

Interpreter Releases Report and analysis of immigration and nationality law
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***246** 16. ESTA Approval Now Required of All VWP Visitors

The Department of Homeland Security (DHS) reminds travelers from all Visa Waiver Program (VWP) countries that effective January 12, 2009, they are required to obtain approval through the Electronic System for Travel Authorization (ESTA) prior to traveling to the U.S. The VWP is administered by DHS and enables eligible citizens or nationals of certain countries to travel to the U.S. for tourism or business for stays of 90 days or less without obtaining a visa. ESTA is a web-based system, ***247** initially launched in August 2008, that determines the preliminary eligibility of visitors to travel under the VWP prior to their boarding a carrier to the U.S.

Visitors may apply for travel authorization via the ESTA website at <https://esta.cbp.dhs.gov>. DHS indicates that, to date, more than 1.2 million ESTA applications have been received and more than 99.6% of them have been approved, most within seconds.

Although DHS states that it will take a "reasonable approach" to travelers who have not obtained an approved travel authorization via ESTA, such travelers are advised that they may be denied boarding, experience delayed processing, or be denied admission at a U.S. port of entry.

To be admitted to the VWP, a country must meet various statutory requirements, such as more enhanced law-enforcement and security-related data sharing with the U.S. and timely reporting of both blank and issued lost and stolen passports. VWP members are also required to maintain high counter-terrorism, law-enforcement, border-control, and document-security standards. Citizens and nationals of the following countries are currently eligible to travel to the U.S. 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. Eight of these countries joined the VWP in 2008, and their citizens and nationals have been required to comply with the ESTA since their designation as VWP participants: the Czech Republic, Estonia, Hungary, the Republic of Korea, Latvia, Lithuania, Slovakia, and Malta.

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