



## Frequently Asked Questions

August 1, 2008

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### **ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZATION (ESTA)**

#### **TABLE OF CONTENTS**

- **GENERAL INFORMATION ON THE VISA WAIVER PROGRAM**
- **GENERAL INFORMATION ON ESTA**
- **ESTA AND DATA PRIVACY**
- **WHO NEEDS TO APPLY FOR AN ESTA**
- **ESTA IMPLEMENTATION TIMELINE**
- **HOW TO APPLY FOR AN ESTA**
- **UPDATING YOUR ESTA**
- **ESTA AND THE I-94W**
- **ESTA AND U.S. VISAS**
- **ESTA DENIALS**

#### **GENERAL INFORMATION ON THE VISA WAIVER PROGRAM**

**Q: What is the Visa Waiver Program?**

**A:** The Visa Waiver Program (VWP) is administered by the Department of Homeland Security (DHS) and 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. Additional information regarding the VWP is available at [http://www.customs.gov/xp/cgov/travel/id\\_visa/business\\_pleasure/vwp/vwp.xml](http://www.customs.gov/xp/cgov/travel/id_visa/business_pleasure/vwp/vwp.xml).

**Q: Which countries participate in the Visa Waiver Program?**

A: Citizens or nationals of the following countries are currently eligible to travel to the United States under the VWP:

Andorra	Luxembourg
Austria	Monaco
Australia	The Netherlands
Belgium	New Zealand
Brunei	Norway
Denmark	Portugal
Finland	San Marino
France	Singapore
Germany	Slovenia
Iceland	Spain
Ireland	Sweden
Italy	Switzerland
Japan	United Kingdom
Liechtenstein	

**Q: When will new countries be admitted to the VWP?**

A: Under Section 711 of the “Implementing Recommendations of the 9/11 Commission Act of 2007” (9/11 Act), potential VWP member countries must meet a number of security-related provisions prior to being admitted to the VWP. DHS will continue to coordinate closely with the VWP aspirant countries to ensure that all 9/11 Act security provisions that will enable their admission into the program are met.

Prior to passage of the 9/11 Act, VWP membership was limited to those countries with a nonimmigrant visa refusal rate of less than 3 percent. For those VWP aspirant countries with a nonimmigrant visa refusal rate of 3 percent or greater, Section 711 of the 9/11 Act enables the Secretary of Homeland Security, in consultation with the Secretary of State, to waive the 3 percent requirement of the VWP statute, up to a current maximum of ten percent, provided the Secretary of Homeland Security certifies that:

- An air exit system is in place that can verify the departure of at least 97 percent of foreign nationals who exit through U.S. airports; and
- An electronic travel authorization system is in place and is fully operational.

After the VWP aspirant countries have met the 9/11 Act security provision requirements, and DHS has made the appropriate certifications, the U.S. government will formally announce which countries have been added to the VWP together with guidelines for their nationals and citizens to comply with ESTA.

## **GENERAL INFORMATION ON ESTA**

**Q: What is the Electronic System for Travel Authorization?**

A: The Electronic System for Travel Authorization (ESTA) is an automated system that will assist in determining eligibility to travel to the United States under the VWP, and whether such travel poses any law enforcement or security risk. Upon completion of an ESTA application, a VWP traveler will be notified of his or her eligibility to travel to the United States under the VWP.

**Q: Why is authorization under ESTA required for U.S.-bound travel under the Visa Waiver Program?**

A: The “Implementing Recommendations of the 9/11 Commission Act of 2007” amends Section 217 of the Immigration and Nationality Act (INA), requiring that DHS implement an electronic travel authorization system and other measures to enhance the security of the VWP. International travelers are already familiar with security measures that are necessary to protect travelers and crew. ESTA adds another layer of security that allows DHS to determine, in advance of travel, whether an individual is eligible to travel to the United States under the VWP and whether such travel poses a law enforcement or security risk.

**Q: Is an ESTA a visa?**

A: No. An approved ESTA is not a visa. It does not meet the legal or regulatory requirements to serve in lieu of a U.S. visa when a visa is required under U.S. law. Individuals who possess a valid visa will still be able to travel to the United States on that visa for the purpose for which it was issued. Individuals traveling on valid visas will not be required to apply for an ESTA. Obtaining ESTA approval, for most travelers, will be simple and easy. The visa process has separate procedures, which generally require an appointment, travel to a U.S. Embassy/Consulate, an interview with a consular officer, processing time, and the payment of an application fee (currently \$131).

