



**Transcript for the June 30, 2011
VISA WAIVER PROGRAM WEBCHAT**

Q: I have a German passport and am employed by a UK university. I am also a consultant for a US company. I would like to visit my girlfriend in the US for a month and work from her flat. Do I need a visa to do this?

A: Yes. Individuals cannot work for a U.S. company, even remotely, while in the United States under the terms of the Visa Waiver Program.

Q: How long can you stay in America with a British passport?

A: If you wish to travel to the United States for 90 days or fewer, please visit our website at <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program.

If you want to visit the United States for more than 90 days then you will be required to apply for a visa. Final determination on each individual's eligibility for admission to the United States, including the length of any stay, can only be made by the U.S. immigration officials at the U.S. Port of Entry.

Q: My wife has a Mauritius passport and an indefinite leave to remain in the UK as a spouse. We are thinking of having a holiday in the US next May for two weeks. Could you please advise what Visa she requires and how much it will cost? I am a British citizen and can apply for the waiver visa I believe.

A: Please visit <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program.

As Mauritius does not participate in the Visa Waiver Program, your wife will be required to apply for a visa. If she wishes to travel to the United States for purposes of tourism she should apply for a B-2 visa. Further information is available on our website.

Q: Our daughter is going to visit relatives in Canada this summer. She is likely to want to visit the USA for a short period (days). She is 19 years old and will have a full British passport. Does she qualify for Visa Waiver Program and does this cost anything?

A: Please advise your daughter to visit <http://london.usembassy.gov/vwp.html> to help her establish if she is eligible to travel visa-free under the Visa Waiver Program. If she is, and she wishes to travel to the United States by air or sea carrier then she should register under ESTA, which costs \$14. If she will travel by land from Canada to the U.S. then she will be required to pay a fee of \$6 at the U.S. Port of Entry, which is payable only in cash (U.S. dollars).

Q: I had applied for a tourist visa in Kenya in 2002 and have an application-received stamp in my Kenyan passport. I am now a British citizen with a British passport and would like to travel to the USA for a holiday. Do I need a visa to travel?



A: Please visit our website at <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program.

If you were previously refused a visa, you are required to state that when you register under ESTA (if travelling by air or sea carrier) or when you complete Form I-94W (if travelling by land from Canada or Mexico), regardless of when the refusal was and regardless of your nationality at the time of the refusal.

Q: Would I need a visa if I'm travelling to Colombia and have to stop at Boston and will have stay overnight, then 5 hours in Miami?

A: If you are eligible to travel visa-free under the Visa Waiver Program, you should register under ESTA if you wish to transit the United States on route to another destination, even if you will not be leaving the airport. You can write "In Transit" and your final destination location when you complete the 'Address While In the United States' section of the ESTA application. If you are not eligible under the Visa Waiver Program, you should apply for a visa.

Q: I travel to American twice a year for 85/87 days each time. I land in Newark and they have told me I need to get a visa or they will not let me in again. I am from a visa waiver country

A: Information about applying for a visa is available on our website. Final determination on each individual's eligibility for admission to the United States can only be made by the U.S. immigration officials at the Port of Entry.

Q: I do not own a biometric passport and wondered if there is something else I need to do in order to enter the country?

A: Visa Waiver Program passport requirements vary depending on the date of issue of the applicant's passport and the applicant's nationality. Please visit our website at <http://london.usembassy.gov/vwp.html> for more information about passport requirements and other eligibility criteria. We recommend that you use our Visa Waiver Wizard to help you decide. If you do not meet the eligibility criteria for travel under the Visa Waiver Program then you will be required to apply for a visa.

Q: I applied for a B1/B2 visa because I wanted to spend longer than 90 days in America. I was denied a visa because they said that I didn't have strong cultural social and economic ties. Can I still travel under the Visa Waiver Program? I am a UK citizen and have traveled without a visa to America before.

A: Please visit our website at <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program. If you were previously refused a visa, you are required to state that when you register under ESTA (if travelling by air or sea carrier) or when you complete Form I-94W (if travelling by land from Canada or Mexico), regardless of when the refusal was and regardless of your nationality at the time of the refusal. Travel under the Visa Waiver Program is ONLY for travel of 90 days or fewer.

