

January xx, 2016

President Barack Obama
The White House
1600 Pennsylvania Ave.
Washington DC, 20500

Dear President Obama:

We write to request immediate action to guard against any harmful impacts to American citizens resulting from changes to the Visa Waiver Program (VWP) included in the recently enacted Consolidated Appropriations Act. While many of the VWP amendments included in the legislation will improve national security, others may not necessarily improve security and could indeed undermine U.S. security interests while at the same time harming the liberties of U.S. citizens. Namely, we request that you utilize all available authorities to ensure the VWP amendments do not broadly and unfairly harm dual nationals of Iran, Iraq, Syria, or Sudan as well as foreign travelers to Iran or Americans engaged in journalism, humanitarian aid, or related activities in a restricted country.

As you are aware, the Visa Waiver Program Improvement and Terrorist Travel Prevention Act, which was included in the Consolidated Appropriations Act, excludes from the U.S. Visa Waiver Program dual nationals of Iran, Iraq, Sudan, or Syria. The exclusions will also apply to those traveling to these four countries. Because the VWP is founded on reciprocity, our U.S. citizen constituents are concerned that this exclusion could result in our VWP partners severely restricting, or entirely ending, visa-free travel for certain U.S. citizens. It is fundamental to our values as a nation that all citizens are treated equally and without regard to the birthplace of their family. A U.S. passport should confer to its holder the full benefits of citizenship, but for the first time in the Visa Waiver Program's history, some of those who hold U.S. passports could be treated differently due to their national origin and ancestry.

Bipartisan, bicameral legislation has been introduced in Congress to eliminate provisions of the VWP amendments restricting VWP travel for dual nationals. There is congressional support for fine-tuning the statute to ensure that the rights of all Americans are protected as we improve security standards in the Visa Waiver Program. However, immediate action is required to ensure our security needs are met without undue harm to American citizens.

We believe that you have authority under Section 203 of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act to ensure the protection of our interests abroad and the rights

of U.S. citizens by broadly waiving application of the VWP amendments to protect dual nationals of Iran, Iraq, Syria, and Sudan and to ensure uninterrupted access to the Visa Waiver Program for American citizens traveling to Iran or Americans engaged in journalism, humanitarian aid, or related activities in restricted countries. While heightened security for travelers in some instances is an important response to security threats, the case for including Iran in particular in such reforms is tenuous at best. This decisive action we are requesting will ensure that scrutiny is focused on the most serious security risks while assuring that all U.S. citizens have fair, equal, and uninterrupted access to the Visa Waiver Program.

Short of utilizing broad waiver authority, we ask that you immediately commit to implementing the VWP amendments in such a manner that U.S. citizens who present no security risk are assured they will not face undue travel restrictions from VWP partners. For example, the new law should be interpreted to impact only true dual nationals. If an individual has not affirmatively acknowledged citizenship, never traveled under another country's passport, or never been physically present in Iran or a similarly restricted nation, VWP travel should still be permitted.

We look forward to your timely response and to working with you to ensure the VWP amendments improve our national security without harming U.S. citizens or our national interests.

Sincerely,

JARED HUFFMAN, ET AL.