

**STATEMENT OF DONNA A. BUCELLA**  
**DIRECTOR, TERRORIST SCREENING CENTER,**  
**BEFORE THE HOUSE COMMITTEE ON GOVERNMENT REFORM,**  
**SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING THREATS, AND**  
**INTERNATIONAL RELATIONS**  
**VISA REVOCATIONS II: STILL POROUS, SLOW TO FIX**

**July 13, 2004**

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Good morning Chairman Shays and members of the Subcommittee. Thank you for the opportunity to discuss the missions and objectives of the Terrorist Screening Center (TSC) as they relate to the visa revocation process.

Homeland Security Presidential Directive 6 (HSPD-6), issued on September 16, 2003, ordered the creation of the TSC, directing its operations to begin on December 1, 2003. The TSC was created to consolidate the United States Government's approach to screening for known and suspected terrorists and to provide for the appropriate and lawful use of terrorist information in this process. The TSC ensures that government investigators, screeners, federal agents, and state and local law enforcement officers have ready access to the information and expertise they need in order to respond quickly when a known or suspected terrorist is encountered here in the United States, at our borders and at our embassies. Today, I will tell you about our daily operations as they relate to the U.S. Department of State and the TSC's role in the visa revocation process. I will

provide as much information as I can in this open forum, however, I will be happy to provide additional, classified details in a closed setting at your request.

### **TSC Operations**

The TSC is a multi-agency center, including participants from the FBI, Departments of Justice, Homeland Security, State, and Treasury. Being a diverse center manned by personnel from all of those agencies, we coordinate terrorist screening efforts across the full spectrum of federal, state and local government agencies, and share information pursuant to the applicable legal framework.

Since December 1, 2003, TSC has been providing key resources for screeners and law enforcement personnel. These include: (1) a single coordination point for terrorist screening data; (2) a 24/7 call center for encounter identification assistance; (3) access to a coordinated law enforcement response; (4) a formal process for tracking encounters; (5) feedback to the appropriate entities; and (6) a process to address misidentification issues.

The TSC has consolidated the names of all known or suspected terrorists within the Terrorist Screening Database (TSDB). TSDB is fed from two primary sources; international terrorist (IT) information from the Terrorist Threat Integration Center (TTIC) and domestic terrorist (DT) information from the FBI. The TSDB has the names of all known and suspected terrorists in ten (10) of the twelve (12) databases described in the April 2003 GAO report entitled, "Information Technology: Terrorist Watch Lists

Should Be Consolidated to Promote Better Integration and Sharing.” The ten databases that are currently incorporated into TSC are:

1. Consular Lookout and Support System (CLASS) – Department of State
2. TIPOFF – Terrorist Threat Integration Center
3. Interagency Border Inspection System (IBIS) – Department of Homeland Security
4. No-Fly – Department of Transportation
5. Selectee – Department of Transportation
6. National Automated Immigration Lookout System (NAILS) – Department of Homeland Security
7. Warrant Information – Justice Department
8. Violent Gang and Terrorist Organization File (VGTOF) – Justice Department
9. Interpol Terrorism Watch List – Justice Department
10. Air Force Top Ten Fugitive List – Department of Defense

IBIS and CLASS are updated at the TSC daily. Prior to incorporation with the TSC, these two systems were updated on a weekly basis. The only two databases not incorporated into TSC at this time are the Automated Biometric Identification System , which resides with Immigration and Customs Enforcement (ICE), and the Integrated Automated Fingerprint Identification System, which is housed at the FBI.

Key to the success of the TSC’s mission was to push TSDB’s information out to agencies across the spectrum. This is now being done. There are three fundamental types of inquiries: interior (within the U.S.), border (at the points of entry at our borders

and ports) and exterior (outside the border). Interior inquiries will normally be made by local law enforcement. Border inquiries are made by U.S. Customs and Border Protection. Exterior inquiries are conducted by the State Department.

The process for making an internal inquiry is relatively simple. A police officer checks the National Crime Information Center (NCIC) database on a routine traffic stop, and is advised to call the TSC because the person stopped has similar identifying information to a known or suspected terrorist. When the officer contacts TSC, we verify and authenticate the caller's identity, record the information and circumstances of the encounter, and check the name through TSDB. The TSDB includes the name, date of birth, passport number, country of origin, and other identifying information for known or suspected international terrorists. The call center quickly researches the underlying information, including classified, sensitive information and makes a determination as to whether the person encountered is the same person as the one in our database, TSDB. If we have a positive match, we forward the call to our operational component at the FBI's Counterterrorism Division, the Counterterrorism Watch Center (CT Watch). CT Watch coordinates with the officer and directs the law enforcement response. CT Watch also dispatches the local Joint Terrorism Task Force (JTTF) to respond. In some cases, officers provide valuable information from a simple car stop, and in other cases, JTTF agents will respond to assist.

