DEPARTMENT OF STATE

WRITTEN STATEMENT

OF

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DEPARTMENT OF STATE

BEFORE THE

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

SUBCOMMITTEE ON NATIONAL SECURITY

HEARING

ON

SECURING THE U.S. BORDER, B1/B2 VISAS AND BORDER CROSSING CARDS

NOVEMBER 14, 2013

Good morning Chairman Chaffetz, Ranking Member Tierney, and distinguished Members of the subcommittee. I thank you for calling this hearing today and for your unwavering commitment to the Department's twofold mission to keep America safe while welcoming legitimate visitors who grow the U.S. economy and create jobs. Consular officers worldwide balance both goals each day as they adjudicate thousands of B nonimmigrant visitor visas and Border Crossing Cards, and I am glad to have the opportunity to elaborate on this process today.

Most foreign visitors in the B nonimmigrant category are admitted through the Visa Waiver Program, which allows nationals of certain designated countries to be admitted to the United States for a period of up to 90 days without obtaining a visa.[1] In addition, Canadian citizens can be admitted to the United States in the B category, and most other nonimmigrant categories, without a visa. Accordingly, this statement focuses on the Department's processes with respect to those foreign visitors who do require a visa or a Border Crossing Card for admission to the United States.

I will begin with an overview of the B category, including trends in demand for visitor visas as well as the application and interview processes. I will then describe the multi-layered security screening processes we have created in tandem with our

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[1] The following 37 countries are Visa Waiver Program participants: Andorra, Australia, Austria, Belgium, Brunei, Czech Republic, Denmark, Estonia, Finland France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Portugal, Romania, San Marino, Singapore, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, Taiwan (please see note below) and the United Kingdom.

With respect to all references to "country" or "countries" on this page, it should be noted that the Taiwan Relations Act of 1979, Pub. L. No. 96-8, Section 4(b)(1), provides that "[w]henever the laws of the United States refer or relate to foreign countries, nations, states, governments, or similar entities, such terms shall include and such laws shall apply with respect to Taiwan." 22 U.S.C. § 3303(b)(1). Accordingly, all references to "country" or "countries" in the Visa Waiver Program authorizing legislation, Section 217 of the Immigration and Nationality Act, 8 U.S.C. 1187, are read to include Taiwan. This is consistent with the United States' one-China policy, under which the United States has maintained unofficial relations with Taiwan since 1979.

interagency partners. I will conclude by describing the processes for both B visa refusal and issuance, along with a physical description of the visa foil and the Border Crossing Card.

The B Visa Category

The Department adjudicates visa applications submitted by foreign persons who seek to travel to the United States for a wide variety of reasons, including for immigration as well as a host of temporary purposes such as study, work, and international exchange. The overwhelming majority of nonimmigrant travelers applying for a visa seek to enter the United States for temporary business or pleasure, purposes generally covered by the B nonimmigrant classification. Citizens of Mexico can also qualify for Border Crossing Cards (BCCs), which are B visas issued in card form to facilitate travel across the U.S.-Mexican border. B visa travel includes temporary travel for medical treatment, participation in amateur sports and arts events, and a number of other activities. Formal study and employment involving compensation from a U.S. source are generally prohibited on a B visa. In FY 2013, 77 percent of all nonimmigrant visa issuances were in the B visa categories: nearly 5.8 million of these were issued as B1 (business visitor), B2 (visitor for pleasure), and combined B1/B2 visa foils, while nearly 1.3 million were issued as BCCs to citizens of Mexico.

Receipt of a visa from the Department of State indicates that an individual has been approved to apply for admission to the United States; however, U.S. Customs and Border Protection (CBP) officers make the final admissibility determination at ports of entry.

