

Statement and Recommendations on Visa Problems Harming America's Scientific, Economic, and Security Interests

We, the undersigned American organizations of higher education, science, and engineering are strongly committed to dedicating our combined energies and expertise to enhancing homeland and national security. Our nation's colleges and universities and scientific and technical organizations are the engines of new knowledge, discoveries, technologies, and training that power the country's research enterprise and contribute greatly to economic and national security. Moreover, they are important hubs of international scientific and technical exchanges and they play a vital role in facilitating educational and cultural exchanges that help to spread our nation's democratic values.

We strongly support the federal government's efforts to establish new visa policies and procedures to bolster security; however, we believe that some of the new procedures and policies, along with a lack of sufficient resources, have made the visa issuance process inefficient, lengthy, and opaque. We are deeply concerned that this has led to a number of unintended consequences detrimental to science, higher education, and the nation.

In particular, there is increasing evidence that visa-related problems are discouraging and preventing the best and brightest international students, scholars, and scientists from studying and working in the United States, as well as attending academic and scientific conferences here and abroad. If action is not taken soon to improve the visa system, the misperception that the United States does not welcome international students, scholars, and scientists will grow, and they may not make our nation their destination of choice now and in the future. The damage to our nation's higher education and scientific enterprises, economy, and national security would be irreparable. The United States cannot hope to maintain its present scientific and economic leadership position if it becomes isolated from the rest of the world.

We are resolute in our support of a secure visa system and believe that a more efficient system is a more secure one. We also are confident that it is possible to have a visa system that is timely and transparent, that provides for thorough reviews of visa applicants, and that still welcomes the brightest minds in the world. It is not a question of balancing science and security, as some have suggested. These priorities are not mutually exclusive; to the contrary, they complement each other, and each is vital to the other. Indeed, in the near term, some international scientists and engineers are directly contributing towards helping to win the war on terrorism. In the long run, a robust network of global interactions is essential to winning this war. Our nation needs a visa system that does not hinder such international exchange and cooperation.

The Departments of State and Homeland Security have responded to some of our concerns by taking steps to make the visa process less cumbersome and more transparent. However, serious problems remain, and it is in the hope of resolving these issues collaboratively that we offer the following recommendations:

Problem: Repetitive security checks that cause lengthy visa issuance delays.

Recommendation: Extend the validity of Visas Mantis security clearances for international students, scholars and scientists from the current one-year time period to the duration of their course of study or academic appointment. When those who have received a favorable Security Advisory Opinion from Visas Mantis apply to renew their visas, consular officers could confirm that the applicants have not changed their program of study or research since issuance of their original clearances. This would eliminate a redundant procedure that sometimes causes unnecessary delays and hardships.

Problem: Inefficient visa renewal process that causes lengthy delays.

Recommendation: Establish a timely process by which exchange visitors holding F and J visas can revalidate their visas, or at least begin the visa renewal process, before they leave the United States to attend academic and scientific conferences, visit family, or attend to personal business. A visa renewal process that allows individuals to at least initiate the process before leaving the country would greatly diminish, and in many cases eliminate, lengthy visa delays, and it would allow them to continue their studies and work uninterrupted.

Problem: Lack of transparency and priority processing in the visa system.

Recommendation: Create a mechanism by which visa applicants and their sponsors may inquire about the status of pending visa applications, and establish a process by which applications pending for more than 30 days are given priority processing. Implementing these measures would greatly add to the transparency of the visa process and would help to ensure that applications do not get buried at the bottom of the pile or lost.

Problem: Inconsistent treatment of visa applications.

Recommendation: Provide updated training of consular staff, establish clear protocols for initiating a Visas Mantis review, and assure that screening tools are being used in the most appropriate manner. We recognize that the government is pursuing efforts to enhance training, and we encourage this. Consular staff need the best available tools and training to perform their vital responsibilities. Additional training and guidance for consular staff could greatly enhance security while simultaneously reducing the number of applications submitted for Visas Mantis reviews, thereby alleviating potential delays.

Problem: Repetitive processing of visa applications for those with a proven track record.

Recommendation: Revise visa reciprocity agreements between the United States and key sending countries, such as China and Russia, to extend the duration of visas each country grants citizens of the other, thereby reducing the number of times that visiting international students, scholars, and scientists must renew their visas. We recognize that renegotiating bilateral agreements is a time-consuming process, and we believe it should be pursued as a long-term measure that allows the government to focus its visa screening resources by reducing the number of visa renewals that must be processed.

Problem: Potential new impediment to international students, scholars, and scientists entering the U.S. created by proposed SEVIS fee collection mechanism.

Recommendation: Implement a fee collection system for the Student and Exchange Visitor Information System (SEVIS) that allows for a variety of simple fee payment methods that are quick, safe, and secure, including payment after the individual arrives in the United States.

Additional funding and staffing resources across the agencies involved in visa adjudications are essential to the above recommendations and to an effective visa system. Congress and the Administration should ensure that adequate resources are provided.

We are committed to working with the federal government to construct a visa system that protects the nation from terrorists while enhancing our nation's security not only by barring inappropriate visitors but also by enabling the brightest and most qualified international students, scholars, and scientists to participate fully in the U.S. higher education and research enterprises. We believe that implementing the recommendations above will help to make this goal a reality.