

103^D CONGRESS
1ST SESSION

H. CON. RES. 119

To urge the Secretary of State to provide to the Congress an emergency plan to vastly improve the visa issuance process of the Department of State to prevent terrorists from entering the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 13, 1993

Mr. GILMAN submitted the following concurrent resolution; which was referred to the Committee on the Judiciary

CONCURRENT RESOLUTION

To urge the Secretary of State to provide to the Congress an emergency plan to vastly improve the visa issuance process of the Department of State to prevent terrorists from entering the United States.

Whereas recent terrorist acts in the United States have made it abundantly clear that terrorism has come to American soil, and now threatens the very security of the Nation;

Whereas it is evident from recent revelations that the State Department's current visa operations and procedures are not adequate to provide a modern front line defense to prevent terrorists from entering the United States under visas provided by United States embassies and consular posts around the world;

Whereas many overseas State Department posts are still using outdated and inefficient microfiche systems to maintain visa lookout and watch lists for known or suspected terrorists who may seek United States visas to travel to the United States;

Whereas the lookout list microfiche system is outdated, not easily maintained or updated in a timely fashion, is labor intensive and easily subject to human error, and is totally inadequate and outmoded in this era of modern communications and travel;

Whereas many United States embassy and consular posts are still on the outdated microfiche system in many areas of the world where the threat is great from terrorists and drug dealers or narcotics traffickers who may desire visas to enter the United States;

Whereas the microfiche visa lookout system has already resulted in the unfortunate and mistaken entry of radical Sheik Omar Abdel Rahman into the United States on a United States visa, despite his links to known terrorist activities prior to issuance of the visa;

Whereas the mistaken issuance of the visa to Sheik Rahman in error in Khartoum in 1990, despite the fact he was on the State Department's lookout list on microfiche at this post for possible terrorist links, has created numerous and serious problems for the United States, including his possible inspiration and encouragement of terrorism following his entry into the United States, both here and in Egypt by his followers;

Whereas several of Sheik Rahman's followers have been arrested in connection with the New York Trade Tower bombing or relating to a terrorist plot to attack the

United Nations complex, New York City commuter tunnels, the Secretary General of the United Nations, and political leaders in the United States, and many of those arrested entered the United States with visas issued by the State Department;

Whereas the entry of Sheik Rahman into the United States by the mistaken issuance of a visa by the State Department has even reportedly strained our relations with the Government of Egypt;

Whereas it is also evident that the necessary information sharing within the State Department, and with other United States law enforcement and intelligence agencies on possible terrorists or other criminal elements, is not being conducted on an appropriate basis to make the visa lookout system current and effective enough to prevent possible terrorists from entering the United States with visas;

Whereas the shortcomings and failures in the current visa processing system at the Department of State have been well known by the Department for many years and no major overhaul, improvements, or recommendations to overhaul the system are forthcoming from the Department of State, the Inspector General, or the General Accounting Office for several months;

Whereas a 1991 Department of State Inspector General audit of the visa referral system at the Department found serious shortcomings in the automated visa lookout system (AVOLS), including “Information regarding foreign nationals with serious grounds for visa ineligibility” was not always in the automated visa lookout system even though government agencies had this information available;

Whereas the same 1991 audit also found that “At one post visited it was determined that not all convicted drug traffickers in the Drug Enforcement Agency local data base were in AVOLS”;

Whereas the same 1991 audit went on to find that “The absence of this information (law enforcement data) poses a serious problem to the nonimmigrant visa process since it can result in the issuance of visas to dangerous and undesirable individuals.”;

Whereas the Department of State, on the basis of the 1991 audit, has been on notice of the shortcomings in the visa lookout system for more than 2 years, and apparently little or no progress has been made to improve the system;

Whereas recently the Secretary of State has personally acknowledged the need to modernize the visa system to meet the new threat of terrorism directly targeted at the United States;

Whereas the American people demand and expect the Department of State to maintain an effective and modern system to prevent terrorists from obtaining visas to travel to the United States and threaten property, institutions, and lives in the United States; and

Whereas the current visa processing system and procedures at the Department of State are totally incapable in meeting the new threat of international terrorism to the United States and threaten the very security and safety of the United States: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That it is the sense of the Congress that the
- 3 Secretary of State, within 60 days after the date of adop-

1 tion of this resolution, should submit a report to the Con-
2 gress setting forth an emergency plan to improve visa issu-
3 ance procedures and equipment and to modernize the visa
4 processing system including—

5 (1) short-term and immediate plans to modern-
6 ize high threat United States posts around the globe
7 now currently on outdated microfiche;

8 (2) plans to improve information sharing within
9 the Department of State itself to keep the visa look-
10 out system current and updated on possible terrorist
11 who might seek visas to travel to the United States;

12 (3) plans to improve information sharing with
13 other United States agencies to provide timely and
14 efficient exchange of information for inclusion in the
15 visa lookout system to prevent terrorists and other
16 alien criminal elements from gaining access to the
17 United States under visas issued by United States
18 embassies and consular posts overseas;

19 (4) a date certain when the Department of
20 State will resume checking the criminal record his-
21 tories of visa applicants with the Federal Bureau of
22 Investigation, prior to issuance of any visa, as was
23 the case prior to 1991; and

24 (5) long-term plans to make the visa lookout
25 and watch system a modern and effective tool to

1 prevent terrorists, and other criminal elements, from
2 gaining easy access to the United States under visas
3 issued by United States embassies or overseas con-
4 sular posts.

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