B Visa Trends

Rapidly rising incomes in countries such as China, Brazil, and India have fueled B visa demand as their citizens increasingly seek to visit, shop, and do business in the United States. According to the Department of Commerce, 66 million international tourists visited the United States in 2012, generating an all-time record $168 billion in revenue, an increase of 10 percent from 2011. Commerce does not yet have complete FY 2013 data, but reports that as of July 2013, tourist spending has risen 9 percent over the 2012 figure. International tourism has a significant impact on the U.S. economy, creating one new American job for every 65 visitors that travel to the United States.

The Department is proud to play a key role in facilitating secure travel for the approximately one-third of visitors to the United States who require a visa (the other two-thirds enter pursuant to the Visa Waiver Program or are Canadians or otherwise visa-exempt). In January 2012, President Obama issued an Executive Order tasking the Department with increasing nonimmigrant visa capacity in China and Brazil by 40 percent and ensuring that 80 percent of nonimmigrant visa applicants worldwide were being interviewed within three weeks of receipt of application by the end of 2012.

State has exceeded President Obama's goals. During the past twelve months, on average, more than 90 percent of applicants worldwide were interviewed within three weeks of submitting their applications. In key markets such as China, consular officers are keeping interview wait times to an average of five days while managing an average annual workload increase of 23 percent over the past three years. Consular officers in Brazil have brought wait times down by 98 percent,

from a high of 140 days in São Paulo, to just two days in September 2013, while also managing an eleven percent jump in annual workload between 2011 and 2013.

The Department's success is partially attributable to the introduction of secure, streamlined processes such as the Interview Waiver Pilot Program (IWPP), which allows consular officers to waive in-person interviews for certain nonimmigrant visa applicants who are renewing their visas, and whose biometric data we have on file. IWPP is operational at more than 90 visa processing posts in more than 50 countries, and consular officers have already waived interviews for more than 500,000 of these low-risk visa applicants. The pilot has been particularly successful in China, where it constitutes 30 percent of Mission China's visa renewal workload. Of course, these applicants are subject to *all* of the security checks conducted for any interviewed applicant. State also concluded an August 2013 validation study of the IWPP, which showed that B1/B2 visa issuances under the IWPP present no greater risk of overstay than interview-based B1/B2 visa issuances.

The Department also increased staff in key markets in order to meet the requirements of the Executive Order. By the end of 2012, State had created more than 40 visa adjudicator positions in China and 50 in Brazil. With these staff increases, State met the President's Executive Order target of a 40 percent capacity increase in Brazil in June 2012 and in China in November 2012. These positions are funded by the application fees paid by visa applicants. State also spent 90 million dollars to upgrade and expand its existing consular facilities in China ($17 million) and Brazil ($73 million) in fiscal year 2012. In China, State opened a new consulate building in Guangzhou in July 2013. Mission China also signed the leases for new properties in Wuhan and Shenyang. Both facilities are expected to

open by October 2015, and each is planned to have 25 windows, an improvement over Shenyang's current six windows. In Shanghai, the Department is continuing its work to renovate space adjacent to the consular section. The project is expected to be completed in December 2013 or January 2014. In Beijing, a former consular section facility was reopened in May 2012 to augment services being provided in the primary consular section there. State will also open new consulates in Brazil in Belo Horizonte and Porto Alegre, and relocate the Recife consulate to a larger facility in FY 2015. In Mexico, State plans to move the consulate general building in Monterrey to a new, larger space in 2014.

B Visa Processing

The Department places a premium on conducting the outreach necessary to ensure that the visa application process is transparent. Every embassy and consulate provides detailed visa application instructions on its website, both in English and the host country language. Consular employees worldwide also engage regularly with local media, travel agencies and other stakeholders to ensure that accurate guidance is broadly accessible.

