Negative Brief: Romania Visa Waiver

By “Coach Vance” Trefethen

***Resolved: The United States Federal Government should substantially reform its policy towards one or more countries in Europe***

Plan removes the requirements for Romanian citizens to get a visa and allows them to visit the US for 90 days without one. In the status quo, a fair number of Romanians apply for visas but a lot are denied for various reasons, because they don't qualify. SQ policy is that Romania has to get the number of disqualified applicants down before we can waive visas. Plan would admit Romania to the Visa Waiver Program (VWP) despite not qualifying under the rules. VWP does not allow anyone to work, go to school, start a business or earn money in the United States. So, a lot of the justifications for "immigration is good" don't apply - because they can't immigrate and they can't contribute to the US economy other than by what they spend on hotels and souvenirs. Most Romanians are so poor that they aren't going to be coming here to spend money, but to earn it, and they can't do that (legally) on a VWP.

Negative: Romania Visa Waiver 3

INHERENCY 3

1. Status Quo solves 3

Romanian President is working on meeting the visa waiver requirements and plans to do so by 2024 3

2. Romanian travel already increasing without it 3

21% increase in Romanian travel from 2008 to 2018 even without being in VWP (Visa Waiver Program) 3

SIGNIFICANCE 4

1. Tiny tourism benefit from Romania 4

$128 million annual spending by Romanian tourists if Visa Waiver Program (VWP) status is granted 4

For comparison: Visa Waiver Program (VWP) travel = $190 billion/year in the US today 4

Impact: Do the math. AFF plan will bring 0.07% increase in US travel economic impact 4

2. Poverty in Romania. They're more likely coming to escape poverty than anything that would benefit the US 4

Romania has the highest poverty rate of all countries in the European Union 4

Romanians are mired in poverty and looking for a way out 5

3. No benefit to US foreign policy 5

Romania doesn't matter to US foreign policy or strategic interests 5

Romania has no impact on US foreign policy because all that matters is China 5

4. No benefit to NATO 6

Romania doesn't matter for the security of NATO 6

Europe doesn't need the US to defend them 6

DISADVANTAGES 7

1. Illegal immigration 7

Link: 2% security threshold. VWP threatens US immigration enforcement if a country has over 2% rate of "overstaying" 7

Link: Romania overstay rate is above 2%. That's 3 times the average for all Visa Waiver Program countries (0.65%) 7

Link: Heading for the exits. 17% of the Romanian people have emigrated out of their country 7

Impact: High social costs. Illegal immigrants impose high costs on US taxpayers 8

2. Crime & Terrorism 8

Link: VWP requires high level of security cooperation with the US to prevent crime and terrorism 8

Link: European Union countries don't cooperate very well on immigration security in VWP 8

Impact: Expansion of VWP = More terrorists & criminals 9

Impact: More VWP = more terrorism and more violence in the US 9

3. Worse relations with Russia 10

Link: AFF claims to build US alliance with Romania 10

Link: That's bad because it provokes angry reaction from Russia 10

Impact: Deadly conflict with Russia. The Ukraine war was caused by expanding US alliances in Eastern Europe 10

Negative: Romania Visa Waiver

INHERENCY

1. Status Quo solves

Romanian President is working on meeting the visa waiver requirements and plans to do so by 2024

Andrei Chirileasa 2022 (journalist) 26 Sept 2022 "President Iohannis: Romania still fails to meet US Visa Waiver requirements" (accessed 10 Nov 2022) https://www.romania-insider.com/president-romania-us-visa-waiver-program-2022#:~:text=In%20May%20this%20year%2C%20the,90%20days%20without%20a%20visa.

