Extreme Vetting Requires a Broader Visa Waiver Program
David Inserra

The Trump Administration is examining how it might improve the vetting process for visitors and immigrants to the U.S. To this end, the Trump Administration is pursuing efforts to pressure other nations to provide the U.S. with greater data on U.S.-bound travelers.[1] The desire for greater data is an important step toward greater security.

To gather more information on those coming to the U.S., there are multiple strategies the U.S. could employ. The Trump Administration is currently requesting more information from all nations, threatening travel sanctions if that information is not forthcoming. Another approach that has already proven successful is the Visa Waiver Program (VWP) and its intelligence-sharing requirements that countries meet in exchange for participating in the program. Rather than threatening countries with sanctions, the VWP accomplishes expanded information sharing by rewarding those who share with the U.S. This approach has the potential to dramatically improve the quantity and quality of data the U.S. needs to improve its vetting process. Policymakers should create a tiered program around the VWP that rewards countries for sharing additional information with the U.S.

The Central Role of Intelligence to Vetting

The best way to stop security threats from entering the U.S. is to have more data and intelligence. Our vetting systems, those that run a name or fingerprints against various databases, as well as in-person interviews, require good intelligence to prevent terrorists and criminals from entering the United States. Intelligence allows vetting databases to flag a known terrorist who is buying a ticket to the U.S., or instructs a visa interviewer to ask probing questions about mysterious or concerning behavior.

Thus it makes complete sense that the Trump Administration, with its concerns about foreign terrorists and the U.S. vetting systems, would turn to greater intelligence and information sharing as part of its extreme vetting measures. The Administration and Congress should be continually looking for ways to improve the information and intelligence that the U.S. receives from other nations.

Visa Waiver Program Successes

One of the U.S. programs that is most successful at getting other nations to share information with the U.S. on inbound travelers is the VWP. As a condition of participating in the VWP, nations must share information on known and suspected terrorists, serious criminals, and lost and stolen passports. This information is then fed into U.S. vetting processes, which improves the vetting of VWP and traditional visa applicants. Indeed, the Government Accountability Office (GAO) found that the VWP,

has enhanced U.S. traveler-screening capabilities and improved U.S. agencies' ability to prevent
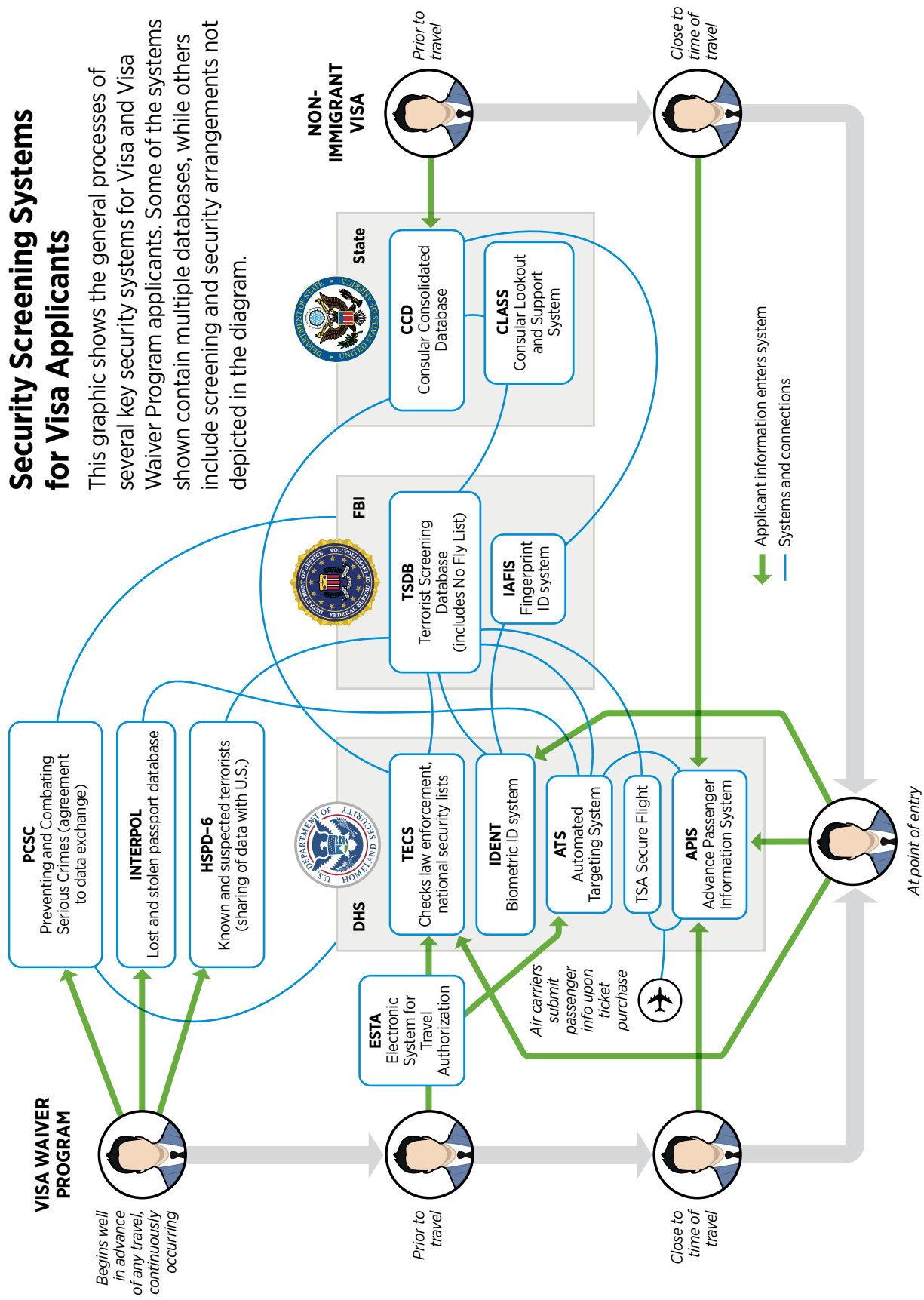
FIGURE 1

