

U.S. House of Representatives Committee on Government Reform

Testimony of

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Chairman Davis, Ranking Member Waxman, distinguished members of the Committee:

I appreciate this opportunity to discuss the efforts of the Department of State and in particular, the Bureau of Consular Affairs, to meet our border security objectives while maintaining our commitment to the openness of the United States to international visitors.

Secretary of State Condoleezza Rice summarized this commitment when she stated during her confirmation hearings that, “Our interaction with the rest of the world must be a conversation, not a monologue, and America must remain open to visitors and workers and students from around the world. We do not and will not compromise our security standards, yet if our public diplomacy efforts are to succeed, we cannot close ourselves off from the rest of the world.”

The Secretary’s words give purpose to what the Department of State recognizes: that this nation is stronger when we remain true to our finest principals, to our history and our common ideals. America is a nation of immigrants, and has always welcomed visitors from all over the globe. We are stronger as a nation when we draw strength from the contributions of the world’s best and brightest.

That goal must always be attended by our absolute commitment to the security of our nation. The context for today’s U.S. visa policy is, quite simply, September 11, 2001. In the immediate aftermath of that tragedy, the U.S. Government moved quickly to shore up our nation’s border security

and reassure American citizens and international visitors alike that our nation was safe and secure. After conducting a top-to-bottom review of visa procedures, we still work ceaselessly to make sure that we have in place as strong a shield as possible against those who would do us harm.

The Department of State and our partners at the Department of Homeland Security have a fundamental commitment to meeting our security needs while maintaining the *openness* of the United States. The Department is cognizant of the economic benefits to the United States generated by international visitors. Travel and tourism contributed \$104.8 billion to the U.S. economy in 2005. International students contributed \$13 billion in revenues to our nation's economy. Beyond the economic benefits, the Department of State understands that the United States is preeminent in business, academia and scientific research because we attract talented people from the far reaches of the globe.

Few relationships are more important to the United States than those with India and China. With educated, dynamic populations, growing economic power, and enormous strategic importance, both India and China are emerging as confident and assertive global and regional forces that increasingly perceive the United States as a partner in securing peace and stability in South Asia. India and China are key contributors of business, academic and research talent. Consular operations in these two nations continue to pose special challenges to the Department of State, as well as offer unique opportunities, due to their strategic and economic significance to the United States and the enormous growth in workload for the Department's consular operations in these nations.

As a result, people-to-people links between our two countries are growing at an exponential rate, through business, tourism, and academic exchange. The links also include the flow of immigrants to the United States, which in India's case is the United States second biggest source of legal immigration and naturalization. At the same time, more Americans travel and live abroad, especially in China. The impact of this growth has been directly felt in a rapidly increasing demand for immigrant and nonimmigrant visas, as well as for American Citizen Services.

As we address these trends with post-9/11 visa security requirements, we have witnessed skyrocketing consular workloads. Consequently, the Department's four consular posts in India and five in China have become some of the largest consular missions worldwide. The Department of State has devoted particular energy and resources in addressing the challenges facing posts in India and China, especially with regard to explosive nonimmigrant visa demand. I would like to discuss these efforts in some detail.

U.S. Mission India

The India posts have experienced tremendous annual growth in consular workload since the liberalization of India's economy in 1991. Shortly before September 11, 2001 the combined visa workload of the India posts ranked in the top five worldwide. Today, we estimate that nonimmigrant visa demand in India is second only to that in Mexico. Currently India is second only to Mexico as a leading source of legal migration and naturalizations and is far and away our leading source of temporary workers. According to the International Institute of Education's Open Doors study, there are 80,466 Indian students in the United States, almost 30 percent more than China, which ranks second in the number of full-time students. The Indian economy is growing at almost 8% annually and its middle class, which already exceeds the total population of the United States, is growing even faster. With a large number of student and temporary worker applications to review, the complexity and challenge of consular work in India is second to none. A rapidly transforming bilateral political, economic and commercial relationship, expanding U.S.-Indian anti-terrorism cooperation, a growing American citizen presence due to increased economic ties, and an increase in downstream immigration to the United States all argue for enhanced consular operations in India.

The past several years have seen a dramatic increase in the staffing and improvements to infrastructure of the consular sections across India. Since FY 2002, we have more than doubled the number of consular officers at our consular section in Chennai, southern India, where the bulk of the additional demand originates. Countrywide we have added 25 consular officers and 41 locally engaged staff. We are planning to add three more visa officer positions in Chennai, two in Mumbai and one each in New Delhi and Calcutta before the end of this fiscal year. We are also working to provide

all consular posts in India with additional TDY support to help them cope with this summer's visa demand.