**Q: What laws govern ESTA?**

A: ESTA is required pursuant to Section 217 of the INA, as amended by Section 711 of the “Implementing Recommendations of the 9/11 Commission Act of 2007.” This legislation requires DHS to develop and implement an automated system to determine, in advance of travel, the eligibility of visitors to travel to the United States under the VWP and whether such travel poses a law enforcement or security risk.

**Q: How does ESTA mitigate VWP security risks?**

A: ESTA will support the mitigation of VWP security risks by enabling DHS to evaluate whether an individual is eligible to travel to the United States under the VWP, and whether such travel poses any law enforcement or security risks prior to their boarding a U.S.-bound carrier. ESTA counterbalances vulnerabilities inherent in visa-free travel by establishing an additional layer of advance scrutiny that will enable DHS frontline personnel to focus even more on the small population of potentially dangerous travelers.

**Q: Are there any countries that have a similar system in place for in-bound travelers?**

A: The Government of Australia has a program that is similar to ESTA, called the Electronic Travel Authority. The Electronic Travel Authority is comparable to ESTA in that travelers planning to visit Australia may submit an application electronically through the Electronic Travel Authority Web site.

## **ESTA AND DATA PRIVACY**

**Q: How will the U.S. government protect the privacy of ESTA data and who will have access to it?**

A: Information submitted by applicants through the ESTA Web site will be subject to the same strict privacy provisions and controls that have been established for similar traveler screening programs. Access to such information is limited to those with a professional need to know.

**Q: How long will ESTA application data be stored?**

A: ESTA application data will remain active for the period of time that the approved ESTA is valid, which is generally two years, or until the traveler's passport expires, whichever comes first. DHS will then maintain this information for an additional year after which it will be archived for twelve years to allow retrieval of the information for law enforcement, national security, or investigatory purposes. Once the information is archived, the number of officials with access to it will be further limited. This retention is consistent both with U.S. Customs and Border Protection's (CBP's) border search authority and with the border security mission mandated for CBP by Congress. Data linked to active law enforcement lookout records, CBP matches to enforcement activities, and/or investigations or cases, including applications for ESTA that are denied will remain accessible for the life of the law enforcement activities to which they may become related.

As DHS transitions to a paperless I-94W, the ESTA application data will replace the data that is collected via the paper I-94W. In those instances where ESTA application data is used in lieu of the information collected via the paper I-94W, the ESTA application data will be maintained in accordance with the retention schedule for the I-94W, which is 75 years.

**Q: Will DHS share ESTA data with others?**

A: The information collected by and maintained in ESTA may be used by other components of DHS on a need-to-know basis consistent with the component's mission.

Under current agreements between DHS and the Department of State (DOS), information submitted during an ESTA application may be shared with consular officers of DOS to

assist them in determining whether a visa should be issued to an applicant after an ESTA application has been denied.

Information may be shared with appropriate federal, state, local, tribal, and foreign governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting the violations of, or for enforcing or implementing, a statute, rule, regulation, order or license, or where DHS believes information would assist enforcement of civil or criminal laws. Additionally, information may be shared when DHS reasonably believes such use is to assist in anti-terrorism efforts or intelligence gathering related to national or international security or transnational crime. All sharing will remain consistent with the Privacy Act System of Records Notice, which was published in the Federal Register on June 10, 2008 and, is available on the DHS Web site.

While carriers will not receive the ESTA application information that travelers provide to DHS, they will receive confirmation of a passenger's ESTA status via the Advance Passenger Information System (APIS)/APIS Quick Query system indicating whether an ESTA is required and whether authorization has been granted.

**Q: Will DHS use application data for any purpose other than determining eligibility for an ESTA?**

A: DHS will use the application data to screen the individual before granting authorization to travel to the United States under the VWP. As part of this screening process, information that identifies suspected or known violators of the law and other persons of concern will be provided to the appropriate law enforcement, national security, and/or counterterrorism agency.

