



Department of State



**Homeland
Security**

U.S. Government Border Security Initiatives

The Department of Homeland Security and the Department of State are dedicated to meeting the needs of national security, while facilitating legitimate travel and immigration. Success in this regard will require constant review of our policies and procedures.

We believe that our travel policies are moving in the right direction. Improvements in visa processing and policy build on significant achievements the Department of Homeland Security, the Department of State and other government agencies have accomplished in the past months by working collaboratively to bolster security while welcoming legitimate travelers.

In order keep you better informed of these improvements and to address the concerns of business and academia, we have developed the attached "*U.S. Government Border Security Initiatives*" fact sheet that shows the current policy and processes which impact foreign visitors wishing to travel to the U.S.

We hope that this fact sheet will be of assistance to you and we look forward to working with you on future visa policy issues. We encourage you to provide this document to interested parties and to post it on appropriate online sites.

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BACKGROUND

- The U.S. Government strives continually to ensure the security of the visa process and facilitate legitimate travel and trade to the United States, a goal embodied in the Administration's policy of "Secure Borders and Open Doors."
- The Homeland Security Act and the MOU on its implementation signed by the Department of Homeland Security (DHS) and the Department of State (State) created a partnership between DHS and State on border security and visa issues. Subject to certain exceptions, DHS has the lead responsibility to establish visa policy and final authority over much visa guidance initiated by the Department of State. State manages the overall visa process, with 211 visa processing posts overseas and two domestic centers to support immigrant visa operations.
- The last three years have been a time of unprecedented change in visa and border management practices. Changes in visa processing and border security measures implemented after September 11, 2001, have come under criticism as discouraging foreign students and exchange visitors from choosing the United States to study or conduct research. Business travelers have likewise complained that visa processing has restricted their efforts to advance international business. NSEERS and other issues at the ports of entry have come under fire, and the academic community has been concerned about the implementation of the SEVIS program.
- Over the past year, DHS and State have met with thousands of our stakeholders from academia, tourist and business groups and the healthcare industry. They have not only helped us to better understand the problems, but have also suggested immediate and practical steps for improvements. We listened to those ideas, and are now implementing some of their suggestions.
- DHS and State have worked with the Homeland Security Council, and other interagency partners to change procedures that were causing unnecessary travel delays. This ongoing effort is also looking for methods to better facilitate secure travel through the use of biometrics.
- DHS and State will build upon the initial framework and solid foundation to ensure that we continue to meet our goals to enhance the security of our citizens and visitors while facilitating travel for the millions of visitors we welcome each year.

OVERALL VISA IMPROVEMENTS

- With better electronic data access, removal of unnecessary reviews, and a shortened review period, we have been able to reduce the backlog in visa security programs seen in the immediate aftermath of the 9/11 attacks.
- As a result of this effort, the overall visa process has been shortened and improved, while retaining the necessary security safeguards. Now, 97 percent of the people who apply for visas and are approved receive them within one or two days.
- We have improved the terms of visa reciprocity with China, an effort that will help business persons travel more easily to the United States by increasing the validity period of visas issued in certain categories. Visas for purposes of tourism or business travel are now valid for multiple entries over twelve months, up from six months previously.
- State and DHS are putting particular effort into student, emergency, medical, and business facilitation efforts. State has surveyed business facilitation programs at all 211 visa adjudicating posts and shared examples of successful programs with all of them. We continue an active dialogue to seek ways to improve the processing of visas for business travelers and others.
- State has invested in systems, staffing and outreach to increase the transparency, efficiency, and predictability of the nonimmigrant visa process.
- DHS and State have increased the level of data sharing with other federal agencies to enhance border security and to facilitate more efficient travel by visitors to the United States.
- DHS and State have a policy in place which gives priority processing to international students, exchange visitors, and emergency medical cases.
- State is providing through a centralized website (www.travel.state.gov) the waiting times for Non-Immigrant Visa appointments (e.g. interviews) at all U.S. embassies and consulates. Visa applicants now have more – and more accurate – information available to plan their travel by being able to access current and continuously updated visa appointment wait times and processing times that are posted on their website.

