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Report to the Chairman, Committee on
Government Reform, House of
Representatives

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BORDER SECURITY

State Department Rollout of Biometric Visas on Schedule, but Guidance Is Lagging



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Highlights

Highlights of [GAO-04-1001](#), a report to the Chairman, Committee on Government Reform, House of Representatives

Why GAO Did This Study

As a complement to the Department of Homeland Security's (DHS) United States Visitor and Immigrant Status Indicator Technology (US-VISIT) program—a governmentwide program to better control and monitor the entry, visa status, and exit of visitors—the State Department (State) is implementing the Biometric Visa Program at all 207 overseas consulates by October 26, 2004. This program, required by the Enhanced Border Security and Visa Entry Reform Act of 2002, requires that all persons applying for U.S. visas have certain biometrics (fingerprints) and a digital photograph collected during the visa application interview. This information must be cleared through the DHS Automated Biometric Identification System (IDENT) before an applicant can receive a visa. GAO reviewed State's rollout of the program, including its implementation progress and how State and DHS envision the program being used to help adjudicate visas.

What GAO Recommends

GAO recommends that DHS and State develop and provide to consular posts guidance on how the program should be used to help adjudicate visas and that State direct each consular post to develop an implementation plan based on this guidance.

DHS and State generally concurred with these recommendations.

www.gao.gov/cgi-bin/getrpt?GAO-04-1001.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Jess Ford at (202) 512-4128 or fordj@gao.gov.

BORDER SECURITY

State Department Rollout of Biometric Visas on Schedule, but Guidance Is Lagging

What GAO Found

State is installing the equipment and software for the Biometric Visa Program on schedule and will likely meet the October 26, 2004, implementation deadline. However, DHS and State have not fully developed guidance for the program's use. As of September 1, 2004, State had installed program hardware and software at 201 out of a total of 207 overseas posts and plans to complete the installation at the remaining 6 posts by September 30. The posts with the program are now collecting fingerprints of each visa applicant and processing the prints through the DHS IDENT database. Although the technology installation has progressed smoothly, DHS and State have not developed and not provided comprehensive guidance that includes directions to consular officers on when in the visa process prints are to be scanned and when and how information from the IDENT database on visa applicants should be considered by consular officers. In the absence of such guidance, GAO found that consular officers are unclear on how to use the program and the information available from IDENT on visa applicants. For example, officers are unclear about whether fingerprints of visa applicants should be collected before or during the visa interview, whether information on visa applicants from the DHS database should be considered by the visa-adjudicating officer during or after the interview, and who should have responsibility for reviewing the IDENT information before visa issuance. Answers to these questions could significantly affect how each post manages workflows and processes visa applicants, which could have staffing and resource implications.

Example of Fingerprints and Photograph Capture

Source: GAO analysis of State data.

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Abbreviations

IDENT	DHS Automated Biometric Identification System
INA	U.S. Immigration and Nationality Act

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United States Government Accountability Office
Washington, D.C. 20548

September 9, 2004

The Honorable Tom Davis
Chairman, Committee on Government Reform
House of Representatives

Since September 11, 2001, the U.S. government has made a concerted effort to strengthen border security by enhancing visa issuance policies and procedures, as well as improving screening of the millions of foreign visitors who enter the United States annually. A major initiative is the Department of Homeland Security's (DHS) United States Visitor and Immigrant Status Indicator Technology (US-VISIT) program—a governmentwide program to collect, maintain, and share information on foreign nationals and better control and monitor the entry, visa status, and exit of visitors. As a complement to US-VISIT, the State Department (State) is implementing the Biometric Visa Program at all 207 nonimmigrant visa-issuing overseas consulates by October 26, 2004.¹ This program requires that all persons applying for U.S. visas have certain biometrics² (fingerprints) and digital photographs collected during the visa application interview and cleared through the DHS Automated Biometric Identification System (IDENT) before receiving a visa. The program is also consistent with the 9/11 Commission report issued on July 22, 2004, that recommends using biometric identifiers for border and transportation systems and a biometric entry-exit screening system for travelers.

For this report, we assessed State's implementation of the Biometric Visa Program for nonimmigrant visas,³ including progress in installing equipment and software and how State and DHS envision the program should be used to help adjudicate visas. We obtained and reviewed State's

¹Section 303 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (Pub. L. No. 107-173) requires that no later than October 26, 2004, the State Department issue visas that use biometric identifiers.

²Biometrics is a wide range of technologies that can be used to verify a person's identity by measuring and analyzing his or her physiological characteristics. In this case, and for the purposes of this report, "biometric identifiers" refers to fingerprints. See GAO, *Technology Assessment: Using Biometrics for Border Security*, GAO-03-174 (Washington, D.C.: Nov. 14, 2002).

³In this report, we use the term "visa" to refer to nonimmigrant visas only. The United States also grants visas to people who intend to immigrate to the United States. A visa allows a foreign visitor to present himself or herself at a port of entry for admission to the United States.

guidance to consular posts, analyzed technical data, and interviewed officials from State and DHS about the Biometric Visa Program. We also visited consular posts in El Salvador and the Dominican Republic to observe the visa process under the new system. We conducted our review in accordance with generally accepted government auditing standards.

Results in Brief

State is installing the equipment and software for the Biometric Visa Program on schedule and will likely meet the October 26, 2004, implementation deadline. However, DHS and State have not developed comprehensive guidance for the program's use. As of September 1, 2004, State had installed program hardware and software at 201 out of a total of 207 overseas posts and plans to complete the installation at the remaining 6 posts by September 30. The posts with the program are now collecting fingerprints of each visa applicant and processing the prints through the DHS IDENT database. Although the technology installation has progressed smoothly, DHS and State have not developed and not provided comprehensive guidance to consular posts that includes directions to consular officers on when in the visa process prints are to be scanned and when and how information from the IDENT database on visa applicants should be considered by consular officers in adjudicating visas. In the absence of such guidance, we found that consular officers are unclear on how to use the program and the information available from IDENT on visa applicants. For example, officers are unclear about whether fingerprints of visa applicants should be collected before or during the visa interview, whether information on visa applicants from the DHS database should be considered by the visa-adjudicating officer during or after the interview, and who should have responsibility for reviewing the IDENT information before visa issuance. Answers to these questions could significantly affect how each post manages workflows and processes visa applicants, which could have staffing and resource implications.