The B visa application begins when the applicant completes the online DS-160 nonimmigrant visa application. The DS-160 requires the applicant to provide biographical data and information on the purpose of travel and destination, and to answer a series of questions regarding prior criminal and other activity which could signal potential grounds of inadmissibility. The DS-160 is a web-based, interactive form that collects information from applicants and then makes the data electronically accessible to the consular adjudicator through the Consolidated Consular Database. The form provides consular and fraud prevention officers the

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opportunity to analyze data in advance of the visa interview, enhancing their ability to make decisions. The online forms offer foreign language support, but applicants must respond in English to facilitate information sharing between the Department and other government agencies, which are able to view visa-application data in foreign and domestic locations. The online application forms are "smart," meaning that certain answers to questions will trigger follow-up questions. The system will not accept applications if the questions have not been answered fully and "irregular" answers are flagged to ensure that consular officers address them in the interview.

Before an appointment can be scheduled, the applicant must pay the machine readable visa (MRV) fee (which is cost-of-service based and currently set at $160). At most of our posts, fee payment and appointment scheduling are handled offsite through a Global Support Strategy (GSS) contract. In some cases, GSS contractors also collect applicants' biometrics (fingerprints and photos) prior to their visa appointments and provide courier services for the issued visas. The biometrics are verified by American consular officers at the interview. All of these measures assist in limiting the amount of time that each applicant spends in the consular section, as well as limiting the number of visits.

On the day of the visa appointment, applicants may go through several steps before beginning their interview with a consular officer. Depending on a post's volume, applicant pool, and physical layout, a local employee may confirm the accuracy of data submitted on the DS-160 and a cleared American employee may capture fingerprints (or verify fingerprints for applicants whose full prints were collected offsite by GSS contract employees). At small posts with light workloads, the adjudicator may perform all of these functions.

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The B Visa Interview

Like all visa applicants, B category visitors (which include BCC applicants) must qualify under the provisions of U.S. law, primarily the Immigration and Nationality Act (INA), and are inadmissible on grounds relating to, among others, previous immigration violations, membership in terrorist organizations, controlled substance trafficking, and other forms of criminal activity. I will discuss the processes we have in place to screen for these grounds of inadmissibility in a moment. However, B visa applicants are most commonly refused under INA section 214(b), under which all visitor (and most other) visa applicants are presumed to be immigrants (and thus ineligible for a nonimmigrant visa) unless they satisfy the consular adjudicator that they qualify for the visa category for which they are applying. In the B visa context, applicants normally must demonstrate intent to return to their place of habitual residence following a limited period of time visiting the United States, during which they will not engage in activities inconsistent with the visa classification, such as accepting unauthorized employment. Applicants generally overcome the presumption of immigrant intent by demonstrating ties to their place of residence, such as employment, property and family relationships, and an explanation of the proposed travel that is legitimate and credible, taking into account their current life situation.

Most B visa applicants must be interviewed in person by a consular officer. The brief interview affords the applicant an opportunity to present evidence establishing the veracity of his or her application. At the same time, a personal interview allows the adjudicating officer to elicit information necessary to establish the applicant's eligibility for the visa category in question, to reconcile any

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discrepancies in the information provided by the applicant, and to delve more deeply into any potential grounds of inadmissibility.

Consular adjudicators receive exhaustive training in both the application of visa law and the language spoken in the host country through the Department's Foreign Service Institute. Individual posts also provide training on cultural norms, economic and social trends, and fraud patterns. The consular adjudicator brings this combined knowledge to bear in assessing the totality of facts asserted by each individual applicant. When the facts presented by the applicant support the stated purpose of travel and make sense in terms of local norms, the consular adjudicator will generally approve the application, if no grounds of inadmissibility are present. Refusals under INA 214(b) tend to occur when an applicant's purpose of travel does not appear consistent with the B visa category (for example, when a student or work category visa would be appropriate) or when the facts presented, evaluated in light of the adjudicator's knowledge of local norms, fail to overcome the statutory presumption of immigrant intent.

