



Legal Alert: Visa Waiver Program Travelers Must Have ESTA Approval

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Travelers from Visa Waiver Program (VWP) countries should be aware that they are now required to obtain approval through the Electronic System for Travel Authorization (ESTA) before traveling to the United States. This requirement became effective on January 12, 2009 and applies to all eligible citizens or nationals traveling under the VWP.

ESTA is an internet-based system that determines preliminary eligibility of visitors to travel under the VWP prior to boarding a carrier to the United States. Generally, each ESTA is valid for a period of two years, unless an alien's passport expires in less than two years, in which case the ESTA will be valid until the passport's expiration date. Each ESTA permits multiple entries to the U.S. Although DHS has stated that it will take a "reasonable approach" to travelers who have not obtained an approved travel authorization via ESTA, such travelers should be aware that they may be denied boarding, experience delayed processing, or be denied admission at a U.S. port of entry. Visitors may apply for travel authorization via the ESTA Web site at <https://esta.cbp.dhs.gov>.

The VWP enables eligible citizens or nationals of certain countries to travel to the United States for tourism or business for stays of 90 days or less without obtaining a visa. The citizens or nationals of the following countries currently are eligible to travel to the United States under the VWP: Andorra, Australia, Austria, Belgium, Brunei, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, the Republic of Korea, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom.

If you have any questions regarding this issue or other business immigration issues, please contact Geetha Nadiminti, gnadiminti@fordharrison.com, 404-888-3940 or any member of Ford & Harrison's Business Immigration practice group.