"For now, Romania does not meet the technical criteria, but in order to meet them, there must be an awareness campaign, there must be better information for people who want to apply for visas, and I think that, in the end, if we all strive, we will succeed", Iohannis said, according to [Economica.net](https://www.economica.net/klaus-iohannis-romania-inca-nu-indeplineste-criteriile-tehnice-pentru-intrarea-in-programul-visa-waiver-daca-ne-vom-stradui-vom-reusi_614055.html?mc_cid=0d0cca1109&mc_eid=cd1f92f96c). In May this year, the [Romanian Government reaffirmed](https://www.romania-insider.com/romania-us-visa-rejection-rate-down) its goal of bringing down the visa rejection rate from one in ten to around 3% by 2024, allowing Romanian citizens to travel to the US for up to 90 days without a visa.

2. Romanian travel already increasing without it

21% increase in Romanian travel from 2008 to 2018 even without being in VWP (Visa Waiver Program)

Congressional Research Service 2020 (non-partisan research agency of Congress) 1 Apr 2020 "Adding Countries to the Visa Waiver Program: Effects on National Security and Tourism" (accessed 10 Nov 2022) https://www.everycrsreport.com/reports/R46300.html



SIGNIFICANCE

1. Tiny tourism benefit from Romania

$128 million annual spending by Romanian tourists if Visa Waiver Program (VWP) status is granted

Congressional Research Service 2020 (non-partisan research agency of Congress) 1 Apr 2020 "Adding Countries to the Visa Waiver Program: Effects on National Security and Tourism" (accessed 10 Nov 2022) https://www.everycrsreport.com/reports/R46300.html

Visitors from the four non-VWP [visa-waiver program] EU countries (Bulgaria, Croatia, Cyprus, and Romania), who currently enter the United States on nonimmigrant visitor visas, accounted for approximately 1% of total EU visitor spending in the United States in 2018 (approximately $580 million). This seems to suggest that the overall economic effect of adding these four countries to the VWP would likely be relatively small.[**END QUOTE**] According to an estimate by U.S. Travel, the number of arrivals in the United States from these countries would increase by nearly 73,000 visitors at the end of the first three years after joining the VWP. [**THEN LATER THEY CONCLUDE QIUOTE**:] In a separate report, U.S. Travel projected that if Romania were to become a VWP country, annual arrivals from the country would increase by 38,000 and bring $128 million in additional travel spending to the United States.

For comparison: Visa Waiver Program (VWP) travel = $190 billion/year in the US today

Congressional Research Service 2020 (non-partisan research agency of Congress) 1 Apr 2020 "Adding Countries to the Visa Waiver Program: Effects on National Security and Tourism" (accessed 10 Nov 2022) https://www.everycrsreport.com/reports/R46300.html

Figures from U.S. Travel, the industry group representing travel and tourism organizations, show that nationals from VWP countries generated an estimated $190 billion in economic activity and supported close to 1 million jobs in the United States in 2017.

Impact: Do the math. AFF plan will bring 0.07% increase in US travel economic impact

$128 million increase divided by $190 billion in Status Quo = 0.07%. This isn't worth an hour and a half of our time debating.

2. Poverty in Romania. They're more likely coming to escape poverty than anything that would benefit the US

Romania has the highest poverty rate of all countries in the European Union

European Anti-Poverty Network 2020 (largest European network of national, regional and local networks, involving anti-poverty NGOs and grassroot groups as well as European Organisations) 23 Oct 2020 Poverty Watch Romania | Poverty Watches Overview 2020 (accessed 11 Nov 2022) https://www.eapn.eu/poverty-watch-romania-poverty-watches-overview-2020/#:~:text=Romania%20has%20still%20both%20the,at%20risk%20of%20income%20poverty.

Romania has still both the highest poverty rate and the lowest relative poverty line of all EU member states. In 2017 to 2019 23.5% of the total resident population was at risk of poverty; this means that about 4.5 million people are at risk of income poverty.

Romanians are mired in poverty and looking for a way out

Cristian Stefanescu 2020 (journalist) 12 May 2020 "As Romania votes, millions still live in poverty" (accessed 11 Nov 2022) https://www.dw.com/en/as-romania-votes-millions-still-live-in-poverty/a-55835510

Thirty years after the fall of communism, many Romanians are still looking for a way out of systemic poverty. Many politicians, however, have ignored the topic in the runup to Sunday's parliamentary election. Roughly 6 million Romanians — about a third of all citizens [who still reside in the country](https://www.dw.com/en/romanians-find-their-future-abroad-without-forgetting-home/a-49972293) — live under the constant threat of poverty and social exclusion. A full 10% of Romania's children go to bed hungry each night, and a quarter of the country's citizens still use outdoor toilets.