Waiver of Visa Interview

Since 9/11, a risk-based approach grounded on greater and more effective domestic and international information sharing has become a key principle of visa processing policy. This approach enables the United States to channel more resources toward the prevention of high-risk travel while simultaneously increasing the number of legitimate visitors arriving by land, air, and sea. The Electronic System for Travel Authorization (ESTA) prescreening process for Visa Waiver Program (VWP) travelers, international information sharing arrangements, Global Entry, which expedites the movement of low-risk, frequent travelers who proceed directly to automated kiosks upon arrival in the United States, and interagency

counterterrorism and eligibility checks are examples of how U.S. agencies can use information collected from visitors and/or governments in advance of travel to accomplish complimentary and mutually re-enforcing goals of preventing terrorists and serious criminals from traveling to the United States while facilitating the entry of legitimate visitors.

In January 2012, the Department and the Department of Homeland Security (DHS) initiated the two-year Interview Waiver Pilot Program (IWPP) to streamline processing for low-risk visa applicants. The worldwide pilot program allows consular officers to waive in-person interviews for certain nonimmigrant visa applicants who were previously interviewed and thoroughly screened in conjunction with a prior visa application, and who are renewing a previous visa within four years of its expiration. The pilot program also allows consular officers to waive interviews for qualified Brazilian applicants falling into specific age ranges, even when applying for visas for the first time.

All IWPP applications are thoroughly reviewed by a commissioned consular officer, with the applicant's fingerprints, photograph, and biodata undergoing extensive database checks. Consular officers have been directed to require an interview for any applicant who might otherwise qualify for the IWPP, if the application is not immediately approvable upon paper review, including if database checks reveal potential grounds of inadmissibility or other possible concerns. State concluded an August 2013 validation study of the IWPP, which showed that B1/B2 visa issuances under the IWPP present no greater risk of overstay than interview-based B1/B2 visa issuances.

Security Screening

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The Department has built a visa system that leverages state-of-the-art technology, extensive information sharing, highly-skilled and trained officers, and interagency cooperation to facilitate legitimate travel and trade without compromising our nation's security. Whether screening a case during the course of a visa interview or as part of the IWPP, every consular adjudicator has access to the full suite of screening results. The nonimmigrant visa software used to process visitor and other visa categories will not permit the issuance of any visa until all results have been vetted by a cleared U.S. citizen designated by the Department as a consular adjudicator. Whenever adjudicators issue over a database "hit," they must cite the reason for doing so (for example, receipt of approval to waive grounds of inadmissibility from CBP), and consular systems alert supervisors whenever an adjudicator issues over an exact match.

Under the Biometric Visa Program, before a visa is issued, the visa applicant's fingerprints are screened against two key databases. The first database is the DHS's Automated Biometric Identification System (IDENT), which has a watchlist containing available fingerprints of known and suspected terrorists, wanted persons, and immigration law violators. The second database is the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) system (formerly called the Integrated Automated Fingerprint Identification System [IAFIS]), which contains more than 75.5 million criminal history records. More than 10,000 matches of visa applicants with records on the IDENT watchlist are returned to posts every month, normally resulting in visa refusals. In 2011, IAFIS returned more than 66,000 criminal arrest records to posts.

The Biometric Visa Program partners with DHS' Office of Biometric Identity Management (OBIM) (formerly the US-VISIT Program) to enable CBP officers at airports to match the fingerprints of persons entering the United States with the fingerprints that were taken during the visa application process at overseas posts and transmitted electronically to DHS IDENT. This biometric identity verification at ports of entry has essentially eliminated the previous problems of counterfeit and photo-substituted visas, as well as the use of valid visas by imposters.

The Department was a pioneer in the use of facial recognition techniques and remains a leader in operational use of this technology. Consular officers use facial recognition technology to screen all visa applicants against a watchlist of photos of known or appropriately suspected terrorists obtained from the FBI's Terrorist Screening Center (TSC), as well as the entire gallery of visa applicant photos contained in the Department's Consular Consolidated Database (CCD). Currently, more than 109 million visa applicant photos are enrolled in our facial recognition database. Facial recognition screening has proven to be effective in combating identity fraud.

