

WebMemo



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Improve the Visa Waiver Program with Exit Checks for New Participants

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The House and Senate recently passed bills that would implement a number of new homeland security measures. In conference, a key provision of the Senate's bill that would strengthen and enhance the Visa Waiver Program (VWP) should be improved by requiring visitors from countries entering to "check out" at major U.S. international airports when they leave the country. With this requirement in place, the Department of Homeland Security could ensure that foreign visitors are complying with U.S. immigration law.

The VWP allows visa-free travel between the United States and 27 countries for up to 90 days. The program has not been expanded since 9/11 out of concern that terrorists, criminals, and immigration violators might exploit the opportunity to enter the U.S. and remain unlawfully. But restricting casual travel with many countries that seek stronger ties to America has hurt the U.S. economy and diminished America's image abroad. With that in mind, the Senate's homeland security legislation proposed enhancing security provisions in the program and opening up the possibility that more of America's friends and allies in the war on terrorism could participate in it. This proposal would benefit the United States and its allies.

In particular, the bill would require that the Administration create a cap on overstay rates and establish a mandatory exit system to track foreign VWP travelers. This is reasonable. Congress has already called for creating a mandatory exit system for all travelers, but due to the cost and complexity of the task, the government has not instituted any

mandatory exit checks. This must change. Mandatory exit checks are necessary for security and immigration control. Overstaying visitors, for example, account for over a third of illegal aliens. The government needs a system to ensure that countries using the VWP are not abusing the program—and if they are, have the solid evidence to justify revoking that privilege.

The top 11 airports account for 70.45 percent of international travelers. If 97 percent of international airports have to implement this system, an additional 120 international airports would have to install exit systems now. All that extra cost would, in the end, account for only 30 percent of travelers.

The Right Solution. Congress should require the 11 international airports with the largest numbers of foreign travelers to implement a mandatory exit system. For a suitable probationary period, when VWP travelers from new VWP countries enter or leave the U.S., they should be required to travel through those 11 airports. As time progresses and resources become available, the list of airports should be expanded.

This approach would encourage the Administration to move forward in instituting a mandatory exit

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registry program in a practical, affordable, and reasonable manner. In addition, it would allow new countries to join the program sooner while establishing a concrete, verifiable measure to ensure that they do not abuse it.

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