

# WebMemo



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## President's Proposed Visa Waiver Program Reforms Strengthen Fight Against Terror

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In Tallinn, Estonia, on the way to this year's NATO summit meeting in Riga, Latvia, President Bush announced plans to bring a plan to Congress to reform the Visa Waiver Program (VWP). This a smart move for the security, economy, and public diplomacy of the U.S. and a boon for our friends and allies. The VWP is a key travel and business facilitator, which allows most visitors from the 27 nations participating in the program to enter the United States for up to 90 days without a visa if they have valid passports from their countries. Currently, participating nations must meet strict requirements to enter the program, such as government-issued machine-readable passports with biometric capabilities that are secure and low non-immigrant visa refusal rates.

### The "Waiver"

The President's proposal waives certain requirements of the VWP for countries that are willing to sign up for more vigorous security measures and programs to decrease non-immigration refusal rate. The non-immigration refusal rate is a reflection of the rate of people from a participating nation who overstay their visa. Currently, the rate of non-immigrant visa refusal rates must be lower than three percent. Many aspiring VWP countries, such as South Korea and many Eastern and Central European nations, are on the cusp of that requirement. The waiver, which would be negotiated on a bilateral basis, would last only a certain number of years, upon which the U.S. could reconsider the nation's full participation in the program or renegotiate terms of the waiver.

"Waiver" is a misleading term since countries allowed into the VWP would actually have stronger security requirements than current VWP members. For example, according to the President's proposal, countries seeking entry under the waiver must comply with mandatory and prompt reporting of lost or stolen blank and issued passports. The VWP only requires the reporting of lost and stolen blank passports. Furthermore, countries seeking entrance under the waiver would be required to cooperate in additional information sharing, such as terrorist watch lists and the Passenger Name Recognition Program to which the European Union and the U.S. have agreed. Prospective countries would also need to undergo travel authorization reform—in other words, they would have to move toward an electronic visa system and generally raise the quality of passport documents. Finally, they must show progress in reducing the number of non-immigrant visa refusals due to overstays and commit to full cooperation in investigations and return of immigration law violators.

The current VWP lacks these additional security measures. Adding these components to the VWP would enhance the program by making it a stronger tool for facilitating international travel and

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commerce, enforcing immigration law, and fighting terrorists. As the waiver countries work to meet the visa refusal rate standards, Congress, the Department of Homeland Security and the Department of State could work on strengthening the VWP to include the additional security measures. If a current member nation does not meet the standards, it should be denied admittance to the program or engage in bilateral negotiations to fulfill the criteria.

### **Congressional Action Needed Now**

The President's initiative to reform the VWP will result in better, more flexible security standards for our nation and participating nations. It will also open up business and trade between the U.S. and countries with markets that are currently going to Europe, China, and India. Moreover, along with

more business comes more tourism and interest in travel and study in the U.S., which results in a conversation between nations on a person-to-person level that no heads of state could reproduce. Thus, the VWP reforms would strengthen U.S. public diplomacy. Congress should move forward with the President's proposal to create the waiver based on tougher security standards for potential country participants while strengthening the VWP along the way.

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