VISA MANTIS AND CONDOR

- DHS and State have worked with the Homeland Security Council and interagency partners to streamline security advisory opinion (SAO) programs such as Visa Mantis and Condor which have caused travel delays, while looking at new ways to facilitate secure travel through the use of biometrics. DHS and State have spent substantial time and effort in streamlining the SAO process. Through better electronic transfers of information and within the interagency context, we have already seen a sizeable decrease in the backlog of SAO reviews. As a result, the visa application process has been made smoother for many applicants, which we hope will help our business, academic, and scientific communities.
- Although only about two percent of all applications need further review in the form of a Washington D.C.-based SAO, in the 2002-2003 period, many of these cases –

especially those subject to further Visa Mantis review for technology transfer reasons – were taking weeks or months to resolve. We helped solve this by streamlining the interagency clearance process and improved use of automation. In fact, State invested one million dollars to convert the paper-based security clearance process to an electronic based system for greater efficiency, accountability and better tracking capability

- Through this interagency process we have been able to extend the validity period of clearances granted to certain groups of scientists and scholars who participate in joint-research programs. Travelers who need to make repeated visits within a given year may now do so without consular officers having to repeat the security clearances as the original Mantis check will still be valid.
- The U.S. Department of State, in consultation with the U.S. Department of Homeland Security, has extended the validity of Visas Mantis clearances for the F (student), J (exchange visitors), H (temporary workers), L (intracompany transferees) and B (tourist and business) categories of visas. This means that if the original visa has expired and a new visa application is filed to return to the previous study or work program in the United States, another Visas Mantis clearance may not be required. Consular officers have the discretion, if warranted, to request a Visas Mantis clearance during any visa adjudication.
- International students (F visas) who have received a Visas Mantis clearance and been issued a visa will benefit from having that clearance be valid for up to the length of the approved academic program, to a maximum of four years. If a student changes academic programs, the clearance will no longer be valid and a Visas Mantis review would be required should the applicant reapply for a new visa.
- Temporary workers (H visas), exchange visitors (J visas) and intracompany transferees (L visas) can receive a Visas Mantis clearance valid for the duration of their approved activity to a maximum of two years. If the nature of the visa holder's activity in the United States changes, the clearance will cease to be valid and a new Visas Mantis review would be required should the applicant reapply for a new visa.
- Business visitors (B-1 visas) and visitors for pleasure (B-2 visas) can receive a Visas Mantis clearance valid for one year, provided that the original purpose for travel, as stated in the visa application, has not changed on subsequent trips.
- In addition to the extension of validity for Visas Mantis clearances, the Department of State has made several other improvements in the Visas Mantis process in the past year. By increasing staffing, improving systems and working with our interagency partners, the Department has been able to decrease the average time to obtain Visas Mantis clearance to less than 14 days. A year ago, the average processing time was 75 days for a Mantis case, 99 percent of Mantis cases from FY-2004 have been cleared and only 1 percent are currently pending for longer than 30 days.

- Visas Condor clearances are now showing a fast average turnaround time. Out of 58,000 Condors checks received this past year, less than 200 have been pending more than 30 days. That's a great improvement over previous statistics.

STUDENT VISAS

- We are keenly aware that America's outstanding academic and research institutions are as valuable to U.S. national security as the overt protection of our borders. DHS and State recognize that one of the foundations of the U.S. academic and scientific communities is vibrant international participation.
- DHS and State are currently involved in interagency discussions to increase the validity of security clearances for a broader range of applicants and hope to announce extensions to the security clearances soon. Our efforts have translated into encouraging results. There are recent positive indicators of resurgence in international travel to the U.S.
- Student and exchange visitor visa applicants receive priority when making appointments for visa processing.
- In December 2004, the Department of Commerce announced that 3.2 million international visitors traveled to the United States in September 2004, an increase of seven percent over September 2003. Arrivals for the first nine months of 2004 totaled 29.1 million, an increase of nearly 13 percent from the same period in 2003, and the U.S. experienced growth in visitation for 12 consecutive months."

SEVIS

- The Student and Exchange Visitor Information System (SEVIS) is a web-based system for maintaining information on international students and exchange visitors and their dependents in the United States. SEVIS is designed to keep our nation safe while facilitating the entry and exit process for foreign students and exchange visitors already in the United States and for students and exchange visitors seeking to come to the U.S.
- SEVIS currently has over 9,000 schools and program sponsors registered and welcomed more than 760, 000 students and exchange visitors with 121,000 of their dependents into the country.
- Since the transfer of school certification responsibility to the Bureau of Immigration and Customs Enforcement on November 1, 2003, more than 7,000 schools were certified to accept nonimmigrant foreign students and each of these schools were given access to SEVIS to maintain up to date information on the 628,000 students enrolled at the certified institutions.
- The Student and Exchange Visitor Program (SEVP) partners with the ICE's Compliance Enforcement Unit (CEU) to ensure that students and exchange visitors and schools and exchange visitor programs that are not in compliance with the conditions of their status are investigated for possible law enforcement action. To date over 3,580 cases were reviewed by

SEVP and about 3,100 of those cases were forwarded to the CEU for further investigation. 352 cases have resulted in arrests as a result of this partnership.