**Q: How is CBP ramping up to accommodate the influx of applications – can the system process 15 million applications? Is CBP hiring more staff?**

A: The ESTA system is designed to accommodate applications from all VWP travelers. CBP will be staffed accordingly to process the applications.

## **WHO NEEDS TO APPLY FOR AN ESTA**

**Q: Who is required to apply for an electronic travel authorization via ESTA?**

A: Once ESTA is mandatory, all nationals or citizens of VWP countries who plan to travel to the United States for temporary business or pleasure under the VWP will be required to receive an authorization through ESTA prior to boarding a U.S.-bound airplane or vessel. Accompanied and unaccompanied children, regardless of age, will be required to obtain an independent ESTA approval. A third party, such as a relative or travel agent, will be permitted to submit an ESTA application on behalf of a VWP traveler.

**Q: Do nationals or citizens of countries that participate in the VWP require an ESTA if they are only transiting the United States en route to another country?**

A: Yes. The United States no longer has a Transit Without Visa program, so eligible nationals or citizens of countries that participate in the VWP will require either an ESTA or a visa to transit the United States. If a traveler is only planning to transit through the United States en route to another country, when he or she completes the ESTA application, the traveler should enter the words "In Transit" and his or her final destination location in the address lines under the heading "Address While In The United States".

**Q: Do citizens of Bermuda, Canada, the Marshall Islands, or Micronesia need to apply for an ESTA?**

A: No. ESTA will be required only for citizens or nationals of VWP countries.

**Q: I have a B1/B2 visa. Do I need to apply for an ESTA?**

A: If you already have a valid B1/B2 visa, you do not need to apply for an ESTA.

**Q: VWP Memoranda of Understanding were signed with the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Slovakia and South Korea. Do travelers who are citizens or nationals of these countries need a U.S. visa?**

A: Yes. At this time, citizens or nationals of these countries must obtain a visa prior to traveling to the United States. Although DHS recently signed Memoranda of Understanding relating to the VWP with these countries, they have not yet been admitted to the VWP. Should the Secretary of Homeland Security certify that an air exit system is in place that can verify the departure of not less than 97 percent of foreign nationals who exit through U.S. airports and that ESTA is fully operational, and these countries meet VWP requirements and become members of the VWP, their citizens will need to obtain an ESTA prior to traveling to the U.S. under the VWP.

## **ESTA IMPLEMENTATION TIMELINE**

**Q: When will travelers be required to obtain an ESTA?**

A: ESTA will be implemented as a mandatory program for all VWP travelers 60 days after publication of a notice in the Federal Register. DHS anticipates that the Secretary of Homeland Security will issue that notice in November 2008, with ESTA becoming mandatory for all VWP travelers on Jan. 12, 2009.

Beginning Aug. 1, 2008, the system will be available in English only to process voluntary applications. By Oct. 15, 2008, the system will be available in a variety of languages to facilitate the voluntary application process for the overwhelming majority of VWP

travelers. NOTE: though the ESTA Web site will be translated into different languages, just as the I-94W paper form must be completed in English, information for the ESTA application must also be completed in English.

**Q: When can a traveler apply for travel authorization via ESTA?**

A: On Aug. 1, 2008, DHS will begin to accept voluntary ESTA applications through the ESTA Web site at <https://esta.cbp.dhs.gov>.

**Q: May a traveler, whose ESTA application is not approved, travel to the United States under the VWP before ESTA becomes mandatory on Jan. 12, 2009?**

A: While travelers will not require an approved ESTA to travel to the United States under the VWP until Jan. 12, 2009, VWP travelers that submit an ESTA application that is not approved, who then attempt to travel to the United States, may be denied boarding, experience delayed processing, or be denied admission at a U.S. port of entry. Therefore, it is recommended that all VWP travelers who are denied an ESTA apply for a U.S. visa, even if they plan to travel before Jan. 12, 2009.

**Q: What happens if a VWP traveler drives into the United States from Canada/Mexico on or after Jan. 12, 2009?**

A: ESTA will only be required for visitors traveling under the VWP to the United States via air or sea carriers. Travelers applying for admission to the United States under the VWP at land border ports of entry will continue to be processed as they are today.

