
United States District Court
District of New Jersey

UNITED STATES OF AMERICA : **Hon. Steven C. Mannion**

v. : **Magistrate No.: 16-6036 (SCM)**

JIAMING WANG, : **Criminal Complaint**
a/k/a "Celine Wang," and
PHILIP JUNLIN LI

I, David A. Ferrante, the undersigned complainant being duly sworn,
state the following is true and correct to the best of my knowledge and belief.

SEE ATTACHMENT A

I further state that I am a Special Agent with the United States
Department of Homeland Security, Homeland Security Investigations ("HSI"),
and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.


David A. Ferrante, Special Agent
U.S. Department of Homeland Security
Homeland Security Investigations

Sworn to before me and subscribed in my presence,

March 30, 2016 at
Date

Newark, New Jersey
City and State

Honorable Steven C. Mannion
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

ATTACHMENT A

COUNT ONE
(Conspiracy to Commit Visa Fraud)

From in or about September 2014 through in or about March 2016, in Union County, in the District of New Jersey, and elsewhere, defendants

JIAMING WANG,
a/k/a "Celine Wang,"
and
PHILIP JUNLIN LI

did knowingly and intentionally conspire and agree with each other and with others to commit an offense against the United States, that is, to utter, use, attempt to use, possess, obtain, accept, and receive non-immigrant visas, namely student visas and other documents proscribed by statute and regulation for entry into and as evidence of authorized stay in the United States, knowing that the student visas had been procured by means of false claims and statements and otherwise procured by fraud and unlawfully obtained, contrary to Title 18, United States Code, Section 1546(a).

In furtherance of the conspiracy and to effect its unlawful objects, the defendants committed and caused to be committed the following overt acts, among others, in the District of New Jersey and elsewhere, as set forth in Attachment B below.

In violation of Title 18, United States Code, Section 371.

COUNT TWO
(Conspiracy to Harbor Aliens for Profit)

From in or about September 2014 through in or about March 2016, in Union County, in the District of New Jersey, and elsewhere, defendants

JIAMING WANG,
a/k/a "Celine Wang,"
and
PHILIP JUNLIN LI

did knowingly and intentionally conspire and agree with each other and with others, for the purpose of commercial advantage and private financial gain, to encourage and induce an alien to reside in the United States, knowing and in reckless disregard of the fact that such residence was and would be a violation of law, contrary to Title 8, United States Code, Section 1324(a)(1)(A)(iv).

In violation of Title 8, United States Code, Section 1324(a)(1)(A)(v)(I).

ATTACHMENT B

I, David A. Ferrante, am a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations ("HSI"). I have personally participated in this investigation and am aware of the facts and circumstances contained herein based on my own investigation, as well as my review of documents, records, information and evidence provided to me by other law enforcement officers and relevant personnel. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a complaint and arrest warrants, I have not necessarily included each and every fact known by the government concerning this investigation. Where statements of others are related herein, they are related in substance and in part. Where I assert that an event took place on a particular date, I am asserting that it took place on or about the day alleged.

The Defendant and Other Parties

1. At all times relevant to this Criminal Complaint:
 - a. Defendant JIAMING WANG, a/k/a "Celine Wang," ("WANG"), was a Chinese national and legal permanent resident of the United States, residing in or around Los Angeles, California. WANG was the president of American International Education Center ("AIEC") and the registered agent for Excellent Student Service ("ESS"). AIEC and ESS were located in San Gabriel, California and purported to specialize in student immigration services and school placement.
 - b. Defendant PHILIP JUNLIN LI ("LI") was a naturalized United States citizen residing in or around Los Angeles, California. LI was affiliated with AIEC and ESS, and he has advertised online for AIEC and ESS. Online advertisements for both ESS and AIEC have mentioned illegal student aid.
 - c. A federal agent was acting in an undercover capacity (hereinafter "UC-1").
 - d. A federal agent was acting in an undercover capacity (hereinafter "UC-2").
 - e. Federal agents were acting in an undercover capacity and posing as the owners and/or operators of the University of Northern New Jersey (hereinafter the "School"). The School was physically located in Cranford, New Jersey. The School was part of a federal law enforcement undercover operation designed to identify individuals and entities engaged in immigration fraud. The School was not staffed with instructors /educators, had no curriculum, and no actual classes or educational activities were conducted at the School.

f. A co-conspirator not named as a defendant herein was a foreign citizen who fraudulently maintained student visa status through WANG and LI (hereinafter "CC-1").

