

Tweets, Facebook posts can lead to students being denied US education under new visa protocol

By **Jayshal Sood** | July 3, 2017

Students seeking US visas need to be diligent when filling the newly introduced Form DS-5535, says Mintz Levin's Susan Cohen.



Susan Cohen (Photo credit: Mintz Levin)

A new [visa application protocol](#) instituted by the Trump administration that requires applicants to submit details of social media and email accounts might delay the visa processing and even result in denial of visas in many cases.

The newly launched [Form DS-5535](#) requires applicants to complete a questionnaire providing all their social media accounts and email addresses for the past five years, along with 15 years of detailed biographical history.

One group that should be particularly careful about this social media vetting is students who are hoping to study in

US schools, as errors in reporting a social media handle or email account can trigger delays in processing, according to a prominent immigration lawyer.

Susan Cohen, the founder and chair of immigration practice at Mintz Levin, a well-known law firm based in Washington, DC, said students, “who are often highly engaged in social media,” need to be extremely diligent and accurate with the information they provide.

Introduced as a measure to be used when consular officials determine that additional scrutiny of an applicant is warranted, the new vetting process has raised concerns about giving authorities carte blanche to conduct searches on whomever they please, for any reason.

“It remains to be seen how Consular officers will treat visa applications of students who simply cannot remember all the information the form requests and therefore cannot complete it in its entirety, or how officers will treat the applicants if they accidentally leave off an email address or another detail, that is later discovered by the Consular Officer,” said Cohen, who heads Mintz Levin’s immigration practice, which consists of 12 attorneys and 18 immigration specialists and assistants..

Students should also anticipate that their Tweets or other social media posts might cause them to be denied entry and forfeit their US education, she said.

Cohen said the DS-5535 “is a direct result of a request made by President Trump to the agencies that deal with immigration (the Department of State; the Department of Homeland Security and the Attorney General’s office) to implement additional protocols and procedures to improve and expand on the collection of information before granting any immigration benefits.”

The lawyer said the “Department of State, in issuing the form, indicated that it believes that no more than .05 percent of all visa applicants (65,000 applicants a year) will be expected to complete” the form.

Cohen said there are many unanswered questions about how Form DS-5535 will be used and what impact it will have, because it is so new. “We are in ‘wait and see’ mode now, not only with this form, but with many aspects of immigration process in the U.S., as with the newly revived travel ban,” she said.

Cohen said, “Every visa applicant will not be given this additional form, but every visa applicant undergoes a background check before being issued a visa.”