**Q: What happens if a VWP traveler flies to the United States after ESTA is mandatory, but somehow does not have an ESTA?**

A: Once ESTA is mandatory, all nationals or citizens of VWP countries who plan to travel to the United States for temporary business or pleasure under the VWP will require an approved ESTA prior to boarding a carrier to travel by air or sea to the United States under the VWP. Travelers who have not received ESTA approval by the anticipated mandatory compliance date (Jan. 12, 2009) may be denied boarding, experience delayed processing, or be denied admission at a U.S. port of entry.

**Q: Do VWP travelers arriving in the United States from a non-VWP country need an ESTA?**

A: Once ESTA is mandatory, all VWP travelers arriving by U.S.-bound airplane or vessel, regardless of their country of origination or port of embarkation, will require an approved ESTA.

## **HOW TO APPLY FOR AN ESTA**

**Q: How does a traveler apply for an ESTA to travel to the United States?**

A: ESTA is a web-based system. In order to apply for an ESTA on or after Aug. 1, 2008, go to <https://esta.cbp.dhs.gov/>, follow the instructions to answer all of the required questions, and submit an application for travel authorization. Travelers will not be able to submit ESTA applications at a U.S. port of entry or a U.S. embassy or consulate.

**Q: Is this Web site secure and private?**

A: Yes. The Web site will be operated by the U.S. government and employs technology to prevent unauthorized access to the information entered and viewed. Information submitted by applicants through the ESTA Web site will be subject to the same strict controls that have been established for similar traveler screening programs as governed by U.S. laws and regulations, including but not limited to the Federal Information Security Management Act. Access to such information is limited to those with a professional need to know.

**Q: If a traveler is approved through ESTA to travel to the United States, does that mean that the traveler can enter the country?**

A: Not necessarily. An ESTA approval only authorizes a traveler to board a carrier for travel to the United States under the VWP. An approved ESTA is not a guarantee of admissibility to the United States at a port of entry. In all cases, CBP officers make admissibility determinations at U.S. ports of entry or pre-clearance facilities.

**Q: Can a VWP traveler with more than one passport travel to the United States on the passport that was not used when applying for an ESTA?**

A: No. Each VWP traveler must have an approved ESTA for the passport he or she plans to use for travel to the United States. If a traveler acquires a new passport, he or she must submit a new ESTA application for their new passport.

**Q: How far in advance of a trip is it necessary to apply for travel authorization through ESTA?**

A: ESTA applications may be submitted at any time prior to traveling to the United States under the VWP, and in most cases, ESTA will provide an almost immediate determination of eligibility for travel under the VWP. However, DHS recommends that ESTA applications be submitted no less than 72 hours prior to travel. VWP travelers are not required to have specific plans to travel to the United States before they apply for an ESTA. As soon as VWP travelers begin to plan a trip to visit the United States, they are encouraged to apply for authorization through the ESTA Web site. Applicants will not be required to update their destination addresses or itineraries should they change after their ESTA has been approved.

Each approved ESTA application generally will be valid for a period of two years or until the applicant's passport expires, whichever comes first. A new travel authorization is required if (1) the traveler is issued a new passport; (2) the traveler changes his or her name; (3) the traveler changes his or her gender; (4) the traveler's country of citizenship changes; or (5) the circumstances underlying the traveler's previous responses to any of the ESTA application questions requiring a "yes" or "no" response have changed.

**Q: What happens when a traveler submits an application and how long does it take for ESTA to process an application?**

A: In most cases, ESTA will provide an almost immediate determination of eligibility for travel under the VWP.

There are three types of responses to an ESTA application: Authorization Approved, Authorization Pending, and Travel Not Authorized. Those applicants who receive an approval are authorized to travel to the United States under the VWP. Applicants who receive an Authorization Pending response will need to check the Web site for updates within 72 hours to receive a final response. Applicants whose ESTA applications are denied will be referred to [www.travel.state.gov](http://www.travel.state.gov) for information on how to apply for a visa to travel to the United States.

**Q: How long is a travel authorization via ESTA valid?**

A: Each approved ESTA application generally will be valid for a period of two years and allows for multiple visits to the United States within that period without having to apply for another ESTA. Travelers whose ESTA applications are approved, but whose passports will expire in less than two years, will receive an ESTA valid until the passport's expiration date.

