

**Senate Foreign Relations Committee**

**Statement of**

**Janice L. Jacobs**

**Nominee for Assistant Secretary of State for Consular Affairs**

**April 28, 2008**

**4:00 p.m.**

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Mr. Chairman and members of the Foreign Relations Committee,

It is a distinct honor to appear before you today. I would like to express my sincere appreciation to President Bush for nominating me to be Assistant Secretary of State for Consular Affairs. I am grateful to the President and Secretary Rice for the confidence and trust they have placed in me in selecting me for this position. I would also like to introduce and give special thanks to my husband, Ken Friedman, who is here with me today.

As a career consular officer for twenty-eight years, I have had the privilege of serving the United States in places as varied as Mexico, France, and Nigeria, with people I have come to know as the world's finest consular corps.

Consular work is fundamentally about service – to our mission, to our citizens, and to the security of our nation. If confirmed, I will consider it my great privilege to lead the Bureau of Consular Affairs in meeting our current and future challenges and provide the highest quality services to our citizens.

In the course of my career, I have gained a perspective on the challenges our country faces. As Deputy Assistant Secretary for Visa Services and Principal Deputy Assistant Secretary for Consular Affairs, I worked on the full range of consular issues and have seen how the Bureau of Consular Affairs has prepared for and responded to those issues.

As Deputy Chief of Mission in Santo Domingo and as Ambassador to Senegal and Guinea-Bissau, I know the outstanding work that all consular

personnel overseas – officers, locally engaged employees, eligible family members – do to protect American citizens and America’s borders.

I was there in the immediate aftermath of September 11, 2001, when we instituted new practices and implemented new legislation to improve visa security. I was there when we implemented procedures to address the post-9/11 decline in visa applications – measures that led to record-high student and exchange visitor visa issuances last year. I was there when the Departments of State and Homeland Security launched the Western Hemisphere Travel Initiative to implement Congressional legislation requiring Americans to present passports when crossing our borders. I was there as we drafted regulations to increase protections for children and implement the Hague Convention on Intercountry Adoptions.

### **Key Consular Challenges**

The mission of the Bureau of Consular Affairs (CA) is to protect the lives and interests of American citizens abroad and to strengthen the security of U.S. borders through the vigilant adjudication of visas and passports. CA is keenly aware of its direct and tangible role in the overarching mission of the Department of State to “create a more secure, democratic, and prosperous world for the benefit of the American people and the international community.”

CA faces compelling challenges across the range of our activities and continues to rely on a tradition of innovation and a dedication to excellence to meet these challenges.

### **Providing American Citizens With Secure, Reliable Passports**

CA is charged with adjudicating applications for one of the most valuable travel documents in the world: the U.S. passport. We are responsible for issuing passports in a manner that ensures that the application process is accessible to all Americans, and that only those entitled to the privileges and benefits of U.S. citizenship receive one.

Integrity of the process and the product is an essential ingredient of this responsibility. Americans who apply for passports need to know that the information they provide in a passport application will be appropriately safeguarded. They need to know that the document is secure, and that they

will receive their passports in a timely manner. The American public entrusts the Bureau of Consular Affairs with millions of personal records. As a service organization, CA is determined to ensure that trust is well-placed.

Over the past several months we have learned of cases in which passport records of current presidential candidates were accessed for other than official business. While the Department has no indication that the incidents were motivated by other than imprudent curiosity, no one is more aware than I of the impact that such actions have on the public trust placed in us.

We took immediate action from the moment these incidents were reported. As soon as I was notified, in my role as Acting Assistant Secretary, of the incidents of improper access on March 20, 2008, I conferred with the Under Secretary for Management. We then informed the presidential candidates and their staffs of the incidents and our response. We asked the Office of the Inspector General to begin an investigation of the incidents; that investigation is ongoing. I also sent a notice to all consular employees and other agency partners to remind them of their legal obligation to safeguard the privacy of passport applications and passport holders.

The Department of State's passport database tracking system includes an invisible flag on individual passport records of high-profile individuals. When such records are accessed, an alert is automatically sent to two headquarters managers. Based on the alert, a manager contacts the individual who accessed the record for an explanation, and informs the supervisor and other senior managers for appropriate action.

Three individuals have been terminated to date for improperly accessing passport application records. While our safeguards for detecting improper access to passport records worked as intended, the experience demonstrated that there were areas where we could improve.

On March 24, we formed a Working Group with representatives of all key bureaus to conduct a comprehensive review of internal management and controls procedures for passport processing and develop initiatives to strengthen the security of the passport process. Our goal is a more secure system that will provide equal and effective safeguards to all passport applicants' records, and in which all Americans can have confidence that their data will be appropriately safeguarded.

If confirmed, I am determined that we will reach that goal, and continue to be responsible stewards of the information with which we are entrusted.