Consular officers overseas need to know how the program's information about visa applicants is intended to be used in order to maximize program effectiveness and determine optimal workflow management and resource issues. Therefore, we are recommending that the Secretaries of Homeland Security and State develop and provide to consular officers comprehensive guidance on how all aspects of the Biometric Visa Program should be used and that each consular post develop an implementation plan based on this guidance.

In commenting on a draft of our report, DHS generally concurred, stating that GAO's identification of areas where improvements are needed in the Biometric Visa Program will contribute to ongoing efforts to strengthen the visa process. State acknowledged that there may be a lag in guidance and that this may be inevitable given the rapid implementation of this program. Both departments noted that posts have been allowed flexibility in implementing the program based on potential staffing and facility limitations. Our recommendations provide a basis for DHS and State to address these potential limitations.

Background

The multibillion dollar DHS US-VISIT program aims to improve the nation's capacity for collecting information on foreign nationals who travel to the United States, as well as control the pre-entry, entry, status, and exit of these travelers. The goals of US-VISIT are to facilitate legitimate travel and trade and enhance national security. Under the program, most foreign visitors are required to submit to fingerprint scans of their right and left index finger and have a digital photograph taken upon arrival at U.S. ports of entry.⁴

As a complement to US-VISIT, State's Biometric Visa Program, which is budgeted at more than \$162 million through fiscal year 2005, is designed to deny U.S. visas to questionable travelers to stop them before they enter the country and to verify the identity of legitimate travelers who use visas to enter the United States. Under the program, consular officers collect visa applicants' fingerprints and photographs at overseas posts to verify the identity of foreign nationals who plan to enter the United States. Then inspectors at U.S. ports of entry use State's records to verify that the original visa applicant is, indeed, the person now entering the United States on that visa. According to the Assistant Secretary for Consular Affairs, the Biometric Visa Program will enhance the integrity of the U.S. visa process, better equipping the consular officers who are the nation's "first line of defense." DHS and State share responsibility for policy and implementation of the Biometric Visa Program. According to a Memorandum of

⁴US-VISIT is currently deployed at major U.S. seaports and airports and will eventually be deployed at land ports.

Understanding⁵ between the Secretaries of State and Homeland Security, DHS is responsible for establishing visa policy, reviewing implementation of the policy, and providing additional direction, while State is responsible for managing the visa process.

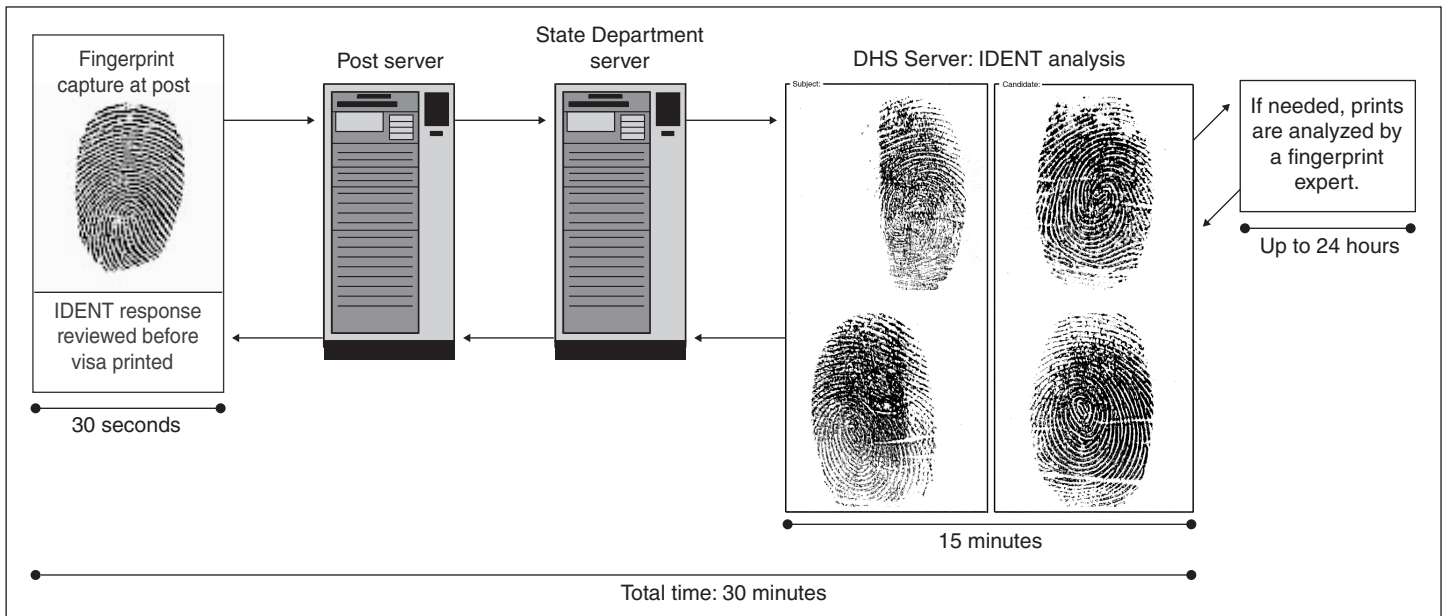
Fingerprinting Process

In September 2003, the State Department began installing fingerprint scanners and related software at U.S. consulate posts abroad. Foreign nationals who apply for nonimmigrant visas at U.S. consulates with scanners are required to submit to a scan of their right and left index fingers. Once a print is captured, it is transmitted electronically from the consulate's server⁶ to State's server. The State server then transmits the print to IDENT—a DHS database that includes some 5 million people who may be ineligible to receive a visa. Our review of State's data on processing times indicates that transmitting the fingerprints from posts through State to DHS and receiving a response generally takes about 30 minutes. (See fig. 1.)

⁵*Memorandum of Understanding Between the Secretaries of State and Homeland Security Concerning Implementation of Section 428 of the Homeland Security Act of 2002*, Sept. 30, 2003.

⁶A server is a computer on a network that manages network resources, such as storing files, managing printers, managing network traffic, or processing database queries.

Figure 1: Biometric Fingerprint Analysis Process



Sources: GAO analysis of State and DHS processes.

