

4. DHS granted special approval authority to academic and language secondary institutions to admit and enroll non-immigrant alien students and to issue Forms I-20 (certificates of eligibility for non-immigrant, F-1, student status for academic and language students) directly to non-immigrant alien students who wish to enter or remain in the United States as full time students. The institutions, through their Primary Designated School Officials (PDSO) first obtained DHS approval for their special authority by filing a Form I-17 application.

5. The PDSO signed a Form I-20 issued to non-immigrant alien students applying for admission to an academic or language school such as the CMG School, and as stated on the I-20, the school agreed that it would comply with all federal regulations, including the regulations governing attendance requirements for non-immigrant aliens in the United States, and report violations of those attendance requirements to DHS.

6. Once the DHS approved institution issued a Form I-20 to a non-immigrant alien wishing to enter and/or remain in the United States as a full time student, the non-immigrant alien presented himself, along with the Form I-20, and supporting financial documents to a United States consulate abroad and applied for an F-1 Student Visa.

7. After the non-immigrant alien was issued the F-1 Student Visa at the consulate, he then presented himself at a port of entry to the United States and was admitted as an F-1 student for “duration of status.”

8. “Duration of Status” was defined by federal regulations as the time during which an F-1 Student was pursuing a “full course of study” at a DHS approved school for non-immigrant alien students, as defined in 8 C.F.R. § 214.2 (f).

9. A “Full Course of Study” for English as a Second Language (ESL) students was defined in federal regulations as at least eighteen (18) hours of class attendance per week, as found in 8 CFR § 214.2 (f)(6)(i)(D).

10. The PDSO was required, by their agreement and signature on Form I-17 and their subsequent issuance of the Form I-20 to non-immigrant alien students, to ensure that all enrolled students with an F-1 Visa were complying with federal regulations, including the regulations requiring students to attend at least eighteen (18) hours of classes per week. The PDSO also was required to report any changes in the non-immigrant student status, such as a reduction of attendance at weekly classes, excessive absenteeism, or deduction of course load to DHS.

11. The PDSO was required to notify DHS when terminating a student’s F-1 visa status if the student’s attendance dropped below a full course of study of 18 hours per week. The PDSO was also required to report to DHS, within 21 days, if any of its non-immigrant alien students had failed to maintain their status and/or complete the ESL Program, and to report to DHS any changes to the student’s address or student’s legal name. To accomplish these responsibilities, the PDSO at each approved school, was responsible for entering information into a Student and Exchange Visitor Information System (SEVIS) computer.

VISA FRAUD

12. On or about August 24, 2009, in Trevese, in the Eastern District of Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of

Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that A.Z. would be required to pursue a full course of study at CMG, when as the defendant knew, A.Z. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about December 11, 2009, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that M.P. would be required to pursue a full course of study at CMG, when as the defendant knew, M.P. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about December 30, 2009, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that B.S. would be required to pursue a full course of study at CMG, when as the defendant knew, B.S. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about January 20, 2010, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that R.A. would be required to pursue a full course of study at CMG, when as the defendant knew, R.A. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about January 25, 2010, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that S.A. would be required to pursue a full course of study at CMG, when as the defendant knew, S.A. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about April 28, 2010, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that U.J. would be required to pursue a full course of study at CMG, when as the defendant knew, U.J. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT SEVEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about April 28, 2010, in Trevose, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that E.E. would be required to pursue a full course of study at CMG, when as the defendant knew, E.E. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT EIGHT

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about August 24, 2010, in Trevese, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that A.Z. would be required to pursue a full course of study at CMG, when as the defendant knew, A.Z. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

COUNT NINE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 11 of Count One are incorporated here.
2. On or about September 14, 2010, in Trevoise, in the Eastern District of

Pennsylvania, the defendant,

IRINA TKHIR,

knowingly made under oath, and as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribed as true, a false statement with respect to a material fact, that is, that M.P. would be required to pursue a full course of study at CMG, when as the defendant knew, M.P. would not be required to pursue a full course of study at CMG, in an application and other document required by the immigration laws and regulations prescribed thereunder, that is, a Form I-20, Certificate of Eligibility for Nonimmigrant (F-1) Student Status-- For Academic and Language Students.

In violation of Title 18, United States Code, Section 1546(a).

A TRUE BILL:

GRAND JURY FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**