



*Travel Industry Association*

**TESTIMONY FOR THE RECORD**

**OF**

**ROGER DOW, PRESIDENT AND CEO OF THE TRAVEL INDUSTRY  
ASSOCIATION**

**ON**

**“IMPROVING AMERICA’S SECURITY, STRENGTHENING TRANSATLANTIC  
RELATIONS: AN UPDATE ON THE EXPANSION OF THE VISA WAIVER  
PROGRAM”**

**BEFORE THE**

**SUBCOMMITTEE ON EUROPE  
COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES HOUSE OF REPRESENTATIVES**

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**[HTTP://WWW.TIA.ORG/INDEX.HTML](http://www.tia.org/index.html)**

Chairman Wexler, Ranking Member Gallegly, members of the committee: I am pleased to offer testimony on behalf of the Travel Industry Association (TIA), the national, non-profit organization representing 1,700 travel and tourism public and private entities across the country. TIA members encompass every sector of the diverse, \$740 billion travel community and our mission is to promote and facilitate increased travel to and within the United States.

Over the last six years, Congress and the Executive Branch have worked to fill gaps in our international travel policies by building a layered security program that is designed to identify those who would do us harm, confirm travelers have identification documents that prove their identity and ensure compliance with entry requirements to the United States. The travel community understands that these measures are a necessary factor in keeping Americans safe from another terrorist attack and to deter other criminal behavior and illegal immigration. However, we also believe that increased security and travel facilitation are not mutually exclusive and that appropriate investments and policies can make travel more secure and allow for more legitimate travel to the United States.

In January 2007, TIA issued “A Blueprint to Discover America,” a report in which we outlined for Congress and the Administration the negative – though unintentional – impact that security improvements to our travel system have had on America’s economy and image abroad. Millions of international visitors simply stopped coming to America because we did not do enough to ensure our new security programs were well-balanced with improved facilitation. This Blueprint provided a series of recommendations to policy makers on ways to continue to strengthen America’s security while also fixing the country’s broken travel system. A significant recommendation was the need to strengthen the security of the Visa Waiver Program (VWP) including expansion to countries with a stellar record of law enforcement cooperation. On behalf of the travel community, I would like to thank Chairman Wexler and many other members of Congress, for their leadership on the Visa Waiver Program and their efforts last year to ensure that VWP reforms were enacted as part of P.L. 110-53, *the Implementing the 9/11 Commission Recommendations Act of 2007*. This new law both strengthened the security of the program and expanded access to millions of legitimate international travelers.

TIA strongly believes that the VWP reforms will have a positive impact on the U.S. economy at a time when generating economic growth is a top priority, and on America’s public diplomacy efforts around the world. For example, the South Korean government estimates that joining the VWP could lead to an annual increase of 800,000 South Korean visitors resulting in a \$300 million boost to our economy.

TIA is pleased that DHS has implemented new security measures required to expand the VWP and concluded bilateral agreements with eight potential European entrants. While TIA recognizes that new VWP applicants cannot officially enter the program until DHS certifies their compliance with each of the security criteria, Oxford Economics expects that these eight European additions will generate almost 300,000 new visitors and \$1 billion in new spending within five years of their entry into the Visa Waiver Program.

As the DHS and the Department of State determine which countries should be considered for inclusion in the VWP, we urge them to look beyond the limited list of countries under active consideration now. We believe that other major international partners around the world deserve consideration as well. For instance, in South America alone, three countries now have visa refusal rates of less than 10 percent: Argentina (4.4%), Brazil (9.6%) and Chile (6.7%). Taken together, there were nearly 850,000 visitors to the U.S. from these countries in 2006. Inclusion of these countries into the VWP would help return arrivals from these countries back to the levels in 2000, when nearly 1.5 million visitors from these countries came to the U.S. In addition, Taiwan and other countries with improving visa refusal rates also merit serious consideration.

One issue of concern for TIA is the relatively small number of government officials and staff responsible for conducting country reviews of existing and future VWP entrants. The United States must be certain that VWP countries are meeting the most stringent law enforcement and document security standards. At the same time, however, it would be irresponsible and embarrassing for the U.S. if qualifying countries are denied a chance to even be considered for admission because of staffing shortages. TIA has recommended that the number of government personnel responsible for VWP oversight be doubled in FY09.