Q: I am a U.K. citizen, holding U.K. passport. Do I need a visa to travel to USA?



A: Please visit <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program. If not, you will be required to apply for a nonimmigrant visa.

Q: Me and my husband are planning to go US to join graduation ceremony of our daughter in Texas in August. What kind of visa we need to apply for?

A: Please refer to the answer to the previous question.

Q: About 4 years ago I got sentenced to 10 days imprisonment for criminal damage. I am hoping to go to Las Vegas for 1 week next year. Is this possible?

A: Anyone that has been arrested, convicted or cautioned - regardless of when or why - should apply for a visa if they wish to visit the United States.

Q: I filled out the ESTA form online and got authorization to travel. Do I have to take the form I printed out with me when I travel?

A: The Department of Homeland Security (DHS) will transmit your ESTA status electronically to your air or sea carrier. Nevertheless, DHS recommends that you take note of your registration details for your future reference. In addition, some carriers ask for printed confirmation, so you may wish to check with your air or sea carrier about their requirements. To check the status of an existing registration under ESTA, and to print it if you wish to do so, please visit the official ESTA website at <https://esta.cbp.dhs.gov>

Q: Do I need a visa to come to the USA? I am a UK resident going for 1 week on a cruise around the Caribbean and flying in to Miami.

A: Please visit our website at <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free under the Visa Waiver Program. If so, you will be required to register under ESTA at <https://esta.cbp.dhs.gov>
If you are not eligible to travel visa-free then you will be required to apply for a nonimmigrant visa.

Q: i wish to obtain a visa that allows me to stay in America for more than 90 days, entering in January in Honolulu then exiting via land through to Canada in mid may, then coming back into Vegas for a week in September. What type of visa would i require?

A: If you want to spend more than 90 days in the United States (including any time spent in Canada on a side-trip), then you will need to apply for a nonimmigrant visa. If you are travelling for tourism, then you should apply for a B-2 visa.

Q: I'm planning on going to the U.S. and I may marry my American fiancé while I'm out there. Can I adjust my status if I'm going with just an ESTA?

A: No. In order to apply to adjust status in the United States, the individual must be in possession of a valid visa. Traveling visa-free under the Visa Waiver Program is only for trips of 90 days or fewer.



If you wish to reside in the United States indefinitely, please review our website for information about immigrant visas.

Q: My partner was arrested for affray but charges were dropped. Can he go to America with me? He was never convicted.

A: Anyone that has been arrested, convicted or cautioned - regardless of when or why - should apply for a visa if they wish to visit the United States.

Q: But why does it make a difference that he has been arrested? Affray doesn't have anything to do with morals.

A: Please refer to the transcript of our previous webchat on Crimes of Moral Turpitude, which is available on the Embassy website.

Q: I have a middle name which I have never used and it is not on my passport. When I fill my ESTA visa in there is a space for middle name?

A: Only the applicant's first (given) name and family name must be provided when registering under ESTA.

Q: My wife and I are UK citizens and have been visiting close family in the US regularly on the Visa Waiver Program. We are both now retired and would not want to work there. 1 What is the maximum amount of time we can spend in the US, in a calendar year on the Visa Waiver Program, provided that no unbroken period is longer than 90 days? 2 Is there an alternative for stays of over 90 days?

A: A 'retirement visa' does not exist. There is no set limit to the number of times a person can apply to enter the United States and there is no set period they must remain outside the U.S. before reapplying for admission. However, to be eligible for admission, immigration officers must be satisfied that the individual is a bona fide visitor rather than an intending immigrant. If there is a pattern of frequent travel to the United States, the strength of that individual's ties to their residence abroad may be called into question. Final determination on each individual's eligibility for admission to the United States can only be made by U.S. immigration officials at the Port of Entry.

If you want to spend more than 90 days in the United States on a single trip, you will be required to apply for a nonimmigrant visa.

Q: Will I still have to attend a visa interview if I received a caution for drunk & disorderly over 9 years ago? i was not convicted or fined.