Summary of Investigation

2. Beginning in or about September 2013, federal agents from HSI, using the School, commenced an undercover operation to investigate criminal activities associated with the Student and Exchange Visitor Program ("SEVP"), including, but not limited to, student visa fraud and the harboring of aliens for profit. A brief summary of the SEVP is described in Paragraph 4, below.

3. During the course of the investigation, HSI agents identified numerous individuals and organizations that used the SEVP as an instrument to engage in criminal conduct. Specifically, as described more fully below, the investigation revealed that defendants WANG and LI enabled numerous foreign individuals to fraudulently maintain non-immigrant status and obtain employment authorization to remain in the United States on the false pretense that these aliens were participating in full courses of study at an academic institution.¹ In truth and in fact, WANG and LI, with full knowledge that the aliens would not attend any actual courses, earn actual credits, or make academic progress toward an actual degree in a particular field of study, fraudulently maintained student visa status in exchange for kickbacks, or "commissions" from individuals they believed were co-schemers. Additionally, WANG and LI facilitated the creation of false student records, including transcripts, for some of the foreign students for the purpose of deceiving immigration authorities.

Summary of Relevant Immigration Policies and Procedures

4. From my training and experience as a Special Agent with HSI, and from speaking with individuals and officials with knowledge of the SEVP with the Department of Homeland Security, I have learned about the requirements that foreign citizens must comply with under United States immigration law, including the following:

a. The United States requires individuals from most foreign countries to obtain a visa prior to entry into the United States. As they apply to this investigation, nonimmigrant visas are required for foreign citizens who intend to enter the United States on a temporary basis, such as for tourism, medical treatment, business, temporary work, or study.²

1. Your Affiant is aware that this type of SEVP-related fraud is commonly referred to as a "pay to stay" scheme.

2. Under 8 U.S.C. § 1101 (a)(15)(F)(i), an F-1 student (*i.e.*, a non-immigrant

b. A foreign citizen who wishes to enter and remain in the United States on a temporary basis to pursue a course of study at a college, university, seminary, conservatory, academic high school, or other academic institution, or for English language training (commonly referred to as "ESL"³), must first obtain an F-1 non-immigrant visa, also known as a student visa ("F-1 visa").

c. An F-1 visa is only valid for a temporary period, called the "duration of status," which status lasts as long as the foreign citizen is enrolled as a full-time student in an approved educational program and making normal progress toward completion of the course of study.⁴ Pursuant to 8 C.F.R. § 214.2(f)(6), a full course of study for a foreign citizen studying a language or other non-vocational training program under an F-1 visa (an "F-1 student") requires eighteen (18) clock hours of attendance per week, assuming the dominant portion of the course consists of classroom instruction. Significantly, when a foreign citizen stops pursuing a full course of study, the duration of status on his or her F-1 visa ends and the temporary period for which the individual was admitted to the United States expires.

d. In order to obtain an F-1 visa, a foreign citizen must first apply to study at a school within the United States that has been certified by the SEVP to enroll and train foreign students. If accepted, the school will provide the foreign citizen with a "Certificate of Eligibility for Nonimmigrant (F-1) Student Status - For Academic and Language Students," also known as a

alien admitted to the United States on a temporary basis to pursue a course of study) is defined as follows: "an alien having a residence in a foreign country which he has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 1184(l) of this title at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in an accredited language training program in the United States, particularly designated by him and approved by the Attorney General after consultation with the Secretary of Education. . . ."

3. One area of study available to F-1 students includes English language training, or ESL, courses. In order to pursue ESL studies, an F-1 student must enroll in an SEVP-certified English language training program. ESL students are not eligible for online or distance education, as all training must take place in a classroom (or computer lab) setting for a minimum of eighteen (18) hour per week. A foreign citizen who is granted an F-1 visa to participate in an ESL program may not obtain work authorization.

4. Certain F-1 students (identified as "Border Crossing" students from Mexico or Canada who attend a school within 75 miles of a land border) may be admitted to the United States until a date certain, rather than for duration of status. See 8 C.F.R. § 214.2(f)(18). None of the foreign individuals associated with this investigation were the recipient of a "Border Crossing" F-1 visa.