IDENT contains two sets of data: (1) “watch list” fingerprint records including immigration violators and a subset of the Federal Bureau of Investigation’s (FBI) fingerprint database containing records on terrorists and individuals with felony convictions⁷ and (2) fingerprint and photograph records of persons previously entered into the system either at a U.S. port of entry or by applying at a U.S. consular post for a visa. IDENT searches for matches, triggering a response back to the consulate indicating a “hit” or no existing record (“N/R”). A hit means a person is on a watch list or that the person has been previously entered into the system. Then applicants with no previous IDENT records are entered into the system for future transactions. If the system cannot determine whether the applicant’s prints match a set previously entered, the system sends the data to biometric

⁷IDENT data includes FBI information on all known and suspected terrorists, selected wanted persons (foreign-born, unknown place of birth, previously arrested by DHS), and previous criminal histories for high risk countries; DHS Immigration and Customs Enforcement information on deported felons and sexual registrants; and DHS information on previous criminal histories. Information from the bureau includes fingerprints from the Integrated Automated Fingerprint Identification System.

experts to determine if a subject's print has a match or that there is no record in the system.⁸ These responses are sent back to the DHS IDENT database and then routed to consulates through the State server. If an IDENT hit response is returned on a visa applicant, the consulate's software will not allow a visa to be printed unless it is reviewed and cleared by a consular officer.

Implementation Moving Forward, yet Guidance Is Lacking

State's implementation of the technology aspects of the biometric visa program is currently on schedule to meet the October 26, 2004, deadline. A well-planned rollout of equipment and software and fewer technical problems than anticipated have contributed to smooth implementation of the technological aspects of the program at the 201 posts that had the program operating as of September 1. But amid the fast pace in rolling out the program to meet the deadline, DHS and State have neither developed comprehensive guidance for the program, including determining who should scan fingerprints, where and who should review information about applicants returned from IDENT, and technical requirements for the IDENT system, nor provided comprehensive guidance for consular posts on how the information about visa applicants made available through the Biometric Visa Program should be used to help adjudicate visas.

State Is Expected to Meet the Legislative Deadline

State planned the rollout of the equipment (hardware and software) to take advantage of already-scheduled contractor upgrades to software and hardware at many of the overseas posts,⁹ thereby decreasing the overall burden on the posts and managing the costs of the program. The program's funding was included in the department's appropriation—nearly \$54 million for fiscal years 2003 and 2004—and is projected at more than \$108 million for fiscal year 2005. In addition, State arranged for additional installation teams to be deployed as needed to avoid potential delays in the implementation schedule for posts.

Overall, implementation of the technological aspects of the Biometric Visa Program is on schedule. According to State officials at headquarters and at

⁸One in 1,000 cases require examination by a fingerprint expert, according to State officials.

⁹On a revolving 24- to 36-month schedule, State replaces hardware and upgrades or installs software at the consular posts. Where possible, State added the installation of the fingerprint capture software and the fingerprint scanners to these scheduled visits.

the two posts we visited, State has experienced fewer technical problems than anticipated. Early on, State had a few difficulties in transmitting data between the posts and the DHS IDENT, primarily related to server and firewall (computer security) issues. According to State, most issues were resolved within a few days.

Fingerprinting Raising Issues in Visa Process

According to State, the time required to collect fingerprints has not significantly affected interview times. State officials estimate that it can take as little as a few seconds to collect prints, and the average time is about 30 seconds. In San Salvador, El Salvador, and Santo Domingo, Dominican Republic, we observed that capturing prints for some applicants fell within these time frames but, in some cases, the fingerprint collection times were significantly longer. In one case, it took more than 10 minutes for an elderly woman to understand the interviewing officer's verbal instructions on where to place her finger so that the prints could be captured. For security reasons, interviewing officers are separated by a glass window from the applicants. As a result, they can only give verbal instructions or hold up a finger to demonstrate which one to use, and they cannot physically touch an applicant's finger to position it correctly on the scanner.

According to State's data, from February to August 2004, the total biometric visa process averaged about 30 minutes for an applicant's prints to be sent from an overseas post to the State server, then on to DHS for IDENT analysis, and then for the response to be returned through State's server to the post. To date, the analysis time required by the IDENT database to search for a match to an applicant's prints has fallen within the time frame agreed to by State and DHS—within 15 minutes if no human analysis is required.¹⁰ If human analysis is required, DHS has up to 24 hours to provide a response back to the post.

Our observations at posts in San Salvador and Santo Domingo demonstrated the importance of the length of the time required to receive an IDENT response. We observed that most interviews average only a few minutes, but the IDENT response time currently is 30 minutes. Thus, if

¹⁰State officials told us that DHS and State have an informal arrangement that the response time must be within 15 minutes for IDENT analysis or, if biometric experts must examine the prints, up to 24 hours. The officials said that State and DHS are formalizing this agreement in a memorandum of understanding.

interviewing officers collect prints during interviews, the IDENT responses will not be available to these consular officers by the end of the interviews.

IDENT response time could potentially affect visa issuance times because a visa cannot be issued to an applicant until the post has received the IDENT response on the person. Long delays in the IDENT response times could have a major effect on the visa issuance process and inconvenience visa applicants. Consular Affairs has encouraged officials to issue visas the day after interviews since part of the visa process now relies on another agency's system. However, some posts still issue same-day visas, such as Santo Domingo.

Implementation Continues at Largest-Volume Posts

While the IDENT database response times have not adversely affected visa processes to date, officials remain cautious about the potential for IDENT database capacity issues and longer response times as the large-volume posts are added to the program. State began the program's rollout at small- and medium-sized posts to work out potential problems before deploying it at posts with the largest applicant volumes. As of September 1, 2004, 201 of the 207, or 97 percent, of the visa issuance posts have implemented the program. In terms of nonimmigrant visa application volume, this number represents about 89 percent of the total worldwide volume. Taipei, Taiwan; and Manila, Philippines; are the last "extra-large volume" visa issuing posts that are scheduled to become operational in the program in mid-September.

DHS and State are closely monitoring the IDENT response times as the final 6 consular posts—representing 11 percent of the worldwide visa application volume—are added to the program. Increased volumes of visa applications combined with the increased volume of entrants at U.S. ports of entry due to summer tourism could potentially affect the speed of IDENT's response. In addition, IDENT processing may be further affected by the September 30, 2004, requirement that the database system analyze fingerprint records for all visitors from countries in the Visa Waiver Program¹¹ at U.S. ports of entry.

¹¹Under the Visa Waiver Program, citizens of 27 countries are not required to obtain visas for business or pleasure stays of short duration.

