



Homeland
Security

January 31, 2022

The Honorable Jacky Rosen
United States Senate
Washington, DC 20510

Dear Senator Rosen:

Thank you for your December 17, 2021, letter to the Department of Homeland Security (DHS) regarding Israel's membership in the Visa Waiver Program (VWP). Secretary Mayorkas asked that I respond on his behalf, and I apologize for the delay in responding.

The VWP is a travel facilitation and security program for international travel to the United States for certain citizens or nationals of member countries for business or tourism purposes without a visa for up to 90 days. DHS uses a risk-based, multi-layered approach to detect and prevent terrorists, serious criminals, and other *mala fide* actors from traveling to the United States under the VWP, which currently has 40 participating countries. By statute, DHS, in consultation with the Department of State (State), is required to assess each VWP country's security standards and cooperation at least every two years in the areas of counterterrorism, law enforcement, immigration enforcement, document security, and border management to ensure VWP requirements are continually met.

The VWP is outlined in section 217 of the Immigration and Nationality Act, 8 U.S.C. 1187 and includes specific statutory requirements for designation into the program. While Israel does not yet meet all of the statutory requirements and is therefore not currently eligible for designation into VWP, DHS and State are actively working with Israel to support its progress towards meeting all related requirements.

DHS and State regularly engage with the Government of Israel on VWP matters, including through the U.S.-Israel joint VWP working group. Through this working group, DHS and State have clarified program requirements and discussed with the Government of Israel the necessary legal and technical changes Israel must make to meet program requirements.

DHS has previously asked VWP aspirant countries to respond to a comprehensive questionnaire regarding the implementation status of all program requirements. The responses to this questionnaire help clarify which requirements remain outstanding and serve as the basis for drafting a comprehensive work plan outlining the steps remaining for program eligibility, as well as a timeline for achieving them. DHS, State, and the Government of Israel have begun this process and are working to achieve concrete results on an accelerated timeline. When conditions safely permit, a DHS and State delegation plans to travel to Israel to help achieve further progress.

The Honorable Jacky Rosen

Thank you and please contact me at (202) 447-5890 with any additional questions. The cosigners of your letter will each receive a separate, identical response.

Sincerely,

A handwritten signature in black ink that reads "Alice Lugo". The signature is written in a cursive style with a large, looped initial "A".

Alice Lugo
Assistant Secretary for Legislative Affairs

JEWISHINSIDER