



Highlights of GAO-06-854, a report to the Chairman, Committee on the Judiciary, House of Representatives

BORDER SECURITY

Stronger Actions Needed to Assess and Mitigate Risks of the Visa Waiver Program

Why GAO Did This Study

The Visa Waiver Program enables citizens of 27 countries to travel to the United States for tourism or business for 90 days or less without obtaining a visa. In fiscal year 2004, more than 15 million people entered the country under the program. After the September 11, 2001, terrorist attacks, the risks that aliens would exploit the program to enter the United States became more of a concern. In this report, we (1) describe the Visa Waiver Program's benefits and risks, (2) examine the U.S. government's process for assessing potential risks, and (3) assess actions taken to mitigate these risks. We met with U.S. embassy officials in six program countries, and reviewed relevant laws, procedures, and reports on participating countries.

What GAO Recommends

GAO is making a series of recommendations to DHS to strengthen its ability to assess and mitigate the program's risks, such as providing more resources to the program's monitoring unit and issuing standards for the reporting of lost and stolen passport data. Congress should also consider establishing a deadline for the mandated biennial report to Congress.

DHS and State generally agreed with the report. DHS either agreed with, or said that it would consider, all of our recommendations, but did not agree that Congress should establish a deadline for the biennial report.

www.gao.gov/cgi-bin/getrpt?GAO-06-854.

To view the full product, including the scope and methodology, click on the link above. For more information, contact Jess Ford at (202) 512-4128 or fordj@gao.gov.

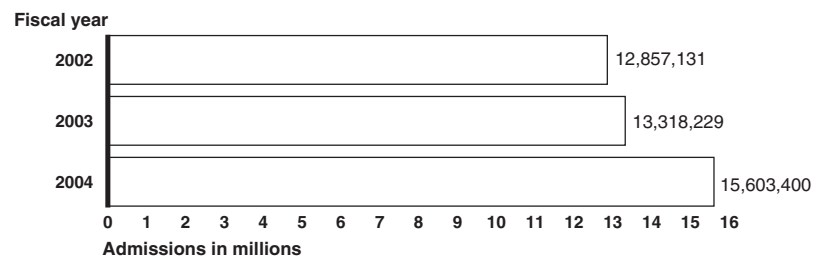
What GAO Found

The Visa Waiver Program has many benefits as well as some inherent risks. It facilitates travel for millions of people and eases consular workload, but poses challenges to border inspectors, who, when screening visa waiver travelers, may face language barriers or lack time to conduct in-depth interviews. Furthermore, stolen passports from visa waiver countries are prized travel documents among terrorists, criminals, and immigration law violators, creating an additional risk. While the Department of Homeland Security (DHS) has intercepted many fraudulent documents at U.S. ports of entry, DHS officials acknowledged that an undetermined number of inadmissible aliens may have entered the United States using a stolen or lost passport from a visa waiver country.

The U.S. government's process for assessing the risks of the Visa Waiver Program has weaknesses. In 2002, Congress mandated that, every 2 years, DHS review the effect that each country's continued participation in the program has on U.S. law enforcement and security interests, but did not set a reporting deadline. In 2004, DHS established a unit to oversee the program and conduct these reviews. We identified several problems with the 2004 review process, as key stakeholders were not consulted during portions of the process, preparation for the in-country site visits was not consistent, and the final reports were untimely. Furthermore, DHS cannot effectively achieve its mission to monitor and report on ongoing law enforcement and security concerns in visa waiver countries due to insufficient resources.

DHS has taken some actions to mitigate the program's risks; however, the U.S. government has faced difficulties in further mitigating these risks. In particular, the department has not established time frames and operating procedures regarding timely stolen passport reporting—a program requirement since 2002. Furthermore, DHS has sought to require the reporting of lost and stolen passport data to the United States and the International Criminal Police Organization (Interpol), but it has not issued clear reporting guidelines to participating countries. While most visa waiver countries participate with Interpol's database, four do not. DHS is not using Interpol's data to its full potential as a border screening tool because DHS does not automatically access the data at primary inspection.

Visa Waiver Program Admissions, Fiscal Years 2002 through 2004



Source: GAO analysis of DHS data.