

NATIONAL FOREIGN TRADE COUNCIL, INC.

1625 K STREET, NW, WASHINGTON, DC 20006-1604

TEL: (202) 887-0278



FAX: (202) 452-8160

April 22, 2009

The Honorable Gary F. Locke
Secretary of Commerce
United States Department of Commerce
1401 Constitution Avenue, NW
Room 5858
Washington, DC 20230

Dear Mr. Secretary:

I am writing to bring to your attention continuing problems the American business community has with the government's visa and entry procedures for foreign visitors. While immigration policy has been hotly debated in the country and the Congress over the past several years, a more significant problem for many companies is business travel – the problems associated with getting their employees, customers, and trainees into the United States temporarily for short periods of time. Beginning in 2002, business travelers have encountered lengthy waits for visa interviews and then for a decision on their application, lack of transparency on the part of the government with respect to the status of an application, and, once an application has been approved, delays and interrogations at the point of entry.

In economic terms, this has alienated and irritated our companies' customers and has become an advertising point for other nations who tell their potential Chinese customers that they can receive visas in 24-48 hours while it takes literally months for the same individuals to receive an American visa. Our policies have also created a pervasive sense in other countries, particularly in Asia and the Middle East, that foreigners are no longer welcome in the United States, and they are likely to be harassed on arrival by border officials. In 2004, the NFTC released a study that concluded that our policies had cost American companies over \$30 billion in lost business during the approximately fifteen months surveyed.

What is worse from the standpoint of national policy is that large companies with global resources have adapted to this policy by moving meetings, training facilities, and research laboratories overseas in order to avoid dealing with our visa system. In the long run that means the movement of more American jobs, resources, and critical technology off-shore to the detriment of our domestic economy.

Over the years, the NFTC has had numerous meetings with officials at both the State Department and the Department of Homeland Security, and we have occasionally made progress, although it has tended to be "two steps forward, one step back," or, unfortunately, all

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too often the reverse. Recently the problem of delays in making decisions on applications has gotten much worse; although we are informed the government has identified the problem and is transferring resources to address it.

We hope that in a few weeks we will see improvement, but we fear the government has set its sights too low – aiming only for a return to the *status quo ante*, which was an average processing time of 3-6 weeks, exclusive of the time spent waiting for an interview. The fundamental problem has been that the last Administration locked itself into a “zero risk” approach to this problem rather than practicing risk management, with the result that its efforts only served to tweak the system at the margins.

A new Administration presents an opportunity for a more fundamental review of our policy, and, knowing of your interest in this subject, I hope that you will decide to play an active role in it and consult closely with the business community in the process.

For your further information, I am attaching a copy of some proposals for change we submitted recently to the Department of Homeland Security following a meeting there. Of course, we would be pleased to discuss any of them with you or your staff.

Sincerely,

A handwritten signature in black ink, appearing to read 'W. A. Reinsch', with a stylized flourish at the end.

William A. Reinsch
President