We are in the advanced stages of planning for a new Consulate General building in Mumbai in 2008 and renovated consular sections in New Delhi and Calcutta. We are also working to open a new Consulate General in Hyderabad. The new Consulate General building in Mumbai will feature 46 service windows, a significant increase from the post's current 17 windows. We hope to have consular officers issuing visas in a new consulate in Hyderabad by as early as 2008, but it may be several years before it can have a significant impact on meeting visa demand. We also plan to renovate the consular section in Calcutta to give that post more usable space to adjudicate visas.

Last fall India launched a totally redesigned appointment/courier pass back system and started offsite machine-readable visa (MRV) fee collection. These new programs were designed to give the four India posts the ability to triage their caseload to provide early appointments to priority applicants. Priority applicants are those facing an emergency such as the death or sickness of a relative in the United States, all business travelers, students and temporary workers, particularly those needing to renew existing visas.

Because of the lengthy backlog in appointments under the old system, there was a necessary transition period that concluded February 28, 2006, when the last appointment made under the old system was seen. Under the new system each post makes only 60% to 70% of their anticipated capacity available to the public for new appointments at the end of their backlog for appointments. Starting at the end of February, each post began adding the remaining 30% to 40% of anticipated capacity in the form of appointment slots made available for priority applicants to book appointments within three weeks of the current date. These priority appointments, which usually number between 300 and 700 per day country wide, are currently being booked within two to three days in Chennai and New Delhi, but consular managers in India hope that within the next six weeks there will be consistent availability of priority appointments within three weeks at all four posts. There is already much more stable availability of priority appointments in Mumbai and Calcutta.

With Department approval, India has been designated as a single, countrywide consular district, which allows the India posts to shift officers

and/or workload to best match resources with demand. (This does not, however, mean that applicants may apply at any post in India, but rather that consular managers in India can take more creative approaches to balancing workload.) Under the new appointment system, the Minister Counselor for Consular Affairs in New Delhi designates which applicants may apply at another post with a shorter wait time. This is done through the on-line appointment system, which can be configured to offer a choice of appointment dates and places to selected appointment categories. This enables consular managers to make maximum use of available resources by shifting applications to where the most resources are available. Currently applicants from south India who work for companies registered with the Chennai Consulate's Business Executive Program (BEP) may also apply in New Delhi if they wish.

U.S. Mission China

The Department's consular facilities in China face many of the same challenges and opportunities as in India. China is a vast country with an enormous population. The U.S. mission to China is huge and complex, consisting of the Embassy in Beijing, and consulates in Shanghai, Guangzhou, Shenyang, and Chengdu. Over the past seven years, American staff has almost doubled to 467 and local staff tripled to 938.

The U.S. is engaged with China on an increasing number of strategic, political and economic fronts. China's recent economic reforms have produced a rapidly expanding economy and trade with the United States has increased dramatically. Increasing numbers of Chinese are able to afford travel to the United States, for business, tourism, professional development and education. China is the second largest source of foreign students studying in the United States, with 62,000 mainland Chinese students choosing to enroll in U.S. academic institutions.

Nonimmigrant visa application rates in China were dampened by 9/11 and the SARS outbreak. Although the level of applications is still 13.5 percent below what it was before 9/11, demand for visas is returning. Visa issuance in China increased in FY 2004 by 21 percent, and grew an additional 24 percent in FY 2005.

The Department is responding to the dramatic increase in visa demand with a combination of more efficient management practices and increases in

staffing and physical space in consular sections. In March 2004, Mission China established a user-pays call center to provide visa information and visa interview appointments for applicants from all over the country. Consular sections in Beijing and Guangzhou are returning issued visas via the Chinese national postal system; Shanghai will shortly follow suit. Together, these management initiatives allow consular staff to concentrate on border security issues and ease acute pressure on consular facilities, while providing better service to Chinese visa applicants.

On the diplomatic front, the Department persisted with lengthy negotiations that have resulted in the reciprocal extension of visa validity for business travelers and tourists between China and the United States. On January 15, 2005, the validity of business and tourist visas has been extended to twelve months, multiple-entry, reducing the number of annual applications required of regular Chinese travelers to the United States. Visa validity for students and exchange visitors was extended in summer 2005.

Meanwhile, Beijing, Shanghai, and Guangzhou have all worked with local American Chambers of Commerce to implement programs similar to the India BEP program, facilitating the issuance of business visas to employees, and in some cases customers and clients, of American companies. In CY 2004, Beijing processed over 6,200 American Chamber of Commerce-related visa applicants with a 95 percent issuance rate; the number rose to 10,000 in FY 2005. Shanghai has processed a similar number of business visas in 2005. Seventeen large, non-American multinationals such as BP, Nortel, Nokia, and Samsung have also been invited to participate in this business facilitation program. The Department's ability to meet workload demands is limited by other personnel resources and physical plant requirements. Nine new consular adjudicating officer positions were created for China in FY 2004 and FY 2005. During that same period, an additional five new consular officers replaced the consular associates who were adjudicating visas. The Bureau of Consular Affairs has preliminary plans for six more officer positions in FY 2006, and is currently discussing the best distribution among the six consular sections in China.