3. No benefit to US foreign policy

Romania doesn't matter to US foreign policy or strategic interests

Cristian DUMITRAȘCU-ANTONIU 2022. (Master of Laws; attorney in Romania) Nato is dead! Long live new Nato! - It is time for a realistic foreign policy for Romania March 2022 (accessed 11 Nov 2022) https://www.researchgate.net/publication/359270426\_Nato\_is\_dead\_Long\_live\_new\_Nato\_-\_It\_is\_time\_for\_a\_realistic\_foreign\_policy\_for\_Romania-

The major strategic interests of the United States are not in Europe from some time. As a result of the changing of strategic interests area of the USA, American interests in Europe are limited only to the economically strong countries of Western Europe. Because only these countries can help the USA in pursuing his dominant strategic interest : China. Certainly, the strategic interests of the USA do not concern either Ukraine or the Eastern European area. It is an unequivocal truth for years of American politics. Abkhazia and Ossetia in 2008 and, above all, the annexation of Crimea in 2014 were the evidence that should have removed any doubt, at least for Romania, as Poland has already understood.

Romania has no impact on US foreign policy because all that matters is China

Cristian DUMITRAȘCU-ANTONIU 2022. (Master of Laws; attorney in Romania) Nato is dead! Long live new Nato! - It is time for a realistic foreign policy for Romania March 2022 (accessed 11 Nov 2022) https://www.researchgate.net/publication/359270426\_Nato\_is\_dead\_Long\_live\_new\_Nato\_-\_It\_is\_time\_for\_a\_realistic\_foreign\_policy\_for\_Romania-

What has fundamentally changed? Everything the USA does in foreign policy has a single landmark : China. Any American foreign policy action, no matter where in the world, should be deciphered with a single password: China, the goal being to stop China's economic and political rise and to preserve US supremacy worldwide. None of the last three US administrations have made any secret of this, only the intensity of US foreign policy has been different. In terms of the intensity of US policy on Eastern Europe, it is steadily and sharply declining to zero. The United States has no interest in 'fighting on two fronts': with China and Russia, especially since Russia poses no danger to USA, neither economically, nor politically, nor militarily.

4. No benefit to NATO

Romania doesn't matter for the security of NATO

Cristian DUMITRAȘCU-ANTONIU 2022. (Master of Laws; attorney in Romania) Nato is dead! Long live new Nato! - It is time for a realistic foreign policy for Romania March 2022 (accessed 11 Nov 2022) https://www.researchgate.net/publication/359270426\_Nato\_is\_dead\_Long\_live\_new\_Nato\_-\_It\_is\_time\_for\_a\_realistic\_foreign\_policy\_for\_Romania-

Ironically and sadly for Romania, it seems that NATO has returned to the beginnings: will remain a military alliance destined to defend Western and partially northern Europe against Russia. However, there are two major differences: the first is that there is no real threat of Russia to Western Europe at this time, as Russia does not have the necessary power to threaten any Western European country.

Europe doesn't need the US to defend them

Doug Bandow 2022 (senior fellow, Cato Institute; JD from Stanford Univ.; former special assistant to Pres. Reagan) 15 Sept 2022 "Europe Can Learn from Ukraine" (accessed 11 Nov 2022) https://www.cato.org/commentary/europe-can-learn-ukraine

However the Russo‐​Ukraine war is resolved, it should prompt a reevaluation of European defense. Shifting responsibility for the continent’s defense to the people of Europe is long overdue. Ukraine has demonstrated how the Europeans can take on Russia, if necessary. Washington should turn that responsibility over to them.