Overall Impact of IDENT
Responses on Visa Decisions Is
Low

According to State, the overall impact of IDENT responses on visa issuance decisions has been relatively low to date, primarily due to the program's infancy. According to State officials, nearly 1.7 million sets of visa applicant prints had been processed by August 19, 2004, and of those, 1,197 were identified as watch list hits—having derogatory criminal or immigration information on file. At the two posts we visited, nine applicant records were returned as watch list hits between February and May 2004. The adjudicating officers had already refused eight of the applicants on other grounds¹² during their interviews; one applicant's visa had been preliminarily approved by the interviewing officer pending review of the IDENT response, but then due to the derogatory information IDENT returned, the visa was not issued.

Guidance Lagging behind
Implementation

Due to the rapid deployment of the hardware and software technology to meet the required deadline, comprehensive guidance on using the Biometric Visa Program and the information available through IDENT has lagged behind implementation. State and DHS have yet to agree on the details of how all aspects of the program will be used, including determining who should scan fingerprints, where and who should review information about applicants returned from IDENT, and technical requirements for the IDENT system, and have not provided comprehensive guidance for consular posts on how the information about visa applicants made available through the Biometric Visa Program should be used to help adjudicate visas. State consular officers using IDENT face a range of issues without such guidance, including the following:

- *Workflow management:* the time, place, and person responsible for collecting fingerprints and reviewing IDENT responses on applicants. At some posts, staff other than the interviewing officer take the fingerprints of visa applicants, but some interviewing officers told us that they prefer to take prints from those that they interview to ensure accountability. While Santo Domingo has designated a window to scan applicants' prints prior to the interview, sometimes that window may be needed for interviews during heavy volume. Both San Salvador and

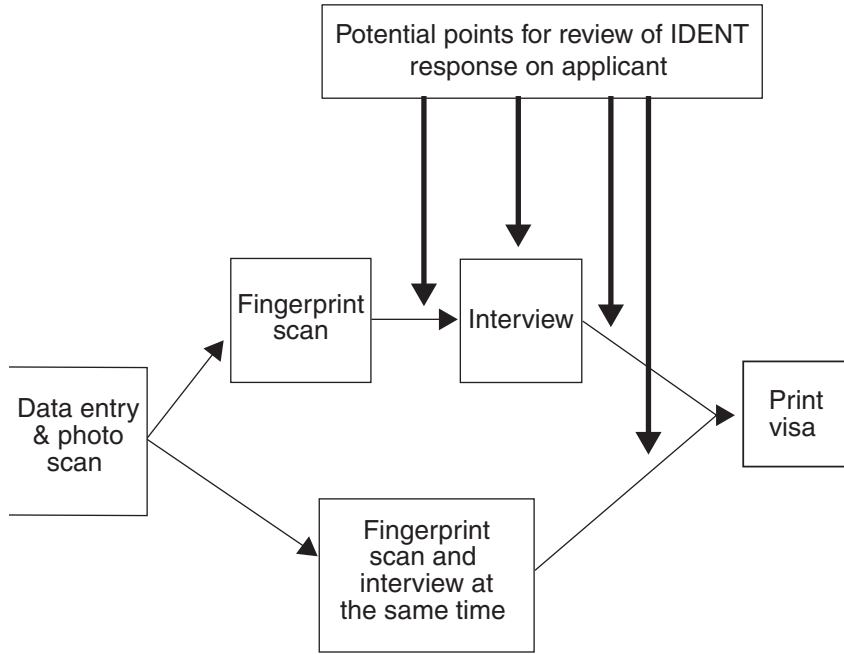
¹²The most common reason for denial of a visa is that the applicant intends to come to the United States and remain. Section 214(b) of the U.S. Immigration and Nationality Act (INA) presumes that every alien (other than a nonimmigrant) is an immigrant until he or she establishes eligibility for nonimmigrant status under the INA. See 8 U.S.C. §1184(b) and 8 U.S.C. §1101(a)(15).

Santo Domingo have designated an officer to review and clear all hit information on applicants, so some interviewing officers do not look at IDENT responses for those they interview.

- *Information availability:* the information available to the consular officers and how easily it can be accessed. We observed that a line on the interviewers' computer screens notified them with a "Hit" or "N/R" when information on an applicant was returned from IDENT. The officers open a screen that displays IDENT information to learn more about the hit—for example, was it a previous entry into the United States where prints and photograph were taken or derogatory criminal information? While the former might corroborate an applicant's story, the latter may indicate grounds for refusing a visa.
- *System requirements:* the IDENT turnaround time necessary to ensure timely visa issuance. For example, if a designated officer will review all the IDENT information, and posts are no longer issuing same-day visas, an IDENT response time of up to a few hours may be acceptable.

Because they lack specific guidance on the system's use, consular officers at overseas posts are unclear as to how they should implement the Biometric Visa Program and are currently using the returned IDENT responses in nonuniform ways. For example, we found that, in cases where the IDENT response information is available to the overseas post by the time of the interview, some consular officers review information before the interview, some review it during the interview, and some do not review it at all, relying on a designated officer or the line chief to review the information after the interview is completed and before affected visas are printed. (See fig. 2.) One State official noted that key information about an applicant could be overlooked if the interviewing officer was not the same officer who reviews the IDENT information, such as the timing and frequency of prior visits to the United States.

Figure 2: Potential Timing of IDENT Response on Visa Applicants



Source: GAO analysis of State consular process.

Enterprise Architecture Program Design Lacking for US-VISIT

In September 2003, we identified the US-VISIT program as a high-risk endeavor.¹³ We reported that an operation such as US-VISIT requires an operational context—or “enterprise architecture”—that is, a program design that sets out the key program decisions, such as what functions are to be performed and by whom, when and where they are to be performed, what information is to be used to perform them, and what rules and standards will govern the application of technology to support them. In the absence of an enterprise architecture, certain policy and standards information necessary to effectively define, establish, and implement the US-VISIT program was not available.

In the same report, we recommended that DHS establish an advisory board comprising representatives from key US-VISIT federal stakeholder organizations that would oversee US-VISIT management including overall

¹³See GAO, *Homeland Security: Risks Facing Key Border and Transportation Security Program Need to Be Addressed*, [GAO-03-1083](#) (Washington, D.C.: Sept. 19, 2003).

vision and strategic direction. This board was created and has been operational since January 26, 2004, but has not yet provided stakeholder agencies with a clearly defined vision and operational context for the various components under US-VISIT. For example, DHS awarded a contract in June that includes developing a detailed Program Plan for US-VISIT that would focus on such areas as business functionality, information technology strategy, facilities strategy, and implementation. State officials indicated that they are waiting for DHS to articulate its vision on these areas, which would guide further State actions on the Biometric Visa Program.

