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National Security and  
International Affairs Division

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April 17, 1995

The Honorable Benjamin A. Gilman  
Chairman, Committee on International Relations  
House of Representatives

The Honorable Elton Gallegly  
House of Representatives

The Honorable Olympia J. Snowe  
United States Senate

As you requested, we have reviewed the State Department Inspector General's two recent reports on nonimmigrant visa processes and procedures.

In March 1994, the Inspector General reported on the circumstances surrounding the issuance of visas to Sheik Abdel Rahman,<sup>1</sup> efforts to prevent him from entering the United States, and efforts to expel him after he had entered. This report was phase I of the Review of the Nonimmigrant Visa-Issuing Process. Phase II, issued in January 1995, focused on worldwide systemic problems of the consular lookout system (a computerized database in the Washington, D.C., area for checking the names of individuals ineligible for visas), and the adequacy of systems and procedures for issuing nonimmigrant visas and preventing ineligible or undesirable individuals from obtaining visas and entering the United States.

The phase II report concluded that the department improved the process by (1) installing machine readable visa (MRV)

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<sup>1</sup>Sheik Abdel Rahman was granted a nonimmigrant visa to enter the United States and was subsequently indicted for the 1993 World Trade Center bombing in New York City.

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equipment in overseas posts, (2) creating the Visa Viper Program to proactively include the names of known or suspected terrorists in the lookout system, and (3) participating in an integrated cooperative data exchange system with other U. S. border control agencies. However, the Inspector General stated that progress has been hampered by a lack of resources, action plans, guidance, and effective communication and coordination. Also, the phase II report points out that many problems associated with issuing nonimmigrant visas are complex with no easy solutions.

The phase II report recommended (1) changing or amending the Immigration and Nationality Act to make entry into the United States more difficult for terrorists and other undesirable individuals, (2) placing names of terrorists and undesirable individuals into the lookout system in a more timely manner, (3) providing consular sections with adequate staff with proper language skills, (4) ensuring proper internal controls, and (5) providing adequate guidance to consular officers on how names should be checked in the lookout systems.

#### RESULTS IN BRIEF

Our observations at two embassies indicate that the conclusions in the Inspector General's reports are reasonable and that the Inspector General's recommendations, if properly implemented, should improve the controls over the issuance of visas. Most of our observations at the two embassies we visited are similar to the Inspector General's findings on the Visa Viper Program and staffing at consular sections. We also observed technical problems at the two embassies that could affect nonimmigrant visa issuance, but which were not a principal focus of the Inspector General's report.

#### OUR OBSERVATIONS

As part of an ongoing review of consular services, we observed nonimmigrant visa operations at the U.S. embassies in Mexico City and Guatemala City in October and November 1994. Our observations are summarized below and discussed in more detail in the enclosure.

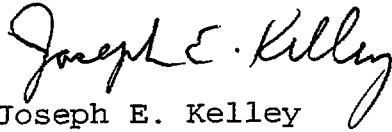
- Even though the posts in Mexico City and Guatemala City have machine-readable visa equipment and direct access to the consular lookout and support system, they are experiencing system, software, and equipment problems that have resulted in considerable delays in visa issuance and weakened visa controls. For example, frequent outages of the consular lookout and support system have caused consular staff in Mexico City to return to using the old microfiche system rather than the distributed name check (DNC) system, which is intended to be the backup system for checking names. They use the microfiche system instead of the DNC system because it is faster. However, this may cause problems because State updates the microfiche system infrequently.
- Terrorist lookout committees at both embassies met infrequently, and according to embassy officials, some committee members were reluctant to share information with the consular section on individuals who might be ineligible to receive visas.
- State Department records indicate that nonimmigrant visa issuance is a major part of the workload at both posts. Because of the relatively small number of embassy officials assigned to consular affairs and the large number of visa applicants --330,000 applications in Mexico City, and 78,000 in Guatemala City in fiscal year 1994--decisions to issue visas are made quickly. This practice may result in some ineligible individuals receiving visas.

We did not obtain official agency comments on this correspondence. However, a draft of this document was given to officials of State's Inspector General's Office and the Bureau of Consular Affairs, and their comments have been incorporated where appropriate.

