



Departments of State, Homeland Security Reach Agreement on Visa Oversight Rule to Better Secure America's Borders

For Immediate Release
Office of the Press Secretary
September 29, 2003

Secretary of Homeland Security Tom Ridge and Secretary of State Colin Powell have signed a memorandum of understanding, signaling their commitment to work cooperatively to create and maintain an effective, efficient visa process that safeguards the United States. The document describes the respective roles and responsibilities of the Department of Homeland Security (DHS) and the Department of State (DOS) in order to secure America's borders from external threats while ensuring that these borders remain open to legitimate travel and commerce.

This change was called for in section 428 of the Homeland Security Act of 2002, and will take effect with the publication of the MOU in the Federal Register. The document was developed through a cooperative interagency process, and ensures that a cooperative and consultative process is in place for visa adjudication and issuance.

Under this agreement, the State Department will continue to manage the visa process and the foreign policy of the United States. DHS will establish and review visa policy, and ensure that homeland security requirements are fully reflected in the visa process.

DHS officers are already stationed in the kingdom of Saudi Arabia, as required by the Homeland Security Act. At the discretion of Secretary Ridge, additional DHS officers will be posted overseas at U.S. Embassies and Consulates to perform functions specified in the MOU. DHS, working in consultation with the State Department, will identify these locations.

As Department of State employees, consular officers and staff who currently work on visa matters will continue to receive direction from the Secretary of State. Consular officers will retain the responsibility for visa adjudication and issuance.

DHS officers assigned overseas will provide expert advice to consular officers regarding security threats relating to the adjudication of visa applications or classes of applications, review visa applications, and conduct investigations involving visa matters in accordance

with the MOU.

DHS will have final decision-making responsibilities over policy areas that include classification, admissibility and documentation; place of visa application; discontinuing granting visas to nationals of a country not accepting aliens; personal appearance; visa validity periods and multiple entry visas; the Visa Waiver Program; notices of visa denials; and processing of persons from state sponsors of terrorism.