In our current review, we found that the lack of a clear enterprise architecture, or operational context, for US-VISIT affects State's Biometric Visa Program, which, although administered by State, falls under the overall visa policy area of the DHS Directorate of Border and Transportation Security. In the absence of a cohesive vision defined by DHS and State for using the information available through the Biometric Visa Program, State will have difficulty providing guidance and technical requirements for IDENT response time and determining optimal workflow processes to enable users to maximize the program's effectiveness.

In May 2004, we reported¹⁴ that designing, developing, and implementing a biometrics program requires consideration of factors such as how the technology will be used, cost-benefit analysis, trade-offs between the increased security that the use of biometrics would provide, and the effect on areas such as privacy and convenience. For a biometric security program, the high-level goals of the program need to be defined, and the concept of operations that will embody the people, process, and technologies required to achieve these goals needs to be developed.

Potential Program Uses and Related Issues

The Biometric Visa Program has the potential to be a powerful tool for protecting the nation's borders, while facilitating legitimate travel to the United States. The program can enhance the integrity of U.S. visas, provide a "safety net" for consular officers to ensure that they catch individuals who have been watchlisted, and equip consular posts as "forward based defense." However, there is no comprehensive guidance that articulates the program's many potential uses and provides guidance to consular officers on how best to implement them.

¹⁴GAO, *Aviation Security: Challenges in Using Biometric Technologies*, [GAO-04-785T](#) (Washington, D.C.: May 19, 2004).

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- Through the collection of fingerprints at consular posts and their transmission to IDENT, the program ensures that biometric data on all visa applicants becomes part of the DHS US-VISIT database. According to State and DHS, this process enhances the integrity of U.S. visas by ensuring that the same person who applies for a visa is the one who enters the United States using that visa.¹⁵ In May 2004, GAO reported¹⁶ that biometric programs depend on accurate processes for the initial collection and verification of applicants' identities and biometrics. To date, however, State has not clarified guidance for important aspects of scanning fingerprints. The interviewing officers in San Salvador noted that assisting applicants to understand the fingerprinting process (for example, how to place their fingers on the scanners) sometimes led them to give the applicants more time in their interviews than previously. In addition, some officers noted that the mechanics of taking the prints interrupted the flow of the interview, and officers lost some of the key first impressions that helped them make adjudication decisions. Some felt that having someone beside the interviewing officer collect the prints helped to speed the process and enable interviewing officers to conduct the interviews.
 - The program can also provide a "safety net" for visa decisions to catch those on the watch list. State is already using the program in this way, as noted earlier, in the case where the interviewing officer initially approved an applicant for a visa, but the visa was not issued when IDENT returned derogatory information. State does not have a specific category designated for refusing visas due to derogatory information returned by IDENT and, therefore, State could not provide data on the total number of such refusals. Many of the 18 adjudicating officers we interviewed at the consular posts in San Salvador and Santo Domingo indicated that they liked having the information available from the IDENT database, which may have additional information on potential immigration violations or criminal records that they can review prior to visa issuance.

¹⁵DHS currently does not have information on individuals apprehended at ports of entry when their prints and photographs did not match those captured at the consular posts for the visa they were using. On July 19, 2004, DHS implemented a system to assist in identifying such cases and will have better information in the future.

¹⁶[GAO-04-785T](#).

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- The program has the potential to equip consular posts as “forward based defense” to prevent potential terrorists and problematic or other questionable travelers from entering the United States. Along with the watch list information, the response from the DHS IDENT database also includes information on travelers’ entries to the United States that have been obtained by the US-VISIT program at major seaports and land ports, including photographs, fingerprint records, and date and time of each entry. This information can establish an applicant’s travel patterns, which could help to inform interviewing officers. For example, in San Salvador we observed that the IDENT record on one applicant showed that she had entered the United States a number of times over the past several months. Since we had observed the interviewing throughout the day, we knew that this woman was a flight attendant, and the IDENT record corroborated her story. However, the officer who reviewed her IDENT record was not the same one who interviewed her earlier in the day, so the information meant little to him, but he cleared her visa for issuance regardless. According to State, consular officers are trained to use the best information available to them to make the best decision as early as possible in the information chain, but interviewing officers are not currently required to review applicants’ IDENT information. Had the interviewing officer reviewed this applicant’s IDENT response, he or she would have seen the US-VISIT photographs of the applicant in her uniform, verifying both her identity and her legitimate need for a visa.

According to a senior State official, the department envisions that as the program matures, the information it provides on visa applicants may prove increasingly useful for adjudicating officers. However, he acknowledged that the department’s current focus is compliance with the legislated requirement to implement the Biometric Visa Program by October 26, 2004; as a result, State has not fully developed policies and guidance in advance of the program’s implementation.

Conclusions

At the cost of some \$162 million, the new Biometric Visa Program coupled with the DHS US-VISIT program has, according to State, improved the integrity of the visa process and has potential to better identify visa applicants and travelers of concern to U.S. law enforcement, while also facilitating travel by legitimate travelers. Although State’s rollout of the technology aspects of the Biometric Visa Program has exceeded expectations regarding schedule and technical issues, the lag in guidance has resulted in consular officers at overseas posts being unclear as to how they are to use the available IDENT information on applicants. In the

absence of guidance on how the information available through the program is to be used, consular posts are not able to identify optimal workflow arrangements, facility setup, and staffing issues that may be necessary for interviewing officers to make visa decisions and to process visas efficiently and effectively. We raise these issues so that facility and resource issues can be better addressed as the program is implemented.

Recommendations for Executive Action

GAO is making two recommendations in this report:

- We recommend that the Secretaries of Homeland Security and State develop and provide comprehensive guidance to consular posts that includes direction to consular officers on how to best implement the Biometric Visa Program. The guidance should address the planned uses for the Biometric Visa Program at consular posts including directions to consular officers on when in the visa process prints are to be scanned and when and how information from the IDENT database on visa applicants should be considered by consular officers during their interviews. In developing the guidance, State and DHS should consider factors such as program security goals, resources in terms of personnel and costs, response times, and the burden on the applicant.
- We also recommend that the Secretary of State direct each consular post to develop an implementation plan based on this guidance.

Agency Comments and Our Evaluation

We provided a draft of this report to the Departments of Homeland Security and State for their comment. Their comments, along with our responses to specific points, are reprinted in appendixes I and II, respectively.