A new travel authorization is required if (1) the traveler is issued a new passport; (2) the traveler changes his or her name; (3) the traveler changes his or her gender; (4) the traveler's country of citizenship changes; or (5) the circumstances underlying the traveler's previous responses to any of the ESTA application questions requiring a "yes" or "no" response have changed.

**Q: What is the cost to the traveler?**

A: DHS will not initially collect a fee for ESTA applications. If it is determined later that a fee will be charged, the fee would be implemented through the United States government's rulemaking process.

**Q: Can prospective travelers apply for an ESTA without specific travel plans if they want to be able to travel to the United States later on short notice?**

A: Yes. VWP travelers are not required to have specific plans to travel to the United States before they apply for an ESTA. If a traveler's destination address in the United States is

unknown when he or she completes the ESTA application, the traveler should enter the name of the hotel or approximate location he or she intends to visit. Travelers may update this information when their plans are finalized, but they will not be required to update their destination addresses or itineraries should they change after their ESTA has been approved. DHS recommends that ESTA applications be submitted no less than 72 hours prior to travel. However, ESTA will accommodate last minute and emergency travelers.

**Q: How can a traveler apply for an ESTA without access to the Internet?**

A: A third party, such as a relative or travel agent, may submit an ESTA application on behalf of the traveler. The traveler is still responsible under the law for the answers submitted on his or her behalf.

**Q: What information is needed in order to complete the ESTA application?**

A: The traveler must provide (*in English*) biographical data including name, birth date, and passport information, as well as his or her destination address in the United States. The traveler will also be required to answer VWP eligibility questions regarding communicable diseases, arrests, and convictions for certain crimes, and past history of visa revocation or deportation, among others.

**Q: Are answers required in English? What if the traveler's keyboard does not type in English?**

A: Just as the I-94W paper form must be completed in English, information for the ESTA application must also be entered *in English*. The computer utilized to submit the ESTA application should, therefore, be configured to include the U.S. English language with a suitable English font set as a language selection for keyboard input.

If the computer's operating system is Microsoft Windows 95 or higher, please refer to the following Web site for computer configuration:

<http://www.conversationexchange.com/resources/keyboard-language.php#xp>

If the computer is using a non-Windows operating system, refer to the documentation or help information provided by the operating system vendor.

**Q: Do VWP travelers need to bring a paper printout of their ESTA approval to the airport?**

A: No. DHS will be able to communicate a traveler's ESTA status with the carriers, however, DHS recommends that travelers print out the ESTA application response in order to maintain a record of their ESTA application number and to have confirmation of their ESTA status.

## UPDATING YOUR ESTA

**Q: Does a traveler ever need to reapply for travel authorization through ESTA?**

A: Yes, there are instances when a new travel authorization via ESTA would be required. A new travel authorization is required if (1) the traveler is issued a new passport; (2) the traveler changes his or her name; (3) the traveler changes his or her gender; (4) the traveler's country of citizenship changes; or (5) the circumstances underlying the traveler's previous responses to any of the ESTA application questions requiring a "yes" or "no" response have changed.

ESTA approvals will typically be granted for a period of two years or until the applicant's passport expires, whichever is sooner. ESTA will provide validity dates upon approval of the application. Therefore, a traveler must apply for a new ESTA as a result of the expiration of the prior ESTA approval or passport.

**Q: What should a traveler do if the information in their passport has changed?**

A: If a traveler obtains a new passport or there is a change to his or her passport information, the individual will be required to apply for a new travel authorization through ESTA. A new travel authorization is required if (1) the traveler is issued a new passport; (2) the traveler changes his or her name; (3) the traveler changes his or her gender; (4) the traveler's country of citizenship changes; or (5) the circumstances underlying the traveler's previous responses to any of the ESTA application questions requiring a "yes" or "no" response have changed.

