



IMMIGRATION ALERT!



Machine Readable Passports Required for Visa-Free Travel to U.S.

Current Rule

Under current U.S. visa rules, nationals of certain countries are permitted to enter the United States as business visitors or tourists in the B visa category without having an actual B visa stamp in their passport. This visa exemption is available under the so-called Visa Waiver Program (“VWP”) for nationals of certain countries.

New Rule

Effective October 1, 2003, any eligible VWP participant must present a

VWP Eligible Countries:

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

machine-readable passport ("MRP") in order to enter the U.S. visa-free. [Note that Belgian nationals are already required to have an MRP to travel to the United States under the VWP; the rule became effective for Belgian nationals on May 15, 2003.

See [www.immstar.com/NEWS/UPLOADS/BusinessTouristVisaWaiver\(1\).pdf](http://www.immstar.com/NEWS/UPLOADS/BusinessTouristVisaWaiver(1).pdf).]

This change affects only visa waiver travel. Applicants for visas at U.S. consular posts are not required to obtain MRPs, regardless of the category of visa being sought. In addition, Canadian nationals remain visa-exempt for all visa categories and are not affected by the new MRP requirement. Further, non-MRPs remain valid for Transit Without Visa ("TWOV") purposes because TWOV and VWP respectively represent a discrete status under separate programs.

The MRP requirement -- authorized under Section 417 of the USA Patriot Act of 2001 -- is intended to enhance U.S. security.

- Switzerland
- United Kingdom

What is an MRP?

MRPs generally contain two lines of scannable characters at the bottom of the biographical information page. MRPs typically have biodata for only one traveler in the machine-readable zone; as a result, families with one or more children included on a parent's passport may be denied visa-free entry into the U.S. if the biodata for only one traveler is machine-readable.

The United States has issued MRPs to its citizens for more than 20 years. Many VWP countries began issuing MRPs by the mid-1990s, though some countries (including Switzerland, Italy, and Spain) have only recently begun to issue MRPs.

What is the practical effect of this new rule?

VWP-eligible nationals should ensure that they have MRPs for travel to the United States on or after October 1, 2003. If the MRP cannot be obtained prior to departure, then it will be necessary to apply for a nonimmigrant B visa at a U.S. consular post. If it is necessary to apply for a nonimmigrant visa, applicants should apply as far in advance of departure as possible due to the anticipated increased processing times resulting from another security-related mandate -- the requirement that each visa applicant be personally interviewed by U.S. consular officers prior to issuance of a visa. [See www.immstar.com/NEWS/UPLOADS/VisaApplicationProcessing.pdf for that story.]

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