

## **SECTION-BY-SECTION SUMMARY OF THE JOLT ACT OF 2012 (Jobs Originated through Launching Travel Act)**

### **I. Short Title**

The “JOLT” ACT -- Jobs Originated through Launching Travel Act of 2012.

### **II. Premium Processing**

Currently, many spontaneous travelers do not travel to the United States because of the waiting times for visas. Just as the State Department charges an extra fee to expedite the processing of a U.S. passport and USCIS charges an extra fee to expedite the processing of an immigration application, the State Department should charge an extra fee to expedite the processing of a nonimmigrant visa.

This section requires the Secretary of State to develop a pilot program for “premium processing” of travel visas. Under premium processing, a traveler’s application for a visa will be reviewed and processed on an expedited basis unless compelling security concerns exist.

This section also authorizes the State Department to charge a fee sufficient to recover the costs of premium processing and to recover costs of increasing the number of consulates in locations advantageous to foreign policy objectives or in highly populated locales.

### **III. Encouraging Canadian Tourism to the United States**

Under current law Canadian citizens are not permitted to remain in the United States for longer than 180 days without going through the arduous visa process. If they could legally stay, many Canadians would remain in the United States for a longer period of time to take advantage of the warmer climate. In addition, Canadians who currently return to Canada after spending 180 days within a 12 month period in the United States are unable to take day-trips across the border to northern-border-states in America.

This section allows Canadians who: (1) are over age 50 (with derivative benefits to a spouse); (2) can show that they own a residence in the United States or have purchased rental or hotel accommodations in the United States for the duration of their stay; and (3) are not otherwise inadmissible – to stay in the United States for at most 240 days per year. These Canadians are not permitted to have work authorization or access to any government benefits. This visa will spur Canadian consumption and investment in the United States.

#### **IV. Enhancing Foreign Travel to the United States During Low Peak Seasons**

Travel to the United States is often seasonal. Visa interview wait times are typically longer during the summer months and shorter during the winter months. For people that may wish to visit the United States, longer wait times during the busy season often are cited as a reason for choosing a different destination. This potential loss of vacation or business travel dollars hurts the American economy and hurts our efforts to create much needed jobs.

The purpose of this section is to permit the State Department to spread demand for visas across all four seasons and make visa processing more manageable. The problem is exacerbated by the lack of historical wait time data on the State Department's website. Therefore, travelers cannot determine the best time to apply for a visa.

This Section requires the State Department to make publically available, on a monthly basis, historical data, for the previous two years, regarding the availability of visa appointments for each visa processing post, which will allow applicants to identify periods of low demand.

#### **V. Visa Waiver Reform**

Currently, Poland is the only member of the 25-country Schengen Treaty Area not able to travel to the United States under the U.S. Visa Waiver program . The Visa Waiver program gives citizens of selected countries the ability to travel to the U.S. under the ESTA program, rather than go through the more lengthy and complicated U.S. tourist visa application process. Poland has stood shoulder-to-shoulder with the U.S. over the past two decades on issues that include deployment of troops to Afghanistan and Iraq, willingness to serve as a forward outpost for our missile defense shield, and an ally on behalf of the trans-Atlantic partnership in European Union councils.

This section amends the Immigration and Nationality Act regarding the visa waiver program to: (1) authorize the Secretary of Homeland Security (DHS), in consultation with the Secretary of State, to designate visa waiver program countries; (2) adjust the criteria for visa refusal rates to permit entry into the program if a country has a low visa overstay rate; (3) set a maximum 3% visa overstay rate for program countries; and (4) revise probationary status and program termination provisions. It also directs the Comptroller General to review the Secretary of Homeland Security's methods for tracking aliens entering and exiting the United States and for detecting visa overstays. These revisions would likely lead to Poland's admission into the Visa Waiver Program, and would provide a more objective and standardized basis for adding additional countries into the visa waiver program—which will help spur foreign travel and create jobs without compromising security.

## **VI. Expediting Entry for Priority Visitors**

The Global Entry program is a U.S. Customs and Border Protection (CBP) program that allows expedited clearance for pre-approved, low-risk travelers upon arrival in the United States. Though intended for frequent international travelers, there is no minimum number of trips necessary to qualify for the program. Participants may enter the United States by using automated kiosks located at select airports.

At the moment, U.S. Customs and Border Protection lacks the ability to add specific foreign nationals to the Global-Entry prescreening system if they are not nationals of one of the “participating countries” of Global Entry. This creates problems for certain high-priority visitors with decision-making capacity to bring important international events—such as the Olympics, the World Cup, conventions, etc.—to the United States.

This section would permit Customs and Border Protection to add important foreign dignitaries to the Global Entry program on a “case-by-case” basis if they are employed by an organization that maintains a strong working relationship with the United States, do not pose security risks, and the government of the foreign national has entered into some type of trusted traveler arrangement with the United States.

## **VII. Visa Processing**

This section sets standards for visa processing which state that, upon enactment, 80 percent of all visa interviews should be conducted within 15 business days of requesting an appointment. There are exceptions to these processing time goals for security reasons and for national emergencies. With a statutory commitment to faster visa processing worldwide, a climate of certainty will be created for future personal and business travelers, thus ensuring increased and sustained demand for travel to the United States.