All visa applicants are checked against our automated Consular Lookout and Support System (CLASS), which contains 27 million records of persons found ineligible for visas, or against whom potentially derogatory information exists. CLASS employs strong, sophisticated name-searching algorithms to ensure matches between names of visa applicants and any derogatory information contained in CLASS. This robust searching capability, which takes into account variations in spelling, has been central to our procedures since automated lookout system checks were mandated following the 1993 World Trade Center bombing.

CLASS has grown more than 400 percent since 2001 – largely the result of improved sharing of data among the Department, federal law enforcement agencies, and the intelligence community. Almost 70 percent of CLASS records come from other agencies, including information from the FBI, DHS, DEA, and the intelligence community. CLASS contains unclassified records on known or appropriately suspected terrorists (KSTs) provided by the Terrorist Screening Database, which is maintained by the TSC, and holds unclassified data on KSTs nominated by all U.S. government sources, including records created by the Department of State. We also run all visa applicants' names against the CCD in order to detect and respond to derogatory information regarding visa applicants and visa holders. The CCD contains more than 143 million immigrant and nonimmigrant visa records, going back to 1998. A system-specific version of the automated CLASS search algorithm runs the names of all visa applicants against the CCD to check for any prior visa applications, refusals, or issuances. We also provide a feed of CCD data to several partner agencies, and CCD access to several others. These partners in turn provide us with information on possible visa ineligibilities related to subjects, which we then use to screen visa applicants.

In 2011, we deployed the Enterprise Case Assessment Service, a visa fraud tracking tool that provides a platform to store fraud-related research that used to be stored outside of consular systems. Should fraud be confirmed during the course of a visa interview, consular officers can record that data in this tool, and it will be permanently available to consular officers worldwide should the referenced individual re-apply for a visa.

Kingfisher Expansion (KFE)

Kingfisher Expansion, or KFE, is a new U.S. government system for conducting interagency counterterrorism screening of all visa applicants. The Department launched KFE in June 2013 in partnership with the National Counterterrorism Center (NCTC), and in coordination with our partners at DHS (including CBP and U.S. Immigration and Customs Enforcement (ICE), the FBI, and the FBI's TSC.

KFE checks are initiated when a U.S. embassy or consulate submits electronic "vetting packages" – consisting of visa applicants' electronic visa applications as well as the automated visa cases created in post software – to the NCTC. In an automated process, NCTC compares vetting package data to its holdings in a highly classified environment, and responds to posts within minutes with "red-light/green-light" responses. KFE red-light responses trigger a Washington-based interagency review of the case.

In addition, KFE conducts post-issuance, continuous reviews of all holders of valid visas against emerging threat information. Continuous check "hits" are reviewed by our KFE partners and forwarded to the Department for revocation consideration when appropriate.

A 2011 comparison of pilot results suggested that KFE could, potentially, reduce counterterrorism SAO volume by as much as 80 to 85 percent, and associated administrative costs by as much as $55 million annually. While we have yet to hit this volume reduction target, KFE's early impact has been positive and substantial. The public relations benefit to the United States of not delaying tens of thousands of qualified applicants cannot be quantified but will also be substantial, especially in the Middle East and South Asia.

PATRIOT

PATRIOT is a pre-adjudication visa screening and vetting initiative employing resources from ICE, CBP, and State, established to identify national security, public safety, and other eligibility concerns relating to visa applicants prior to visa issuance. PATRIOT will provide consular officers with a single, unified recommendation from DHS components (ICE and CBP) regarding the eligibility and admissibility of each individual visa applicant. PATRIOT currently is undergoing testing at 20 Foreign Service posts.