Embassy Beijing and the U.S. consulates in China have made significant strides forward with regard to facilities. The Consulate in Guangzhou, which also processes all immigrant visas for China, moved into new consular facilities in August 2005. The new facility offers four times the office space of the old site, boasting forty interview windows that have been

put to immediate use to meet backlogs in non-immigrant and immigrant visa processing. The move is a temporary solution until a new consulate compound is completed, but a great improvement over the previous site in a hotel annex, which offered only 13 interviewing windows. With regard to staffing, the Bureau of Consular Affairs has provided additional temporary support to the immigrant visa section in Guangzhou and is sending a “swat team” in April 2006 to enable the post to adjudicate the most urgent cases.

The Department also made physical improvements to the existing consular sections in Beijing and Shenyang, including additional interview windows. Nevertheless, Shanghai’s two-year old new facilities are already near capacity and the consular section in Beijing will continue to suffer from tight working spaces until the embassy moves into a completely new building in 2008. The Embassy and Consulates in China are currently working at full capacity to serve the visa needs of travelers from China and appointment wait times in China range from two weeks to a month.

The Future

At all levels, the Department’s representatives in India and China are involved in an aggressive public outreach campaign to communicate to the governments of India and China, and to the public about the improvements to visa processing in each country. The bottom line is that the Department of State is committed to ensuring that the visa application process, or perceptions about it, does not serve as an impediment to legitimate travel to the United States.

In fact, consular officers at 211 visa-adjudicating posts worldwide are dedicated to this goal. In order to adjudicate over 7 million visa applications annually, the Department of State has augmented the resources dedicated to processing visas, creating more than 515 consular positions since September 2001. The Department has enhanced the training of consular officers overseas in interviewing techniques and counterterrorism, while continuing to also emphasize the need for efficiency and the facilitation of travel by legitimate travelers. The Department has invested heavily in automating the system for transmitting and receiving interagency security clearances.

The results are incontrovertible. Now, 97 percent of all visa applicants around the world who are found qualified to receive visas get them in one or two days from the day they are interviewed. For the two-and-a-half percent

of visa applicants who, for national security reasons, are subject to additional screening, the Department has streamlined the process so that even this small percentage of the overall number of applicants can expect an answer promptly.

The Department of State is encouraged by reports from consular sections around the world of a rise in nonimmigrant visa applications, as well as those documenting steady increases in U.S. visitation utilizing the Visa Waiver Program over the last year. The Department hopes that these developments signal a resurgence in nonimmigrant visa applications worldwide.

In preparation for additional growth in workload, we are exploring the possibility of replacing current, paper versions of the visa application forms with a completely electronic, interactive model. The Bureau of Consular Affairs already offers an electronic visa application form to facilitate data entry. Implementing an interactive online application would allow the Bureau additional scope and flexibility in conducting security namechecks, fraud investigations and biometrics checks in advance of a visa interview, further streamlining the application process.

I believe the Bureau of Consular Affairs has acted with ingenuity and resolve to apply our experience and resources to re-engineer visa processing to the extent we are able under existing legislation. The result of these efforts is that we have improved the efficiency and integrity of the nonimmigrant visa process and have reduced significantly delays and uncertainty about visa processing. The Bureau of Consular Affairs is committed to continuing to employ all means at our disposal, especially our leading-edge technology, to further improve the efficiency of visa processing without sacrificing national security.

There are very real constraints, both legal and practical, on consular operations. In the post 9-11 era, Consular Affairs operates under a new set of legal and policy mandates designed to enhance national security in the visa process. It is clear that improved management practices and incremental resource enhancements will not be sufficient to keep up with future demand for nonimmigrant visas.

Accordingly, in addition to the near- and mid-term changes that the Department of State can accomplish internally, or in coordination with our

interagency partners, we are looking further into the future. The Bureau of Consular Affairs has conducted a methodical approach to strategic planning we call the “Futures Study.” Through this study, the Bureau has attempted to determine the extent and composition of anticipated explosive growth in visa demand during the decade from 2007 to 2017 so that we can develop and evaluate options for meeting the demand. The Bureau contracted a private firm to conduct a first-ever sophisticated analysis of nonimmigrant visa demand initiators or “drivers,” and to apply the results of that analysis to projected demographic, commercial, economic and political trends worldwide over the target time period.

Mr. Chairman, members of the Committee, I thank you for inviting me to participate in this hearing and explain the Department’s commitment to maintaining both “Secure Borders” and “Open Doors.” The Department’s plans to achieve this goal are informed by our absolute commitment to supporting our important relationships with India and China, as well as legitimate travel from all over the world.

I look forward to answering your questions.