A: Anyone that has been arrested, convicted or cautioned - regardless of when or why - should apply for a visa if they wish to visit the United States.

Q: I am a British Citizen living in the UK. I am flying to Canada for a holiday and will be entering USA from Canada for 6 days by land (private car) and going back to Canada before flying back to



the UK. Please confirm that I can enter USA under the visa waiver program and that I do not need to seek ESTA.

A: If you want to travel to the United States by land from Canada, you should visit <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible to travel visa-free. You do not need to register under ESTA if you will be applying for admission to the United States under the Visa Waiver Program at a land border (Canada or Mexico). However, you will have to pay a \$6 fee at the U.S. Port of Entry, which can only be paid in cash (U.S. dollars).

Q: I made an application for a visa in 2002 but did not carry on with the process when extra information was requested. Does this count as Visa denied/ refused and do I have to apply for a visa, or can I use the Waiver form and tick no against the Visa question?

A: If your application for a visa was refused under Section 221(g) or Section 214(b) of the Immigration and Nationality Act (INA), then you may travel under the Visa Waiver Program if you are otherwise eligible to do so. However, you will be required to declare the refusal when you register under ESTA (if travelling by air or sea carrier) or when you complete Form I-94W (if travelling by land from Canada or Mexico).

Q: What type of visa is required for cast and crew intending on shooting a film in the US?

A: Travel under the Visa Waiver Program can only be for business, pleasure or transit. This does not include gainful employment. Please visit our website at <http://london.usembassy.gov/nonimmigrant-visas.html> for more information about nonimmigrant visas.

Q: What are you all talking about? What are the Visa Waiver Program and ESTA?

A: Citizens of countries that participate in the Visa Waiver Program may be eligible to travel to the United States without a visa for business, tourism or transit purposes for trips of 90 days or fewer, if they are otherwise eligible to do so. Please visit <http://london.usembassy.gov/vwp.html> to help you establish if you are eligible.

Individuals wishing to travel under the Visa Waiver Program by air or sea must register under the Electronic System for Travel Authorization (ESTA) at <https://esta.cbp.dhs.gov>. If Travel Authorization is granted, it permits the individual to travel visa-free by a participating air or sea carrier to a U.S. Port of Entry to apply for admission to the United States.

Final determination on each individual's eligibility for admission to the United States can only be made by U.S. immigration officials at the U.S. Port of Entry.

Q: My passport Shows my First Given names as Andrew John, due I just use Andrew or Andrew John when completing the ESTA?

A: Your registration under ESTA should reflect your name as it displays in your passport

Q: Will registering under ESTA guarantee me entry to the United States?



A: No. Travel Authorization under ESTA permits you to travel visa-free by a participating air or sea carrier to a U.S. Port of Entry to apply for admission to the United States. Final determination on each individual's eligibility for admission to the United States can only be made by U.S. immigration officials at the Port of Entry. No guarantees can be given in advance.

Q: I've registered under ESTA. How will you send me my visa?

A: Travel Authorization under ESTA is NOT a visa. Travel Authorization under ESTA permits you to travel visa-free by air or sea carrier to a U.S. Port of Entry to apply for admission to the United States.

Q: I'm going to sail to America in my own private yacht. I'm only going for a week, can I go visa-free?

A: Individuals can only travel visa-free by air or sea if they are travelling with an air or sea carrier that participates in the Visa Waiver Program. If the air or sea carrier does not participate in the Visa Waiver Program, then you will be required to apply for a visa.

Q: I got my ESTA last summer back when you didn't need to pay for it. Is my ESTA invalid now that it costs \$14 to register?

A: No. Providing you have a valid Travel Authorization under ESTA, you will not be required to re-register just because a fee was introduced for new applicants. You can check the status of your registration under ESTA via the official ESTA website at <https://esta.cbp.dhs.gov>

Q: Does my passport need to be machine-readable?

A: Visa Waiver Program passport requirements vary depending on the date of issue of the applicant's passport and the applicant's nationality. Please visit our website at <http://london.usembassy.gov/vwp.html> for more information about passport requirements and other eligibility criteria. We recommend that you use our Visa Waiver Wizard to help you decide.