Form I-20 A ("Form I-20"). The Form I-20 is required for the foreign citizen to obtain an F-1 visa. By issuing a Form I-20 to a foreign citizen, an SEVP-approved school certifies that the individual: (1) meets all standards of admission for the school based on a review of the student's application, transcripts, proof of financial responsibility, and other records; and (2) has been accepted for, and would be required to pursue, a full course of study.

e. Once a foreign citizen receives a Form I-20, that individual may apply for an F-1 visa. The foreign citizen can then use the F-1 visa and Form I-20 to enter and remain in the United States for the period of time he or she is granted. After a foreign citizen completes his or her course of study, that individual is typically required to depart the United States within 60 days. Conversely, if the foreign student fails to maintain status (*e.g.*, stops attending school, drops below the full course of study without authorization, etc.), the foreign student must immediately depart the United States.

f. The Student and Exchange Visitor Information System ("SEVIS") is an internet based data system that provides users with access to current information on nonimmigrant foreign citizens, exchange aliens, and their dependents. Each Form I-20 that is issued by a school to a foreign citizen will contain a system-generated identification number. This number is referred to as the "SEVIS ID number." Generally, the SEVIS ID number remains the same as long as the foreign citizen maintains his or her valid, original nonimmigrant status. This number will typically remain the same regardless of any changes or updates made by the school to the foreign citizen's record.

g. Once in the United States, a foreign citizen is generally permitted to transfer from one SEVP-certified school to another, as long as that individual maintains valid F-1 student status and is pursuing a full course of study. To effect such a transfer while maintaining valid status, a foreign citizen must first obtain a school acceptance letter and a SEVIS transfer form from the SEVP-certified school to which the student intends to transfer. The foreign citizen may then transfer to that school, obtain a Form I-20, and remain in the United States as long as he or she pursues a full course of study at the new SEVP-certified school.⁵

5. Every SEVP-approved school must have one Primary Designated School Official ("PDSO") who, among other things, certifies under penalty of perjury on the Form I-20 that the foreign student's application, transcripts, or other records of courses taken, and proof of financial responsibility - including proof that the student has the funds necessary to live and study in the United States without working illegally or suffering from poverty - were received by the school and the student met the qualifications for admission. The PDSO also certifies that the foreign student will be required to pursue a full course of study as defined by the regulations in 8 C.F.R. § 214.2(f)(6). The forgoing certification responsibilities of the PDSO may also be handled by a Designated School Official ("DSO").

h. In addition to taking a full course of study at an accredited institution, a non-ESL, F-1 student may also seek practical training - which could include paid employment - that is directly related to the student's major and is considered part of the student's program of study. The two types of practical training available to non-ESL, F-1 students include curricular practical training ("CPT") and optional practical training ("OPT"). If approved by the PDSO (or DSO), an F-1 student may obtain a new Form I-20 indicating that he or she has been approved for either CPT or OPT. Generally, therefore, as long as an F-1 student has been properly enrolled at an SEVP certified school, has taken classes and earned credits, and has made academic progress toward graduation, that F-1 student may have the opportunity to work full or part-time CPT or OPT, in addition to taking classes.⁶

SEVP certified schools also are required to maintain up to date and accurate records in SEVIS regarding the foreign students attending the school and are required to input accurately when students have completed their studies so that their immigration status can be terminated. The PDSO (or DSO) is also required to maintain up to date and accurate records in the SEVIS database for status events of foreign students attending their school including, but not limited to: entry/exit data, changes of current United States address (residence), program extensions, employment notifications, changes in program of study, and completion of studies so the student's immigration status can be timely terminated.

Additionally, if a foreign citizen admitted on an F-1 visa to attend an SEVP-certified school has not pursued a full course of study at the school, a PDSO (or DSO) is prohibited from transferring that foreign citizen to another school. Pursuant to 8 C.F.R. § 214.2(8)(i), an F-1 student who was not pursuing a full course of study at the school he or she was last authorized to attend is ineligible for school transfer and must apply for reinstatement, or, in the alternative, may depart the U.S. and return as an initial entry in a new F-1 nonimmigrant status. Once an SEVP-certified school terminates an F-1 student's active status in SEVIS for "Unauthorized Drop Below Full Course of Study," thereby flagging the F-1 student's termination for review by the Department of Homeland Security, SEVP guidance allows the school to then transfer the F-1 student's SEVIS records *in terminated status* to another school. The terminated F-1 student must then file an application for reinstatement of active status with the support of the school the student is transferring to, or depart the United States. Further, an F-1 student who has not been pursuing a full course of study at an SEVP-certified school cannot be transferred to another school unless and until his or her active status has been terminated in SEVIS.

