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House Committee on the Judiciary
Subcommittee on Immigration and Policy Enforcement

Witness testimony for the Hearing titled: "Visa Waiver Program Oversight: Risks and Benefits of the Program"

Wednesday, December 7, 2011, 1:00 p.m.

Chairman Smith, Chairman Gallegly, Ranking Member Lofgren and members of the Subcommittee, thank you for inviting me to testify here today.

I'd also like to express my extraordinary gratitude to committee staff for their hard work in making today's discussion a reality.

I am sincerely looking forward to hearing from Assistant Secretary Heyman, Dr. James Carafano and the witnesses on today's second panel.

Today's hearing represents a watershed moment.

A hearing only on the Visa Waiver Program has not taken place in the House Committee on the Judiciary for nearly 10 years.

In that time, a lot has happened. And still, many in this room have long-founded beliefs about what this program, commonly known as the "VWP," can or cannot do.

Let me ask something of my colleagues today: set aside preconceived notions.

As I've spoken to my colleagues over the past years to share my support for expansion of the VWP, I've repeated one line –

This is not your father's visa waiver program.

This is not an issue of immigration.

This is an issue of national security.

The Visa Waiver Program increases our access to data regarding who is coming and going.

It allows us to map and trend country-based data, and requires a commitment to safety and security from country-designees.

One of the most compelling reasons to promote the expansion of VWP to qualified countries is that the program has become a vital counterterrorism tool.

Already the program requires travelers to receive travel authorization through the Electronic System for Travel Authorization, or ESTA, before boarding a U.S.-bound flight.

Over the last two years, DHS developed an enhanced biographic program and accelerated efforts to improve vetting and screening capabilities.

DHS still must release overstay numbers in order for VWP expansion to happen, something they are reportedly working on.

Combine this work with a reformed and expanded Visa Waiver Program, and we will have effectively minimized opportunities for the expansion of terrorist networks.

This is a goal that I'm sure we all share.

My interest in this issue began even before I even took office.

I represent a district that is nearly one-fifth Polish.

Chicago has the highest concentration of Poles of any city outside of Warsaw.

I hear from my Polish community daily about the unfair law that excludes their country from visa-free travel.

Poland, whose soldiers have fought side-by-side with Americans in Afghanistan, is among those countries left outside, looking in.

As President Obama acknowledged in Warsaw this year, Poland's exclusion from VWP is having a detrimental impact on our relationships with this key ally.

Other vital nations such as Brazil and Taiwan are also currently excluded from participation.

So, I took action. I introduced H.R. 959, the Secure Travel and Counterterrorism Partnership Program Act of 2011.

The bill would allow the Secretary of Homeland Security to bring additional eligible countries into the VWP by modifying primary qualifying criteria for entry.

Senators Kirk and Mikulski have introduced identical language.

The Administration formally supports this language.

This nation needs to keep its doors open for visits from its allies.

Foreign travelers who come to America gain an understanding of what makes America great, and they share these positive experiences with their neighbors.

Expansion of the VWP would bring in tourism dollars and economically stimulate the travel industry.

In 2008, the countries in the VWP generated more than 16 million visits to the U.S., accounting for 65 percent of all overseas arrivals that year.

VWP travelers spent more than 51 billion dollars in the U.S.

That spending generated 512,000 jobs, 13 billion dollars in payroll and 7.8 billion dollars in taxes for our economy.

If properly done, expansion of the VWP will improve our international relationships, create jobs, stimulate the economy and again, let me repeat, will make us safer.

There are 36 countries currently designated for visa-free travel under the program, all of which must sign information-sharing agreements with the U.S., and qualify under certain enumerators regarding refusals at consular offices abroad.

The U.S. Government maintains that there are significant security benefits from having countries enter into the required info-sharing agreements and to report lost and stolen passports promptly –

In addition to the economic and diplomatic benefits accrued from more travel to the U.S.

As I conclude my remarks I am hopeful that those with questions will ask them, and that they will listen to the answers.

I wholly believe that today's outdated visa regime reflects neither the current strategic relationship nor the close historic bonds between our peoples.

I look forward to today's discussion, and thank the Committee for its indulgence.

Thank you.