Executive Memorandum

A Visa Reform Plan for Congress

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Since 9/11, Congress has done far too little to encourage foreign visitors to come to the United States. Foreign travel to America has still not recovered to pre-9/11 levels, and congressional inaction threatens to undermine the competitiveness of U.S. society. By developing an action plan to speed the process of issuing visas and expanding the Visa Waiver Program, Congress can both reestablish America's reputation as an opening and welcoming country and make the nation more secure against foreign threats.

Visas and Terrorist Travel. In the hands of a terrorist, a visa can be a deadly weapon, as demonstrated by the 9/11 hijackers, who all had U.S. visas. Terrorists have attempted to exploit every possible means of travel to enter the United States, but they represent a miniscule fraction of those attempting to enter by any means, lawful or illegal. It makes no sense to fixate on abolishing or overly restricting any form of legitimate travel in the hope that it would keep all the terrorists out.

Indeed, keeping visas out of the hands of people with legitimate interests in traveling to the United States can be just as dangerous. Visitors strengthen U.S. bonds with the rest of the world, promoting economic growth, intellectual freedom, and cultural awareness. In contrast, the long-term economic losses created by the reduction in travel to the United States can be greater than those caused by a terrorist attack. Likewise, isolating America from the world undercuts efforts to encourage the spread of freedom and democracy.

- Travel to America has still not recovered to pre-9/11 levels, and congressional inaction threatens to undermine U.S. competitiveness.
- Through visa reform, Congress can both reestablish America's reputation as an open and welcoming country and make the nation more secure against foreign threats.

There Is a War to Win. Winning the long war against terrorists who seek to diminish and isolate the United States means promoting both security and freedom—and doing both in equal measure. A congressional visa reform program could accomplish both goals. Security is strengthened by raising international standards on passport and visa controls, improving intelligence support and information sharing in support of visa issuance and monitoring, and focusing counterterrorism efforts on the highest risks. These goals should be the centerpiece of any congressional visa reform effort.

What Congress Should Do. Congress should adopt three initiatives that would help to achieve these ends:

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- **End the requirement to interview 100 percent of visa applicants.** Congress recently required that every visa applicant be interviewed by a consular officer. In many parts of the world, the interview requirement represents a significant burden in terms of the expense and inconvenience to report and wait for the interview and lost time from work. Likewise, the issuing officers are under pressure to speed through the interviews and make snap judgments that might deny visas to legitimate travelers or miss a serious security threat. Congress should amend the law to require the Department of State to conduct interviews based on a risk-based assessment conducted jointly with the Department of Homeland Security. The departments should have the option to waive interviews for countries, classes of travelers, and frequent visitors from trusted companies, governments, and academic institutions. This would allow both departments to focus their scarce resources on the greatest threats. As counterintuitive as it may seem, interviewing fewer people would probably increase rather than decrease the likelihood of keeping visas out of the hands of terrorists by allowing interviewers to focus their attention on high-risk individuals.

- **Establish electronic travel authorization.** It is long past time for the United States to join the 21st century by creating the means to issue and monitor visas. Other nations, such as Australia, already use electronic travel authorization. For low-risk countries and classes of travelers, the United States should implement on-line visa applications. This would greatly facilitate travel to the United States, significantly reducing the cost and inconvenience of personally applying for a visa. These visas could also be paperless, automatically entered into the US-VISIT system that records the entry of all visitors into the United States. In addition, since US-VISIT records the biometric (e.g., fingerprint) data of visa holders and screens these data for security purposes, the likelihood of a known security or criminal threat entering the United States through an electronic travel authorization is very small.

- **Expand the Visa Waiver Program.** The Visa Waiver Programs allows most visitors from participating countries to enter the United States for up to 90 days without a visa as long as they have valid passports from their countries. In turn, U.S. citizens with valid passports do not need visas to visit these countries. Currently, 27 countries participate in the program. All of the countries agree to common passport standards, including requiring machine-readable passports (which can be checked more easily and accurately) and imprinting biometric identifiers on the passports to identify individuals more accurately and reduce fraud. The Department of Homeland Security audits countries in the program to ensure compliance. Countries that fail to meet the program standards can be and have been removed or restricted from full participation. Adding countries to the program increases security because these nations must pledge to maintain the same security standards as the United States. In addition, adding counties would greatly facilitate visiting America. In many places, the price of a U.S. visa is considered exorbitant. In Poland, for example, the visa application fee is a month's salary for an average worker and is nonrefundable because it pays for processing the application. If the visa is denied for any reason, the applicant has simply lost the money. Expanding the Visa Waiver Program to countries in East Europe and Asia, where the United States has growing economic, cultural, and security ties, could both strengthen America's bonds to these nations and enhance travel security.

Conclusion. There is much that Congress could and should do to diminish the threat of travel by terrorists and criminals and to reestablish America as the world's most welcoming nation. It is time for Congress to act on visa reform.

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