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U.S. Customs and Border Protection

CBP Announces Additional Enhancements to the Electronic System for Travel Authorization

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WASHINGTON—U.S. Customs and Border Protection today announced additional enhancements to the Electronic System for Travel Authorization (ESTA), as part of the continued implementation of the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 (the Act).

Last month, the United States began implementing changes under the Act. Under the Act, travelers in the following categories are no longer eligible to travel or be admitted to the United States under the Visa Waiver Program (VWP):

- Nationals of VWP countries who have been present in Iraq, Syria, or countries listed under specified designation lists (currently including Iran and Sudan) at any time on or after March 1, 2011 (with limited government/military exceptions).
- Nationals of VWP countries who are also nationals of Iraq, Syria, Iran, or Sudan.

As part of the implementation, as of today an updated ESTA application form is now available. The new form contains additional questions to address the travel eligibility requirements called for in the Act. CBP encourages travelers seeking an ESTA to use the enhanced system, which will also assist in making determinations on the potential granting of a waiver. Travelers will not be able to apply separately for a waiver of the new restrictions.

Under the new law, the Secretary of Homeland Security may waive these restrictions if he determines that such a waiver is in the law enforcement or national security interest of the United States. Such waivers will be granted only on a case-by-case basis in the near future. As a general matter, categories of travelers who may be eligible for a waiver include individuals who traveled to these countries on behalf of international organizations, regional organizations, and sub-national governments on official duty; on behalf of humanitarian non-governmental organizations on official duty; or as a journalist for reporting purposes. Additionally individuals who traveled to Iran (only after July 14, 2015) or Iraq for legitimate business-related purposes may be eligible for a waiver.

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Additionally, pursuant to the Act, **last week** the Secretary of Homeland Security determined that Libya, Somalia and Yemen be included as countries of concern, specifically for individuals who have traveled to these countries since March 1, 2011. An updated ESTA application with additional questions on travel to Libya, Somalia, and Yemen will be released this spring 2016 to address exceptions for diplomatic- and military-related travel provided for in the Act. As announced last week, as a general matter, categories of travelers who may be eligible for a waiver include individuals who traveled to these countries on behalf of international organizations, regional organizations, and sub-national governments on official duty; on behalf of a humanitarian NGO on official duty; or as a journalist for reporting purposes.

DHS continues to review the security of the Visa Waiver Program, the threat environment, and potential vulnerabilities. These recent measures are the latest in a series of actions over the past 15 months to strengthen the security of the VWP and ensure the Program's requirements are commensurate with the growing threat from foreign terrorist fighters, many of whom are nationals of VWP countries.

Individuals will still be able to apply for a visa using the regular immigration process at U.S. embassies or consulates. For those who need a U.S. visa for urgent business, medical, or humanitarian travel to the United States, U.S. embassies and consulates stand ready to provide visa interview appointments on an expedited basis. The new law does not ban travel to the United States, or admission into the United States, and the great majority of VWP travelers will not be affected.

Current ESTA holders should check their ESTA status prior to travel on CBP's website, **esta.cbp.dhs.gov**. If a traveler needs to speak to someone immediately, they may contact the CBP information Center, **www.cbp.gov/contact** or their closest U.S. embassy or consulate.

Information on visa applications can be found at **travel.state.gov**.

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.

Tags: **Electronic System for Travel Authorization (ESTA)**

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