### Meeting Passport Demand

Preserving the integrity of the passport process is essential given that we are adjudicating more passport applications than ever before. In FY 2007, the Department issued 18.4 million passports — a 52 percent increase over FY 2006 and an 80 percent increase over FY 2005. Thus far in FY 2008, there is a seven percent increase in passport demand over the same time period in FY 2007.

Last year's record-setting growth in demand for passports resulted in unusually long delays in passport application processing. In response, and with the Committee's support, CA expanded hours at all agencies; stood up domestic task forces; deployed consular officers, Presidential Management Fellows, retirees and other personnel from throughout the Department to domestic passport agencies; piloted electronic adjudication of renewal cases at overseas posts; and hired over 400 additional personnel. This concerted effort succeeded, and the Department returned to an average of four to six weeks' turnaround for passport applications by September 30.

CA has made tremendous progress since last spring and summer. Our efforts to staff, expand, and equip the domestic passport agencies and centers are paying off in much improved service to our customers this year. Today, I am pleased to report that there is no backlog of passport applications. Current processing times are well within our established customer service standards of four weeks for routine applications and two weeks for expedited applications.

Implementation of WHTI has created a permanent increase in passport demand, and the Department believes it will continue to grow.

Approximately 88 million Americans – about 28 percent of all citizens – currently have passports. CA's initial workload projections for FY 2008 indicated demand for U.S. passports could reach as high as 26-29 million in 2008, 30 million in FY 2009, 36 million in FY 2010. Although the Department continues to prepare for that possibility, current workload indicates that FY 2008 demand may be more in the range of 20 - 21 million passports. The Department attributes this decline to Congressional action

mandating implementation of the final phase of the land and sea rule of WHTI no earlier than June 1, 2009. This legislation passed subsequent to the most recent demand study. The Department fully expects demand to increase as the June 1, 2009 implementation date approaches.

The Department is implementing a long-term strategy to provide the staffing levels and infrastructure necessary to meet the increased passport demand. CA has hired hundreds of additional passport adjudicators and support staff and continues to recruit aggressively. CA has established a reserve corps of passport adjudicators to supplement its full-time Passport Services staff, providing the ability to react quickly to demand surges. We have also developed the capability to adjudicate passport applications remotely at select consulates overseas, leveraging the expertise of our consular officers abroad.

To increase production capacity, in March 2007 the Department opened a mega-processing center in Hot Springs, Arkansas (APC). The APC differs from our other passport centers in that it focuses solely on printing and mailing passports and has the capacity to produce 10 million travel documents per year. The centralization of passport printing and mailing frees up space and personnel at our existing passport agencies to focus on the critical areas of customer service, fraud detection and prevention, and adjudication, thus processing more passport applications. Using APC as a model, the Department will open a second printing and mailing facility in Tucson in May. This facility, like the one in Arkansas, will have the capacity to produce over 10 million travel documents per year.

In addition to its 18 passport facilities, the Department will open three new Passport Agencies in Detroit, Dallas and Minneapolis to serve border communities by providing personal, direct passport services to customers with immediate travel needs. These agencies will have the capability to issue passport books and cards on site to qualifying applicants. The Department is also expanding existing agencies in Seattle, Chicago, Houston, Miami and New Orleans, and doubling the size and processing capacity of the National Passport Center in Portsmouth, New Hampshire.

Production of U.S. passports is secure. The U.S e-Passport is assembled by the Government Printing Office (GPO) at its secure facilities in the United States with components and an inlay manufactured in Asia, as well as European manufactured electronic components. GPO receives blank, locked

chips connected to a commercially available antenna via secure delivery from an overseas supplier. The use of foreign-source chips does not pose significant security issues since the chips themselves are commercially available, and are used for other government and commercial purposes such as trusted traveler and first responder cards issued by the Department of Homeland Security (DHS), as well as credit and debit cards.

In response to the expressed desire for a more portable and less expensive document than the traditional passport book on the part of American citizens who live in border communities, the Department will begin issuing a wallet-sized passport card in June, with full production beginning in July. The passport card will facilitate entry and expedite document processing at U.S. land and sea ports-of-entry when arriving from Canada, Mexico, the Caribbean region and Bermuda. The card may not be used to travel by air. It will otherwise carry the rights and privileges of the U.S. passport book and will be adjudicated to the exact same standards. The passport card is designed for the specific needs of border resident communities and is not a globally interoperable travel document as is the traditional passport book.

Taken together, the enhancements the Department proposes in the production and distribution of U.S. passports will represent the most significant advancement in passport delivery in U.S. history. These combined efforts will ensure the delivery to the American public of one of the most secure and valuable documents on the planet.