We are sending copies of this correspondence to the Secretary of State and other congressional committees. We will also provide copies to others upon request.

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If you or your staffs have any questions, please call me on (202) 512-4128. Major contributors to this correspondence were John Brummet, Diana Glod, La Verne Tharpes, and James R. Lee.



Joseph E. Kelley  
Director-in-Charge  
International Affairs Issues

OBSERVATIONS ON PROCESSING  
NONIMMIGRANT VISAS AT CONSULAR SECTIONS  
IN MEXICO CITY AND GUATEMALA CITY

BACKGROUND

Nonimmigrant visa issuance is a major part of the workload of both posts we visited. Mexico City's nonimmigrant visa unit is one of the largest in the world. The unit adjudicated approximately 330,000 visa applications in fiscal year 1994, a 12-percent increase from fiscal year 1993. Long lines of applicants waiting to apply for visas are common and some applicants start lining up at 6:30 A.M. to be interviewed. According to embassy officials, nonimmigrant visa fraud is prevalent. Most of the cases investigated by the post's anti-fraud unit are generated by the nonimmigrant visa unit.

Although the nonimmigrant visa workload in Guatemala City is smaller than in Mexico City, the number of nonimmigrant visa applicants is growing. The post handled about 71,000 nonimmigrant visa cases in fiscal year 1992, 75,000 cases in fiscal year 1993, and 78,000 cases in fiscal year 1994. A consular official said because of the widespread poverty in Guatemala and the proximity of the United States, many Guatemalans attempt to enter the United States through visa fraud or illegal immigration.

The posts in Mexico City and Guatemala City have on-line access to the consular lookout and support system (CLASS) via computer terminals and telecommunications links to the mainframe located in Beltsville, Maryland. This database includes the names of individuals who have either been refused a visa or who have not applied but are presumed to be ineligible for a visa. It is to be checked before a post can issue a visa. Both posts are equipped to issue a machine-readable visa, which was designed to limit fraudulent visas. Both posts also have the distributed name check (DNC) system to serve as a backup to CLASS. The DNC is a stand-alone personal computer system that contains the CLASS database on tape or compact disks. The system can be used when direct access to CLASS via the telecommunications lines is interrupted. Both posts also have the CLASS database on microfiche.

TECHNICAL PROBLEMS LESSEN THE  
EFFECTIVENESS OF INTERNAL CONTROLS  
IN NONIMMIGRANT VISA ISSUANCE

Both the posts we visited reported a number of telecommunications and equipment problems that delayed the issuance of nonimmigrant visas and weakened the controls designed to prevent visa fraud. For example, according to an October 1994 cable from the embassy in Mexico City, the most frequent complaints of embassy officials concerning nonimmigrant visa issuance were about transmission problems in the telecommunications lines. The transmission problems had caused garbled and indecipherable responses from CLASS.

Outages of the CLASS system in Washington was another common problem, according to embassy officials. They said the frequency (almost daily) and duration of the outages appeared to be increasing, and they claimed that interruptions in CLASS extended the average visa processing time of 2 1/2 to 3 hours to 5 or more hours. Embassy officials further asserted that if the problems continued through the 1995 summer rush, the whole system used to issue visas would fail.

If CLASS is down, the embassy can use DNC as a backup. The version of DNC used in Mexico contains the entire CLASS database on compact disks and is updated each month. However, using DNC to check names is a slow process. According to post officials, the consular staff can check only 12 names per hour. With a peak workload of 3,500 to 4,000 applications a day, a slowdown in the name check process considerably delays visa issuance.

As a result, consular staff often use the old microfiche system instead of DNC as a backup. This system, which is updated bimonthly, consists of cards containing CLASS records. The staff can check four or five names in the same time it takes to perform one name check on DNC, according to embassy officials. However, by using the least up-to-date name check system, the post runs the risk of approving a visa for an applicant whose name has recently been added to CLASS but has not yet been added on microfiche.

According to consular officials in Mexico City, the consulate in Guadalajara, Mexico, has also had problems with the machine-readable visa system. The problems included a software anomaly that caused 15 to 20 percent of the name checks to go into an

indefinite "wait" status, which could only be corrected by manually deferring and retransmitting each record.

