Beat: Politics

U.S.A. & TERRORISM - BRIEFING ON THE CURRENT K-1 VISA SCREENING PROCESS & REVIEW

BY SENIOR ADMINISTRATION OFFICIALS

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SENIOR ADMINISTRATION OFFICIAL ONE: Hello, happy to be on the call. And I just thought I would start the call by sort of giving kind of an overarching view of the process for K-1 visas, certainly from the [department withheld] point of view, and then I´ll turn it over to my partners in [departments withheld].

I mean, as we are all aware, as the President of the United States said in his address, that he´s directed a review of the K-1 visa process by the State Department and the Department of Homeland Security, looking into each step of the K-1 process from background checks to interviews to the use of social media and information collection, as well as looking at the visa adjudication practices worldwide. So that´s sort of a, it´s a soup-to-nuts review by the, that the President has directed that is already ongoing. Working groups have already been assembled, are, and are getting into all of these areas.

But I thought it would be helpful to sort of tee off this call by sort of giving the "" sort of the overarching view of how a K-1 visa application sort of moves through the process. And the first step is with U.S. Citizenship and Immigration Services, where a U.S. citizen spouse will petition USCIS "" it´s a I-129F petition, which is a petition to permit a foreign national fiance(e) who is living overseas to potentially come to the United States and get married to a U.S. citizen here.

So the process is that the U.S. citizen spouse files a petition with USCIS, and USCIS does some background checks with systems within the Department of Homeland Security, as well as some interagency systems, and then evaluates whether or not a "" this petition should be granted. And when the petition is granted, then the next step in the process "" so there´s one sort of initial set of background checks, at least the watch list checks, et cetera. Then the next step in the process is that once a petition is granted, then the foreign "" the foreign fiance(e) then has to apply for a visa to come to the United States, a K-1 visa, and that process is run by the State Department.

And I will turn it over to the [departments withheld] in a moment to discuss that whole process, but just to sort of "" to continue on the line for [department withheld], just to give you kind of an overall sort of "" the chronology of the process.

Because CBP has independent authority whether or not to allow somebody to come into the United States and determine whether somebody is admissible or inadmissible, and those checks include interagency watch list checks. But also the National Targeting Center that´s run by U.S. Customs and Border Protection also does screening of individuals and runs not only against watch lists, but also data analytics on, say, airline data that "" data that we get from the airlines :

advanced passenger information as well as passenger name record information to determine and to guide the decision making by U.S. CBP officers at ports of entry as well as some overseas, depending on when they "" where they´re coming in through, determine whether or not this person could present a threat to the United States or is inadmissible for any other reason.

Then "" so once the person then comes into the United States, then within 90 days, under the K-1 visa or under the I-129 petition "" the I-129F petition, they have 90 days to get married. And then the next step would be an adjustment of status for the fiance(e), or now the married partner, to get LPR status, so a green card status. And at that point, USCIS "" there´s another round of checks to determine whether or not somebody should be adjusted of status and become a green card holder, and at that point there are

background checks. There are interagency watch list checks.

And then also importantly, there is an interview at that point of both the fiance(e) "" or both partners, both the husband and wife or the married partners "" to determine whether or not LPR status should also be granted. And that´s obviously looking at not only for national security reasons, but also for fraud reasons, to make sure that this is not a sham marriage and "" or any of "" other circumstances where LPR status would not be granted.

So that´s an overarching view of the process. I want to now push it over to [departments withheld] to talk about the visa process and then the interagency process from that.

SENIOR ADMINISTRATION OFFICIAL TWO: Okay. This is [Senior Administration Official Two] on the line now. I´d like to back up in the process to where the State Department visa-issuing system becomes involved in this process. Once the I-129F petition is approved by the Department of Homeland Security, the package of the appropriate information is forwarded to our National Visa Center in Portsmouth, New Hampshire and sent out to the post at which the fiance(e)s have determined that they would like to have their visa interviews and clearance conducted.

And so once the scheduling is done and the interview date is decided, at that time we conduct our first "" our interview with the visa applicants as well as our suite of clearance procedures that we follow.

And the first point I want to make about this "" these clearances and security clearances that we do is that they apply, obviously, to the K-1 visa application category, but they apply as well across the board to all immigrant and non-immigrant visa categories. We strive to have the most rigorous security and background vetting for all people who apply for visas to enter the United States.