6. Practical training may be authorized to an F-1 student who has been lawfully enrolled on a full time basis, in a SEVP-certified institution, for one full academic year. CPT is more specifically defined as an alternative work/study, internship, cooperative education, or any other type of required internship or practicum that is offered by sponsoring employers through cooperative agreements with a given SEVP-certified institution. An F-1 student may be authorized by the PDSO (or DSO) to participate in a CPT program that is an integral part of an established curriculum. A student may begin CPT only after receiving his or her Form I-20 with the PDSO (or DSO) endorsement. A student may be authorized 12 months

The Defendants' Criminal Activities

5. On or about September 4, 2014, WANG sent an e-mail solicitation to the School, wherein WANG offered her services as a recruiting agent working on behalf of AIEC. In her email to the School, WANG wrote, "We have a lot of students who are looking for a school to Maintain F1 status and apply to CPT. Could you please tell me the tuition of your school and the commission for agent? We sincerely looking [sic] forward to cooperate with you."

6. Over the course of the next few months, and in response to WANG's and LI's inquiries, UC-1 engaged in several consensually recorded telephone conversations and in-person meetings with WANG and LI (collectively, the "Defendants") to discuss the Defendants' proffered recruiting services through AIEC and ESS.

7. For example, on or about September 4, 2014, WANG contacted UC-1 by telephone and engaged in a consensually recorded conversation. During this call, WANG and UC-1 discussed the possibility of working together. WANG told UC-1 that she and LI had previously facilitated the enrollment of aliens at U.S. educational institutions to maintain the aliens' immigration status. WANG told UC-1, "actually we already do this for about five years . . . Every year we have, I can least 300 to 500 students . . . We send them to a different school . . . They want to keep the F1 status and the [u/i] just a waiting for H1B."

8. In an e-mail exchange dated October 3, 2014, WANG and UC-2 discussed "tuition" prices for WANG's purported foreign students. During this communication, WANG represented that, "[t]his is the price we cooperate with some other school. . . . We apply to be the exclusive agent of your school in California, Oregon, and Washington. We guarantee to recruit more than 300 students for you per year." Further, in an e-mail exchange with UC-1 later that day, WANG indicated that the aliens she planned to refer to the School would not expect to attend classes. During this communication, UC-1 requested confirmation as to whether the students WANG recruited wanted to maintain immigration status, rather than to attend class. WANG replied, in part "do not worry, they will not show up excepting [sic] you require them to do . . . [i]f any student of mine contact with you, just tell them to contact with me."

of practical training, and becomes eligible for another 12 months of practical training when he or she changes to a higher educational level. Exceptions to the one academic year requirement prior to obtaining CPT approval are provided for students enrolled in graduate studies that require immediate participation in curricular practical training. See 8 C.F.R. § 214.2 (10).

9. Based, in part, on the foregoing discussions, the Defendants began to facilitate the enrollment of dozens of foreign students at the School despite knowing that the individuals they referred were not bona fide students and had no intention of attending classes or earning credits at the School. In exchange for receiving a Form I-20 from the School and being reported in SEVIS as a legitimate foreign student, the Defendants' recruits made "tuition" payments to the School that corresponded to the length of time that the purported foreign students were enrolled. For each foreign student referred by the Defendants and subsequently "enrolled" at the School, the Defendants took a percentage of the foreign student's tuition payments as commission for their recruiting services. Once an alien was referred to the School, the Defendants routinely followed up with School personnel via telephone and e-mail to track the status of the issuance of relevant immigration documents, including Forms I-20 and CPT documentation, for their recruits. The Forms I-20 that the Defendants caused the School to issue to the Defendants' recruits were falsely made and procured by fraud. The Defendants knew the Forms I-20 were fraudulent because their recruits would not be attending any classes at the School and would not be making any academic progress toward a legitimate degree in an established curriculum; indeed, the Forms I-20 were procured by the Defendants to fraudulently maintain their foreign recruits' immigration and work status in the United States. Significantly, the majority of individuals referred by the Defendants enrolled at the University in an effort to falsely obtain and extend CPT eligibility, so that those individuals could continue to reside and work in the United States in contravention of U.S. immigration laws.⁷

