

February 9, 2026

Seth Renkema
Chief, Economic Impact Analysis Branch
U.S. Customs and Border Protection
Office of Trade, Regulations and Rulings
90 K Street NE, 10th Floor
Washington, DC 20229-1177

RE: Revisions to the Electronic System for Travel Authorization (ESTA) – OMB Control Number 1651-0111

Sent via email to CBP PRA@cbp.dhs.gov

Dear Mr. Renkema:

WERC, formerly known as the Worldwide Employee Relocation Council, welcomes the opportunity to submit comments in response to the proposed revisions to the Electronic System for Travel Authorization (ESTA), OMB Control Number 1651-0111, published in the *Federal Register* on 10 December 2025. WERC, the trade association representing over 5,000 individuals and 2,750 enterprises in the global talent mobility industry responsible for supporting employers with moving their current and potential employees, supports policies that enable employers to successfully compete in a global business environment by moving their workforce talent where they need to support their operational needs and priorities.

WERC members support companies located in all fifty U.S. states employing hundreds of thousands of workers in the United States, with the largest sectors including: manufacturing, technology, finance, insurance, and healthcare. In addition to supporting movement of their client's domestic workforce around the country, WERC members facilitate the movement of global talent to and from the U.S.

WERC believes its members and the Trump administration have the shared goal of strengthening American corporations so they can successfully compete in a competitive global business ecosystem. Successful companies contribute to the U.S. economy by growing employment opportunities for all American workers. However, key to strengthening U.S. companies, growing technology and rebuilding manufacturing is the ability to recruit, retain, and move the best talent to where it is needed, regardless of nationality. Cross-border business travel by employees, affiliated independent contractors, and other key talent is fundamental to and essential for this to happen, and for many U.S. employers this involves individuals from the forty-one countries currently part of the Visa Waiver Program.

Clear, consistent, and timely guidance and processes around the submission, adjudication, and processing of travel authorizations for business travelers from visa waiver countries via ESTA are critical for enabling the cross-border business travel that is integral to the operations of many U.S. employers and is a major economic catalyst for communities across the country. According to research by the Global Business Travel Association (GBTA), business travel spending by foreign nationals generates over \$33 billion in revenue within the U.S. annually associated with components such as lodging, transportation, and food and beverage.¹

¹ "U.S. Economic Study on Business Travel's Impact on Jobs and the U.S. Economy," Global Business Travel Association, June 2024, <https://gbta.org/research/us-business-travel-industry-economic-study-2024/>.

We understand and appreciate CBP’s intention and efforts to review and update processes and systems as needed to best protect the American homeland and America’s national security interests. However, in doing so, we urge the administration to take a balanced approach that addresses key issues while not risking adverse impacts on the U.S. economy and American employers. The proposed changes to the ESTA program, if not considered and implemented in a way that accounts for the significant operational and economic impact that business travel has, risks causing significant harm to the U.S. economy and business across the country. A recent survey indicated that three quarters of surveyed business travel practitioners are concerned about changes adversely impacting visa entry/exit systems and shaking confidence in travel to the United States.² Nearly half of respondents indicated that ESTA-related changes risk companies moving more meetings outside the United States, and over a quarter flagged that changes may result companies decreasing their business travel to the U.S. both in the short term and also long term.

As CBP considers proposed modifications to ESTA as outlined in the *Federal Register*, WERC submits the following comments on behalf of its members for the agency’s consideration:

High value data elements:

Ambiguity Around Scope and Feasibility:

In the Federal Register notice, CBP list 11 high value data fields, however, the agency is opaque about what exactly it was focusing on adding by indicating it would add “several” fields “when feasible.” This dissonance does not provide a clear frame of reference for public parties to consider and weigh in on potential ramifications and be positioned to understand what will or will not viably be in scope for CBP.

To provide an example, the definition of feasibility is not clearly defined in order to allow effective stakeholder feedback. Some items within the 11-field list, such as fingerprint, DNA, and iris biometrics (i) would not be realistic within the scope of either a mobile app-based application and/or a web-based application. Others, such as family member-related information (d, e, f, g, h), may be feasible from a technology interface mechanism but would be incredibly challenging from a user experience and feasibility perspective, particularly if the sole mechanism is a mobile-app-based application).

Recommendation: We recommend that CBP provide a public follow-up including a more definitive scope accounting for the feasibility considerations, with time for additional comments based on clarified information.

