

**VISA WAIVER PROGRAM OVERSIGHT:  
RISKS AND BENEFITS OF THE PROGRAM**

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**HEARING**  
BEFORE THE  
SUBCOMMITTEE ON  
IMMIGRATION POLICY AND ENFORCEMENT  
OF THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TWELFTH CONGRESS  
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**NATIONAL FEDERATION OF CROATIAN AMERICANS  
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October 24, 2011

The Honorable Lomar Smith, Chairman  
Judiciary Committee  
2138 Rayburn HOB  
U.S. House of Representatives  
Washington, DC 20515

RE: Request Regarding the Visa Waiver Program Bill – H.R. 959

Dear Chairman Smith .

As President of the National Federation of Croatian Americans (NFCA), the Croatian American umbrella organization representing more than 130,000 Croatian Americans throughout the United States, we respectfully request that your Committee soon consider H.R. 959, the Secure Travel and Counterterrorism Partnership Act of 2011, and report the bill to the Full House for consideration.

The NFCA has continued to remain a staunch supporter of the Republic of Croatia and the building of ever-closer relations between Croatia and the United States. This includes the bipartisan support developed in the US Congress for Croatia's accession to NATO several years ago, which is particularly remembered and appreciated by Croatian Americans.

H.R. 959 is another crucial milestone for the Caucus. The Secure Travel and Counterterrorism Partnership Act of 2011 would enable Croatia to join the Visa Waiver Program (VWP). While Croatia is not requiring visas for Americans, the U.S. requires Croatians to have visas when traveling to America.

As part of the current VWP, citizens of 36 foreign countries can travel to the United States for up to 90 days without a visa. To be admitted to the VWP, a country must meet various security and other requirements. These matters understandably include enhanced law enforcement and counterterrorism, ramped up security-related data sharing with the United States, and timely reporting of both blank and issued lost and stolen passports.

Croatia is in full compliance with these conditions having not only entered into all the relevant arrangements with US government departments and agencies, but the Croatian government has already started their implementation. In this regard, Croatia is ahead of many present or potential VWP members, thus enhancing American homeland security.

However, Croatia has been excluded from the VWP because of a visa refusal rate slightly higher than the one prescribed by current legislation. At present, 5.3% of Croatians are denied visas and 3% is the present threshold. In absolute numbers it comes only to several hundred refused visa applications, not thousands or tens of thousands! It should be noted that many countries joined the VWP when that threshold was set significantly higher, which was then 10%.

The Secure Travel and Counterterrorism Partnership Act of 2011 changes this qualifying criterion by abandoning visa refusal rates and introducing overstay rates, allowing countries with an overstay rate of less than 3% to be included in the VWP. As significantly fewer than 3% of Croatians who come to America stay longer than allowed on their visas, Croatia would be entitled to join the VWP.

Croatia is one of America's greatest allies in NATO and is fighting alongside the United States in Afghanistan. In fact, Minnesota, as Croatia's partnership state in the US, has its National Guardsmen operating under Croatian command in Afghanistan and vice versa. Croatia is one of the main US partners in South East Europe and will soon join the European Union. However, Croatian citizens cannot enter the United States without a visa thus creating a sentiment among many of being a second-class ally.

As President of the National Federation of Croatian Americans Cultural Foundation, I respectfully request that your Committee express its support for the Republic of Croatia to be included in the Visa Waiver Program and report out the bill to the Full House for consideration as soon as possible.

If the NFCA may be of additional assistance on this important matter for Croatia, please have a member of your staff contact NFCA Executive Vice President Zvonk Labas at the address and telephone noted above.

Thank you.

Bill Vergot  
President

CC: Honorable John Conyers, Ranking Member  
Judiciary Committee  
US House of Representatives

BV:jpf

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February 20, 2012

The Honorable Patrick J. Leahy, Chairman  
The Honorable Charles E. Grassley, Ranking Member  
Judiciary Committee  
U.S. Senate  
Washington, DC 20510

RE: Request Regarding the Visa Waiver Program Bill – S. 2046

Dear Senators Leahy and Grassley :

As President of the National Federation of Croatian Americans Cultural Foundation (NFCACF), the Croatian American umbrella organization representing more than 130,000 Croatian Americans throughout the United States, we respectfully request that your Committee soon consider S. 2046, as recently introduced by Senators Barbara Mikulski and Mark Kirk. Please act expeditiously on this bill, also known as the Visa Waiver Program Enhanced Security and Reform Act of 2012, and report the bill to the Full Senate for consideration.