10. On numerous occasions, WANG and LI worked with the School to determine fraudulent methods of maintaining their students' immigration status. Further, WANG and LI indicated to UC-1 that they had worked to fraudulently maintain the immigration status of other aliens on previous occasions through the use of F-1 visas. For example, on or about September 23, 2014, WANG and UC-1 engaged in a consensually recorded telephone conversation. During this call, WANG advised UC-1 that one of the Defendants' recruits wanted to transfer to the School but was not immediately able to do so because the alien's immigration status had expired. To remedy this situation, WANG asked for the School to issue a new Form I-20 for the alien and further indicated that she would help the alien maintain her immigration status. Specifically, WANG advised UC-1 that the alien would leave the United States until his/her Form I-20 from the School was issued, and then re-enter the U.S. once the Form I-20 was issued. During the course of the conversation, WANG stated, "But it's totally no problem, I do a lot cases

7. From in or about September 2014 through in or about March 2016, WANG and LI recruited and referred approximately 117 foreign individuals to the School, and they collected thousands of dollars in commission fees as a result of their illicit activities.

like this . . . I'm in U.S. right now. And I will take [the alien] to flew U.S. from San Diego and then we'll do Mexico and then we will re-enter from San Diego . . . " Additionally, WANG advised that the alien in question did not want to attend classes, but rather only wanted to maintain his/her immigration status. In particular, WANG stated, "Yeah, just to maintain status but I think [the alien] don't need the CPT right now . . . [the alien] prefer no go to [sic] school just to maintain status." (emphasis added).

11. As stated, the issuance of an acceptance letter by the School was a prerequisite to the issuance of a Form I-20, which form was necessary for students to receive and/or maintain F-1 visa status. LI and WANG went so far in their efforts to expedite the School's issuance of acceptance letters for recruits they had referred to the School that they suggested issuing acceptance letters themselves on behalf of the School. For example, on February 2, 2015, WANG sent UC-1 a text message communication, stating, "several students sevis [sic] records are being terminated soon. Is there anything work I can help you with? Like issuing some acceptance letters on your behalf?" Thereafter, on February 5, 2015, WANG followed up on her original inquiry and stated, LI "told [WANG] to help issue acceptance letters for students. Could you plz send me an email to authorize me to issue acceptance letter on your behalf, just for your records."

12. On or about December 10, 2014, UC-1 met with WANG and LI at a restaurant in Miami, Florida, and they engaged in a consensually audio-recorded meeting. The matters discussed at this meeting included a general discussion of the University's operations. In response to UC-1's description of the number of individuals who worked at the University, LI stated, "less people know the better." LI told UC-1, "She's [i.e., WANG] been telling me that your entire school is just an admin office." During the meeting, LI asked UC-1 whether the issuance of a transcript or diploma for students at the University would cost extra.

13. As part of the Defendants' effort to evade detection by law enforcement officials of their ongoing illegal activities, the Defendants periodically advised UC-1 about illegal activities at other purported educational institutions that could have an impact on the School's ongoing illicit operations. On at least one occasion, LI discussed a recent federal takedown of four "pay to stay" visa mills in Los Angeles, California,⁸ and expressed his

8. On or about March 11, 2015, federal law enforcement authorities in and around Los Angeles, California arrested and charged three individuals for operating four schools that catered to foreign students who never attended classes and lived in other states on student visas. The four schools were: ACFS, Prodee University, Walter Jay M.D. Institute, and Likie Fashion and Technology College. Though several of the schools boasted enrollments of several hundred students, law enforcement officials found the schools abandoned during their raids. The four schools were authorized to

concern whether the School might encounter similar criminal exposure as a result of the ongoing illegal transactions conducted by and between LI and the School. Specifically, on or about March 12, 2015, LI contacted UC-1 and engaged in a consensually recorded conversation. During this discussion, LI advised UC-1 that the Defendants had thirteen students they had previously placed with the four Los Angeles area schools that had been closed by law enforcement, and who needed to be placed at new schools. LI asked UC-1 whether the thirteen students could be transferred to the School. Specifically, LI stated, "those schools get closed . . . we have quite a few students in there and the owner got arrested so we just be the, trying to, you know look for new schools to accept our existing students and for local students fortunately we have one school. Actually a few are willing to accept them . . . and you know, transfer them out . . . for, for, the out, the out of state ones you know we, we still need school to who are willing to accept them. I mean would your school be willing to do that?" LI further advised UC-1 about the activities at the four recently-closed schools that may have led law enforcement to close the schools. LI stated, in part "the problem is they have thousands of students and no one in the building . . . when they get arrested the place looks deserted [*i.e.*, the schools], its looks like abandoned. On paper, on paper each school has like almost a thousand students and they got four of them . . . and in reality you know the whole place is empty." LI further explained to UC-1 that the thirteen students had already paid LI and WANG for their recruiting services, and that LI would likely transmit that payment directly to the School in the event UC-1 would accept their purported enrollment. After receiving UC-1's acknowledgment that the School would accept the transfers, WANG subsequently provided the School with a payment of \$13,000, which payment represented "tuition" for thirteen foreign students whose transfer to the School LI had facilitated. In actuality, the Defendants paid the School \$1,000 per student to fraudulently maintain each alien's non-immigrant student status for one year.