DISADVANTAGES

1. Illegal immigration

Link: 2% security threshold. VWP threatens US immigration enforcement if a country has over 2% rate of "overstaying"

**["Overstay" = people visit legally as tourists and don't leave when they're supposed to, and become illegal immigrants.]**

Congressional Research Service 2020 (non-partisan research agency of Congress) 1 Apr 2020 "Adding Countries to the Visa Waiver Program: Effects on National Security and Tourism" (accessed 10 Nov 2022) https://www.everycrsreport.com/reports/R46300.html

Another point of contention is whether the VWP threatens the United States' immigration enforcement interests. As of December 2017, VWP countries that have an overstay rate of over 2% must initiate a public information campaign to educate their citizens about the conditions for admission to the United States. If this does not reduce overstay violations, a country could be removed from the program, as occurred with Argentina and Uruguay in 2002 and 2003, respectively.

Link: Romania overstay rate is above 2%. That's 3 times the average for all Visa Waiver Program countries (0.65%)

Edward Alden 2016 ([senior fellow](https://www.cfr.org/bernard-l-schwartz-senior-fellowship-business-and-foreign-policy) at the Council on Fore­­­ign Relations) Visa Overstays and Illegal Immigration: Finally, Some Real Numbers 20 Jan 2016 (accessed 10 Nov 2022) https://www.cfr.org/blog/visa-overstays-and-illegal-immigration-finally-some-real-numbers

Based on the new data, if Congress moves to an overstay standard for the VWP, then Poland would be a lock for membership; the percentage of Poles who overstayed their visas in 2015 was just 1.49 percent, compared with a mere 0.65 percent for all VWP countries combined. Romania is just over 2 percent.

Link: Heading for the exits. 17% of the Romanian people have emigrated out of their country

Anca Alexe 2019 (journalist) "Romania’s emigrant population is the fifth largest in the world and growing, OECD report finds" 16 July 2019 (accessed 10 Nov 2022) https://business-review.eu/news/romanias-emigrant-population-is-the-fifth-largest-in-the-world-and-growing-oecd-report-finds-203223

**Romania had the fifth largest emigrant population in member countries of the Organisation for Economic Co-operation and Development in 2015/2016, according to the “**[Talent Abroad: A Review of Romanian Emigrants](https://www.oecd.org/countries/romania/talent-abroad-a-review-of-romanian-emigrants-bac53150-en.htm)**” report, published by the OECD and commissioned by the Romanian Ministry of Foreign Affairs.** The study finds that from 2001/2002 to 2015/2016, Romania’s emigrant population in OECD countries increased by 2.3 million, reaching a total of 3.6 million people, or at least 17 percent of people who were born in Romania.
**END QUOTE. THEY GO ON LATER IN THE ARTICLE WRITING QUOTE:**
The desire to emigrate is especially high for young Romanians, with nearly half of people aged 15-24 saying they intended to leave the country. “These high percentages are likely related to poor job prospects for young people, especially those with high education. The employment situation in Romania is thus one of the main causes of the high level of emigration intentions observable in the population,” researchers explain.

Impact: High social costs. Illegal immigrants impose high costs on US taxpayers

Dr. Jason Richwine 2022 (PhD; resident scholar at the Center for Immigration Studies) 24 Jan 2022 " DeSantis is right about the cost of illegal immigration" (accessed 10 Nov 2022) https://cis.org/Oped/DeSantis-right-about-cost-illegal-immigration

Although illegal immigration poses many challenges, the increase in state expenditures is perhaps the most immediate one. In a [recent report](https://cis.org/Richwine/States-Must-Pay-Health-and-Education-Benefits-Illegal-Immigrant-Families) for the Center for Immigration Studies, I calculated that Florida spent approximately $2 billion in 2019 on major health and education programs for the nearly 800,000 immigrants who lived in the state illegally before the recent surge. But aren’t those living in the country illegally barred from receiving public benefits? This is a common misconception. Although most of those entering the country illegally cannot directly receive welfare, the state still supports them in other ways, especially through their children. For example, Florida spent an estimated $52 million on Medicaid coverage for births to immigrants who arrived illegally in 2019, and another $148 million on Medicaid coverage for their older U.S.-born children. By far the largest state expenditure on the U.S.- and foreign-born children of immigrants who came illegally is public schooling, which the state must provide regardless of a student’s immigration status. Extrapolating from Florida’s per-pupil expenditures, educating the children of illegal immigrants cost state taxpayers $1.6 billion in 2019. This figure likely understates the true cost, as it does not reflect the special language training that children of people who came illegally disproportionately require.

