

**Visa Issuance to and Admission of Iranian Nationals
Preliminary Position Paper - Executive Summary**

1. Registration Requirements

§ Iranian nationals and residents should be subject to the same protocols for determining eligibility for special registration as nationals from other countries.

-As indicated by recent pronouncements by the Attorney General, non-nationality-based selection criteria exist for determining which individual nonimmigrants should be subject to registration requirements.

§ In all events, there should not be blanket registration requirements for nonimmigrant Iranians.

-Such blanket requirements unduly overtax law enforcement resources without enhancing national security.

-Such blanket requirements burden Americans of Iranian descent by frustrating important purposes of the Immigration and Nationality Act such as family visitations.

-To the extent it is deemed necessary to apply registration requirements to broad categories of Iranians, such categories should be defined as narrowly as possible consistent with legitimate security concerns.

2. Visa Issuance and Security Screening Procedures

§ Section 306 does not contemplate categorical bans on the issuance of visas to residents or nationals of countries that appear on the Department of State's list of state sponsors of international terrorism, and should not be interpreted as such.

§ Insofar as possible, effective non-nationality-based criteria should be in place to determine whether applicants for nonimmigrant visas regardless of national origin pose a threat to the safety and national security of the United States.

§ To preserve enforcement resources and relieve unnecessary burdens on legitimate visa applicants and their families in the United States, the criteria for

determining eligibility for the issuance of nonimmigrant visas pursuant to Section 306:

-should not be solely based on national origin;

-should not envision blanket requirements for security clearance for certain nationalities; and

-to the extent security clearance is required, should recognize that different classes of visa applicants should receive a different level of screening that is tailored to their circumstances and the potential security risk that they may harbor.

§ Specific recommendations with respect to Iranian nationals:

-Maintain the basic security clearance framework reflected in the currently available version of the Foreign Affairs Manual: (i) no blanket security clearance requirement; (ii) require obtaining clearance before visas are issued only for specific classifications deemed to pose a heightened security risk (e.g., applicants seeking student visas in TAL fields or affiliated with the government); and (iii) for all other classifications, the waiting period before the issuance of a visa should be definite, and not longer than 30 days.

-Expedite the security clearance process in cases of medical emergencies or humanitarian need.

-As experience, information and technology develop, eliminate overbroad categories for requiring security clearance (e.g., all males between the ages of 18 and 60), and, to the extent possible, shorten the response time for all SAOs.