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## Joel Mowbray

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June 14, 2002, 8:45 a.m.

### Open Door for Saudi Terrorists

The Visa Express scandal.

By Joel Mowbray

**EDITOR'S NOTE:** This is a condensed version of a piece that appears in the July 1, 2002, issue of *National Review*.

**T**hree Saudis who were among the last of the Sept. 11 homicide hijackers to enter this country didn't visit a U.S. embassy or consulate to get their visas; they went to a *travel agent*, where they only submitted a short, two-page form and a photo. The program that made this possible, Visa Express, is still using travel agents in Saudi Arabia to fill this vital role in United States border security.

An obvious target for congressional hearings and public outcry, Visa Express allows residents of Saudi Arabia, including non-Saudi citizens, to apply for non-immigrant visas at private travel agencies. After submitting the short form and photo to a travel agent, applicants simply wait to receive a visa in the mail. Sure, the consulates review the applications once received from the travel agencies, but aside from the question of fraud, our field officers in consulates lose an opportunity to weed out shady characters who appear fine on paper. Most Saudi applicants never come into direct contact with a U.S. citizen until stepping off the airplane onto American soil.

One senior CA official describes the program as "an open-door policy for terrorists." Three of the 9/11 hijackers entered the U.S. through Visa Express, even though the program had only been in place for *three months* at that point — and that's not the only reason the program raises alarm. Take a sample month: The U.S. consulate in Jeddah interviewed only two of 104 applicants, rejecting none. The month in question? The *first* 30 days after 9/11.

Saudi Arabia is the only country in the world that enjoys such privileges when it comes to visas. In some other nations, partial versions of Visa Express are available — but to very few applicants. Twenty-eight countries — almost all in Western Europe — participate in Visa Waiver, which permits travel to America without a visa. Saudi Arabia, however, is the only country with such special visa privileges whose citizens pose a known terrorist risk.

One cannot fully appreciate the severity of this gaping hole in our border security without examining the "courtesy culture" at Consular Affairs (CA), an agency within the State Department that oversees embassies, consulates, and visa issuance, which made Visa Express possible.

CA is charged with a unique, and conflicting, pair of goals: to provide public diplomacy on the front lines *and* to screen out potential terrorists before they reach our shores. In the past decade, CA has done a splendid job achieving the former objective, but it has come at the expense of the latter. "[Assistant Secretary of State for Consular Affairs] Mary Ryan has chosen diplomacy over law enforcement," complains Nikolai Wenzel, a former consular officer in Mexico City.

Emblematic of the victory courtesy has claimed over security is an internal 1998 CA cable titled "Courtesy and Communications Count," which goes to great lengths to highlight the importance of customer service, with only fleeting references to enforcement issues. This "courtesy culture" has been intentionally sown by Ryan in her nine years as the head of CA. She continually stresses the importance of "fundamental fairness" — for foreigners.

The manifestations of CA's mission confusion can be seen in how the U.S. Embassy in Riyadh explains that Visa Express was not designed to enhance United States homeland defense, but rather "to help qualified applicants obtain U.S. visas quickly and easily."

During her nearly decade-long tenure as head of CA, Ryan's most notable — and dubious — achievement is the dramatic decline in the number of visa applicants interviewed. "It used to be most people were interviewed; now it's about one-fifth," notes Jessica Vaughan, a former consular officer in Belgium and Trinidad and Tobago. The new policy followed at most consulates is that an interview is conducted only if an application is red-flagged, and thus refused, on the first check. An application can be set aside for follow-up for a number of reasons, such as suspicious reasons listed for travel (an eight-month vacation for a lower-middle-class Mexican, for example) or the appearance of the applicant's name in the lookout system, a composite database of 5.7 million people on various watch lists.

Before a refusal can be finalized, however, the applicant must receive an interview. Otherwise, no interview is required.

Ryan's driving concern for the current interview policy is the system's convenience for applicants. Ryan explains that the intent of CA's policy is to "permit waiver of the interview when it is clear that the alien is eligible for the visa and an interview would be an unnecessary inconvenience."

Even when CA does turn its attention to border security, however, the agency is still stuck in a pre-9/11 mindset of keeping out people wanting to get a job at a Quickie Mart, not people who want to blow up buildings.

Standards for getting a visa in any country are eerily similar to those for getting a fancy travel package — if you have enough money, you can get either. No, that's not an exaggeration — it's written policy. Applicants are screened primarily by financial factors, not security ones. Outside of having money, one merely needs to have a clean record, or at least be able to slip by the lookout system, in order to receive a non-immigrant visa. And unless someone's name or documents raises a red flag, consulates don't have a shot to screen out an applicant with an interview.

Despite the atrocities of 9/11, the "courtesy culture" remains firmly entrenched at CA. One senior CA official says angrily that consulates screening out applicants "act as if the World Trade Center towers were still standing."

The most disturbing elements, which I discuss in greater length in the magazine, are the lookout system — transliteration of Arabic names into English is fraught with peril — and the distinct possibility that Consular Affairs lied to the public after 9/11 to hide the fact that the only country in the world that enjoys Visa Express had a visa refusal rate far too high to allow third-party screening.

Consular Affairs lied again this week, although in fairness, the person in question could have just been clueless. In sworn congressional testimony, Dianne Andruch, Ryan's deputy, said that Visa Express "has been shut down." Visa Express, however, is still alive and well. Quick calls to both Saudi Arabia and Consular Affairs in D.C. this week confirmed that Visa Express is still in operation.

Most current and former consular officers — those with a clear head, at least — agree that Washington's rush to "do something" won't cure what ails CA. Former consular officer Wenzel points the finger straight to the top: "We can pass all the laws we want, but nothing's going to change as long as Mary Ryan is in charge of Consular Affairs."

— *Joel Mowbray is a [Townhall.com](http://www.townhall.com) columnist and an NRO contributor.*

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