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Flavia Onwuelo is a CEILS student at the University of Trento. Daughter of Nigerian immigrants in Italy, she grew up translating for her parents, gaining early insight into migration, rights and institutions. She studies EU and international law, with an interest in security, migration governance and European policy and integration. Active as an EST Ambassador, in ELSA, AIESEC, and MEP Trento, she aims to use her cross-cultural background to support a more inclusive Europe.

About the publication:

3 Main Points:

1. Should the U.S. CBP's proposed revision of ESTA data collection make 5 years of social media disclosure mandatory for short term tourists?
2. The notion of threat to security is vague, social media activity lacks context and ultimately leads to self censorship. At scale, CBP will likely rely on automated systems increasing risks of misinterpretation.
3. This proposal adds anxiety and friction to ordinary travel, hurting the US tourism right before 2026 and 2028 worldwide events.

Highlight Sentence:

“Requiring five years of social media from short-stay tourists is a disproportionate burden that creates uncertainty and discourages ordinary visitors.”

Definition:

ESTA (Electronic System for Travel Authorisation) : The online travel authorisation required for Visa Waiver Program travelers (for eligible countries who can enter the US without a formal visa)

If you're European, traveling to the United States as a tourist usually feels relatively easy: you're not going through a full visa process, you're applying for ESTA (Electronic System for Travel Authorization), booking flights, and going. In fact, when we hear of US border restrictions, we often picture migrants from other countries which are already under heavy restrictions.

However, on December 10, 2025, U.S. Customs and Border Protection (CBP) [published](#) a Federal Register notice proposing changes to what it collects for ESTA. Basically, the CBP says it is adding social media as a mandatory data element for ESTA, and that applicants would have to provide their social media from the last five years. As of today, many European countries are in the Visa Waiver Program which enables the ESTA application, such as Italy, Germany, Spain, France and others. But, what about privacy, freedom of expression and tourism?

Trump's era: security comes first



The Federal Register, the U.S. government's official journal for regulatory notices, [states](#) this proposal is closely linked to the Executive Order 14161, which dates to January 20, 2025. Signed directly by the U.S. president, the main focus of this executive order is the protection of the United States from foreign terrorist and other national security and public safety threats.

Then, a few days later the issuing of the proposal of the CBP, on December 16th, the Whitehouse [published](#) a proclamation titled: "Restricting and Limiting the Entry of Foreign Nationals to Protect the Security of the United States". In practice, a target list of countries of Africa and the Middle East will face strong restrictions and bans to enter the US territory. This context pretty much explains the existence of this proposal; it shows the governing logic of the moment: security comes first.

However, through the ESTA social media requirement, the administration is expanding the idea that security equals more information. And that's precisely where the concrete risks begin. This notice is a shift in category because it proposes turning what used to be an optional disclosure into a mandatory requirement and not just "current accounts," but a five-year window of your personal free speech and social life.

Why mandatory social media for tourists crosses the line

Esta was designed for short trips, tourism, work purposes, and family visits. This means that the requirement of 5 years of social media disclosure is an excessive burden for tourists. The main idea is that checking someone's social media is not the same action as checking someone's passport. Nowadays, social media reveals someone's social life, community, humor, political opinions, personal memories, and what matters is that people's stances on social media continuously change, with legitimate and human contradictions.

What makes this proposal unsettling is its ambiguity. What actually counts as a threat on social media? Did you like a post about a conflict because you support violence or because you are following the news? Did you repost a slogan 5 years ago without fully understanding it? When criteria are not clear, people will start guessing what might look

“bad” and changing themselves, which leads to self-censorship. If I know my entry could be influenced by my online presence, I will post less about politics and maybe delete some old posts. Basically, this is a rational human response to a system which is ambiguous.

Then, there's the risk of misinterpretation made by automation. Social media strictly needs context: sarcasm, cultural references, irony, and language nuances can be misread. In fact, the proposal in question raises questions on its actual feasibility: the number of travelers under VWP is very large, and it's very probable that's this checking will be made by artificial intelligence and not under human scrutiny. Automated systems don't reliably capture tone, irony, language nuance, culture, and instead treat everything as clean data.

Privacy apart, what about its implications on the tourism sector?

This proposal, if approved, will deeply affect the U.S. tourism in a particularly delicate time. As a matter of fact, the U.S. is about to enter a huge visibility window for global travel: the 2026 FIFA World Cup will be jointly [hosted](#) by the United States, Canada and Mexico, and Los Angeles will [host](#) the 2028 Olympic Games. Tourists are incredibly sensitive to signals that make a destination hard to reach and characterised by complex administrative controls.

In fact, right now tourism to the U.S. already looks fragile. The news agency Reuters [reported](#) that the U.S. registered a 6% decline in foreign visitors in 2025, even while global tourism spending rose. That's the context in which making social media disclosure mandatory becomes more than a privacy issue. For a lot of people, especially first-time visitors, the logic is simple: if a trip comes with extra pressure and fear, they will just pick a different destination which feels easier. That's also the reason why IITA (International Inbound Tourism Association) have now [warned](#) that mandatory social media would add friction in a moment where the U.S. is trying to recover its attractiveness as a destination and ultimately cause huge economic impacts.

To conclude, what the CBP is proposing can be considered as a very intrusive requirement. It ties admission to someone's social media identity with the uncertainty that the latter will be interpreted fairly. Undoubtedly, this measure is a significant shift especially



for visa-waiver travellers (including many Europeans) who rely on ESTA for ordinary short trips. Furthermore, it could create huge repercussions on the now fragile tourism sector of the United States. Security does matter, but proportionality counts too.