US requiring visa applicants to reveal social media information

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The US State Department has begun asking most US visa applicants to provide information about their social media accounts. The policy that went into effect last Friday will give the government access to the personal data that is usually shared on social media, including photographs, locations and dates of various milestones.

In a statement reported in the *New York Times,* an official spokesperson downplayed the effects of the new regulations, claiming that they were merely an extension of existing rules: "We already request certain contact information, travel history, family member information, and previous addresses from all visa applicants."

As of now, the State Department is only asking applicants to reveal their account handles. However, as acknowledged by then-Homeland Security Secretary John Kelly in 2017, the administration has been seriously considering proposals that would require applicants to reveal all their passwords, giving the government full access to their accounts.

The implementation of the new policy, a manifestation of the long-proposed "extreme vetting," is another step in the Trump administration's war against immigrants.

Following up on his March 2017 executive order imposing a 90-day ban on the immigration of citizens from seven predominantly Muslim countries (Iraq, Syria, Iran, Sudan, Libya, Somalia and Yemen), Trump issued a memorandum claiming that the "executive branch [needed to] enhance the screening and vetting protocols and procedures for granting visas" in order to "avert the entry into the United States of foreign nationals who may aid, support, or commit violent, criminal, or terrorist acts."

In March 2018, the State Department filed two notices announcing its intent to implement changes to the existing rules that would focus on the social media profiles of applicants. The plan outlined by the State Department at that time made it clear that the US government would "require nearly all visa applicants...to submit five years of social media handles for specific platforms...and with an option to list handles for other platforms not explicitly required." In addition, applicants would be required to list "previous telephone numbers, email addresses, prior immigration violations and any family history of involvement in terrorist activities."

While claiming that the new policy does not reflect any dramatic change in the existing framework of rules, administration officials have presented it as a much-needed and essential tool to deal with national security concerns. Framing it as a delayed response to the 2015 San Bernardino shootings (where one of the perpetrators had apparently posted various incendiary statements online that had remained undetected), the State Department has doubled down on the claim that the new measures will help protect the American people from possible "terrorist activities."

But, as critics have pointed out, this is an extremely dubious claim, particularly given that there is no way to prevent those plotting attacks from using false names, creating fake identities or even framing others on social media. Beyond that, the idea that applicants would be expected to report on unspecified "terrorist activities" of family members, who might in fact be US citizens, constitutes an egregious attack on the freedom of speech and the freedom of association guaranteed under the US Constitution.

As the American Civil Liberties Union (ACLU) pointed out in its response to the State Department's earlier notice, the threat to collect information on family members was bound to have a chilling effect not

just on the applicants, but also citizens who would not be informed about how the collected data might be shared between various government agencies.

Hina Shamsi, the director of the ACLU's National Security Project, explained at the time: "There is a real risk that social media vetting will unfairly target immigrants and travelers from Muslim-majority countries for discriminatory visa denials, without doing anything to protect national security."

Reacting to the formalization of the proposal this past week, Shamsi told the *New York Times*, "This is a dangerous and problematic proposal," pointing out that there's been no evidence provided by the State Department that such kinds of vetting could actually help protect national security.

The new immigration policy will affect nearly 15 million visa applicants in 2020 alone. Given the sheer numbers, it must be noted that in addition to constituting an attack on privacy and democratic rights, these measures will increase processing times, leading to a further bottleneck in the processing of visa applications. The new requirement will result in a higher threshold, more complicated paperwork and longer wait times aimed at discouraging legal immigrants.

Over the past two years, the Trump administration has floated a series of measures to limit legal immigration including the denial of automatic birthright citizenship, in violation of the Fourteenth Amendment, the introduction of a so-called merit-based system that would drastically reduce family-based visa applications and replace them with requirements based on education and skill, and the elimination of the diversity visa lottery system that grants 50,000 people the right to migrate to the US every year.