

Statement of

The Honorable Saxby Chambliss

United States Senator
Georgia
September 30, 2003

Statement for Chairman Saxby Chambliss
Immigration and Border Security Subcommittee Hearing
Visa Issuance: Our first line of defense for homeland security
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In November of 2002, Congress passed The Homeland Security Act to establish the Department of Homeland Security, incorporating the immigration functions of the former INS. The Act also transferred visa issuance authority from the Department of State to the Homeland Security Department. This was a significant transfer of authority, because it clearly envisions visa issuance as a critical stage in border security for our nation. All nineteen of the September 11th hijackers came to the United States on visas. With improved information sharing, we can stop a potential terrorist before he gets to our borders by denying him a visa in the first place.

Just yesterday, the President transmitted a Memorandum of Understanding, or MOU, between the State and Homeland Security on who exactly will be in charge of visa issuance functions. This MOU is a product of months of negotiations between the Departments to spell out the intent of Section 428 of the Homeland Security Act, which covers visa issuance procedures. Importantly, the MOU details the coordination that is necessary between the two Departments when a decision is made to issue or deny a visa. A decision that must be made with a sharp eye towards our homeland security.

A key issue in the passage of the Homeland Security Act was putting control of the visa issuance process specifically under the Border and Transportation Security Directorate in order to keep the functions of immigration services separate from the functions of border security. The old INS system was broken, so Congress split up the agency to make it more accountable. We must keep it that way if our homeland security is to remain vigilant. I know Undersecretary Hutchinson will work with Director Aguirre ("Ah-gear-a") and Assistant Secretary Harty on immigration services. This is important work, but the point is that in a post - 9-11 world, visa issuance must be a border security job.

In a July hearing this Subcommittee held, we urged Homeland Security to adopt and formalize policies in order to stop immigration-related threats to our nation's security. I am pleased that our efforts have at last brought us to the point of having an agreement on visa issuance authority. That is a necessary first step, and this Subcommittee will continue to work with both Departments to make sure border security measures are implemented and adhered to in order to protect Americans from future attacks.

I welcome Undersecretary Hutchinson and Secretary Harty. We'll have plenty of questions to ask you both about the Memorandum of Understanding and about other homeland security functions. As you know, we have spent a good amount of time this year discussing the role of information sharing, for instance with the visa revocation problem. Today we look forward to talking about the fuller picture of coordination for visa issuance as a border protection measure in order to better ensure our nation is safe.