**Q: How can an applicant correct a mistake when completing their ESTA application?**

A: The ESTA Web site will prompt applicants to review the data submitted for the overall application prior to submission. In addition, the ESTA Web site will require the applicant to reaffirm the passport number prior to submission. If an applicant makes a mistake when filling out the passport information, identifying biographic information, or eligibility questions, and he or she realizes the mistake only after having submitted the ESTA application, he or she will need to submit a new ESTA application. Any other mistakes, including e-mail address, telephone number, carrier, flight number, city of embarkation, and address while in the United States may be corrected or updated by using the ESTA update function.

**Q: How does a traveler get help with filling out the ESTA application?**

A: The ESTA Web site has extensive guidance available through the online "Help" function. Additionally, a third party, such as a relative or travel agent, will be permitted to submit an ESTA application on behalf of a VWP traveler.

**Q: Do travelers need to update their ESTA if it will expire before the traveler departs the U.S.?**

A: If an ESTA expires before the traveler leaves the United States, the traveler is not required to apply for another ESTA. However, the traveler will need to apply for a new ESTA for future travel.

## **ESTA AND THE I-94W**

**Q: If a VWP traveler has received ESTA approval, does he or she also need to fill out an I-94W?**

A: The implementation of the ESTA program will allow DHS to eventually eliminate the requirement that VWP travelers complete an I-94W prior to being admitted to the United States.

After Jan. 12, 2009, a VWP traveler with a valid ESTA will not be required to complete the paper Form I-94W when arriving on a carrier that is capable of receiving and validating messages pertaining to the traveler's ESTA status as part of the traveler's boarding status. Travelers on carriers without this capability will still be required to complete the paper Form I-94W. Until ESTA is mandatory, however, all VWP travelers applying for admission at a U.S. port of entry, including those VWP travelers who possess a voluntary ESTA approval, must still present the Form I-94W to U.S. Customs and Border Protection.

## **ESTA AND U.S. VISAS**

**Q: What if a traveler has a current, valid visa?**

A: Individuals that possess a valid visa will still be able to travel to the United States on that visa for the purpose it was issued. Individuals traveling on valid visas will not be required to apply for an ESTA.

## **ESTA DENIALS**

**Q: Does the U.S. anticipate that a large number of travelers who previously traveled under the VWP will now be refused an ESTA?**

A: The ESTA is designed to screen each traveler for law enforcement or security risks. It is anticipated that the vast majority of travelers will receive an approved ESTA.

**Q: What should a traveler do if he or she is not approved for travel through ESTA?**

A: If an ESTA application is denied and the traveler wishes to continue with the trip, the traveler will be required to apply for a nonimmigrant visa at a U.S. Embassy or

Consulate. For more about visa application procedures, please visit [www.travel.state.gov](http://www.travel.state.gov).

**Q: Should a traveler not approved for travel through ESTA reapply?**

A: If an ESTA application is not approved (“Travel Not Authorized”), a traveler may reapply for an ESTA after a period of ten days, but unless the circumstances have changed, the traveler will not qualify for an ESTA and will need to apply for a nonimmigrant visa at a U.S. Embassy or Consulate. In addition, reapplying with false information for the purposes of qualifying for an ESTA could make the traveler permanently ineligible for travel to the U.S.

**Q: How can a traveler find out the reason an ESTA application was denied?**

A: DHS is carefully developing the ESTA program to ensure that only those individuals who are ineligible to travel to the United States under the VWP or those whose travel would pose a law enforcement or security risk will be refused an ESTA. While the ESTA Web site will provide a link to the DHS Travel Redress Inquiry Program (TRIP) Web site, there are no guarantees that a request for redress through DHS TRIP will resolve the VWP ineligibility that caused an applicant’s ESTA application to be denied.

Please note that Embassies and Consulates will not be able to provide details about ESTA denials or resolve the issue that caused the ESTA denial. Embassies and Consulates will be able to process an application for a non-immigrant visa, which, if approved, will be the only way that a traveler whose ESTA application has been denied would be authorized to travel to the U.S.

**Q: If a traveler was denied ESTA approval and needs to travel immediately, is it possible to get an emergency visa appointment at a U.S. Embassy or Consulate?**

A: Unfortunately, the Department of State is unable to guarantee next-day appointments because of varying demand for visas. As a result, we encourage travelers to apply for an ESTA approval far in advance of the proposed travel. Information about the appointment process is available at the nearest consular section or at [www.travel.state.gov](http://www.travel.state.gov).