2. Crime & Terrorism

Link: VWP requires high level of security cooperation with the US to prevent crime and terrorism

Customs & Border Patrol 2016. last updated 23 Feb 2016 " Even with these additional ESTA questions, does the VWP represent a security vulnerability?" (accessed 10 Nov 2022) https://www.cbp.gov/faqs/even-these-additional-esta-questions-does-vwp-represent-security-vulnerability

Countries that participate in the VWP are required to have a high degree of security cooperation with the United States; sign and implement information sharing agreements regarding known, suspected or potential terrorists and serious criminals; report lost and stolen passport data to the United States or other means approved by the United States; and issue International Civil Aviation Organization-compliant electronic passports.  VWP countries are also subject to biennial eligibility reviews, which provide DHS with the opportunity to conduct broad and consequential inspections of foreign security standards and operations, and verify the level of law enforcement and counterterrorism cooperation with the United States.  The Director of National Intelligence is required to complete an intelligence assessment to support each eligibility review conducted by DHS.

Link: European Union countries don't cooperate very well on immigration security in VWP

Dan Cadman 2016 (retired INS / ICE official with thirty years of government experience. Mr. Cadman served as a senior supervisor and manager at headquarters, as well as at field offices both domestically and abroad) 14 June 2016 "GAO Issues Its First Visa Waiver Program Report Since the Law Was Amended" (accessed 11 Nov 2022) https://cis.org/Cadman/GAO-Issues-Its-First-Visa-Waiver-Program-Report-Law-Was-Amended

On the surface, it is difficult to fathom why a law would be written requiring bilateral agreements with various countries and not require that they be implemented — particularly about agreements that cover the sharing of information about criminals and terrorists. It is equally difficult to believe that a bureaucracy would not insist on implementation of such an agreement, once concluded. But this is an example of politics and international diplomacy at work. The agreements formed a necessary part of any legal framework creating a VWP, at least from the "optics" point of view. Our legislators could hardly add their support to a proposed statute to create a program allowing countries to withhold information about their nationals, if such nationals would be visiting the United States. Thus the murky language that essentially dumped the matter of figuring out how to obtain compliance with the agreements onto the bureaucracies of the executive branch. But from the very start this has been a particularly thorny issue for EU member states that participate in the VWP because they have argued, repeatedly and strenuously, that routinely providing such information would be in violation of the Union's human rights charter and privacy laws.

Impact: Expansion of VWP = More terrorists & criminals

Jessica Vaughan 2008. (Director of Policy Studies for the Center for Immigration Studies, a Washington, DC-based research institute ; Master's degree from Georgetown University and earned her Bachelor's degree in International Studies at Washington College ) 23 Sept 2008 "Visa Waivers: Ready or Not, Here They Come" (accessed 11 Nov 2022) https://cis.org/Vaughan/Visa-Waivers-Ready-or-Not-Here-They-Come

A new [GAO report](http://www.gao.gov/new.items/d08967.pdf) sharply criticizes the Dept. of Homeland Security for its reckless disregard of legitimate security and law enforcement concerns and standard operating procedures in pressing forward to offer visa waivers to visitors from at least nine new countries, mostly in Eastern Europe. These concerns were first raised in a Senate Judiciary hearing earlier this year on February 28, at which I [testified](http://www.cis.org/sites/cis.org/files/articles/2008/jmvtestimony022708.html) and will be discussed again at another Senate [hearing tomorrow](http://judiciary.senate.gov/hearings/hearing.cfm?id=3551). Expansion of this program beyond the few clearly qualified countries is sure to encourage more illegal immigration and facilitate entry for terrorists and criminals.