14. In addition to Forms I-20, WANG and LI used the School to obtain a number of false and fraudulent documents for their clients, including fake academic transcripts, diplomas, and other education records, which fraudulent documents were intended to deceive U.S. immigration officials. For example, by e-mail dated on or about May 26, 2015, WANG contacted UC-1 to discuss documents she wanted to obtain for one of the Defendants' School recruits ("CC-1"). Specifically, WANG advised UC-1 that an H1-B visa⁹ application had

issue Form I-20s. The three individuals who operated the four schools were indicted in the Central District of California, United States v. Hee Sun Shim, et al., 2:15-cr-00113. The investigation resulted in charges alleging that several administrators at the four schools were engaged in fraud by issuing student visas to individuals who were not real students, but rather undocumented immigrants who paid the school to be listed as students.

been submitted on CC-1's behalf, and that U.S. immigration officials had requested additional information for CC-1's file (this request is commonly referred to as a "request for evidence," or "RFE").¹⁰ By e-mail dated on or about May 30, 2015, UC-1 sent CC-1 a number of blank, or "template," documents that CC-1 could use for his RFE response to USCIS. These template documents provided by UC-1 included the following: (i) a blank School transcript; (ii) a receipt evidencing purported fees paid by CC-1 for School tuition; and (iii) a letter from the School to USCIS purporting to document CC-1's School enrollment, major course of study, and CPT work authorization. UC-1 further advised CC-1 that the cost for providing the false documents was \$620. These false documents were requested to trick USCIS into believing that WANG's client was lawfully enrolled in the School and had lawful status in an effort to induce USCIS to convert the client's F-1 status into an H1-B status (which H1-B status can later be changed into lawful permanent resident status). On or about June 18, 2015, CC-1 emailed UC-1 a number of draft RFE documents, including among others: (i) a signed attendance sheet purporting to evidence CC-1's attendance in classes which never actually occurred; (ii) a tuition receipt; and (iii) a false CPT authorization letter. Subsequently, on June 23, 2015, UC-1 emailed CC-1 final signed copies of the RFE documents, including a parking permit, a CPT letter, a tuition payment receipt, and false attendance records. After receiving the signed false

9. An H-1B visa permits an alien to work in the United States subject to certain requirements. Generally, the program allows businesses in the United States to employ foreign workers with specialized or technical expertise in a particular field such as accounting, engineering, or computer science. Before hiring a foreign worker under the Program, the employer must first obtain approval from the United States Department of Labor ("DOL") and the U.S. Citizenship and Immigration Services ("USCIS") to hire a specific individual. This approval is obtained, in part, by filing a "Petition for a Nonimmigrant Worker, Form I-129," (commonly referred to as an H1-B visa), and paying certain fees. In this petition, the employer is required to truthfully provide biographical information regarding the specific foreign worker to be employed, including job title, the specific type of position for which the worker is hired, work location, pay rate, dates of intended employment, and whether the position is full-time. The petition is signed under penalty of perjury, and the employer must certify that the information submitted is true and correct. Ultimately, if USCIS approves this petition (and assuming the foreign worker is already lawfully in the U.S.), then the foreign worker's immigration status can be adjusted without the worker having to leave the country.

10. The USCIS periodically issues a request for evidence ("RFE") in connection with its review of various immigration petitions. As it applies to the instant investigation, documents typically provided by a petitioner in response to a RFE include, among others, proof of enrollment and payment of tuition, student identification cards, student transcripts and attendance records, proof of CPT work authorization and cooperative employer-student agreements, diplomas, and other education-related materials.

documents from UC-1, WANG facilitated USCIS's receipt of the fraudulent RFE documents. Law enforcement agents' review of official records maintained by USCIS has confirmed that the false School documents obtained by WANG for CC-1 were, in fact, submitted to U.S. immigration authorities in support of CC-1's H1-B application.