JUSTIFICATION FOR EMERGENCY REVIEW

U.S. Embassy Jerusalem Incident Reporting Form, OMB Number 1405-XXXX

Israel and the United States recently signed a Memorandum of Understanding on Extension of Reciprocal Privileges and the Visa Waiver Program (VWP). Following signature of the MOU on Reciprocity, the government of Israel announced a new travel policy aligned with the MOU allowing U.S. citizens to apply for visa free entry to Israel, including U.S. citizens resident in the West Bank and Gaza. In the Reciprocity MOU, the United States government committed to monitor compliance of Israel’s new travel policy to ensure Israel meets the VWP requirement set out in 8 U.S.C. Section 1187 that Israel “extend reciprocal privileges to all U.S. citizens and nationals” traveling to Israel just as the United States would do for Israeli citizens if Israel is designated as a VWP country.

To meet the U.S. government’s commitment as described in Annex A of the MOU and to be able to fully assess whether Israel is meeting the VWP reciprocity requirement, the Department created an online survey to allow U.S. citizens to voluntarily report their experiences seeking entry to Israel, including instances of discrimination, to the U.S. Embassy in Jerusalem. U.S. citizens complete the form online and it allows for automatic data collection of form responses. On July 18, the Government of Israel notified the U.S. government that it planned to announce new travel requirements on July 19, and that they would go into effect on July 20. As there was only two days' notice, the Department was unable to engage in a public comment period to solicit input on the survey.

The Department will use this voluntary survey to receive timely data and anecdotal information to inform our consular assistance efforts and assist in validating data provided by the Government of Israel regarding implementation of their commitments to extend privileges to all U.S. citizens and nationals, without regard to national origin, religion, or ethnicity. The voluntary survey will provide a streamlined way for U.S. citizens to provide feedback on travel incidents, including discrimination, at an Israeli port of entry. It will give the Department of State tools and data to monitor implementation of the MOU by the Government of Israel, including whether Israel is meeting its commitment to treat U.S. citizens seeking to enter Israel without regard to national origin, religion, and ethnicity.

The Department has therefore determined that:

1. This collection is needed prior to the expiration of time periods normally associated with a routine submission for review under the provisions of the Paperwork Reduction Act.

2. This collection is essential to the mission of the Department of State, which has no higher priority than the safety and welfare of U.S. citizens overseas. The purpose of the collection is to enable the Department to fulfill its written commitments to analyze trends of travel and provide timely assistance to U.S. citizens.

3. The use of normal clearance procedures will prevent the Department obtaining this information in a timely manner thus preventing the Department from fully being able to assess Israel’s actions to meet a statutorily required VWP program requirement that a program country extend reciprocal privileges to all U.S. citizens and nationals as the United States does to citizens and nationals of each VWP country.

Due to the immediate nature of these changes and the short time available for implementation, the Department of State requests OMB formal emergency review and approval of this information collection.

/s/ Elizabeth Gracon

Elizabeth Gracon

Acting Deputy Assistant Secretary for Overseas Citizens Services, Bureau of Consular Affairs

*September 12, 2023*

*Department of State*.

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