Impact: More VWP = more terrorism and more violence in the US

John F. Kelly 2017 (Secretary of Homeland Security) Home and Away: DHS and the Threats to America, Remarks delivered by Secretary Kelly at George Washington University Center for Cyber and Homeland Security 18 Apr 2017 (accessed 11 Nov 2022) https://www.dhs.gov/news/2017/04/18/home-and-away-dhs-and-threats-america

And as the coalition we lead wins against what are best described as conventional-terrorist formations in the caliphate, the expectation is that many of these “holy warriors” will survive departing for their home countries to wreak murderous havoc in Europe, Asia, the Maghreb, the Caribbean and the United States. And because many are citizens of countries in our Visa Waiver Program, they can more easily travel to the United States which makes us a prime target for their exported violence.

3. Worse relations with Russia

Link: AFF claims to build US alliance with Romania

Link: That's bad because it provokes angry reaction from Russia

Ted G. Carpenter 2022. (senior fellow for defense and foreign policy studies at the Cato Institute ) 24 Feb 2022 " Ignored Warnings: How NATO Expansion Led to the Current Ukraine Tragedy" (accessed 11 Nov 2022) https://www.cato.org/commentary/ignored-warnings-how-nato-expansion-led-current-ukraine-tragedy (brackets in original)

In his [memoir, Duty](https://www.amazon.com/Duty-Memoirs-Secretary-at-War-ebook/dp/B00F8F3J2S/ref%3Dsr_1_3?crid=3UCX9UXN19KWB&keywords=Robert+M.+Gates&qid=1642719306&s=books&sprefix=robert+m.+gates%2Cstripbooks%2C98&sr=1-3), Robert M. Gates, who served as secretary of defense in the administrations of both George W. Bush and Barack Obama, stated his belief that “the relationship with Russia had been badly mismanaged after [George H.W.] Bush left office in 1993.”Among other missteps, “U.S. agreements with the Romanian and Bulgarian governments to rotate troops through bases in those countries was a needless provocation.” In an implicit rebuke to the younger Bush, Gates asserted that “trying to bring Georgia and Ukraine into NATO was truly overreaching.” That move, he contended, was a case of “recklessly ignoring what the Russians considered their own vital national interests.”

Impact: Deadly conflict with Russia. The Ukraine war was caused by expanding US alliances in Eastern Europe

Ted G. Carpenter 2022. (senior fellow for defense and foreign policy studies at the Cato Institute ) 24 Feb 2022 " Ignored Warnings: How NATO Expansion Led to the Current Ukraine Tragedy" (accessed 11 Nov 2022) https://www.cato.org/commentary/ignored-warnings-how-nato-expansion-led-current-ukraine-tragedy (brackets in original)

Specifically, the Kremlin wanted binding assurances that the alliance would reduce the scope of its growing military presence in Eastern Europe and would never offer membership to Ukraine. He backed up those demands with a massive military buildup on Ukraine’s borders. The Biden administration’s response to Russia’s quest for meaningful Western concessions and security guarantees was tepid and evasive. Putin then clearly decided to escalate matters. Washington’s attempt to make Ukraine a NATO political and military pawn (even absent the country’s formal membership in the alliance) may end up costing the Ukrainian people dearly.
**The Ukraine Tragedy**History will show that Washington’s treatment of Russia in the decades following the demise of the [Soviet Union](https://www.19fortyfive.com/2021/12/rip-soviet-union-one-of-the-greatest-revolutions-of-modern-times/) was a policy blunder of epic proportions. It was entirely predictable that NATO expansion would ultimately lead to a tragic, perhaps violent, breach of relations with Moscow. Perceptive analysts warned of the likely consequences, but those warnings went unheeded. We are now paying the price for the U.S. foreign policy establishment’s myopia and arrogance.