### Visa Issues

In discharging our visa responsibilities, consular officers sit literally on the front lines of the Global War on Terror, contributing to national security. They strengthen our borders by detecting and deterring the entry of those who seek to break our laws. They strengthen our society by helping reunite American families through legal immigration.

The events of September 11, 2001 redefined our approach to visa work. In the aftermath of that terrible day, our challenge was to move swiftly and decisively to implement several significant changes to visa processing practices – some mandated by law, others by regulation or other agency direction – more or less simultaneously. We have worked hard to increase visa security measures, completely changing the business model for

processing visas and vastly improving our communication with other agencies.

Our latest list of security enhancements to the visa process runs to more than 10 pages. Many of these changes reflect innovative uses of technology to detect and prevent fraud in visa applications. We are also working closely with our colleagues in the Department's Diplomatic Security Service to ensure vigorous criminal prosecution of visa and passport fraud. Our close coordination and exchange of information with the Department of Homeland Security is also a vital part of our shared border-security mission.

Security is and always will be our top priority in visa operations. At the same time, however, we have never forgotten that welcoming legitimate international visitors is an equally important element of national security. We firmly believe that the goals of security and openness are not contradictory, and we are determined to meet both. Our approach is guided by the January 2006 Joint Vision of Secretaries Rice and Chertoff for Secure Borders and Open Doors in the Information Age.

The drop in visa demand experienced immediately after 9/11 has been reversed, and our metrics are up across the board. For example, in FY 2007 overall nonimmigrant visa demand climbed ten percent to 8.5 million. We issued 650,000 student and scholar visas, surpassing pre-9/11 figures for the first time. This is due to the changes we have implemented, changed global economic conditions, but also to the relentless outreach we have conducted with industry, academic groups, and foreign audiences around the world to deliver the message that America's welcome mat is out for legitimate foreign travelers.

Our challenge now is to continue to improve service and security while meeting demand that is rising worldwide, and particularly in key countries such as India, Brazil, and China. We have developed a two-year plan that integrates technology with innovative process changes.

We have implemented a number of enhancements as part of this plan. All nonimmigrant visa applicants use an electronic visa application form. We have implemented electronic interagency clearance of security advisory opinions. All visa-issuing posts collect ten fingerprints, the biometric standard selected by the USG to ensure consistent screening of foreign nationals entering the United States. We established a worldwide goal of 30

days for an NIV appointment (exclusive of respective programs already in place to expedite student and business applications), and are meeting this goal at over 80 percent of our posts.

The next phase will be the rollout of a completely online visa application process – which will consolidate existing forms and permit applicants to submit data directly before visiting a consular section. We are currently piloting this process at our posts in Nuevo Laredo and Monterrey, Mexico, and hope to pilot it in a non-Mexico post this summer. We hope that this process will be available for posts worldwide to use later this year.

The online application system can be used in tandem with an Offsite Data Collection (ODC) process, where data entry, photo capture, and fingerprint collection can be done at an offsite facility, thereby removing much of the administrative tasks burdening most consular sections. Nuevo Laredo and Monterrey are using the ODC process, which we plan to expand to other Mexican posts in preparation for the increase in renewal applications for border crossing cards.

This year we will also begin to develop an online form for immigrant visa applications, as well as a secure electronic way to manage immigrant visa medical forms.

By FY 2009, we expect to have in place a system that results in significantly more data reaching consular officers prior to an applicant's personal appearance for interview, allowing consular officers to identify high-risk applicants early, and permit more rapid processing of readily-approvable cases.

#### Protecting American Citizens Overseas

Of course, our primary responsibility is to serve and protect the approximately 4 million Americans who reside overseas and 30 million who travel abroad each year. We continue to improve the quality and the access to reliable information for travelers through our Consular Information Program and our website, [travel.state.gov](http://travel.state.gov) – which received 343 million page views last year. Toll-free call centers are available to answer questions about the full range of consular services. Our Internet-Based Registration System has over one million registrations, and has proven invaluable as a means to communicate directly with Americans abroad during crises.



Yet despite new technologies, consular work continues to be about touching individual lives as we provide services around the cycle of life. Last year, for example, we registered 55,000 babies as American citizens, visited 7,377 jailed American citizens, assisted families of 7,092 Americans who died overseas, and helped thousands of others with information, notarials, welfare and whereabouts and other services.

When called upon to assist Americans abroad during crises – such as the South Asian tsunami in 2004, Hurricane Wilma in 2005, or Lebanon in 2006 – our Crisis Management team launches into action, managing task forces staffed by Consular personnel and volunteers from other bureaus, and providing affected posts with human and technological support. We developed web-based crisis software that allows us to track emergency cases involving American citizens and to communicate with concerned family members – we used it to track 120 Americans evacuated from Chad and 200 Americans who requested Embassy assistance in Cameroon this year, for example. We conduct regular crisis management exercises, and plan for anticipated increases in demand for services – we will deploy additional personnel to assist our posts in China to be able to swiftly and effectively assist American citizens during the upcoming Beijing Olympics.

