



DEPARTMENT OF STATE
ASSISTANT SECRETARY FOR CONSULAR AFFAIRS
WASHINGTON

February 15, 2007

Dear Ms. Johnson:

Thank you for your letter of February 1 concerning the efforts of the State Department to improve the visa process for international students and scholars. The State Department is proud of our role in welcoming international students and scholars to the more than 4,000 outstanding educational institutions in the United States, while continuing to uphold our vital responsibilities to help protect our nation for Americans and foreign visitors alike. In Fiscal Year 2006, the Department issued more than 590,000 visas for international academic and vocational students and exchange visitors to study or conduct research in the United States – an all-time record. This figure is 14 percent higher than last year, and over 5 percent above the previous high in 2001. The numbers are particularly notable from countries like China and India, but we've seen increases over the past several years from every region in the world.

These numbers indicate that promising young scholars from around the world are hearing our message. But because we need to continue attracting talent, we will not stop there. As you already noted, changed procedures are only part of the story. Officials, from Secretary of State Condoleezza Rice down, have taken every opportunity to speak to students, faculty, parents, and other audiences here and around the world about the breadth and richness of educational opportunities in the United States. Our message to international students is clear: we welcome them.

I have seen the recent visa recommendations from the Coalition of Academic, Exchange, and Trade Groups, in which NAFSA participates. Many of the recommendations concern issues that we have been addressing both with NAFSA and within our own processes. I believe NAFSA is familiar with the many efforts already underway to address items of concern to all of us. To that end and to ensure that you are aware of our efforts, I'm attaching some literature for your information. I look forward to continuing a dialogue with you and NAFSA.

Sincerely,

A handwritten signature in black ink, appearing to read "Maura Harty".

Maura Harty

Enclosure:

As stated.

Ms. Marlene M. Johnson,
Executive Director & CEO,
NAFSA: Association of International Educators,
1307 New York Avenue NW,
Washington, DC 20005-4701.

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Reflections on “Realizing the Rice-Chertoff Vision”

Summary: The Coalition of Academic, Exchange, and Trade Groups released new visa policy recommendations on January 31. The group, which includes NAFSA, The Alliance for International Education and Cultural Exchange, The Heritage Foundation, and the National Foreign Trade Council, believes it is putting forward new proposals to improve people’s ability to travel to the United States.

Responses:

A. “Realizing the Rice-Chertoff Vision” recommends that Congress:

- *Restore to the Secretary of State the authority to grant U.S. consulates discretion to waive the personal interview requirement based on risk assessment.*
 - Both Section 303 of the Enhanced Border Security and Visa Entry Reform Act and Section 5301 of the Intelligence Reform and Terrorism Prevention Act of 2004 restrict the authority for consular officers to issue visas without personally interviewing most applicants.
- *Strengthen and expand the Visa Waiver Program.*
 - The Department of State supports the VWP, a program which, as you know, is administered by the Department of Homeland Security under guidelines established by Congress. We believe the program serves the national interest in many ways, and is invaluable toward the strengthening of bilateral relations with participating countries.
 - The United States has been working collaboratively with many countries on a “roadmap” process toward possible participation in the VWP, which has resulted in significant improvements to the quality of passports issued by certain nations, and of data share on lost and stolen passports.
 - On November 28, President Bush announced his intention to work with Congress to modify the VWP to allow the USG to facilitate the inclusion of additional countries, while taking into account the changing nature of the threat

to our security in the post 9/11 environment. This would be the first major legislative modification of the program since its inception in 1988.

B. The Coalition Further Recommends that the Executive Branch (with oversight from Congress):

- *Articulate a clear, operational visa policy that fully realizes the Rice-Chertoff vision.*
 - We continue to work to erase those erroneous yet persistent impressions that America's welcome mat is no longer out. The "Secure Borders, Open Doors" Advisory Committee, established by the Departments of State and Homeland Security under the Rice-Chertoff Joint Vision, met on December 6 to work with the international business and travel community on strategies to reverse those impressions. We look forward to working with the Committee to strike the right balance between protecting our country's security and facilitating legitimate travel.
 - Consular officers worldwide know that our sections are the public face of the United States for millions of foreign nationals. For that reason, we have invested substantial human and technological resources over the past four years to improve the service and the efficiency of the visa process. We fully agree that it is important for America to welcome foreign visitors – it is good for our economy and for our national security. Most importantly, we believe that the best advertisement for America *is* America.
 - All consular officers are trained in visa adjudication, law, regulation, and policy. We lengthened the Basic Consular Course – also known as ConGen – from 26 to 31 days. This change is the result of added emphasis on visa security, counterterrorism awareness, and interviewing techniques. Among the new modules is a two-day interviewing "mini-course" that focuses students on ways to identify lying/deception by applicants. The new curriculum also includes a half-day program on counterterrorism at the CIA Headquarters in Langley.
 - Consular officers are notified and provided guidance on implementing operational visa policy changes. The Visa Office's Field Liaison Division is staffed to articulate and ensure consistent implementation of visa policy.

