

Electronic System for Travel Authorization

Questions & Answers

Q: What is the Electronic System for Travel Authorization (ESTA)?

A: ESTA is a new Internet-based automated system developed to enhance the security of the Visa Waiver Program (VWP). ESTA will verify an individual's eligibility to travel to the United States without a visa and determine if an individual poses a security risk. It will also help streamline the entry process for foreign travelers by allowing DHS to discontinue use of the paper I-94 form at ports of entry.

Q: What is the Visa Waiver Program (VWP)?

A: The VWP enables nationals of certain countries to travel to the United States for tourism or business for up to 90 days without obtaining a U.S. visa. There are 34 countries* as of November, 2008 that participate in the VWP (including the addition of seven countries in 2008). The VWP provides enormous economic benefits to the United States by facilitating and promoting visa-free travel to America. In 2007, the 27 countries in the VWP generated more than 15 million visits to the United States – roughly two-thirds of all overseas travelers.

Q: How does the ESTA work?

A: VWP travelers or an intermediary (such as a travel agent) will go online to the ESTA website at <https://esta.cbp.dhs.gov/> and apply for a travel authorization by submitting basic biographical information, flight information and answers to a few VWP eligibility questions. ESTA will instantly review the information for any possible security risks and determine if the person is eligible to travel to the United States without a visa. Each traveler will receive one of three responses within a few minutes of an ESTA application: Authorization Approved, Authorization Pending, or Travel Not Authorized. Applicants who receive an Authorization Pending response will need to check the ESTA Web site for an update on their application within 72 hours to receive a final response. Applicants whose ESTA applications are denied will be referred to a U.S. consulate for information on how to apply for a visa to travel to the United States.

Q: If a person is denied travel authorization through ESTA, is he/she still able to travel to the United States?

A: The traveler may still be eligible to travel to the United States but will be required to apply for a nonimmigrant visa at a U.S. embassy or consulate.

Q: Can a foreign traveler be denied entry to the United States upon arrival even if they are authorized through ESTA?

A: Yes. ESTA authorizes travel to the United States, but Customs & Border Patrol officers will still assess eligibility for entry into the United States at the port of entry.

Q: With so many existing travel security measures in place already, why is this new pre-travel authorization for VWP travelers necessary?

A: To guarantee the sustainability and expansion of the VWP, certain security enhancements are necessary. The travel community supports the new pre-travel authorization requirement as a sensible security measure needed to increase confidence in the security of the VWP.

Realizing, however, that the new pre-travel authorization granted through ESTA is one of the most significant changes in travel policy in decades, the travel community has called on DHS to implement ESTA in a way that will not create unnecessary barriers to travel. Specifically, the travel community has called on DHS to:

- 1) Invest significantly in a multi-faceted in-market communications campaign;
- 2) Provide clear direction and access to entry alternatives to those who do not receive an ESTA;
- 3) Provide multiple methods of accessing and completing the ESTA;
- 4) Prepare for an increase in consular resources should visa wait times increase; and
- 5) Ensure adequate traveler redress.

Q: Why does ESTA only apply to VWP travelers?

A: ESTA is meant as a security enhancement and added convenience to the Visa Waiver Program. Other security measures exist for travelers from non-visa waiver countries.

Q: DHS reports that ESTA is already providing travel authorizations to VWP travelers. Do VWP travelers need to apply for a travel authorization if they are traveling to the United States in November or December?

A: While DHS began accepting voluntary applications for travel authorization through ESTA on August 1, 2008, a travel authorization will not be required to travel to the United States until January 12, 2008. Nevertheless, if a VWP traveler is visiting the United States this holiday season and will return to the United States again next year, it is a good idea to go ahead and apply for a

travel authorization now since it will be valid for multiple entries over a two year period.

Q: Many VWP travelers take last-minute trips to the United States. How far in advance of a trip does a traveler need to apply for travel authorization through ESTA?

A: DHS recommends that travel authorization applications be submitted no less than 72 hours prior to travel. However, in order to accommodate last-minute trips and those individuals who arrive at a check-in counter unaware of the travel authorization requirement, an application for travel authorization may be submitted online at the ESTA Web site at any time prior to check-in for a flight to the United States.

Q: If a VWP traveler checks in for a flight without first obtaining an ESTA after the January 12, 2009, will the traveler be allowed to board the flight?

A: It is important not to interrupt visa-free travel to the United States due to poor communication about the new travel authorization requirement. As with other security programs, DHS has agreed to enforce the new requirements with the necessary flexibility to accommodate individuals unable to obtain an ESTA prior to their flight date after January 12, 2009.

Q: How long will it take to process a travel authorization application submitted through ESTA?

A: DHS reports that in a majority of cases, ESTA will provide a response to a VWP traveler within minutes of submitting an application.

Q: Will ESTA be a new burden for foreign travelers?

A: Increasing the security of visa-free travel to the United States should not result in increased burdens for foreign travelers. ESTA should be user-friendly, efficient and easily accessible to VWP travelers. Furthermore, the new ESTA requirements must be communicated broadly through a concerted multi-million dollar outreach campaign to international travelers who are accustomed to traveling with only a legitimate passport. Finally, appropriate flexibility should be offered to the VWP traveler for meeting the new travel authorization requirement until the traveling public becomes familiar with the new system.

Q: Do other countries have a similar travel authorization system?

A: The new U.S. program is modeled after a successful program in Australia, called the Electronic Travel Authority. Like ESTA, travelers to Australia may

submit an application for travel authorization electronically through the Electronic Travel Authority website.

Q: Will Canadians and Mexicans need to apply for travel authorization prior to entering the United States?

A: ESTA will only be required for visitors traveling under the VWP to the United States via air or sea carriers. Since neither Canada nor Mexico is a VWP country, their nationals will not be required to gain travel authorization through ESTA.

Q: Do travelers need to apply for a travel authorization through ESTA prior to every trip to the United States?

A: No, each ESTA will be valid for two years and will permit unlimited travel to the United States in that time frame without having to needlessly update personal information prior to each trip.

Q: Many people in VWP countries may not have access to the Internet or know how to maneuver through the Internet in order to apply for travel authorization through ESTA. How is this concern addressed?

A: DHS will allow a third party such as a travel agent, family member or friend to submit the travel authorization on a traveler's behalf in order to accommodate those who may not be able to use the Internet. However, the travel community believes that it is also critical to the success of the program that a non-Internet based option be developed for the air carriers and travel agents who routinely book flights but do not have immediate access to the Internet on their existing computer systems.

Q: Does an individual from a visa waiver country with a valid visa need to register through ESTA?

A: Individuals who possess a valid visa will be able to travel to the United States with that visa for the duration of its validity and for the purpose it was issued, and will not be required to apply for travel authorization through ESTA.

*These countries currently participate in the Visa Waiver Program: Andorra, Australia, Austria, Belgium, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, and United Kingdom

Countries added in 2008: Republic of Korea (South Korea), the Czech Republic, Hungary, Estonia, Latvia, Lithuania and Slovakia