

Opening Statement
Ranking Member Matt Cartwright (PA-17)
Subcommittee on Health Care, Benefits, and Administrative Rules
Joint Hearing on “Terrorism & the Visa Waiver Program”
December 10, 2015

Thank you, Mr. Chairman. I would like to thank our witnesses for being here today.

I think it’s important to clear up some misconceptions that some people may have about the Visa Waiver Program (VWP). The Visa Waiver Program permits citizens of 38 countries in Western Europe and other nations to travel to the United States without first obtaining a visa. But, some have described the Visa Waiver Program as “visa-free travel.” That is a bit of a misnomer. For example, a German citizen cannot grab their passport, arrive at a major airport in Germany, buy a ticket, and hop on a flight to Washington, D.C.

The Heritage Foundation created this illustration to show the extensive counterterrorism screening every prospective VWP traveler must undergo before successfully entering the U.S. Everyone can follow along as I briefly describe the process.

A prospective Visa Waiver Program traveler must go through vetting process by the Department of Homeland Security (DHS). Travelers are required to complete an online security screening form prior to departing their country. The screening form includes biographic information, criminal background history, and any previous visa revocations. This information is continuously vetted against U.S. law enforcement and intelligence agency watchlists to determine if the traveler poses a risk.

DHS also conducts extensive pre-flight screenings for air travelers that includes checking passenger airline reservation data against terrorist watchlists. Additionally, DHS conducts pre-arrival screenings to vet passenger manifest data indicating who is on board against terrorist watchlists.

Once a VWP traveler arrives in the United States they must undergo an additional level of screening in the form of an in-person inspection at the port of entry by the Customs and Border Patrol. The first inspection includes the validation of travel and identification documents and the collection of biometric data such as fingerprints and a photograph for first time VWP travelers. Following this primary inspection, the VWP traveler must then submit to a thorough inspection of their physical self, bags, documents, and electronics.

No VWP traveler can be admitted to the U.S. without completing ALL security checks.

According to DHS, since 2008, almost 6,000 travelers have been denied travel to the U.S. under the Visa Waiver Program because of national security hits to one of the terrorist watchlists. In addition, nearly 166,000 more have been denied from traveling here for using lost or stolen passports.

As we know, terrorists are always looking for new ways to skirt anti-terrorism measures. That is why we must be ready to respond to alter measures as new threats arise. That is why I commend the Administration for taking steps to close security gaps in the Visa Waiver Program. **On Sunday night, the President called on us—Congress—to provide the legal authority for the Administration to implement these changes as soon as possible. And just two days ago, the House voted and passed a bipartisan bill to tighten restrictions and enhance security under the Visa Waiver Program.**

In light of the terrorist attacks in Paris and San Bernardino, the Administration and Congress should evaluate what additional measures are needed to tighten security, while still preserving American values of inclusiveness and nondiscrimination. It is crucial that we not make rash policy decisions without thinking about the consequences and implications of our actions.

I caution my fellow Members of Congress to avoid kneejerk reactions based on fear and to focus on a more comprehensive approach to national security. That approach should include addressing terrorist radicalization and recruitment, the Islamic State's operation capacity and community resilience, and an often overlooked issue, combatting homegrown terror threats posed by sovereign citizens, militias, and other anti-government terrorists. We should also find ways to unite with other countries to defeat ISIS and similar terrorist organizations while still encouraging the lawful business and tourism travel that has tremendously benefited the U.S. economy. Most importantly, this approach should include Congress passing legislation that will finally close the terrorist gun loophole and prevent known or suspected terrorists from purchasing firearms or explosives at any gun shop in America.

Congress can play a role in defeating terrorist groups like ISIS and protecting the safety of the American people but we must focus on the real threats to our security rather than divisive rhetoric or policies.

Thank you, Mr. Chairman.