The Department of Homeland Security said that it generally concurred with the report and our recommendations and that GAO's identification of areas where improvements are needed in the Biometric Visa Program will contribute to ongoing efforts to strengthen the visa process. The State Department acknowledged that there may be a lag in guidance and that this may be inevitable given the rapid implementation of this program. Both departments noted that the consular posts have been permitted flexibility in implementing the program to account for personnel and facility limitations. While we understand these resource concerns, we believe it is important that the departments reach agreement and provide guidance to consular posts on how information made available to consular posts

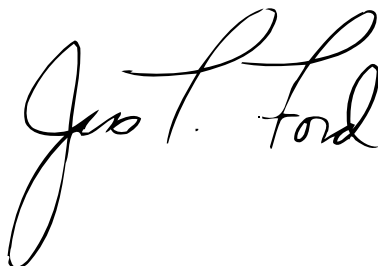
through the Biometric Visa Program is intended to be used to help consular officers adjudicate visas. With this guidance, consular posts would be able to better assess personnel and facility constraints and develop specific plans to better implement the program, including requesting additional resources if necessary. In addition, both departments provided further information on what they have done to implement the program and its accomplishments.

Scope and Methodology

To assess State's implementation of the Biometric Visa Program for nonimmigrant visas, including the program's progress and how State plans to use it, we interviewed State officials and reviewed their schedule for rollout. We also visited the DHS Biometric Support Center to observe the fingerprint expert backup for IDENT analysis and interviewed DHS officials on their roles in support of State's visa program. We obtained data from State and DHS on IDENT response times and reviewed State's methodology for collecting and reporting this information. We determined that the data reliability was sufficient for our reporting purposes. We performed fieldwork at consular posts in San Salvador, El Salvador, and Santo Domingo, Dominican Republic. According to State, these two high-volume posts process visa applicants from both rural and urban populations—a classification that represents extremes in the visa applicant pool better than variation across world geographic regions. We observed the visa process incorporating the collection of biometric fingerprints, review of IDENT response information, and clearance of hits for visa printing. We conducted our work between April and August 2004 in accordance with generally accepted government auditing standards.

We are sending copies of this report to interested Members of Congress, the Secretary of State, and the Secretary of Homeland Security. We also will make copies available to others upon request. In addition, the report will be available at no charge on the GAO Web site at <http://www.gao.gov>.

If you or your staff has any questions concerning this report, please contact me at (202) 512-4128 or at fordj@gao.gov. Key contributors to this report were John Brummet, Sharron Candon, Jeanette Espínola, Jon Fremont, Janey Cohen, and Martin de Alteriis.

A handwritten signature in black ink that reads "Jess T. Ford". The signature is written in a cursive style with a large, looping initial "J".

Jess T. Ford
Director, International Affairs and Trade

Comments from the Department of Homeland Security

Note: GAO comments supplementing those in the report text appear at the end of this appendix.

U.S. Department of Homeland Security
Washington, DC 20528



Homeland
Security

August 24, 2004

Jess T. Ford
Director, International Affairs and Trade
United States Government Accountability Office
441 G Street, N W
Washington, DC 20548

Dear Mr. Ford:

The Department of Homeland Security (DHS) appreciates the opportunity to comment on the Government Accountability Office's (GAO's) draft report entitled: *Border Security -- State Department Rollout of Biometric Visas on Schedule, but Policy and Guidance Are Lagging*. GAO's identification of areas where improvements are needed in the biometric visa program will contribute to ongoing efforts to strengthen the visa process. We generally concur with the report and its recommendations; however, there are several areas within the report that we would like to comment.

See comment 1.

First, GAO is recommending the Secretaries of State and Homeland Security set an overall policy on how to use the Biometric Visa Program. Such a statement is misleading and warrants some clarification. Prior to the terrorist attack on September 11, Congress twice mandated the creation of an electronic entry-exit system. Following the events of September 11, Congress added the requirement that the entry-exit system incorporate biometric technology as a means to verify the identity of foreign travelers. DHS established the US-VISIT program ahead of schedule, and began operating US-VISIT at 115 ports of entry on January 5, 2004. US-VISIT enhances the security of our citizens and visitors; facilitates legitimate travel and trade; ensures the integrity of our immigration system; and protects the identities and privacy interests of our visitors.

See comment 2.

GAO's recommendations are really more focused on operational issues (i.e., whether to collect fingerprints before or during the interview process). Responsibility for post resource management falls within the Department of State's purview, with input when necessary from DHS. Individual consular posts must make decisions based on staffing and space availability which will impact when fingerprints are collected. In close coordination with DHS, the Department of State has already provided guidance to their consular posts on operational goals and strategies for the Biometric Visa Program. Moreover, DHS is developing a visa policy strategy, with corresponding goals and objectives that DHS will pursue to achieve our twin aims of securing our borders while keeping our doors open to legitimate travelers.

www.dhs.gov

We believe that workflow concerns identified by GAO do not adversely impact security objectives of this program. For example, for nonimmigrant visas, the system is locked and visas cannot be issued until IDENT results are returned to posts and the applicants are cleared. DHS works closely with State to ensure that whatever workflow a consular post employs does not comprise the security benefit of reviewing IDENT results; regardless of whether IDENT results are reviewed before or after an interview.

Second, in GAO's September 2003 report and as noted in this draft, GAO recommended that DHS establish an advisory board comprising representatives from key US-VISIT federal stakeholder organizations. In response to this recommendation, the US-VISIT Federal Stakeholders Advisory Board was formed to provide advice on the overarching vision of the US-VISIT program and strategic direction and its responsiveness for all operational missions, both within DHS and with its participating government agencies. The Advisory Board provides a communication link for aligning strategic direction, priorities, and resources with stakeholder operations. Additionally, with the award on May 28, 2004, of the US-VISIT prime contract (Smart Border Alliance), the effort to define a more detailed vision and operational context for a comprehensive travel and immigration tracking system is now well underway. This planning effort will be accomplished with input from the members of the Advisory Board. The members of the Advisory Board will review and comment on the vision documents prior to acceptance.

