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Strasbourg, 19 January 2026

Ms. Ursula von der Leyen
President of the European Commission
European Commission
Rue de la Loi/Wetstraat 200
1049 Brussels

Mr. Magnus Brunner
Commissioner for Internal Affairs and Migration
European Commission
Rue de la Loi/Wetstraat 200
1049 Brussels

Dear President von der Leyen,
Dear Commissioner Brunner,

On 16 December, the Council adopted without discussion a decision authorising the Commission to start negotiations with the United States (US) about a new framework agreement for data exchange of information for security and identity verification relating to border procedures and visa applications.

This decision follows the announcement of the US government of a new requirement to continue participating in the US Visa Waiver Program, which is the conclusion of a bilateral “Enhanced Border Security Partnership” (EBSP) with the US Department of Homeland Security (DHS), which would allow the DHS to access national biometric records in EU Member States for the purpose of immigration screening and vetting activities.

The US authorities have indicated that it expects the EBSPs to be in place by 31 December 2026, after which it will assess each country's compliance with the EBSP requirement for participation in the Visa Waiver Program. Citizens of Member States that refuse to give the US access to their national biometric databases, would lose visa free access to the US

As it is the Parliament's task to decide whether to give consent to international agreements pursuant to Article 218 TFEU, we have the following observations:

- Parliament should become more closely involved in the process leading up to adoption of a negotiating mandate, as access to biometric data of EU citizens in national databases is unprecedented and can be quite impactful. We would like to see a more proactive information provision by the Commission on this process.
- Looking at the current geopolitical context, we consider undesirable for the European Commission to start or continue such negotiations.

We strongly encourage the Commission to make use of its geopolitical and economic strength in relation to discussions about the conditions imposed by the US for (continuous) participation of EU Member States in the Visa Waiver Program.

Yours sincerely,

Valérie Hayer, President of the Renew Europe Group

Fabienne Keller, Renew Europe Coordinator of the EP Committee on Civil Liberties, Justice and Home Affairs

Raquel García Hermida-van der Walle, Member of the EP Committee on Civil Liberties, Justice and Home Affairs

Nathalie Loiseau, Chair of the EP Special committee on the European Democracy Shield, Renew Europe Coordinator of the EP Committee on Security and Defence and Member of the EP Committee on Foreign Affairs

Hilde Vautmans, Renew Europe Coordinator of the EP Committee on Foreign Affairs

Sophie Wilmès, Vice-President of the European Parliament, Vice-Chair of the EP Delegation for relations with the United States, Member of the EP Committee on Civil Liberties, Justice and Home Affairs and Member of the EP Special Committee on the European Democracy Shield