

**PROMOTING SECURE BORDERS AND OPEN DOORS**  
**A National Interest-Based Visa Policy for Students and Scholars**

**NAFSA: Association of International Educators**

It is now recognized at the highest levels of government that America's strong interest in robust educational and scientific exchange is ill served by the visa system that is currently in place. This situation is not the result of ill will; no one is to blame. Every control instituted since 9/11 has seemed, in itself, to add a reasonable—even necessary—measure of protection. But in their totality, these controls are hindering international student and scholar access to the United States to an extent that itself threatens national security. Our current visa system maximizes neither our safety nor our long-term national interests in scientific exchange and in educating successive generations of world leaders—interests that the United States has recognized for more than half a century.

There are four problems: the absence of policy, of focus, of time guidelines, and of balance between resources and responsibilities.

In a policy vacuum, every control is a good one, and delay or denial is the safest course. The State Department's visa adjudicators require an operational policy that articulates not only our interest in control, but also our interest in openness, and that guides them in how to find this crucial balance. Responsibility for articulating such a policy lies with the Department of Homeland Security.

Far too many adjudicatory and investigative resources are wasted on routine reviews of low-risk applications. This not only frustrates and delays visa applicants unnecessarily; it also precludes the allocation of resources pursuant to risk analysis. The practice of across-the-board visa interviews has led to millions of 90-second interviews of dubious security value, which clog the system while precluding serious scrutiny where it is needed. The practice of sending virtually all visa applications in the sciences to Washington for security clearances ("Mantis" reviews) reverses the time-tested policy of requiring such clearances only when indicated by the identity of the applicant, the applicant's nationality, and the specific field of advanced science or technology in question; the number of clearances requested has increased from about 1,000 in 2000 to more than 20,000 in 2003. The requirement that every Arab and Muslim adult male undergo a Washington security check ("Condor" review) has created an additional flood of clearance requests. Low-risk frequent visitors, and those seeking re-entry after temporary travel abroad, are often required to run the same gauntlet every time they seek re-entry.

The "Mantis" and "Condor" clearance processes lack time guidelines and transparency. Bureaucrats are like the rest of us. They make decisions when forced to by a deadline. Absent a "clock," cases can languish without resolution, and the applicant has no recourse for determining the application's status.

Furthermore, these systems have been put in place without reference to whether or not resources exist to implement them. In no foreseeable circumstance will enough resources be available to effectively support visa processing as it is currently being done. Balancing resources and responsibilities is the essence of policy. Without this balance, our visa-processing system will be unable to serve the national interest in providing timely access for legitimate visitors.

We believe that our nation's leaders share our interest in fixing these problems. Following are our recommendations for doing so.