The PATRIOT check is planned to operate in conjunction with KFE. PATRIOT utilizes software to automate searches of online visa applications and visa case data against DHS holdings, and employs a team of agents, officers, and analytic personnel from ICE and CBP who perform manual vetting of possible derogatory matches to those holdings. PATRIOT will provide consular officers with a synopsis of analytic findings and recommendations on admissibility through an automated response package sent to State. PATRIOT screening and vetting operations are conducted by ICE and CBP personnel in the Washington, D.C. area.

Interagency Cooperation with the Visa Security Program

The Visa Security Program (VSP), under which DHS establishes Visa Security Units (VSU) staffed with ICE special agents at certain overseas consular posts, is another valuable component of the U.S. government's overall border security program. We have a close and productive partnership with DHS, which has authority for visa policy under section 428 of the Homeland Security Act, and are fully supportive of the mission and the future of the VSP.

The VSP uses the visa application and interview processes as well as the aforementioned PATRIOT vetting to detect and combat terrorism, criminality, and other threats to the United States and the traveling public. ICE special agents assigned to VSUs provide on-site vetting of visa applications and other law enforcement support to our consular officers. When warranted, DHS officers assigned to VSUs will conduct targeted, in-depth reviews of individual visa applications and applicants prior to issuance, and recommend refusal or revocation of applications to consular officers. We work very closely with DHS to ensure to the maximum possible extent that no terrorist receives a visa or is admitted into our country. Currently, 19 VSUs are active at posts in 15 countries.

B Visa Refusal

Based on the information obtained from the DS-160, the visa interview, and multiple layers of security and fraud screening, the visa adjudicator determines whether the applicant is eligible for a visa under the INA. Those who are found ineligible are informed of the grounds for refusal verbally and in writing, with the exception of those denied on certain criminal or security-related grounds, in which case the grounds may not be provided, consistent with applicable law. The Department requires that a supervisory consular officer review at least 20 percent of the refusals made in the consular section each day. The grounds of inadmissibility, consular adjudicator notes, and any supporting documentation are maintained in the CCD, where they are accessible to future Department adjudicators as well as CBP, ICE and USCIS.

A refusal under INA section 214(b) depends on the circumstances of the particular travel and the applicant at that time. Consequently, individuals denied under

AILA InfoNet Doc. No. 13111440. (Posted 11/14/13)

section 214(b) may reapply at any time and might not be found ineligible, if the applicant is able, during a subsequent interview, to present new facts or information that were not presented initially and that establish the applicant's eligibility. Applicants found inadmissible on criminal and other grounds may only receive a nonimmigrant visa if eligible for a waiver of inadmissibility under INA section 212(d)(3)(A) and the consular adjudicator or the Department recommends, and CBP approves, a waiver. Consular adjudicators and the Department recommend such waivers when the applicant is otherwise qualified; does not pose a threat to national welfare or security; and advances a U.S. government interest, which may include travel of representatives of foreign governments, travelers coming at U.S. government invitation, or travel that furthers U.S. economic, cultural, or humanitarian interests. Consular adjudicators recommend waivers to CBP's Admissibility Review Office (ARO) using the Admissibility Review Information Service (ARIS) via the CCD.

B Visa Issuance

Applicants whom an adjudicator finds to be qualified for a B visa and who are not found otherwise inadmissible based on security and fraud checks may be issued visas. It is Department policy to issue maximum validity visas, as determined on the basis of reciprocity, whenever practicable, absent a specific reason for issuing a shorter validity. Under the principle of reciprocity, insofar as practicable, the Department will not issue visas to nationals of a given country with a validity period in excess of the visa validity afforded to U.S. citizens visiting that same country for a similar purpose.

In the case of an issuance, the consular adjudicator also enters notes supporting the decision along with relevant scanned documents into the CCD for use by future Department adjudicators as well as CBP officers at ports of entry.