The embassy in Guatemala City also experienced interruptions in CLASS and has relied on the DNC. The post has had problems with the machine-readable visa printers, which malfunctioned almost daily, and with the foils (the blanks upon which the visas are printed). According to embassy officials, the foils were too thick for the printers and the printers could not be adjusted for the thickness. This caused the paper to jam, resulting in constant backlogs. They have requested new printers to solve the problem.

Bureau of Consular Affairs officials attributed about 80 percent of the transmission and outage problems in CLASS to the inefficiency of the international carriers. They said the problems are beyond their control because the Diplomatic Telecommunications Service Program Office is responsible for telecommunications between the foreign affairs agencies and their posts. Officials from the Bureau and the office meet monthly; therefore, the program office is aware of these problems. In February 1995, a consular official in Mexico City said that many of the problems with the telecommunications lines have been corrected. However, we have not done sufficient work to determine if such problems are likely to reoccur or if they are prevalent worldwide.

Equipment problems account for the remaining 20 percent of the CLASS telecommunications problems, according to the Consular Affairs officials. State has decided that it needs a backup mainframe and plans to purchase one with the funds State collects for processing machine-readable visas. The officials also told us that the planned installation of a new computer and new versions of the software in Mexico should improve the post's machine-readable visa processing. The embassy had received the computer, but it had not been installed at the time of our visit.

#### LOOKOUT COMMITTEES

Both posts have formed terrorist lookout committees to identify the names of individuals presumed to be ineligible for visas. The committees are chaired by the deputy chiefs of mission and include members from the consular and political sections of the embassy as well as other concerned agencies. Neither committee met on a regular basis. Officials in Mexico City told us that their committee had met about six times since its establishment

in April 1993, but they did not document these meetings. Officials in Guatemala City did not document their meetings and, as a result, could not determine how frequently they had met. They said the committee met when the Deputy Chief of Mission believed it was necessary. Neither lookout committee had identified the names of potential terrorists for submission to State. Embassy officials told us that such individuals were unlikely to apply for visas through Mexico City or Guatemala City. They believe that because the United States and Mexico share a common border, potential terrorists are more likely to attempt to cross into the United States illegally.

Although representatives from other concerned agencies at the embassies we visited expressed support for the lookout committees, they were uncertain about how much information they could share with the consular section. Officials from one agency were concerned that the information entered into CLASS could be traced back to the originating agency and thereby compromise their work. Further, the agency officials said although they were familiar with the directives from State initiating the lookout committees, they had not seen any guidance from their own agencies on the extent to which they could share information.

The Inspector General reported that there were no formal mechanisms at posts for identifying and including in CLASS the names of other ineligible individuals, such as drug traffickers or alien smugglers, and suggested that the terrorist lookout committee be used as such a mechanism. Both the embassies we visited did use the terrorist lookout committee to discuss individuals such as drug traffickers for entry into CLASS. In addition, the embassies have other committees that could be used to identify names for entry into CLASS. Mexico City has a law enforcement committee that meets weekly. The embassy's highest ranking consular official has attended these meetings. The embassy in Guatemala City has a narcotics affairs committee that meets regularly, and the Consul General is a member. Officials at both embassies told us that they did in fact discuss names for entry into CLASS at these meetings, but they did not keep records on names that were entered.

#### DECISION-MAKING PROCESS

Both posts provide same-day visa service. To expedite the interview process in Mexico City, the Nonimmigrant Visa unit conducts a "roving" operation. Under this process, a junior Foreign Service officer selects applicants for pre-screening from



the visa line. The officer approves the visa applicants based on a brief examination of the applicants's documents and the applicant's appearance. This process takes from 2 to 3 minutes. In Guatemala City, Foreign Service nationals review the applicants' documents for completeness and refer them to the proper window to be interviewed by a junior Foreign Service officer. The interviews average a little over 3 minutes. Embassy officials in Mexico City told us that going a little slower would result in better issuances and more refusals and that they may be frequently misled by the more sophisticated fraudulent documents and claims.

The two embassies we visited also reported staffing gaps during peak consular workload periods. In Mexico City, for example, the Nonimmigrant Visa Branch was short four junior officers, and both mid-career managerial positions were vacant. Embassy officials said that as a result, consular staff worked long hours to issue visas and still turned many applicants away.



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