The NFCACF has continued to remain a staunch supporter of the Republic of Croatia and the building of ever-closer relations between Croatia and the United States. This includes the bipartisan support developed in the US Congress for Croatia's accession to NATO several years ago, which is particularly remembered and appreciated by Croatian Americans.

S. 2046 is another crucial milestone for the growing relationship between our two countries. The Visa Waiver Program Enhanced Security and Reform Act of 2012 would enable Croatia to join the **Visa Waiver Program (VWP)**. While Croatia is not requiring visas for Americans, the U.S. requires Croatians to have visas when traveling to America.

As part of the current VWP, citizens of 36 foreign countries can travel to the United States for up to 90 days without a visa. To be admitted to the VWP, a country must meet various security and other requirements. These matters understandably include enhanced law enforcement and counterterrorism, ramped up security-related data sharing with the United States, and timely reporting of both blank and issued lost and stolen passports.

Croatia is in full compliance with these conditions having not only entered into all the relevant arrangements with US government departments and agencies, but the Croatian government has already started their implementation. In this regard, Croatia is ahead of many present or potential VWP members, thus enhancing American homeland security.

However, Croatia has been excluded from the VWP because of a visa refusal rate somewhat higher than the one prescribed by current legislation at 3%. Croatia's visa refusal rate has been steady at slightly above 5% for several years: 5.1 % in FY 2007 and FY 2008; 5.3 % in FY 2009 and FY 2010; and 6.3% in FY 2011. In absolute numbers it comes only to several hundred refused visa applications. It should be noted that many countries joined the VWP when that threshold was set significantly higher, which was then at 10%.

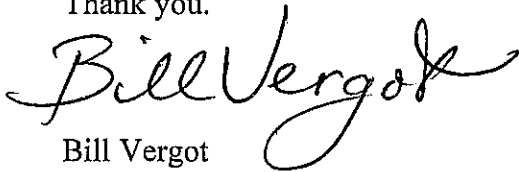
The Visa Waiver Program Enhanced Security and Reform Act (H.R. 3855 and S. 2046) reinforces qualifying criteria by adding overstay rates to visa refusal rates, allowing countries with these rates lower than 3% to be included in the VWP. The Act also affords a possibility of a waiver regarding visa refusal rate if that rate is below 10% - provided that a country in question cooperates with the US in the matters of security and does not impart a security risk. Consequently, as significantly fewer than 3% of Croatians who come to America stay longer than allowed on their visas, Croatia would be entitled to join the VWP based on the language in the current bill.

Croatia is one of America's greatest allies in NATO and is fighting alongside the United States in Afghanistan. In fact, Minnesota, as Croatia's partnership state in the US, has its National Guardsmen operating under Croatian command in Afghanistan and vice versa. Croatia is one of the main US partners in South East Europe and will soon join the European Union. However, Croatian citizens cannot enter the United States without a visa thus creating a sentiment among many of being a second-class ally.

As President of the National Federation of Croatian Americans Cultural Foundation, I respectfully request that your Committee express its support for the Republic of Croatia to be included in the Visa Waiver Program and report out the bill to the Full Senate for consideration as soon as possible.

If the NFCACF may be of additional assistance on this important matter for Croatia, please have a member of your staff contact NFCA Executive Vice President Zvonko Labas at the address and telephone noted above.

Thank you.



Bill Vergot  
President

BV:jpf

CC:

The Honorable Barbara Mikulski (D-MD)

The Honorable Mark Steven Kirk (R-IL)

The Honorable Mark Begich (D-AK), cosponsor

The Honorable Roy Blunt (R-MO), cosponsor

The Honorable Sherrod Brown (D-OH), cosponsor

The Honorable Amy Klobuchar (D-MN), cosponsor