

VISAS: SUPPORTING AMERICAN SECURITY AND COMPETITIVENESS

KEY ISSUE

- The **Department of State's Bureau of Consular Affairs** facilitates travel by foreign students, scholars, and exchange visitors and has achieved significant public diplomacy success despite an exponentially increased workload and a challenging policy environment.

LEGISLATIVE GOAL

- Work with Congress to take the following significant steps to support our consular posts:
 - Restore discretion to consular posts;
 - Continue to increase consular resources and funding;
 - Avoid repetitive processing of frequent visitors; and
 - Establish a special visa category to enhance U.S. competitiveness in the global

PROGRAM DETAILS

In an era of increasing security concerns, the Department of State's Bureau of Consular Affairs (CA) and our embassies overseas have made important progress in facilitating travel by foreign students, scholars, and exchange visitors. They have accomplished significant successes in the midst of an exponentially increased workload and a challenging policy environment.

Over the last eight years, the Alliance and its member organizations have visited more than 40 consular posts in the former Soviet Union, East Asia, Europe, and Latin America. These visits have fostered valuable dialogue between our embassies and the exchange community, and this cooperation has facilitated visa processing at many posts. In the vast majority of cases, our embassies are doing an outstanding job of handling often overwhelming case loads.

To ensure that we achieve both of the critical imperatives of security and openness, we will need policy changes and additional resources. There are several significant steps that Congress could take:

- **RESTORE DISCRETION TO CONSULAR POSTS**

Since the passage of the 2004 Intelligence Reform Act, our embassies are required to conduct a personal interview with virtually every applicant for a visa. This requirement constitutes a particularly serious barrier in large and critical countries such as China, India, Russia, and Brazil, where many applicants must travel long distances at their own expense to appear for an interview. The requirement to interview even those applicants who pose no threat leads to many needless and very brief interviews, an approach that inhibits the State Department's ability to concentrate its resources and scrutiny in areas of greatest need. Particularly in difficult economic times, the economic cost of such a journey poses a significant barrier for many potential applicants and can engender resentment.

Responding directly to the U.S. statutory visa interview requirement for all student visa applicants, several nations, including France, Italy, and Spain, have required personal appearances by all U.S. students seeking visas. This has imposed serious hardship on thousands of young Americans seeking to study abroad. The substantial travel costs associated with such interview requirements result in many American students being unable to afford a study abroad experience in these countries.

Our embassies, in consultation with the Departments of State and Homeland Security, could devise workable country-specific plans to govern waiver of personal appearance. Amending this law should be a high priority in this Congress.

- **CONTINUE TO INCREASE CONSULAR RESOURCES**

In recent years, Congress has provided funding that has enabled the State Department to add more than 570 new consular officers. This process needs to continue. In the context of Secretary Clinton's comments on needed new resources for the State Department, **the Alliance strongly supports efforts to provide funding for additional consular officers and the Department's FY2011 budget request for this purpose.**

- **AVOID REPETITIVE PROCESSING OF FREQUENT VISITORS**

Establish a presumption of approval for those who have previously been granted U.S. visas and who have no status violations. Creating a 'trusted traveller' designation would streamline operations, reduce workload on consular posts, and encourage more high level visitors to come. As an example of the need, American universities report that foreign university presidents and senior scholars, particularly those who live some distance from a U.S. consular post, are reluctant to undertake a long journey for a perfunctory interview. This phenomenon inhibits collaborative research and valuable institutional linkages.

- **ESTABLISH A SPECIAL VISA CATEGORY TO ENHANCE U.S. COMPETITIVENESS IN THE GLOBAL ECONOMY**

As part of any future immigration reform legislation, create a new visa category for international students who receive an advanced degree from a U.S. institution of higher education so as to establish a clear pathway to permanent residence upon degree completion for those who desire to remain in the U.S. and contribute to our economy.