In addition to serving local law enforcement, the TSC receives a high volume of calls from Customs and Border Protection (CBP) inspectors who are stationed on the

Nation's borders. A typical CBP call involves incoming passengers on an international flight. A CBP inspector will query the TSC's data and may receive several possible suspected terrorist hits from the Interagency Border Information System (IBIS) and NCIC. The CBP inspector will go through their National Targeting Center (NTC), where the record will be screened, analyzed, and then passed to TSC. Our process is the same as it would be for a law enforcement call, that is, to quickly examine the underlying record, and determine whether the individual is identical to the person in the Terrorist Screening Center Database. The TSC then appropriately passes any derogatory information on the subject, and CBP makes a determination on whether the individual will be allowed into the United States. One example happened in June when a family attempted to travel to the U.S. The father was a positive match with derogatory information. Based on the derogatory information, the family was denied entry into the U.S. and their visas were revoked.

### **Visa Authority and TSC's Involvement**

Consular officers are our first line of defense in keeping known and suspected terrorists out of our Homeland by denying visas to these individuals. In this regard, State Department assignees at the TSC are continuing the work of vetting visa applications against the TSDB, a process handled by Security Advisory Opinions. Since December 1,

2003, when the TSC began operations, State Department assignees and their staff at the TSC have reviewed over 90,000 Security Advisory Opinions to determine if the visa applicants described in these cables were possible matches with individuals in the TSDB. For example, in December, an individual with links to a terrorist organization applied for a visa at a U.S. consulate overseas. As the Department of State has the sole authority to issue, deny, and revoke visas, the TSC works hand-in-hand with the Bureau of Consular Affairs on these issues. Accordingly, consular officials denied the visa based on the TSC's analysis that the individual was a match and the TSC's arranging for the provision of the background derogatory information to Consular Affairs. The same process applied to a senior member of a proscribed terrorist organization based overseas. His visa was also denied.

Cases in which visas were issued *before* derogatory information was known about the visa applicant require vetting to determine if a visa revocation is warranted, the focus of this hearing.

Since the TSC was established, the TSC has alerted the Department of State to the need to review over 180 cases for possible visa revocation, as the Department of State has the sole authority to issue, deny, and revoke visas. Standard Operating Procedures are in place at the TSC to detail its part in this process, as follows:

- The TSC reviews and analyzes any possible matches of names derived from this Consular Consolidated Database (CCD) to determine if a visa holder is a possible

match with an individual in the TSDB. If the individual is a possible match, the TSC arranges for the Bureau of Consular Affairs to receive the record's supporting documentation. As supporting documentation varies in its depth and detail, the Bureau of Consular Affairs must examine it carefully to determine whether it supports revocation. A possible match is defined as having at least two biographic elements sufficiently in common to warrant acting on the possibility that the visa holder is the person to whom the information pertains.

- The Bureau of Consular Affairs notifies the TSC when a visa is revoked, and the appropriate notations are made in the database

I would like to emphasize that there is no backlog of visa revocation cases to be reviewed at the TSC at this time. The process of clearing the backlog for screening purposes was begun at State before its cadre moved to the TSC, and finished here.

### **Meeting Challenges and Reform**

The TSC, as an interagency entity, is well-positioned to assist communications between agencies. On May 18, 2004, TSC chaired a meeting of U.S. agencies involved in the visa revocation process to discuss ways it could assist in the coordination of actions required after the Department of State revokes a visa. The TSC has been active in determining whether, for instance, there are any pending law enforcement investigations

on individuals whose visas are pending revocation or have been revoked. The TSC also lets ICE know of possible visa revocations to speed the notification process.

In those circumstances where a pending investigation has been identified, that FBI Case Agent is notified of the subject's status and directed to coordinate with the local ICE Agent. In many instances, the FBI Case Agent and local ICE Agent are on the same JTTF (Joint Terrorism Task Force). In those cases where no investigation has been initiated, TSC notifies and requests ICE and other FBI entities to locate the individual. Once located, the local FBI and ICE offices are notified and directed to coordinate actions which result in the initiation of an investigation and/or threat assessment. The TSC facilitates communications between the various agencies so that cases can expeditiously be initiated on those individuals whose visas have been revoked but remain in the United States.

## **Conclusion**

TSC is a multi-agency organization, working closely with Departments of State, Justice, Homeland Security, and Treasury, contributing to nationwide efforts to keep terrorists out of the U.S. and locate those who may already be in the country.

Since December 1, 2003, we have screened over 5,000 calls, including more than 700 exterior inquiries. We have reviewed over 90,000 Security Advisory Opinions and alerted the Department of State to over 180 possible visa revocations. We look forward to working with the Subcommittee in its efforts to on national security matters.