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## **Statement of Rep. Christopher Shays July 13, 2004**

Entry by a non-citizen into the United States is a privilege, not a right. For a variety of reasons, a request for a visa may be denied. If those reasons arise only after a visa is issued, it can be revoked. The discretionary process of visa revocation is an important tool used by the Departments of State and Homeland Security (DHS) to protect our borders.

But when a visa is revoked after the alien has arrived here, what happens?

Thirteen months ago, at a hearing on visa revocation as a counterterrorism tool, the General Accounting Office (GAO) described a process riddled with flawed communications within and between agencies. Poor coordination and haphazard follow up meant suspected terrorists who entered the United States were not being tracked or removed. Parallel, inconsistent data systems treated visa revocation actions differently, creating confusion about the number as well as the status of aliens no longer welcome here.

We were assured the problems would be fixed. We were told new procedures were being implemented to share visa revocation information quickly and effectively. We were assured the language of the visa revocation instrument would be reviewed to close the apparent loophole making the revocation effective only after the alien left the United States. We asked GAO to audit compliance with those commitments.

More than a year later, GAO reports some progress strengthening revocation processes, but finds continuing delays and disconnects plaguing the system. Information about visa revocations based on terrorism concerns can still take weeks or months to appear on watch lists used at the border. DHS may not investigate some aliens who entered or remain in the United States on a revoked visa. Discussions of a regulatory change to permit removal of an alien holding a revoked visa seem stuck in a legalistic and bureaucratic quagmire.

Border security against terrorists depends upon multiple layers of protection. One of those layers, the visa revocation process, remains partially blind and needlessly porous to incursions by individuals who might pose a grave risk to our security. We continue to look for far sharper use of the visa revocation tool to turn away, or if necessary remove, anyone intent on abusing the privilege of visiting our shores.

We know all our witnesses share that goal, and we look forward to their testimony.