

ISSUE BRIEF

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The JOLT Act: Right on Visa Waiver Program, Wrong on Travel Promotion

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Last month, the Senate introduced the Jobs Originated through Launching Travel (JOLT) Act, which would seek to foster the greatly overdue expansion of the Visa Waiver Program (VWP). However, the legislation would also create misguided priority programs and specialized provisions for different kinds of travelers seeking to visit the United States.

With visa wait times excessively high and the U.S. share of global tourism declining, it is clear that the nation's visa system is in need of repair. Yet it is also clear that programs that prioritize the entry of different groups are far from the solution. Instead, Congress and the Department of Homeland Security (DHS) should reduce unnecessary barriers to issuing visas across the board. Congress should also continue to promote the expansion of the

VWP separately from other misguided travel promotion efforts and stop placing the program on hold.

Declining U.S. Share of Global Tourism. In 2011, international travelers spent a record \$153 billion on travel- and tourism-related goods and services in the U.S., making travel and tourism the nation's largest service export.¹ Yet while spending among international travelers is increasing, the overall U.S. share of the global overseas travel market has been declining over the past decade, down to 12.4 percent in 2010 from 17 percent 10 years earlier.²

One reason for this decline is the continuously convoluted and bureaucratic U.S. visa system. According to current law, 100 percent of all individuals applying for a visa to enter the U.S. must be interviewed at an overseas consular office. Not only does this mandate put extensive strain on consular offices throughout the world, but in many countries wait times have ballooned to unreasonable lengths. While President Obama recently issued an executive order calling for the Secretary of State to “ensure that 80 percent of nonimmigrant visa applicants are interviewed within 3 weeks of receipt of application,” such requirements will do little

more than further strain an already overloaded system.³

To make matters worse, the VWP, which allows for individuals from member nations to travel to the U.S. for up to 90 days without first obtaining a visa, has largely been put on hold since 2008. The VWP—quite easily the U.S.'s most important visa program—is not only an excellent way to promote tourism and travel to the U.S., but it also serves to strengthen U.S. security as well as enhance America's image abroad. Under the Bush Administration in 2008, eight new countries were brought into the program. Since then, however, only Greece has gained admittance, leaving several key allies and friends, such as Poland, waiting indefinitely.

Misguided Priorities and Piecemeal Policy. The JOLT Act calls for the implementation of piecemeal policies, creating priority programs and specialized provisions for different kinds of travelers seeking to visit the U.S. These efforts include:

- Fee-based, expedited processing of certain classes of non-immigrant tourist and business visas, with specific emphasis on visitors from India, China, and Brazil;

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- Extended visas for Chinese nationals;
- Increased periods of admittance for Canadian visitors over the age of 50;
- Lowered fees for off-peak visas; and
- Requirements for visa interviews to be conducted no later than 15 days after the applicant requests an appointment.

These measures would simply force the State Department to shift resources from other areas to meet these new, limited priorities while adding additional layers of bureaucracy into the system. Likewise, simply setting deadlines for visa interview requirements will only increase the burden on consular offices in meeting the 100 percent visa interview requirement.

Getting Visa Reform Right.

Rather than promoting limited, piecemeal reforms and placing priorities on different groups, Congress and the Administration should

take a serious approach to reducing unnecessary barriers in the U.S. visa system.

For one, mandatory interviews for every visa applicant should be eliminated. The State Department should instead be allowed to adopt a risk-based approach, focusing interview requirements on specific countries, classes of travelers, and individuals that represent a terrorist or criminal threat or on individuals who are deemed likely to abuse or overstay visa privileges. This policy would allow State to focus its resources where there is the greatest risk, and it would also serve to help reduce visa interview wait times organically rather than through imposed and impractical time frames.

Likewise, Congress should also continue to promote the expansion of the VWP separately from other misguided travel promotion efforts. The VWP facilitates both travel and security, yet since 2008 the ability of DHS to bring new nations into the program has largely been put on hold. Congress should restore the Administration's authority to expand the VWP as rapidly as practicable.

In order to further enhance security, DHS should also look to enhance the Visa Security Program, which places homeland security officers at U.S. consulate offices to assist in reviewing and vetting potential high-risk visa applicants, providing an added layer of security to the visa process.

With Open Arms. If the U.S. share of global travel and tourism were to be restored to the levels seen in 2000, the industry could create as many as 1.3 million jobs. The U.S. should do more to welcome foreign visitors with open arms by reforming the country's broken visa system. Getting these reforms right, however, requires sound policies that seek to reduce unnecessary barriers and expand critical programs such as the VWP.

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1. News release, "U.S. Commerce Department Releases Data Showing Tourism Spending Increased 8.1 Percent in 2011, Supporting an Additional 103,000 Tourism-Related Jobs," U.S. Department of Commerce, March 21, 2012, <http://www.commerce.gov/news/press-releases/2012/03/21/us-commerce-department-releases-data-showing-tourism-spending-increas> (accessed April 12, 2012).

2. Thomas J. Donohue, "The Economic Imperative for Promoting International Travel to the United States," testimony before the Subcommittee on Immigration, Refugees and Border Security, Committee on the Judiciary, U.S. Senate, March 27, 2012, <http://www.judiciary.senate.gov/pdf/12-3-27DonohueTestimony.pdf> (accessed April 12, 2012).

3. News release, "Executive Order—Establishing Visa and Foreign Visitor Processing Goals and the Task Force on Travel and Competitiveness," the White House, January 19, 2012, <http://www.whitehouse.gov/the-press-office/2012/01/19/executive-order-establishing-visa-and-foreign-visitor-processing-goals-a> (accessed April 12, 2012).