With the promise of the new VWP program, much work remains to ensure that all of the security requirements of the VWP reforms are implemented fully and expeditiously by DHS. In particular, TIA urges DHS to move as quickly as possible to develop two new security programs required before the VWP expansion can occur.

First, DHS must improve its ability to track departing VWP travelers to ensure that the overwhelming majority of travelers are departing within the terms of their temporary admission to the U.S. At the same time, however, in calculating the exact percentage of VWP travelers that DHS can track successfully, Congress must recognize that some VWP travelers have legitimate reasons for not appearing in an exit record. For instance, some VWP entrants will depart the U.S. via a land port of entry where DHS does not currently track the exit of visitors. Small numbers of VWP travelers may become hospitalized and unable to travel, perish, or change legal status. In addition, certain VWP travelers may be identified under different names on entry and exit if they maintain multiple passports or airlines utilize different formats for capturing names in their databases. DHS must be afforded some flexibility in determining compliance with the new law that reflects these real-world situations. TIA urges the Congress to provide DHS with the resources necessary to improve its biographic exit matching capabilities rather than change the VWP law right as DHS is trying to implement the statute passed just last year.

TIA is committed to working with the DHS and other interested parties to ensure that a biometric air exit system is developed as expeditiously as possible. TIA believes that an air exit program will encourage and enforce compliance with U.S. immigration laws and allow the Department of State to develop meaningful data on visa overstay rates.

However, TIA has significant concerns with the DHS proposal. By trying to force airlines to collect biometrics from passengers during processing in the face of aggressive airline opposition, DHS appears headed down a path that is more likely to lead to stalemate and delays than an actual biometric air exit system. Such a stalemate is an unacceptable outcome because it will slow progress in improving our immigration and homeland security systems, and it may also forestall additional VWP expansion to qualifying countries. Therefore, TIA will rally the travel community to support the quick implementation of a biometric air exit plan that meets homeland security goals and does not add new burdens for passengers to an already challenging air travel process. TIA's alternative air exit strategy will be based on the fundamental principle that the collection of biometrics for immigration enforcement purposes is an inherently governmental responsibility that should remain within the purview of DHS.

Additionally, TIA strongly supports the proposed Electronic Security Travel Authorization (ESTA) program as a means to build additional security into the VWP program both for new VWP countries and legacy members. TIA urges proper oversight of ESTA's development to ensure that system kinks are ironed out through proper testing and piloting before it ESTA becomes operational in existing VWP countries. Additionally, TIA strongly believes that communicating the new ESTA requirements will take time and a concerted multi-million dollar outreach campaign to international travelers who are accustomed to traveling with only a legitimate passport from a VWP country. If not, America will risk alienating potential visitors confused by the new travel requirements.

In fact, the need to communicate new programs such as the ESTA and US-VISIT exit is a key reason why Congress should pass the Travel Promotion Act (S. 1661 and H.R. 3232) this year. The Travel Promotion Act would help reverse the decline in overseas travel by establishing a nationally coordinated travel promotion campaign at no cost to the American taxpayer. The program would better communicate complex travel policies and assure foreign travelers that they are welcome to visit the United States. Studies show that such a campaign could attract millions of additional overseas visitors per year, resulting in billions of dollars of new visitor spending. The legislation has the bipartisan support of nearly 200 members of the House of Representatives, including Full Committee Chairman Berman and Full Committee Ranking Member Ros-Lehtinen. The Senate companion bill currently awaits floor action and has the support of 42 Senators.

Lastly, TIA is hopeful that the inclusion of new countries in the VWP over time will allow the Department of State to reallocate consular officials from those countries to countries with lengthy visa interview wait times. While TIA congratulates the Department of State for reducing wait times at many posts, these delays remain a major deterrent to travel in key markets such as Brazil.

In closing, TIA congratulates the Subcommittee for their oversight of the VWP and looks forward to working with DHS, the Department of State, and the Congress to ensure that travel to the United States is both secure and robust.