Conclusion

DHS and Department of State (DOS) have worked very closely together in establishing biometric policy to create consistency between the DOS's biovisa program and Homeland Security's US-VISIT program, including who should be subject to and exempt from fingerprinting, and how many fingerprints should be taken and stored for verification purposes. Together, DHS and DOS have created a continuum of identity verification measures that begins overseas, when a traveler applies for a visa, and continues upon entry and exit from this country. The system stores biometric and biographic data in a secure, centralized database and uses travel and identity documents to access that information for identity verification and watch list checks. Today, more than 180 nonimmigrant visa-issuing posts and 90 immigrant visa issuing posts have begun to capture finger scans and digital photographs of foreign nationals when they apply for visas, regardless of their country of origin. This process will be in place at all 211 visa-issuing posts worldwide within 60 days. Beginning on September 30, 2004, nationals from Visa Waiver Program (VWP) countries will also begin to be enrolled in US-VISIT.

Through the US-VISIT and the Biometric Visa Program, DHS and DOS have already identified many individuals who are the subjects of lookout records, included rapists, drug traffickers, and those who have committed immigration offenses or visa fraud. Both of these programs are critical to our national security as well as our economic security. We believe the coordination between DHS and DOS on these important programs is already making a significant contribution to the efforts of DHS and the DOS to provide a safer and more secure America. DHS will continue to work closely with DOS on future

Appendix I
Comments from the Department of Homeland
Security

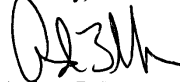
3

biometric issues, including the addition of alien categories to the US-VISIT program and biometric passports.

DHS recognizes that we have a long way still to go, and we will build upon the initial framework and solid foundation to ensure that we continue to meet our goals to enhance the security of our citizens and visitors while facilitating travel for the millions of visitors we welcome each year.

I appreciate your comments and recommendations to DHS, and I look forward to working with you on future homeland security issues.

Sincerely,



Andrew B. Maner
Chief Financial Officer

The following are GAO's comments on the Department of Homeland Security's letter dated August 24, 2004.

GAO Comments

1. We adjusted our wording throughout the report to clarify that our observations and recommendations are focused on the need for comprehensive guidance on how information available through the program is to be used by consular officers and not on the overall policy framework for US-VISIT and the Biometric Visa Program.
2. While we understand posts' resource concerns, we believe it is important that the departments reach agreement and provide guidance to consular posts on how information on applicants that is available through the Biometric Visa Program is intended to be used to help consular officers adjudicate visas. With this guidance, consular posts would be able to better assess personnel and facility constraints and develop specific plans to better implement the program, including requesting additional resources if necessary.

Comments from the Department of State

Note: GAO comments supplementing those in the report text appear at the end of this appendix.



United States Department of State

Washington, D.C. 20520

AUG 18 2004

Ms. Jacqueline Williams-Bridgers
Managing Director
International Affairs and Trade
Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548-0001

Dear Ms. Williams-Bridgers:

We appreciate the opportunity to review your draft report, "BORDER SECURITY: State Department Rollout of Biometric Visas on Schedule, but Policy and Guidance Are Lagging," GAO Job Code 320268.

The enclosed Department of State comments are provided for incorporation with this letter as an appendix to the final report.

If you have any questions concerning this response, please contact John G. Cook, Consular Officer, Bureau of Consular Affairs, at (202) 261-8016.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Kaplan for".

Christopher B. Burnham

cc: GAO – John Brummet
CA – Catherine Barry
State/OIG – Mark Duda

**Department of State Comments on Draft Report by the
Government Accountability Office Entitled:
“Border Security -- State Department Rollout of Biometric Visas on
Schedule, but Policy and Guidance Are Lagging.”
(GAO-04-1001)**

The Department of State appreciates the opportunity to comment on the report of the Government Accountability Office entitled: *Border Security -- State Department Rollout of Biometric Visas on Schedule, but Policy and Guidance Are Lagging*. The GAO correctly reports that the Biometric Visa Program is on schedule to meet the legislative deadline of October 26, 2004. The GAO observation that policy and guidance are lacking in the Biometric Visa Program deserves some clarification.

Biometric Visa Program -- Unprecedented Global Enrollment

The global deployment of the Biometric Visa Program is a truly unprecedented undertaking; there has never before been a biometric enrollment of millions of people from such a wide variety of cultures in countries around the world. The enrollment rollout began in September 2003 and will finish in October 2004. During this period all 207 nonimmigrant visa-issuing posts will have begun biometric enrollment of applicants. For immigrants, the undertaking has been even more complex. Not only are biometrics being collected from all immigrants, but in conjunction with biometric immigrant visa enrollment a machine-readable immigrant visa is being issued for the first time, security advisory opinions are being processed electronically, and the processing of immigrant visas and diversity visas has been merged into a single system.

Major Policy Objectives Well Communicated via 13 Telegrams

The policy underlying the biometric visa program, explained to overseas posts prior to and during implementation, has two major objectives: prevent visa issuance to persons on the IDENT biometric watchlist; use biometric identity verification to ensure that the person issued the visa is the person who presents it at the port of entry. Posts implementing the Biometric Visa Program are well aware of these basic objectives. The Department has sent 13 telegrams to all posts explaining the Biometric Visa Program:

See comment 1.

2

- Latest on Biometric Deployment (September 4, 2003)
- NIV Biometric Collection Procedures (October 21, 2003)
- Biometric Deployment – Contingency Press Guidance (October 21, 2003)
- NIV Biometric Installation Schedule (October 22, 2003)
- Biometrics and US-VISIT – Enhancing Border Security Together (October 29, 2003)
- Biometric Deployment – Machine-Readable Immigrant Visas Coming Soon (November 18, 2003)
- US-VISIT Update (December 30, 2003)
- Biometrics – Press Coverage Encouraged (February 5, 2004)
- IDENT Rollout (February 13, 2004)
- IDENT and SAO Electronically: NIV 04.02.00 (April 15, 2004)
- Release of NIV 4.02.02 – Help With Fingerprinting is Here (June 7, 2004)
- IDENT Procedures (July 20, 2004)
- Further Guidance on Biometric Collection (July 20, 2004)

See comment 2.

These telegrams provided the operational context and goals and strategies for the Biometric Visa Program.

No Security Vulnerabilities on Policy and Guidance

See comment 1.

The observation by the Government Accountability Office that policy and guidance are lagging relates primarily to policy and guidance on procedures to follow in processing matches of visa applicant fingerprints against IDENT, the Automated Biometric Identification System of the Department of Homeland Security. For example, the report notes that some posts collect fingerprints prior to visa interviews so that the IDENT results are generally available at the time of the interview, while other posts collect the fingerprints at the time of the interview, and the IDENT results are reviewed later. The Department intentionally allowed posts to use a variety of workflows to process biometric visas in order to allow consular managers flexibility to account for different staffing levels and workloads. The important point is that there is no security compromised by whichever approach a post may adopt; the nonimmigrant visa system is locked and visas cannot be issued until the IDENT results are returned and the applicants are cleared.

