

**Opening Statement of Chairman Joseph I. Lieberman
Lessons and Implications of the Christmas Day Attack:
Securing the Visa Process.
April 21, 2010 Hearing**

This is the fifth in a series of hearings our Committee has held to examine our intelligence and security systems that – despite all we’ve done to strengthen them – allowed Umar Farouk Abdulmutallab to board a U.S.-bound airliner and attempt to blow it out of the sky over Detroit last Christmas Day.

I want to welcome our witnesses here today, each of whom has a critical role to play in helping ensure that this type of failure does not happen again. I’d also say, each of whom has become quite familiar to our committee.

The purpose of this hearing is to review the enhancements to our visa security system that have been made over the last few years, the last five years particularly, but specifically to get a progress report on enhancements that have been put in place post-Christmas Day, including changes in how the State Department processes and disseminates information it receives about terrorism in its consulates abroad, and also to have a good discussion about what additional changes may be needed.

The failures that allowed Abdulmutallab to board Northwest Flight 253 are by now familiar to us all: warnings from the father which went unheeded, threats from Yemen which were not run to ground, and information in different databases that was still not connected.

However, one of the most frustrating failures was one that would seem to have been easiest to avoid, which is the misspelling of Abdulmutallab’s name during a check of the State Department’s visa database, which led the government to believe that he did not have a visa and so did not pose an immediate threat.

I think we all need to understand that, while America has been and remains probably an open country that welcomes visitors, international travel is a privilege in our time and not an absolute, unlimited right.

My concerns about the security of the visa process were one of the reasons that we advocated giving the Department of Homeland Security more authority over the visa-issuing process during the debate and legislative action during which we actually created the department. The events of Christmas Day, I must say, have brought me back to some of those ideas.

Nine years after September 11th we still do not have an automated system in place to check for revoked visas as individuals board airplanes.

I understand that State and DHS are working to accomplish this in an expeditious manner and I hope to hear reports on that today.

When the Department of Homeland Security was created, Congress- as an another example of the overlap of the two departments and what we can do to deepen it and expedite it- Congress included a provision establishing the Visa Security Program, and giving DHS the authority to set visa policy, and to deploy law enforcement officers to consulates in order to oversee the visa-issuing process because of its post-9/11-added security dimension.

The idea was to ensure that security considerations were given the weight they deserve in visa-issuance. Eight years later, I'm sorry to come to the conclusion that the program has not been a priority for either department. I'd like the witnesses to comment on that.

Here's why I reach that conclusion: DHS and the State Department have identified 57 high-risk consular posts around the world- that's out of a total of 200 posts that issue visas. But only 14 of those have received, or had stood-up in them, Visa Security Program offices.

The President's fiscal year 2011 budget submission does not include any new money for continuing to expand this vital program.

I understand that one of the main impediments to expanding the program, aside from funding, has been reluctance by some of our ambassadors to allow the Visa Security Program offices to be established at their posts, and I'd like to hear about that if that is true.

I gather on at least seven separate occasions, ambassadors have told the Department of Homeland Security that they would not support expansion of the VSP at their embassy.

And some of those posts are ones that are really key in fighting against terror, such as the United Kingdom, Turkey and Indonesia.

It was not our intention when we put this provision in The Homeland Security Act to give ambassadors veto power over this important program.

So, I look forward to hearing from the witness and to working with DHS and DOS and our colleagues on Foreign Relations to ensure that the VSP program does move forward.

Finally, I am heartened that, for travelers from Visa Waiver countries, the Department of Homeland Security has now fully implemented the Electronic System for Travel Authorization – which is known as ESTA – and is making progress in

signing the international information sharing agreements that are required by law. That's a significant accomplishment.

The Christmas Day attack- attempted attack- has underlined for us all the importance of effectively sharing information. I believe that expanding this information sharing to include our allies should be one of the Department of Homeland Security's main priorities moving forward, and so I hope the Department will expedite implementation of the agreements to ensure that information is being shared in real time.

Securing our homeland is now really a global enterprise. It begins well before people come to the United States, and that's why it's so important that State and Homeland Security are working closely and effectively together.

Senator Collins?