Consular Sections help American citizens overseas to exercise their fundamental right to vote. We work closely with the Department of Defense's Federal Voting Assistance Program to provide absentee voting information to diplomatic, official and private American citizens abroad. We have reached out to a large number of groups, scheduled a record number of voting workshops at posts abroad, arranged with courier companies to transport absentee ballots, coordinated with the Department's diplomatic pouch management to speed transmission of ballot requests and voted ballots, and publicized information widely to ensure that American citizens will be able to participate in this year's elections.

### Children's Issues

As it is in every area, our workload in Children's Issues – intercountry adoptions and international parental child abduction is growing as well. Our Office of Children's Issues was founded in 1994 with four people. We now have over 40 officers handling adoption, abduction and abduction prevention cases.

In our work on intercountry adoptions, we are guided by a simple yet vital principle: that the best interests of children be respected in every intercountry adoption.

Americans adopted over 19,000 children from overseas in 2007. The Department of State will continue to assist American parents and strongly support intercountry adoption as an option for children in need of permanent family placement, and continue to encourage transparency and ethical practice as safeguards against fraud and abuse in intercountry adoptions.

This is why the Department has strongly supported U.S. membership in the the Hague Convention on Intercountry Adoption. I am proud to say that on April 1, the Convention entered into force for the United States. This was a major milestone. The Department must continue its outreach to key stakeholders on the impact of the Convention, and to continue to develop the procedures and capacity to fulfill our responsibilities as Central Authority for the Convention. If confirmed, I look forward to solidifying U.S. implementation of this important treaty.

The Hague Convention, and the safeguards it promotes, is the best protection against fraud and abuse in intercountry adoptions. If confirmed I will continue to use our best efforts to encourage the establishment of meaningful safeguards in countries where we see problems, offering assistance and support as they work to establish transparent and ethical adoption programs. I will continue robust efforts to encourage non-Hague countries to accede to the Convention, and to adopt Hague-compliant procedures to the greatest extent possible, in the case of those that have not yet decided to join the Convention.

International parental child abduction is one of the most agonizing situations a parent or child can face. We will never stop pushing on these issues, because the pushing – even if it takes years – yields results. We have helped 161 children return to their parents in the first six months of FY 2008. After years of dedicated efforts to resolve a series of sad and difficult cases, we are heartened that Saudi Arabia has adopted a policy that when a Saudi marries a foreigner he must sign a statement guaranteeing that the foreign spouse and any children will be free to depart the Kingdom without condition. If confirmed, I will continue this vital work.

We are focused on assimilating the incoming case work that used to be done by the National Center for Missing and Exploited Children (NCMEC.) As of April 1, OCS/CI is now handling all international parental child abduction cases involving the United States – some 1,260 cases, involving 1,600 children.

In countries that are party to the Hague Abduction Convention, we will continue to work with Central Authorities to encourage returns. In countries not party to the Hague Abduction Convention, we will continue to look for creative, lawful ways to resolve these cases.

I know that adoption and abduction cases are emotional issues that touch children and parents at the most personal level. If confirmed, I will work with this committee to do all we can to assist children and families.

### Training and Leadership

The Bureau's procedures and processes have changed dramatically. We have similarly improved how we prepare consular staff. CA provides robust training in fraud detection and prevention skills. Our Consular Training Division at the Foreign Service Institute has added training in how to assist victims of crime, countering international parental child abduction, interviewing techniques, and procedures for intercountry adoptions under the Hague Convention.

CA is dedicated not only to preparing outstanding consular officers, but outstanding leaders in the Department and U.S. Government service. With input from consular staff at 87 posts, we developed ten Consular Leadership Tenets, a set of shared principles of what we in CA believe leadership looks, acts and feels like. We have integrated leadership training into every course offered in the Consular Training Division at the Foreign Service Institute. A Consular Leadership Development Committee continues to explore ways and develop tools to help consular staff at all levels to model leadership in their work environment.

If confirmed, I look forward to continuing to promote training and leadership development in CA, to ensure that America benefits from the best-prepared consular professionals.

### **Conclusion**

Mr. Chairman, the Bureau of Consular Affairs continues to face compelling challenges across the range of our activities. We are fortunate to have talented staff and creative ideas for meeting them. We have developed detailed strategies and have moved aggressively to implement them.

If confirmed, I will look forward to working with the Secretary to ensure consular support for America's foreign policy objectives. If confirmed, I will continue to keep you informed of our resource needs, and work with you to ensure that the world's finest consular corps will continue to meet its obligations to our citizens and to our nation.

Thank you.