immigrant zealot at DHS,” December 9, 2019, <https://democracyforward.org/updates/bts-john-zadrozny-dhs/> and emails obtained through FOIA <https://democracyforward.org/wp-content/uploads/2019/12/Jones-Goad-Zadrozny-ACICS-and-ICE.pdf>

⁹ SPLC Southern Poverty Law Center, “Center for Immigration Studies,” <https://www.splcenter.org/fighting-hate/extremist-files/group/center-immigration-studies> and SPLC Southern Poverty Law Center, “Federal for American Immigration Reform,” <https://www.splcenter.org/fighting-hate/extremist-files/group/federation-american-immigration-reform>

¹⁰ U.S. Department of Education, “Order in the Matter of Accrediting Council for Independent Colleges and Schools,” Docket No. 16-44-O, (April 3, 2018), a <https://www2.ed.gov/documents/press-releases/acics-docketno-16-44-0.pdf>

status of ACICS and forwarded a May 3rd article from the Center for Immigration Studies (CIS), advocating that ACICS be put out of business because it approved “visa mills” that admit “marginal foreign students.”¹¹ CIS, which has also been designated as a hate group by the Southern Poverty Law Center, explained that Secretary DeVos’s decision to reinstate ACICS “was not unexpected,” and continued, “[Secretary DeVos] is probably the most devoted supporter of private-sector, including for-profit, education of anyone who has held her position.” While CIS had come out against ACICS, the article went on to assert, “[b]ut, in one of those laws-of-unintended-consequences incidents, [Secretary DeVos] may have (totally accidentally, I am sure) actually helped to control the growth of the visa mills.”¹²

On May 15, 2018, Mr. Zadrozny wrote to Ms. Jones, “[i]t was good to meet you last Friday [May 11th] to discuss ACICS, and thanks again for your time. Per our conversation, I was planning on hosting a meeting with you and my main points of contact at Immigrations and Customs Enforcement (ICE), who I know would be interested in what we discussed... Thanks in advance for your assistance, and please feel free to call me if you want to discuss offline.” Robert Goad is copied on that email chain. While ED went on to formally reinstate ACICS, these emails raise questions about the Domestic Policy Council’s and DHS’s role in that decision.¹³

Accordingly, please provide written responses and documentation sufficient to answer the following questions by **January 28, 2020**.

1. Please provide all communications between ED and DHS regarding the creation and administration of the University of Farmington or any other institutions of higher education created by DHS.
 - a. What was ED’s role in approving these operations and to what extent were ED officials consulted regarding these DHS operations?
 - b. Did ED have any role facilitating conversations between ACCSC and DHS regarding the colleges’ “accreditation”?
2. Please provide all communications between ED and ACCSC regarding the University of Farmington.
3. Please provide all communications between ED and the state educational or authorization agencies in Michigan regarding the University of Farmington.

¹¹ Democracy Forward, “Another anti-immigrant zealot at DHS,” emails obtained through FOIA <https://democracyforward.org/wp-content/uploads/2019/12/Jones-Goad-Zadrozny-ACICS-and-ICE.pdf> and Center for Immigration Studies, “Small Non-Governmental Agency Due to Make Big Immigration Decisions,” David North, May 3, 2018 <https://cis.org/North/Small-NonGovernmental-Agency-Due-Make-Big-Immigration-Decisions>

¹² Center for Immigration Studies, “Small Non-Governmental Agency Due to Make Big Immigration Decisions,” David North, May 3, 2018, <https://cis.org/North/Small-NonGovernmental-Agency-Due-Make-Big-Immigration-Decisions>

¹³ Inside Higher ED, “New Life for ACICS,” Paul Fain, October 1, 2018, <https://www.insidehighered.com/news/2018/10/01/trump-administration-recommends-restoration-acics-accreditor-remains-controversial>

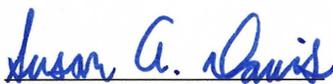
4. Please provide all communications between Ms. Jones, Mr. Goad, and Mr. Zadrozny regarding ACICS's reinstatement and the SEVP program in May and June 2018.
5. Please provide documentation specifying the Domestic Policy Council's, DHS's, and other White House offices or personnel's role in these conversations and recommendations regarding the reinstatement of ACICS.
6. Please provide documentation and all communications regarding the meeting between ICE and Ms. Jones referenced in Mr. Zadrozny's May 15th email.
7. What, if any, policy changes did ED undertake as a result of those discussions with the Domestic Policy Council and DHS?

We appreciate your attention to this matter.

Sincerely,



Elizabeth Warren
United States Senator



Susan Davis
Chair,
House Subcommittee on
Higher Education and
Workforce Investment



Andy Levin
Member of Congress