

Opening Statement
Chairman Tom Davis
Committee on Government Reform
“Creating Secure Borders and Open Doors:
A Review of DHS-State Collaboration on U.S. Visa Policy”

September 9, 2004

I would like to welcome everyone to today’s hearing, which continues the Committee’s history of oversight hearings on U.S. visa policy. The Committee has previously reviewed visa backlog issues and the implementation of the US-VISIT program. This hearing will focus on the collaboration between the Department of Homeland Security and the State Department in the establishment and implementation of U.S. visa policy.

We all agree that homeland security is a priority, and that as a result of the acts leading up to September 11, we need to closely scrutinize visitors to our country. This tighter scrutiny has undoubtedly been a major contributing factor to the increase in visa application and processing delays around the world. Lest we think this is a trivial matter, next to issues concerning Social Security, visa delays tend to be the most requested issue when it comes to casework within our districts. We have heard in prior hearings about the serious impact visa delays has on U.S. businesses, tourism, institutions of higher learning, the science community, and many other areas. Today, however, the Committee will examine the collaboration between the Department of Homeland Security and the State Department in the establishment and implementation of U.S. visa policy and how this collaboration is mitigating the delays to facilitate business and tourism while at the same time ensuring security.

Section 428 of the Homeland Security Act of 2002 granted DHS the authority to set policy regarding the granting and issuing of visas. Nearly a year ago, DHS and State announced the completion of a Memorandum of Understanding that clarified the roles of both agencies and established mechanisms by which inter-agency concerns could be addressed. In addition to the requirements set out under Section 428, a number of policy changes, directed by both agency decisions and statutory requirements, have changed the way individuals seek visas to travel to the United States. These changes are primarily in the information that is collected in the visa applications, and the procedures by which visa applications are adjudicated. Despite the fact that DHS is still in its infancy and State has had over two centuries to practice its mission, it is essential that the two departments bring together their personnel, information, and expertise to secure the borders while facilitating the travel of legitimate visitors.

The hearing will examine the collaboration between DHS and State and the challenges facing the two departments in a number of areas, including, the requirement for DHS to deploy Visa Security Officers as an added security component to the visa adjudication process. Although these officers were statutorily required to be installed in Saudi Arabia to review all visa applications, this specific role has been under consideration by both State and DHS. The Committee is also interested in the progress in determining which countries may receive visa security officers in the future and what value they will add to the visa adjudication process. The DHS Office of Inspector General recently released a report that identified several challenges facing DHS in the implementation of the Visa Security Officer program. Particularly, the IG found that DHS faces challenges in recruiting, training, and maintaining permanent security officers in overseas posts. It is our understanding that State and DHS have established internal working groups to manage the implementation of requirements under Section 428, and will discuss the implementation of these requirements.

In a previous hearing, the Committee reviewed the visa backlog problems resulting from the lengthy Security Advisory Opinion process required for students, scientists, and other applicants who travel to the United States to study or work on particularly sensitive technologies. As a result of an interagency review of the entire process, DHS and State have recently modified the process to reduce the time required for applicants to obtain clearance from the applicable agencies without sacrificing security.

DHS and State have also collaborated in the implementation of the US-VISIT program. State has nearly completed its installation of equipment and software at the over 200 visa-issuing posts around the world as part of the Visa Biometric Program. Biometric data collected at embassies and consulates are being entered into a DHS database that is then used to check applicants against watch lists and to confirm the identity of a visa holder when a visitor attempts entry at a port of entry. Today, the Government Accountability Office released its report on the challenges facing the two departments in the strategic use of the data being collected, the embassy and consulate workflow designs that need to be changed to optimize biometric data checks, and the ensuing facility and personnel needs that may result from workflow design changes.

DHS and State access to lost and stolen passport information is an important tool in preventing visa application fraud. The information is especially important in preventing impostors from entering the country via the visa waiver program by assuming the citizenship of a country participating in the program. In a previous report, the DHS Inspector General identified several challenges in collecting the data from foreign countries and making the data accessible to officers at the ports of entry. The Committee looks forward to hearing from State and DHS on the improvements made in this area.

Through this hearing, the Committee hopes to learn about the effectiveness of the collaboration between State and DHS in developing and implementing an effective visa policy. Information sharing is at the core of this effort. The Committee also hopes to look beyond current statutory requirements and deadlines to have a productive discussion on the long-term issues.

In many ways this hearing today goes to the heart of information sharing. Information -- who has it, who gets it, and who acts upon it -- is paramount in protecting the homeland and facilitating travel for legitimate purposes. Information gathered by State or DHS is only useful as long as the other agencies are able to access and query that information. Information stovepipes are not only inefficient -- they threaten our collective security. As we have experienced in the past, agencies not only experience technological and resource limitations to information sharing but also have cultural and sometimes statutory barriers in place that prevent useful information sharing. But we hope this is becoming a thing of the past. I am confident that after today's hearing we will have a better understanding of how agencies that work together can overcome challenges, what challenges still exist, and how information sharing is the key to successful visa policy.

I would like to thank all of our witnesses for appearing before the Committee, and I look forward to their testimony.