- Additionally, we have installed new management tools to monitor user accounts on consular automated systems; Mandated a worldwide annual review of management controls from all consular sections; Incorporated Standard Operating Procedures for visa processing into the regulations and continued to make them available via the intranet (CAWeb); re-issued comprehensive instructions for accountability of controlled items, including strengthened procedures.

- The Department of State works with other agencies and has made consular visa data available electronically to them; Established agreements with agencies concerned with border security, export controls, and counterterrorism (DHS, FBI, DOC, DOD, Terrorist Screening Center, National Counterterrorism Center, etc.); Created the non-duty hours CA Watch to provide trained officers with access to databases to assist ports of entry and partner immigration services in verifying USG-issued documents; Dedicated a full-time Visa Office representative to the National Targeting Center (NTC), a part of DHS' CBP; Participates in the Unified IDENT Program on November 4, 2006, which allows visa applicant fingerprints to be cleared against all fingerprint records in the DHS IDENT fingerprint system.

- *Improve efficiency, transparency, and reliability in the visa process.*
 - We have worked tirelessly over the past four years to improve the transparency, predictability and efficiency of the U.S. visa process. Many of the initiatives we have taken are specifically designed to improve efficiency, transparency, and reliability in the visa process, as recommended by the Coalition. For example:
 - We added 570 consular positions worldwide, and are transferring some positions to ensure that workloads are evenly distributed and to ensure we have sufficient, well-trained staff to do the job.
 - We publish current visa appointment wait times and processing times for each visa issuing post on our internet website at www.travel.state.gov, so visa applicants will have more information to plan their travel. We are working assiduously to reduce appointment wait times at high-volume posts. At this time, the wait time is within 15 days at almost 80 percent of our posts;
 - We instructed our embassies and consulates to establish mechanisms to expedite appointments for legitimate business travelers, students and

international exchange visitors. Consular sections from Buenos Aires to Bratislava have imaginative programs – often in conjunction with local branches of the American Chamber of Commerce – to facilitate business and tourist travel;

- The Business Visa Center (BVC) in Washington explains the visa process to U.S. companies and convention organizers who invite employees or current and prospective business clients to the United States. The BVC receives hundreds of inquiries and we estimate that it indirectly assists over 20,000 international travelers each month;
- We have invested heavily in technology to speed the security clearance process. We have instituted an all-electronic security clearance process for all categories of travelers, including scientists, and the trend-lines on the processing for clearances are improving.
- As already mentioned, we are already exploring creative staffing mechanisms, shifting consular resources to key posts, and technological changes to the visa process to ensure that we are able to meet this demand while at the same time fulfilling our national security responsibilities. Some of those changes include a fully electronic visa process.
- We have a process established in the Department for individuals or their legal representatives to inquire about the status of their clearance requests, including those that are over 45 days, through our public inquiries division. The inquiry line can be reached at 202-663-1225.
- We have put the structures and procedures in place to ensure that the visa application process is not an obstacle to legitimate business and tourist travel. I am pleased to say that these efforts are producing results. Overall nonimmigrant visa issuance is up 8% over last year, and business/tourist visa issuance is up 12%.
- Domestic revalidation service was discontinued in 2004 following the passage of Section 303 of the Enhanced Border Security and Visa entry Reform Act, which required the Department of State to collect a biometric identifier (fingerscans) from all non-diplomatic visa applicants. Not only are facilities and resources unavailable for the Department to

collect the biometric identifier on the employment-based visas within the United States, but Congress has mandated much closer scrutiny of these categories of visas that can only be accomplished through interview abroad.

➤ We have long anticipated that surging economies and deepening business and trade relationships between the U.S. and countries such as India, China, Korea, Mexico, and Brazil would lead to sharply increased demand for U.S. visas. We are already exploring creative staffing mechanisms, shifting consular resources to key posts, and technological changes to the visa process to ensure that we are able to meet this demand while at the same time fulfilling our national security responsibilities. Some of those changes include a fully electronic visa process.