

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074  
MINORITY (202) 225-5051

<http://oversight.house.gov>

June 30, 2015

The Honorable John F. Kerry  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Mr. Secretary:

According to recent reports, a computer hardware failure within the Bureau of Consular Affairs prevented the United States from issuing temporary and immigrant visas since June 9, 2015, and caused a severe backlog of pending visas.<sup>1</sup> State Department spokesperson Niles Cole stated that the cause of the failure has not been identified and, until the hardware is repaired, “no visas can be issued.”<sup>2</sup>

This is not the first time that a computer glitch shut down the Department’s visa processing system. Less than one year ago, “a global database that houses all the information related to issuing travel documents crashed.”<sup>3</sup> The July 2014 crash caused “a headache for consulates around the world.”<sup>4</sup> The problems caused by the current outage are even more costly. The California agricultural sector alone loses “\$500,000 to \$1 million for each day of delay.”<sup>5</sup> Entertainment events and conferences around the country are being canceled. According to one report:

The Jewish Federation of Atlantic and Cape May Counties in New Jersey, for instance, canceled 90 reservations for its Taste of Israel event on Father’s Day after a featured chef from Israel couldn’t pick up his visa. Thousands of seasonal workers are waiting for visas at the Mexican border, and growers who are already paying the absent workers’ living expenses are watching their crops rot. Substitute fighters had to be found for a martial-arts show in Florida after a dozen Brazilian competitors went visa-less.<sup>6</sup>

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<sup>1</sup> U.S. Dep’t of State website, *Technological Systems Issue*, (June 15, 2015).

<sup>2</sup> Jordan Miriam, *Visa Glitch Stalls Workers, Straining U.S. Farms*, WALL ST. J., June 15, 2015.

<sup>3</sup> Colby Itkowitz, *State Department technical glitch creating major passport, visa delays*, WASH. POST, July 24, 2014.

<sup>4</sup> *Id.*

<sup>5</sup> Jordan Miriam, *Visa Glitch Stalls Workers, Straining U.S. Farms*, WALL ST. J., June 15, 2015.

<sup>6</sup> Carol Lorello, *Computer glitch at State Department causes havoc for foreign visitors*, WASH. POST, June 23, 2015.

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Due to the economic importance of the visa processing system, we urge you to take all steps possible to fix this issue as soon as possible. We are requesting information that will allow us to assess whether the State Department is taking the appropriate steps to solve this problem. In light of the fact that this is the second system failure in less than one year, the Committee will also assess whether the Department is taking adequate steps to prevent future technological issues. Please provide a written response that addresses (1) the nature of the computer problem that caused the outage; (2) the Department's steps to fix the issue; and, (3) the Department's plans to prevent this type of failure in the future. Please also state whether any concerns have ever been raised concerning the integrity of this computer network, and also whether there are any outstanding concerns or investigations regarding their security of the network.

Please provide the written response as soon as possible, but no later than 5:00 p.m. on July 6, 2015. In addition to the written response, please provide a briefing to address the issues raised above as soon as possible, but no later than 5:00 p.m. on July 9, 2015. The briefing should address the nature of the computer issues that are impeding visa issuance; what steps have been taken to rectify the issues; and what technological improvements are needed to prevent future issues. In addition, please be prepared to outline any other concerns that have been raised about the integrity of the Department's computer network as a whole, including any concerns or investigations regarding the security of that network.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X.

When producing documents to the Committee, please deliver production sets to the Majority staff in room 2157 of the Rayburn House Office Building and the Minority staff in room 2471 of the Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter contains additional instructions for responding to the Committee's request.

Please contact Art Arthur of the Oversight Committee staff at (202) 225-5074 with any questions about this request. Thank you for your attention to this matter.

Sincerely,



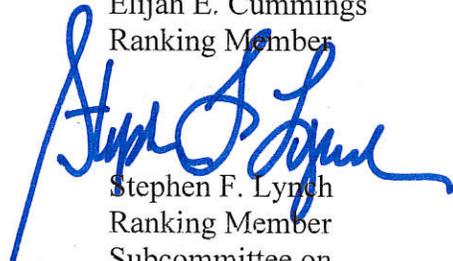
Jason Chaffetz  
Chairman



Ron DeSantis  
Chairman  
Subcommittee on  
National Security



Elijah E. Cummings  
Ranking Member



Stephen F. Lynch  
Ranking Member  
Subcommittee on  
National Security

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cc: The Honorable Edward R. Royce, Chairman  
Committee on Foreign Affairs

The Honorable Eliot L. Engel, Ranking Member  
Committee on Foreign Affairs

The Honorable Hal Rogers, Chairman  
Committee on Appropriations

The Honorable Nita Lowey, Ranking Member  
Committee on Appropriations

The Honorable Kay Granger, Chairman  
Subcommittee on State, Foreign Operations, and Related Programs

The Honorable Nita Lowey, Ranking Member  
Subcommittee on State, Foreign Operations, and Related Programs

Enclosure

## Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:  
  
BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,  
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,  
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,  
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,  
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.