

# United States Senate

WASHINGTON, DC 20510

May 29, 2026

The Honorable Marco Rubio  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

The Honorable Markwayne Mullin  
Secretary  
U.S. Department of Homeland Security  
2707 Martin Luther Jr. Avenue SE  
Washington, DC 20528

Dear Secretary Mullin and Secretary Rubio:

We write with grave concern regarding the impacts of the Department of Homeland Security's U.S. Customs and Border Protection (CPB) Notice of Proposed Rulemaking (NPRM) published on December 10, 2025, requiring traveler social media history, as well as the State Department's new practice of social media screening of non-immigrant visa applicants. These policies are further reducing already declining tourism to the United States at a time when our country should be working to welcome more tourists ahead of major international events like the World Cup. We therefore urge the Department of Homeland Security to withdraw its proposed rule and for the State Department to discontinue its practices that are undermining tourism to the United States.

Travel and tourism are critical parts of every state's economy. The U.S. Travel Association estimates that travel and tourism to the United States brought in roughly \$1.3 trillion in spending in 2024 alone, accounting for 2.5% of the national GDP.<sup>[1]</sup> International visitors are especially important to the economic wellbeing of the United States and its travel and tourism industry. The Administration's new policies directly undermine international tourism facilitated by the Visa Waiver Program (VWP), a comprehensive security partnership with many of America's closest allies that allows tourists and business travelers from 42 countries to fill out an ESTA form and visit the U.S. for up to 90 days without a visa, with those countries permitting U.S. tourists and business travelers to do the same. Specifically, the CBP NPRM revises the Arrival and Departure Record (Form I-94) and the Electronic System for Travel Authorization (ESTA) by drastically increasing the amount of personal information foreign travelers and business visitors who qualify for VWP must provide when seeking to lawfully enter the United States. The extreme new requirements in this NPRM, such as requiring tourists to provide five years of social media information, telephone numbers, physical addresses, and email addresses used over the previous ten years by the applicant, as well as detailed personal information about their immediate family members, threaten to push global travelers away from the U.S. The proposed changes could make the ESTA process more burdensome and longer, while also increasing processing times for ESTA forms, creating another barrier for international tourists trying to visit the United States.

Reduced international tourism is already harming hotels, restaurants, airlines, and the many other industries that rely on tourism in the United States. It is sadly no surprise that the World Travel & Tourism Council reported that the U.S. was the only economy out of 184 countries that was expected to see a decline in international visitor spending over the last year.<sup>[2]</sup> With tourism already waning, the timing of the Administration's new rule is particularly damaging, as the United States prepares to cohost the 2026 FIFA World Cup and is expecting a significant influx of foreign travelers this summer as a result. CBP must ensure that any changes to VWP entry and exit requirements strengthen security without creating unnecessary barriers for the millions of international visitors who will be seeking to visit and contribute to local economies across the United States in 2026 and beyond. With this in mind, we urge the Department of Homeland Security to withdraw its proposed rule, ask the Department of State to end its practice of screening the social media history of non-immigrant visa applicants, and ask for clarification on the following:

- Since this rule was proposed and new policies gone into place, have there been any changes to the vetting criteria for non-immigrant visa applicants? If there are new standards, what specifically has changed?
- Please specify how a travelers' social media history will be used to determine when an ESTA application will be denied, and what social media factors are being considered for admissibility decisions?
- What is the current denial rate for individuals attempting to visit the United States through an ESTA application from a VWP country?
- Under the rule and associated policies, is CBP or the State Department accessing, or does it plan to access private messages or only publicly available content?
- Is social media vetting taking place for applicants for non-tourist visas?
- Has the Administration assessed the impact of the CBP rule and these new policies on international tourism to the United States and on the nation's travel and tourism businesses?
- How does the Administration plan to implement these policies ahead of the 2026 World Cup and 2028 Olympics in ways that do not unduly burden foreign travelers looking to come to the United States and add to our local economies?

We look forward to your response to these questions. Thank you for your attention to this important matter.

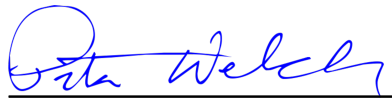
Sincerely,



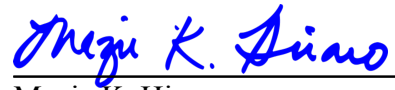
Jacky Rosen  
United States Senator



Catherine Cortez Masto  
United States Senator



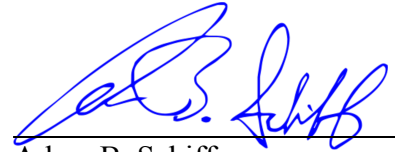
Peter Welch  
United States Senator



Mazie K. Hirono  
United States Senator



Alex Padilla  
United States Senator



Adam B. Schiff  
United States Senator

<sup>[1]</sup> <https://impact.ustravel.org/national>

<sup>[2]</sup> <https://wtcc.org/news/us-economy-set-to-lose-12-5bn-in-international-traveler-spend-this-year>