Lincoln Foil

Aliens approved for travel to the United States are issued a "Lincoln visa foil" in their travel documents. The Lincoln foil is printed on a medium-weight security paper imprinted by ink jet with the recipient's photo and biographic data. The ink is absorbed deeply into the paper's substrata to prevent removal or alteration of the imprinted data. The central visual element of the visa foil is our sixteenth president as enshrined at the Lincoln Memorial.

Locally Employed Staff (LE Staff) are generally responsible for visa printing, but only designated U.S. citizen adjudicators may authorize issuance of a visa (and thus electronically enable its printing) and assume responsibility for visa foils, which must be controlled at all times. The accountable consular officer (ACO, designated in writing by the consular section chief) must maintain inventory records of foils received, their use and disposition, and periodically (at least quarterly) verify the inventory on hand by conducting a physical count. When foil shipments are received, the ACO physically counts the packages of foils, verifies the sequence of serial numbers and records the first and last numbers in an electronic ledger. The ACO dispenses the foils in consecutive order to employees responsible for printing visas and must verify the numbers on each sheet of foils handed out for daily visa production, maintaining a daily electronic record of all foils issued, spoiled or returned to secure storage. The ACO must also record the numbers of foils destroyed or transferred to other posts.

Border Crossing Cards

Recognizing that frequent, sometimes daily, travel across the border is a way of life for many in the Southwest, the United States developed a border crossing card in the 1940s to be used by Mexican citizens in lieu of the combined passport and visa generally required of foreign visitors. The basic laminated card, which contained the bearer's photograph, was initially issued by the former Immigration and Naturalization Service (INS) free of charge and with indefinite validity. Although the card underwent a series of permutations, it contained virtually no security features and was easily counterfeited. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) mandated that any BCC issued after April 1, 1998 contain a biometric identifier and be machine readable. By then, it had become evident that many BCC holders lived far from the border and/or used the cards for travel into the United States beyond the border region (in other words, for B visa purposes). Agreeing that the BCC and the B visa had become inextricably entwined, State and INS formed a partnership to implement the IIRIRA directive: State would adjudicate all applications for BCCs as a subset of B visas, while INS (and, subsequent to 2003, DHS) would produce the cards through its Integrated Card Production System (ICPS).

In its July 2007 report "Security of New Passports and Visas Enhanced, but More Needs to be Done to Prevent their Fraudulent Use," the GAO recommended that the Department reassess security features and redesign travel documents on a regular basis. The recommendation dovetailed with Department planning for the BCC replacement cycle, as Mexican citizens who had received 10-year validity BCCs in the wake of IIRIRA would soon be applying for replacement cards,

offering the Department an opportunity to design a new generation of BCCs. This also led to the Department taking over production of BCCs in addition to the adjudication. On October 1, 2008, the Department issued its first BCC with Radio Frequency Identification (RFID), also referred to as the DSP-150.

Today's BCC incorporates (RFID) technology, state-of-the-art security features and laser engraving. The card's design is reminiscent of the Southwest topography of the United States, with a distinctive color and geometric design. The photograph on the BCC card is laser engraved into the multiple layers of the card, becoming an integral part of the card material. Although the BCC is designed to be read by either RFID or by Machine Readable Zone readers, it is also critical that the card be secure on "face value" for inspection as well. To provide easy visual and tactile verification, and to enhance the integrity of the card, the Department uses state-of-the-art technology to embed an optical variable device (OVD), or kinegram, inside the card, rather than stamping it on the surface. The embedded OVD overlaps the lasered photograph with the personalized data, and any attempt to alter the OVD will destroy the integrity of the card. The embedded OVD is easily recognizable on the face of the card by sight and touch, and provides for quick inspection and verification that the card is genuine. The Department is working on a redesign and update to the BCC, which will be the fourth version since taking over production of the BCC. The Department worked proactively with DHS's Forensic Document Laboratory to ensure that the version four BCC will include the most state-of-the-art security features available on a full polycarbonate, laser-engraved card that includes innovative counterfeit-deterrent features not previously used in secure document design.

