

## MEMORANDUM FOR THE RECORD

**Event:** State Department Office of the Inspector General (OIG)

**Type of event:** Briefing on their Review of Issuance of Visas to the 19 September 11, hijackers, and the dissemination of intelligence to and from posts abroad

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**Special Access Issues:** None

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**Team Number:** 5

**Location:** State Department OIG

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**Documents/handouts received by the Commission:** None

**TEXT:**

We asked the OIG why they had not started an investigation of the issuance of the visas to the 9-11 hijackers prior to November 2002. They stated that at the time after September 11, 2001 the IG "was in the process of considering how to do visa work going forward" and how to build up visa expertise. The investigation was in response to a letter from Rep. Frank Wolf asking them to investigate. They said they reviewed the GAO report on visa process thoroughly and were

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determined to interview all consular officers as part of their work. Security and intelligence are covered in the OIG report on Visa Viper.

The State OIG did an investigation into the issuance of visas to the 19 September 11 hijackers in beginning in November 2002. They spent two months. They traveled to the UAE, Saudi Arabia, and Berlin.

They developed a list of 28 questions to ask each interview subject, a copy of which is attached hereto.

They spoke to all consular officers who issued a visa to one of the September 11 hijackers and wrote down notes for their answers to each of the questions. They learned how many of the hijackers had been interviewed (a "small number"). Bert Kreig interviewed all but one of the consular officers. John L. interviewed the last one. Doug Ellice is in Mexico. Bert and Doug wrote the report. They also interviewed people working in main State – INR and the geographic bureaus. After that there was a OIG review process.

They asked about visa policy in Saudi Arabia.

The stated that of the 23 visas issued to the September 11 hijackers, 5 applications had been destroyed as part of the then document destruction requirements. The rest, according to them, were in the possession of the FBI.

All their interview reports were contained in an eight inch stack of documents in one box of their work papers. There were relatively few documents, only a handful of procedures specific to posts.

### **Results of interviews**

The consular officers in general had very little recollection of having issued the visas. TI was then several years after the fact.

They were a mixed group of individuals, some experienced, some junior. Ten officers were involved.

The main pressure the officers felt during this time was a pressure to keep up with the workload. Their goal was to issue visas "quickly and painlessly" preferably on the same day of the application. This avoided crowds around the embassy.

The pressures to issue visa and do so quickly came from several sources:

- U.S. commercial interests
- Universities
- Congress
  - individual MOCs would apply pressure, case-specific in general, although few ConOffs in SA and UAE felt this pressure.

Spot checks of CO work were done only for REFUSED VISAS by DOS requirement.

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The essential considerations for the 19 applicants was whether they were likely to be intending immigrants. 214(b), and whether they had been convicted of a crime. The generally accepted reputation for Saudis and Emiratis was that they would return to their countries. The risk of their emigrating was limited.

According to OIG, this view was "backed by corroboration data from INS." The consular officers would get "blue sheets" notifying them if their visa applicants overstayed their visas and applied for adjustment of status in the U.S. Using this immediate past history material, each post had created a profile of visa applicants and their track record from that country. However, the OIG was not aware of ANY STUDIES on the question of whether Saudis were likely to be intending immigrants. [NOTE: Need to follow up on this]

Guidance focused on host country as opposed to third country nationals. The problems arose from the applications of third country nationals, in particular temporary employees from [REDACTED]

In Berlin

Third country nationals with two years of study [or residence?] in Germany were considered at low risk to be intending immigrants. Again, this profile was based on responses from INS.

Security threats in SA

No one in SA said that had any information that SA visa applicants posed a security threat to the United States. This knowledge vacuum included the ambassador and the DCM.

The only threat they perceived was the threat to groups of individuals congregating outside the embassy. Focus was potential attack on embassy or post abroad, e.g. East Africa bombing. Thus crowds at embassy were perceived as potential bombers. So the fewer the people in the embassy at any given time the better for security. Thus there was a pressure to issue quickly and not to have the individual come back. This was consistent with pressure from US commercial interests, Hill, universities, individual MOCs.

Consular officers received a new arrival briefing, either a written package or oral briefing perhaps with section chief [?].

No awareness of Blind Shayk in Egypt, Lebanon, Berlin [?]

Consular associates are family members who receive training as junior officers [consular course at FSI]. Two of the visa officers interviewed were associates hired locally. [?]

Differences between SA and UAE

OIG said they saw no difference between the two in visa policy or concern about security threats from applicants from those countries.

Gaps in the Applications:

Although there were some gaps, the Con Offs and the OIG felt this was no big deal because it is not at all unusual for travelers, e.g., not to know the place where you will be staying in the country you are visiting. If asked, we would probably put "hotel" too.

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Clearances

OIG said that all ConOffs have TS clearances.

Interview Rates and Reasons

The only reason why applicants would be interviewed from SA or UAE were

- The applicant was asking for a visa under an unusual category (not B1/B2), or
- A FSN who reviewed the application detected a problem with the documentation, i.e., the visa application or the attachments.

The refusal rate for SA applicants was  and that figure applied to both interviewees and non-interviewees.

The issue with Hani Hanjour was the type of visa.

Spot checks of consular affairs focused on refusals of visas, not issuance of visas. The focus was on production.

10 year multiple entry visa: perspective on "destination" field, was, if they have a good track record, who cares where they stay?

There was one visa officer in Riyadh, and 2 in Jeddah. They issued 34,000 visas annually [?], interviewing 3% and refusing 1%.

Visa Express

The Consul General in Riyadh initiated it, after seeing it work in other locations—Seoul and Chile. [NOTE: need to follow up on this]

Ten travel agencies were chosen to participate who were seen as reputable.

The Goal: Was to help applicants fill out the applications and pay the fees, and have the basic data input off-site by the travel agency. This goal was consistent with a desire to keep people away from the embassy to avoid creating a terrorist target. Crowd control and bundling saved resources for the consular section.

According to OIG, there was an EXCHANGE OF CABLES on Visa Express between post and main state.

Two of the 19 September 11 hijackers were approved under the Visa Express program.

OIG concluded that the 10 officers were totally honest, and acted according to the training they received, their immediate supervisors, and the rules and procedures, which OIG felt were proper given limited resources.

Intelligence Sharing to and From Posts Abroad – the '95 Grassley OIG Report

In 1995, OIG visited 27 missions in four weeks to evaluate the visa issuance process in general, and included within that review was a consideration of the intelligence sharing at post.

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They asked, what is the mission of the Executive Branch Agencies at post? Is there Arabic level adequate for interviewing?

Who is there? [REDACTED]

Who of the US agencies at post is the host country willing to talk to on security matters? Usually not a CA officer.

When there is a discernible threat, this information goes through the Counterterrorism Working Group (CTWG), or the Law Enforcement Working Group (LEWG). There are one on one meetings with the section chief and the Chief of Mission to get the information to the person or persons who need to hear it. (This sounds a bit muddled).

When EB agency [?] personnel learn of a threat at post, it is transmitted back through at least two possible channels:

- Through individual agency channels, e.g. [REDACTED]  
[REDACTED]
- Through the Visa Viper monthly report (which used to be done quarterly) or individual VV cable

Visa Viper: pre 9/11 after WTC I

Senior Con Off normally the coordinator, DCM was chair. Are the right people read into the right compartments?

August '02, mtgs were changed from quarterly to monthly reports required, and "names" shared informally.

Dept of State CA

- Visa issuance 7/17/03
- ~~the~~ Students
- w/ MFR - CA

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