Security Screening Systems for Visa Applicants

This graphic shows the general processes of several key security systems for Visa and Visa Waiver Program applicants. Some of the systems shown contain multiple databases, while others include screening and security arrangements not depicted in the diagram.

Legend:
- → Applicant information enters system
- — Systems and connections

NON-IMMIGRANT VISA
- *Prior to travel*
- *Close to time of travel*

State
- **CCD** — Consular Consolidated Database
- **CLASS** — Consular Lookout and Support System

FBI
- **TSDB** — Terrorist Screening Database (includes No Fly List)
- **IAFIS** — Fingerprint ID system

DHS
- **TECS** — Checks law enforcement, national security lists
- **IDENT** — Biometric ID system
- **ATS** — Automated Targeting System
- **TSA Secure Flight**
- **APIS** — Advance Passenger Information System

PCSC — Preventing and Combating Serious Crimes (agreement to data exchange)
INTERPOL — Lost and stolen passport database
HSPD–6 — Known and suspected terrorists (sharing of data with U.S.)

VISA WAIVER PROGRAM
- *Begins well in advance of any travel, continuously occurring*

ESTA — Electronic System for Travel Authorization

Air carriers submit passenger info upon ticket purchase

- *Prior to travel*
- *Close to time of travel*
- *At point of entry*

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known and suspected terrorists from traveling to the United States. According to FBI documents, from 2008 through 2015, the Terrorist Screening Center received information about approximately 9,000 known or suspected terrorists, including approximately 3,500 who were previously unidentified, through HSPD-6 arrangements with VWP countries.[2]

Similarly, the GAO found that information shared as a result of the VWP "has aided criminal investigations."[3]

In exchange for this information and other security improvements that VWP member countries are required to make, the U.S. provides the citizens of member countries with visa-free travel to the United States. Visitors through the VWP are required to go through a similar vetting process as those who are not members of the VWP, but do not need to visit a U.S. consulate for a visa interview. This benefit makes the VWP a big boon to member countries' citizens, and explains why they are willing to share additional information with the U.S.

A New Framework for Visa Security

Given the success of the VWP program in improving security, the U.S. should judiciously expand the program. Poland,[4] Hong Kong,[5] and Croatia are examples of countries that would be good candidates for joining. While expanding the program, Congress should also rename the VWP. Some policymakers mistakenly believe that the VWP allows individuals to come into the U.S. without vetting, perhaps due to the program having been named "visa waiver." To fix this misconception, the VWP should be renamed the Partnership for Secure Travel (PST).