See comment 3.

3

Complex BioVisa-IDENT Interface a Remarkable Achievement

During the early months of the Biometric Visa-IDENT connection, which began in January 2004, the Department was reviewing the types of matches obtained from IDENT and working with the Department of Homeland Security to develop the most effective procedures for handling IDENT matches and other IDENT issues. It should be remembered that during these first few months of the Biometric Visa-IDENT connection there were continual modifications and enhancements to the basic interface created between the systems of the Department of State and the Department of Homeland Security. This interface enables the processing of biometric and biographic visa data packages from posts around the world through IDENT and back to the posts within the 30-minute target turnaround time, which is being met. The 87-page interface control document *Visa Applicant—IDENT/US-VISIT Lookup Interface* demonstrates the complexity of the systems issues involved in making this connection work. It is remarkable that such a complex system could be created and deployed in such a short period of time.

Guidance on IDENT Phased for Optimal Results

While it is true that the most detailed guidance on IDENT matches was not sent to posts until the telegram *IDENT Procedures* of July 20, 2004, which contains 21 paragraphs on a variety of issues related to IDENT, that was not the first guidance sent on IDENT. The *IDENT Rollout* telegram of February 13, 2004, explained the basic procedures related to the use of IDENT. The telegram of April 15, 2004, on *IDENT and SAO Electronically: NIV 04.02.00* provided posts with additional guidance on IDENT and Biometric Visa procedures. Having studied the matches received from IDENT and having worked with the Department of Homeland Security to develop the best procedures to follow to address issues related to the Biometric Visa-IDENT connection, the Department was able to send the comprehensive *IDENT Procedures* telegram in July. There will undoubtedly be more guidance to follow as the Biometric Visa Program continues to develop.

Key Performance Indicator Captured by Consular Database Report

In order to gauge the performance of the Biometric Visa Program, the Department created a new report in the Consular Consolidated Database that shows how many applicants identified as category one (very serious) visa

See comment 2.

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ineligibilities would have been identified with the name-based Consular Lookout and Support System (CLASS) and how many were caught strictly by the biometric check against IDENT. This is the key performance indicator, which the Department had the foresight to establish before the Biometric Visa Program was deployed. The results through July 2004 show that of the total visa applicants under the Biometric Visa Program that had hits against the IDENT watchlist related to visa ineligibilities, 33 percent were not detected by the CLASS name-based check. That is the value added of the IDENT clearance.

Optimal Cooperation with US-VISIT Program

Without optimal cooperation with the Department of Homeland Security, the Biometric Visa Program would not be a success. Teams from State and DHS have been meeting weekly or more often since July 2003, including late on Christmas and New Year's Eves, to establish the Biometric Visa-IDENT interface, and also to enhance the Visa Datashare connection so that visa data is now projected onto the computer screens of Customs and Border Protection Officers at primary inspection at ports of entry. These complex system integration efforts are working effectively to prevent persons from entering the United States with photo-substituted or counterfeit visas.

Concerning the GAO Recommendations for Executive Action

The report recommends that the Secretaries of Homeland Security and State set an overall policy on how the Biometric Visa Program should be used. The 13 telegrams sent to all posts about the Biometric Visa Program, some of which specifically covered the BioVisa Program's relationship to the US-VISIT Program, demonstrate that State and DHS are already closely coordinating policy on the Biometric Visa Program. We will continue to do so, and to work with our posts to ensure that officers are fully trained and aware of this policy. Although some lags in guidance are perhaps inevitable at times of rapid, groundbreaking change, we will continue to make every effort to communicate with the field to keep guidance current and clear.

In regard to the specific GAO recommendation as to whether consular officers should consider IDENT information on applicants during interviews, the Department recognizes it would be ideal for consular officers to have the IDENT information available during interviews. However, to enable receipt of IDENT results prior to interviews, cleared Americans

See comment 2.

See comment 3.

5

would have to collect all fingerprints in advance of the interviews. This would require the hiring of additional cleared Americans and provision of space for collection of the fingerprints in advance, as well as for waiting rooms large enough for the applicants to wait for the IDENT returns. Many posts would have difficulty hiring the Americans and providing the necessary space. It would be costly to make posts obtain IDENT results prior to visa interviews; costs that are hard to justify when fewer than one in a thousand visa applicants has a hit against the IDENT watchlist. Moreover, not having the IDENT results available during the interview is not a security concern because the nonimmigrant visa system is locked and visas cannot be issued until the IDENT results are returned to posts and the applicants are cleared.

Conclusion

The Biometric Visa Program is preventing criminals and immigration violators who are ineligible for visas from changing identities to obtain visas in a false identity. It is also ensuring the integrity of the U.S. visa through biometric identity verification at ports of entry. The Department of State considers the Biometric Visa Program to be a resounding success.

The following are GAO's comments on the Department of State's letter dated August 18, 2004.

GAO Comments

1. We adjusted our wording throughout the report to clarify that our observations and recommendations are focused on the need for comprehensive guidance on how information available through the program is to be used by consular officers and not on the overall policy framework for US-VISIT and the Biometric Visa Program.
2. State has provided some guidance telegrams to posts over the course of the implementation of the Biometric Visa Program, including two telegrams sent to posts in July following GAO fieldwork at two overseas consular posts in May. The telegrams include guidance on such areas as moving away from same-day visa issuance toward mail or courier visa delivery to applicants, how to fix potential misidentifications for applicants' fingerprints, and clarifications on FBI information available in watch list IDENT returns. However, these telegrams do not include guidance on certain key items we have identified, for example (1) how data on applicants' travel patterns and/or previous enrollment in the database should be considered by adjudicating officers and (2) who should review and clear information returned from IDENT on applicants prior to visa issuance. Guidance on such issues could help set parameters for consular posts to most effectively implement the program and help them identify resource or facility constraints that might impair the program's full and effective implementation.
3. While we understand posts' resource concerns, we believe it is important that the departments reach agreement and provide guidance to consular posts on how information on applicants that is available through the Biometric Visa Program is intended to be used to help consular officers adjudicate visas. With this guidance, consular posts would be able to better assess personnel and facility constraints and develop specific plans to better implement the program, including requesting additional resources if necessary.

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