

## What is the Visa Waiver Program?

The Visa Waiver Program allows citizens of participating countries to travel to the U.S. for tourism or business for 90 days or less without obtaining a U.S. visa.

## When was the Visa Waiver Program implemented?

The Visa Waiver Program was created by an act of Congress as a pilot program in 1986 and implemented in 1988. Congress passed legislation to make the program permanent in October 2000, and the President signed the legislation on October 30, 2000.

## What countries currently are participating in this program?

There are 35 countries participating in the VWP: Andorra, Austria, Australia, Belgium, Brunei, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, The Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, South Korea, and the United Kingdom.

## How long is the Visa Waiver valid for each company?

There is no expiration date. It is a one-time contractual agreement and does not have to be renewed.

## How long does it take for Universal to obtain the Visa Waiver Agreement?

It normally takes approximately 30 days to obtain the contracts.

## How long may travelers (each person) stay in the U.S. on the VWP?

Visitors applying for entry under this program are allowed to remain in the U.S. for 90 days. No extensions of stay can be granted without extreme extenuating circumstances. The VWP travelers cannot change their status while in the U.S. on the VWP.

## What is ESTA?

Prior to operating to the U.S., VWP travelers are required to obtain approval through the Electronic System for Travel Authorization (ESTA). ESTA is a web-based system that determines the preliminary eligibility of visitors to travel under the VWP prior to boarding a carrier to the U.S. See <https://esta.cbp.dhs.gov> for more information.

## What happens to a visitor if, for some reason, an emergency prevents them from departing the U.S. within his/her period of authorized stay?

If an emergency prevents a person from leaving, the district director, having jurisdiction over the place of the alien's temporary stay, may grant a period of satisfactory departure not to exceed 30 days.

## Can an alien leave the U.S. and be readmitted on the same Visa Waiver (I-94W)?

An alien admitted to the United States under this part may be readmitted, after a departure to foreign contiguous territory or adjacent island, for the balance of his or her original VWP admission period. Universal's Regulatory Services department can supply a comprehensive list of "adjacent islands" on request.

## How do passengers arriving into the U.S. from one of the participating countries obtain a Visa Waiver?

- Be a national of the VWP country that issued your passport;
- Have a passport lawfully issued to you by a VWP country that is valid for six months beyond your intended visit;
- Intend to enter the United States for 90 days or less for temporary business or pleasure;
- Have received approval for travel under the VWP via the Electronic System for Travel Authorization (ESTA) prior to your travel to the United States;
- Be a national of the VWP country that issued your passport;
- Have been checked using an automated electronic database containing information about inadmissible aliens to the United States;

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### How do passengers or crewmembers arriving into the U.S. from one of the participating countries obtain a Visa Waiver? *continued*

- Have a return trip ticket to any foreign destination other than a territory bordering on the United States or an adjacent island unless:
  - You are a resident of an adjacent island,
  - This requirement is waived by the Attorney General under regulations, or
  - You are a visitor for business who arrives aboard a private aircraft that maintains a valid agreement guaranteeing to transport you out of the United States, if you are found to be inadmissible or deportable;
- Present to the U.S. Customs and Border Protection (CBP) Officer a completed and signed Form I-94W, Nonimmigrant Visa Waiver Arrival/Departure Form.
- Not pose a safety threat to the United States;
- Not have failed to comply with the conditions of any previous admission under the Visa Waiver Program;
- If arriving by air or sea, you must arrive aboard a carrier that signed an agreement, "signatory carrier", guaranteeing to transport you out of the United States if you are found to be inadmissible or deportable;
- Convince the examining CBP Officer that you are clearly and beyond a doubt entitled to be admitted and that you are not inadmissible under section 212 of the Act. For reasons that would make you inadmissible, please see the Immigration and Nationality Act at INA § 212 (a);
- Waive any right to review or appeal a CBP Officer's decision as to your admissibility, other than on the basis of an application for asylum or an application for withholding of removal under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and
- Waive any right to challenge your removal, other than on the basis of an application for asylum or an application for withholding of removal under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

#### What is an I-94W form?

The I-94W form is an arrival/departure form that must be completed by any passenger or crewmember arriving the United States without a visa. These forms must be filled out prior to arrival the U.S. The top portion of the form will be submitted to the port CBP office on arrival and the bottom portion of the form will be surrendered to the port CBP office of departure from the U.S.

#### How can a client receive an I-94W form?

After an agreement has been signed and the client is a participant in the VWP, our Regulatory Services Department will ensure the clients receive their allotment of I-94W forms from DHS.

#### What happens if a departing passenger has lost or misplaced his departure record? (I-94W)

The departure carrier must create a replacement departure record. He accomplishes this by taking a blank form and crossing through the 11-digit number in the upper left corner of the form, writing "Original Lost" in the upper right corner of the form (where the INS admission stamp would normally appear) and completing the remainder of the form.

### Need help?

Look to Universal Weather and Aviation, Inc. to help you save time and mitigate compliance risk.

**For more information, contact our Regulatory Services Team at (713) 378-2734 or [regsvcs@univ-wea.com](mailto:regsvcs@univ-wea.com), or your Trip Support Services team.**