Q: I've been banned from driving through drunk driving and have been done for common assault. Would i still be able to get into New York to visit a friend?

A: Anyone that has been arrested, convicted or cautioned - regardless of when or why - should apply for a visa if they wish to visit the United States.

Q: My passport was stolen but I have a new one now. Can I still travel on my ESTA?

A: Unless revoked, a registration under ESTA is typically valid for two years or until the passport expires, whichever is sooner. As a passport that has been reported lost or stolen is no longer valid, you will need to re-register under ESTA with your new passport details.

Q: I use a wheelchair, does this mean I have to tick yes to having a physical disorder?



A: When you register under ESTA, please carefully review the Help files associated with Question (A) to ensure that you fully understand the Department of State's definition of a 'physical disorder' in relation to Visa Waiver Program eligibility.

Q: I'm getting married soon and my passport is my married name. I can't apply for ESTA until the passport becomes valid on my wedding day. But that's less than 72 hours before our honeymoon in Florida – help!!

A: ESTA will only recognize a valid passport. Therefore, you will not be able to register your details until the date on which your passport becomes valid for travel. The application process is not complicated and should take no more than 10 minutes. Although the Department of Homeland Security recommends that prospective travelers apply at least 72 hours in advance of their departure, the system will accept applications after that time-frame.

Q: My baby is only 3 months old and he won't have his own seat on the plane. Does he need an ESTA?

A: Yes. Even non-ticketed infants require Travel Authorization under ESTA if they are to travel visa-free under the Visa Waiver Program by air or sea carrier. Please also note that children require their own individual passport in their own name in order to travel visa-free. If a child is included on their parent's passport then the child will require a visa in order to travel to the United States.

Q: I want to go to America but I haven't booked anything yet. The ESTA form asks for Travel Information. Does that mean I can't apply for my ESTA yet?

A: The Department of Homeland Security (DHS) recommends that prospective travelers register as soon as possible. You can register under ESTA even if you do not have travel plans yet. If you receive Travel Authorization and then subsequently make travel plans, you can update your ESTA registration via <https://esta.cbp.dhs.gov>, but it is not a requirement to do so.

Q: I already have a visa but my friend says everyone travelling to America needs to register under ESTA as well. Is that true?

A: No. Only individuals wishing to travel visa-free under the terms of the Visa Waiver Program by air or sea carrier should register under ESTA. If you have a valid visa that is appropriate for your purpose of travel then you will not be travelling visa-free, so you do not need to register under ESTA.

Q: My Grandma doesn't know how to use computers. Can you send her a paper application form?

A: Sorry, no. Registration under ESTA can only be done online. The official ESTA website is <https://esta.cbp.dhs.gov> Applicants can be helped by a third-party such as a friend, relative, travel agent or librarian.

Q: I've seen a website that says they will help me get my ESTA quicker. Is that true?



A: No. The only official website for ESTA is <https://esta.cbp.dhs.gov> Other companies and websites offering to provide information about or apply for ESTA on behalf of applicants are not endorsed by, associated with, or affiliated in any way with the U.S. Department of Homeland Security or the United States Government.

Q: My ESTA runs out half way through my holiday. Do I need to get a new one now?

A: If you wish to travel to the United States under the terms of the Visa Waiver Program, your registration under ESTA must be valid up to and including the day on which you enter the United States. Your registration under ESTA does not need to be valid for the entire length of your stay in the United States, or for a specific period after you leave. However, if you will make a side trip to Canada, Mexico or the adjacent islands and you will re-enter the United States on your return journey, your ESTA registration must be valid on your re-entry to the United States.

Q: My question is quite complicated and hasn't been covered in this webchat. Can you help me in some other way?

A: ESTA is administrated by the Department of Homeland Security (DHS) and the U.S. Customs and Border Patrol (CBP), not the Department of State. You should review the comprehensive Help files on the official ESTA website <https://esta.cbp.dhs.gov> If you still have a query, please follow the instructions provided within the Help files to contact CBP directly for assistance.

***** Please be sure to visit our website for information about future webchats *****