

# ISSUE BRIEF

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## Taiwan Admitted to the Visa Waiver Program

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The Department of Homeland Security (DHS) has announced the addition of Taiwan to the Visa Waiver Program (VWP). Taiwanese citizens will now be eligible to travel to the U.S. for up to 90 days visa-free.

However, key U.S. allies and friends—such as Poland, Bulgaria, Romania, and Croatia—continue to be left waiting to join the VWP. These delays make little sense given the extensive benefits that VWP expansion offers the U.S. in terms of national security, the economy, and public diplomacy.

With demonstrated political stability and recent economic growth, Taiwan will be a well-deserved and welcome addition to the VWP. Congress and the Administration, however, should look to build on this momentum, decrease the barriers to greater program expansion, and promote broader efforts at visa reform.

### **VWP Membership and Travel.**

First created in 1986 and made permanent in 2000, the VWP allows citizens of member nations to travel to the U.S. visa-free for up to 90 days. To be admitted to the program, under current requirements, a country must:

- Have a non-immigrant visa refusal rate (i.e., the percentage of visa applicants denied by the State Department) of no more than 3 percent;
- Issue all residents secure, machine-readable biometric passports; and
- Meet a determination that membership presents no threat to U.S. law enforcement or security interests.

Travelers from a VWP member nation must submit applications through the online Electronic System for Travel Authorization (ESTA), which screens potential travelers to ensure that they do not pose a security risk to the U.S. Once vetted, travelers are then eligible for 90-day visa-free travel for up to two years.

### **Security, Prosperity, and**

**Diplomacy.** The failure to further expand the VWP makes little sense given the concerted benefits the program offers to the U.S. In fiscal year (FY) 2011 alone, the VWP program accounted for 18.3 million visits to the U.S. These visitors not only return to their home country with an improved understanding of the U.S.; they also contribute to the U.S. economy, spending money in American hotels, restaurants, and stores. In FY 2008, for instance, VWP visitors infused a total of approximately \$100 billion into the U.S. economy. With the U.S. share of international travel declining, the VWP represents one important step to help turn this trend around.

In addition to the benefits to the U.S. economy and diplomacy, the VWP also serves to enhance U.S. security. After 9/11, DHS reformed the VWP to meet new security requirements and concerns. Participating countries must now meet greater standards with regard to information sharing, reporting of lost or stolen passports, and airport security. Further, the fact that potential travelers are screened through the ESTA system rather than being subject to a consular interview—as

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is required of all travelers seeking to obtain a U.S. visa—allows the State Department to focus its resources on other classes of travelers, specific countries, and suspect individuals that may represent security threats or concerns.

**Biometric Exit and Thwarted Progress.** In 2008, eight new nations were admitted to the VWP. Since then, however, VWP expansion has largely been put on hold. This is due in large part to a congressional mandate that DHS implement a system to biometrically track the exit of all foreign visitors from U.S. airports by July 1, 2009.

Because Congress tied the biometric exit mandate to expansion of the VWP, when DHS failed to implement biometric exit by the 2009 deadline, its authority to admit otherwise qualified nations with a visa refusal rate between 3 percent and 10 percent was revoked. DHS is now prohibited from offering admittance into the VWP to any country with a visa refusal rate that exceeds 3 percent, greatly inhibiting the inclusion of allies who are ready and willing to advance security cooperation with the U.S.

In terms of both counterterrorism and criminal immigration

enforcement, this biometric exit mandate makes little sense. There are now much more effective means to track terrorist travel than when biometric exit was first proposed nearly two decades ago. Biographical data (name, date of birth, and country of origin) provide suitable information for most enforcement activities at a much lower cost and burden.

**Program Expansion and Visa Reform.** Proposals to modernize the VWP, such as the Visa Waiver Program Enhanced Security and Reform Act, have received bipartisan support in Congress. Such proposals would update program eligibility requirements to include a nation's visa overstay rate and reinstate DHS's authority to waive the 3 percent visa refusal requirement. Building on the progress of Taiwan's admittance into the VWP, Congress and the Administration should work together to implement such critical reforms.

At the same time, Congress and the Administration should reduce unnecessary barriers to issuing visas and more broadly facilitating travel to the U.S. This includes enhancing the Visa Security Program, which places homeland security officers in U.S. consulate offices to assist in

reviewing visa applications and helping to interdict criminals, terrorists, and others who seek to exploit the U.S. visa system.

Congress should also eliminate the mandate on the State Department to interview 100 percent of visa applicants. Instead, the State Department would be able to focus its resources on travelers who truly pose a risk of malicious intent or violating U.S. immigration laws. Eliminating the 100 percent visa interview requirement would also help to reduce vexing visa interview wait times.

**Do Not Lose Momentum.** VWP expansion and broader visa reform are long overdue. The admittance of Taiwan into the program represents a good first step, but more should be done. In order for the U.S. to win back America's share of international travel, Congress and the Administration should take advantage of this momentum.

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