Inclusion of Biometrics:

The wording around ‘biometrics’ within the notice and its specific listing of four items – face, fingerprint, DNA, and iris – are problematic because at present agency practice and definition of this term has only

²“Global Business Travel Professionals Signal Stronger Confidence but Also Constraint Heading Into 2026, According to Latest GBTA Poll”, 27 January 2026, Global Business Travel Association, https://gbta.org/global-business-travel-professionals-signal-stronger-confidence-but-also-constraint-heading-into-2026-according-to-latest-gbta-poll/?utm_medium=email&utm_source=newsletter_dnb&utm_name=product_global_research_q1sentiment_jan_2026&utm_content=pressrelease_pressrelease

involved face and fingerprints. While we understand that DHS published and received comments via a notice of proposed rulemaking on this issue on 3 November 2025 via “Collection and Use of Biometrics by U.S. Citizenship and Immigration Services” (RIN 1615-AC99), further regulatory actions to change this definition have not occurred as of the date of this comment. Including DNA and iris specifically within the ESTA changes at this point when the matter of defining biometrics has not been officially codified either by regulatory updates or Congressional action, would circumvent ongoing processes and create issues for the agency by implementing changes via form changes versus going through the proper channels.

Recommendation: We recommend that CBP remove DNA and iris from the language around “biometrics” (i) pending outcome of either: 1) completion of ongoing rulemaking processes and implementation of regulatory changes, or 2) Congressional action that clarifies the definition.

Mobile-Only Application:

One major issue raised by our members is that the submission of detailed immigration-related applications only via mobile app does not align either with other significant U.S. immigration-related petitions and applications by USCIS and DOS or what occurs with other comparable e-visa or travel authorization systems enacted by governments outside the United States. Having a mobile-only platform raises the risk of user error due to the amount of specific and detailed information having to be collected and provided, particularly if application scope also expands to include the additional high value data elements outlined in this notice.

Mobile-only processing also limits the ability of organizations that may have structured, auditable ESTA workflows to support compliance, duty of care, and internal approvals. Organizations currently can track submissions centrally, verify authorization status at scale, and provide pre-travel compliance oversight within their organization. Moving to mobile-only will impact those existing capabilities and compliance measures. We recommend a mobile and web solution that allows current support structures continue to assist employees.

Additionally, many corporate, government, educational, and sports-related employers and their traveling workforces depend on authorized third-party support companies with their ESTA facilitation to ensure accuracy, consistency and compliance. Eliminating or limiting the non-app-based submissions will increase errors, resulting in higher CBP workloads due to the errors and associated inquiries and corrections that will need to follow.

We recognize the issue raised by CBP in the notice surrounding submitted photo quality. While we support the agency implementing solutions to remedy this issue, we do not believe that it requires moving the entire process to a mobile app-only application and that CBP should look at more narrowly-focused solutions to the identified problems.

Recommendation: We recommend that CBP maintain the option of website-based ESTA application completion and submission via an online application. We also recommend that CBP determine updates to photo submission processes that can mitigate the issues raised by CBP in the notice and implement specific and targeted fixes to those areas once determined.

Social Media Handles:

As CBP considers incorporating the collection of 5 years of social media handles into ESTA to align with its processes for non-ESTA visitors, we believe this shift should only be done after first clarifying how the information will be used by CBP in conjunction with the ESTA application process and what impact this will have on ESTA-related processing timelines. Particularly in the context of business travel, the 72-hour adjudication timeframe is critical for providing consistent and clear processes for individuals and their employers to be able to navigate business necessities that often arise with a limited window for pursuing and receiving the necessary authorization. Delays that elongate the adjudication timeline and hamper critical business operations create significant risks to American employers and the U.S. economy, and the agency needs to ensure that it accounts for these considerations in looking at any potential changes related to social media handles.

Timely and consistent adjudication and processing of business travelers is critical to ensuring America remains a destination for the best and the brightest talent throughout the world and that Americans have the opportunity to innovate with talent from around the world. There are significant risks to the U.S. economy and employers across the country if changes to ESTA drive critical talent toward America's competitors around the world rather than fueling American innovation and business growth. We urge the administration to reconsider and revise how it looks at potential changes to ESTA, and WERC and our members stand ready to support CBP in determining solutions that enhance national security and improve operational consistencies while not resulting in significant harm to American businesses and the U.S. economy.

Sincerely,



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