To meet CBP's operational needs at land and sea ports of entry, the BCC contains a vicinity-read (RFID) chip which serves as a pointer to a stored record in a secure DHS database. There is no personal data recorded on the chip; the chip contains only a number that can be read by authorized CBP readers mounted at traffic lanes at ports of entry. The number points to the database; personal information of the card holder is relayed to CBP officers' screens as the card holder approaches the inspection booth. Because the card design does not include any technology that would encode or encrypt

bio-data, identity data cannot be tampered with or manipulated, eliminating the possibility that a new or false identity could be associated with the card.

Layered Security and Data Sharing

As I have previously stated in my testimony, the Department embraces a layered approach to security screening to contribute to border security. The Department and DHS continue to work hand in hand to improve procedures and upgrade systems devoted to supporting the visa function. DHS receives all of the information collected by the Department during the visa process. DHS's OBIM (formerly US-VISIT) is often cited as a model in data sharing because the applicant information we provide, including fingerprint data, is checked at ports of entry to confirm the identity of travelers. DHS has broad access to our entire CCD. A menu of reports tailored to the specific needs of each particular unit is supplied to elements within DHS, such as ICE agents assigned to VSUs.

Our systems are specifically designed to facilitate comprehensive data sharing with our partners. We give other agencies immediate access to more than 15 years of

visa data for these purposes, and they use this access extensively in the course of conducting law enforcement and/or counterterrorism investigations.

Working in concert with DHS, we proactively expanded biometric screening programs and integrated this expansion into existing overseas facilities. In partnership with DHS and the FBI, we established the largest fingerprint screening program on the globe. These efforts require intense ongoing cooperation from other agencies. We successfully forged and continue to foster partnerships that recognize the need to supply accurate and speedy screening in a 24/7 global environment. As we implement process and policy changes, we are always striving to add value in both border security and in operational results. Both dimensions are important in supporting the visa process.

Conclusion

The Department recognizes that the United States' long-term interests and security are served by continuing the flow of commerce and ideas that are the foundations of our prosperity and security. The B visitor visa is the cornerstone of this flow, enabling ever-increasing numbers of visitors to experience U.S. culture and contribute to our economy.

The Department has been able to facilitate this important flow of legitimate travelers even while maintaining national security as its number one priority. We have incorporated multiple biographic and biometric checks, supported by a sophisticated global information technology network, into the visa adjudication process. We have built strong partnerships with DHS, other law enforcement agencies, and other relevant agencies to ensure the real-time flow of information

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necessary for keeping our borders secure. Finally, we maintain a sophisticated, highly trained staff of multilingual adjudicators who provide the cultural awareness, knowledge, and objectivity necessary to ensure that the visa function, essential to our economic security, also remains the frontline of border security.

This concludes my testimony today. I will be pleased to take your questions.

Edward Ramotowski is Deputy Assistant Secretary for Visa Services at the U.S. Department of State. He oversees the Visa Office in Washington DC, two domestic processing centers, as well as visa operations at over 200 U.S. Embassies and Consulates abroad.

From August 2006 to July 2009 he served as Principal Officer at the U.S. Consulate General in Guadalajara, Mexico, followed by three years as Managing Director for Visa Services. He has also worked as Special Assistant to the Assistant Secretary for Consular Affairs, Chief of the Consular Section at Embassy Nassau and NIV and ACS Chief in Warsaw. He has also served in Bogota and Kingston. Mr. Ramotowski has served in Washington as a country officer in the Office of Andean Affairs, as well as a watch officer in the Operations Center and on the White House Situation Room staff. He has received several Department of State Superior Honor and Meritorious Honor Awards, as well as the Barbara Watson Award for Consular Excellence.

Mr. Ramotowski joined the Foreign Service in 1986. He is a graduate of Georgetown University and the National War College. He is married to Foreign Service officer Jemile Bertot, and they have two children.