And so as stated a second ago, the first thing that we do is a interview. Nearly all visa applicants, non-immigrant and immigrant visa applicants, are interviewed by a consular officer. And all immigrants and fiance(e) visa petitioners are interviewed by a consular officer. We also conduct a series of background checks. As a matter of standard procedure, all visa applicants´ data are reviewed through our online database, which contains nearly 36 million records of persons found ineligible for visas in the past or against whom potentially derogatory information exists. And these records in our database are drawn from sources and records throughout the U.S. Government.

We also run all visa applicants´ information against our online visa record system called the Consular Consolidated Database to detect and to respond to any derogatory information regarding visa applicants as well as current visa holders. And this database contains more than 181 million immigrant and non-immigrant visa records. We collect 10 fingerprints from nearly all visa applicants "" and again, including all immigrant and fiance(e) visa applicants. And these fingerprints are screened against two key databases.

The first of those is the Department of Homeland Security´s IDENT database, which contains a watch list of available fingerprints of known or suspected terrorists, wanted persons, and immigration law violators. We also run these 10 prints against the FBI´s Next Generation Identification System, which contains, among other records, more than 75.5 million criminal history records.

All visa applicants are screened against a watch list of photos of known or suspected terrorists, which we have obtained the FBI´s Terrorist Screening Center, as well as the entire gallery of visa applicant photos that are contained in our database systems.

In 2013, the State Department, in coordination with multiple interagency partners, launched the Kingfisher Expansion counterterrorism visa vetting system, which supports a complicated "" I´m sorry, a sophisticated comparison of multiple fields of information drawn from applicants´ visa applications. And we run them against information in U.S. Government terrorist identity holdings. I will let the third Administration official describe that system in more detail.

And finally, we also coordinate with the Department of Homeland Security´s PATRIOT and Visa Security Program. This program is active currently at more than 20 of the identified high-threat posts around the world. The PATRIOT is a pre-adjudication screening system and vetting initiative that employs resources from both DHS/ICE, as well as Customs and Border Protection. It was established to identify national security, public safety, and other eligibility concerns relating to visa applicants prior to visa issuances.

And finally, PATRIOT works in concert with the Visa Security Program "" again, located at over 20 high-threat posts. ICE special agents assigned to these Visa Security Program posts provide on-site vetting of visa applications as well as other law enforcement support to our consular officers abroad.

And finally, I´ll just close by letting everybody know that our security vetting of visa applicants is not a one-time look at these people. Once we have these records and other information available from other databases, we constantly review and look at the records of these individuals as new information is made aware of us.

And if information becomes available, that would perhaps support the revocation of that visa, the appropriate messages are sent to the State Department, and we will consider visas for revocation due to derogatory information. Since 9/11 we have revoked over 122,000 visas, including 9,500 visas for potential ties for terrorist activity.

I´ll close with that and let my colleagues further describe the KFE visa vetting system.

SENIOR ADMINISTRATION OFFICIAL THREE: Thank you, [Senior Administration Official Two]. This is [Senior Administration Official Three] now. And I will describe the visa vetting process that takes place through the Kingfisher Expansion tool. The Kingfisher Expansion is a system for conducting interagency counterterrorism screening for all visa applicants, which includes the K-1 visa applicants. As previously stated, the Department of State launched the KFE system in 2013 in partnership with the National Counterterrorism Center, and DHS, FBI, and the Terrorist Screening Center.

KFE checks are initiated when a U.S. embassy or consulate submits a vetting package, which consists of all visa applicant information as well as any additional information from post. And that is submitted to NCTC. In an automated process, NCTC compares the applicant data against its holdings. The automated review process takes place in a highly classified environment and responds to post within minutes with a red light or green light response.

Any KFE red light response triggers a Washington-based interagency review of the case in which NCTC analysts along with FBI, DHS/ICE, and the Terrorist Screening Center review the application. All visa cases are continuously screened at NCTC during the validity period of the visa to identify any new derogatory CT information that arises on an applicant post issuance. NCTC alerts State, DHS, FBI, and TSC of any applicants who match the new terrorism information.

And with that, that is our NCTC screening process.

... TO BE CONTINUED WITH QUESTIONS FROM THE PRESS CORPS

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