

# Do I Need a Visa to Travel to the United States?

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Normally when travelling to the United States you would need a visa in order to enter. However, the Visa Waiver Program (VWP) allows people from certain countries to travel to the United States without a U.S. Visa. In order to qualify, you must be visiting for 90 days or less as a nonimmigrant visitor for the purpose of business or pleasure (tourism). The Visa Waiver Program was started in 1986 as a pilot program but became permanent in 2000.

Those traveling under the VWP must be a national of one of the 35 participating countries (listed below) and;

1. Valid authorization through the Electronic System for Travel Authorization (ESTA) prior to travel.

ESTA determines the eligibility of visitors to travel to the U.S. by collecting the same information as the I-94 Arrival-Departure Record. The application may be submitted at any time prior to travel. Normally it is valid for up to two years and can be used for multiple entries into the U.S. In addition, you must have a valid passport for 6 months beyond the period of intended stay, 90 days. Therefore, your passport must be valid for 9 months.

The purpose of your stay must be for 90 days or less, and reason for your visit must be for tourism or business. If arriving by air or sea you must have a return ticket. Additionally, you must be able to show that your intent to stay is 90 days or less and that you have sufficient funds to support yourself while in the U.S. You must also be found to not pose a safety threat to the U.S. and have no previous violation of any admission policy. Finally, you have to waive your right to proceedings before an immigration judge, except for an asylum application.

2. Screened at a port of entry into the United States;

3. Enrolled in the Department of Homeland Security's U.S.-Visit program.

The following countries participate in the Visa Waiver Program:

Andorra Hungary New Zealand  
Australia Iceland Norway  
Austria Ireland Portugal  
Belgium Italy San Marino  
Brunei Japan Singapore  
Czech Republic Latvia Slovakia  
Denmark Liechtenstein Slovenia  
Estonia Lithuania South Korea  
Finland Luxembourg Spain  
France Malta Sweden

Germany Monaco Switzerland  
Greece the Netherlands United Kingdom

What are the Advantages and Disadvantages of the Visa Waiver Program?

Those who use the Visa Waiver Program are allowed to travel to the U.S. spontaneously without obtaining a visa for the purpose of tourism or conducting business. On the other hand, those using the VWP may not change or extend their nonimmigrant status. Furthermore, if you are denied admission, you will not have the opportunity to go before an immigration judge to dispute your inadmissibility. Finally, you may not enter under the VWP if you are found to have previously violated the terms of your admission. Therefore, you should consult with an experienced Phoenix immigration attorney in determining whether you should use the Visa Waiver Program.

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