- DHS and State also sponsor outreach events, attend academic conferences, and meet with stakeholders to address any issues that may arise and to keep the public informed of SEVIS progress. DHS has also worked with State to develop informational brochures and fact sheets for international students and exchange visitors.
- Congress mandated that the SEVIS fee be paid prior to visa issuance. We believe that the current fee payment methods and future payment enhancements provide a wide variety of accessible fee payment options for students and exchange visitors. Congress also mandated that the SEVIS Program be fully fee funded. This SEVIS fee will maintain the SEVIS system. There are currently 5 options for SEVIS fee payment:
 1. Pay by check or money order drawn on U.S. funds and sent by mail
 2. Pay on-line with a credit card or debit card
 3. School/Program/third party payments allowed
 4. Certain Exchange Visitor Programs can pay for participants via “bulk” (Group) payment
 5. Western Union Quick Pay Service
- SEVIS real time validation that was implemented in October of 2004 will ensure 100% accuracy of the data submitted by students and exchange visitors paying on the internet and via the lockbox. The fee payment information will be cross checked in real time with the information already in SEVIS on the student or exchange visitor to ensure accuracy of data. Another future fee enhancement will be a new Customer Service Website where students and exchange visitors can verify fee payment on-line. Additional information on the SEVIS program can be obtained at our website at www.ice.gov/sevis.

PORT OF ENTRY ISSUES

- In an effort to raise awareness of professionalism issues, all Customs and Border Protection (CBP) employees have received mandatory training about the importance of professionalism in the CBP workforce. Professionalism training and workshops have also become a permanent part of the CBP Academy basic program.

US-VISIT

- US-VISIT is a program through which biometric and biographic information is collected from foreign visitors at U.S. Embassies and Consulates abroad as well as at U.S. air, sea and land border posts.
- The goals of US-VISIT are to: enhance the security of our citizens and visitors; facilitate legitimate travel and trade; ensure the integrity of our immigration system; protect the privacy of our visitors.
- Currently, US-VISIT requires that most foreign visitors traveling to the U.S. with a visa and arriving at an air or seaport have their two index fingers scanned and a digital photograph taken to ensure that the traveler is in fact the person to whom the visa was issued overseas.

- On September 30, 2004, citizens of 27 countries in the Visa Waiver Program (VWP) started enrolling in U.S.-VISIT at the border. In December of 2004, US-VISIT was installed in the secondary processing sections of the 50 busiest land border ports of entry and will be installed at all ports of entry by December 31, 2005.
- Since the deployment of US-VISIT, over 12.5 million passengers have been processed and over 500 individuals have been identified as inadmissible to the United States due to prior immigration or criminal violations based on the biometrics collected by State and DHS.
- Beginning October 26, 2004, every VWP traveler was required to have a machine-readable passport (MRP), although DHS will parole VWP travelers without a MRP into the U.S. one time, on a case-by-case basis and without a fee until at least April 25, 2005. By October 26, 2005, passports from VWP countries must include biometrics (facial recognition).
- DHS and State have worked very closely together to establish consistent policies related to the use of biometric identifiers in the BioVisa program and in the US-VISIT program. Together, DHS and State have created a continuum of identity verification measures that begins overseas, when a traveler applies for a visa, and continues upon entry and exit from this country. The system stores biometric and biographic data in a secure, centralized database and uses travel and identity documents to access that information for identity verification and watch list checks. This technology has been installed at all overseas visa adjudicating facilities.

NSEERS

- DHS suspended the 30-day and annual re-registration NSEERS requirements in December 2003.
- Once US-VISIT exit capabilities become more universal at ports of entry, both DHS and State anticipate that the departure requirement of NSEERS will be subsumed into US-VISIT requirements applicable to all visitors.
- With respect to the entry portion of NSEERS, DHS and State will explore the collection of relevant information overseas to diminish the number of travelers sent to secondary inspection to collect such information at our ports of entry. The photograph and finger scan of such travelers are captured during the US-VISIT process.