Since the VWP has been successful in expanding information sharing, the U.S. should also create new rewards to incentivize countries that wish to enter into new or expanded information-sharing arrangements. Indeed, these rewards should be viewed as pathway to the gold standard of visa-free travel under the new PST.

Countries that are unable to join the PST because they do not meet immigration eligibility or other requirements, but still want to assist the U.S. with robust information sharing and security improvements, should be allowed to join the PST under a "preferred status." Preferred status would involve similar information sharing and security arrangements as full partners, and they could be rewarded in several ways:

- Expedited tourist visa processing and associated changes to consular resources;

- Video conferencing for visa interviews;

- Reduced visa fees;

- Increased visa durations;

- Easier consideration for joining the Global Entry program;

- Streamlined ability to add preclearance airports; and

- Adjusted Customs and Border Protection (CBP) staffing at airports to improve travel from preferred countries.

For nations that are less trustworthy, want to share less, or are less capable of sharing, the U.S. should allow them to join the PST under an "associate status." Countries joining the PST as associates

1. Elizabeth Culliford, "EXCLUSIVE: U.S. Demands Nations Provide More Traveler Data or Face Sanctions," Reuters, July 13, 2017, http://live. reuters.com/Event/Live_US_Politics/1012197528 (accessed August 9, 2017).

2. U.S. Government Accountability Office, "Visa Waiver Program: DHS Should Take Steps to Ensure Timeliness of Information Needed to Protect U.S. National Security," May 2016, http://www.gao.gov/assets/680/676948.pdf (accessed August 9, 2017).

3. Ibid.

4. David Inserra and Riley Walters, "President Trump and Congress Should Add Poland to the Visa Waiver Program," Heritage Foundation *Issue Brief* No. 4729, July 5, 2017, http://www.heritage.org/homeland-security/report/president-trump-and-congress-should-add-poland-the-visa-waiver-program.

5. David Inserra and Riley Walters," Aiding Hong Kong's Autonomy—and U.S. Security—Through the Visa Waiver Program," Heritage Foundation *Issue Brief* No. 4726, June 29, 2017, http://www.heritage.org/homeland-security/report/aiding-hong-kongs-autonomy-and-us-security-through-the-visa-waiver-program.

would still be expected to share some information on known and suspect terrorists as well as lost and stolen passports, but in a less comprehensive manner than full partners or preferred nations. Sharing of information on serious criminals would be encouraged but not required. In exchange for this limited information sharing, the U.S. could pledge to:

- Reduce average visa wait times for citizens of an associate nation;

- Reduce visa fees; and

- Adjust consular and CBP resources to improve travel for associate countries' citizens.

Security Through Cooperation

The Trump Administration is correct to be looking for ways to gather more intelligence and information from other countries to incorporate into the vetting processes. The VWP has been highly successful in doing just that, and its cooperative approach should be replicated and expanded. Congress and the Administration should:

- **Rename the Visa Waiver Program the Partnership for Secure Travel.** Unfortunately, the term "visa waiver" has been misconstrued as a waiver of the vetting process. To correct this false impression, the name should be changed. Section 217 of the Immigration and Nationality Act authorizes the executive branch to create "a program" that became the VWP. As such, the Administration can rename the program today without legislative action.

- **Expand the VWP/PST to Poland and Hong Kong.** Given the security, trade, and diplomatic benefits of the program, it should be expanded. Poland is a clear partner in Europe, while Hong Kong would make sense in Asia. Broader reforms to eligibility criterion, such as switching from a visa-refusal rate to a visa-overstay rate, and returning some waiver authority to the Secretary of Homeland Security should also be considered.

- **Create a tier of rewards to motivate more countries to share information with the U.S.** Countries that do not meet all the eligibility criterion should be able to join the program under a "preferred" or "associate" status. As a preferred or associate nation, these countries would receive fewer benefits than full-fledged partner countries.

Partners for Security

The VWP is a powerful tool for sharing information about terrorists, criminals, and missing passports. The Trump Administration should build on the VWP's successes by changing its name to the Partnership for Secure Travel, while asking Congress to expand the program to more countries and create a new tier of benefits to encourage additional information sharing that protects the U.S.

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