

GUAM USA

YOUR BUSINESS
SMART
DESTINATION

Visa Waiver Program

VISITING THE UNITED STATES

Each year there are millions of foreign visitors that travel to the United States for business or pleasure. They come as tourists or to visit family and friends. Others come for specific purposes, such as business, scientific, educational, or professional conferences/conventions, training, or consulting with business associates. Other foreign visitors also come for reasons such as medical treatment, voluntary programs for charitable organizations, as visiting ministers, or as personal/domestic employees.

What is a visa?

A visa is granted permission to enter the United States. Foreign citizens desiring to travel to the United States must first apply for a visa at an American embassy or consulate abroad. A consular officer will determine whether you are qualified to obtain a visa. Citizens of certain countries may be able to travel without a visa under the Visa Waiver Program (VWP) if they meet certain conditions. They must be traveling to the U.S. for business or tourism for a period of not more than 90 days, have a round trip ticket, fly on certain air carriers, and meet other requirements. The visa allows a foreign citizen to travel to a port-of-entry in the United States, such as an international airport, a seaport or a land border crossing. At the port-of-entry, an officer of the Department of Homeland Security decides whether to allow you to enter and how long you can stay.

Visa Processing Times (After 911)

- Recent changes in United States visa policy and procedures may increase the amount of time it takes for foreign visitors to obtain a visa.
- Changes introduced shortly after September 11, 2001 involve extensive and ongoing review of visa issuing practices as they relate to national security. For many applicants, a personal appearance interview is now required as a standard part of visa processing. Processing times are difficult to predict for an individual applicant. Many applicants require additional processing for their visa applications. While most additional processing takes 30 days or less, a small percentage may take considerably longer.
- All visitor visa applicants must have these things: Contact your nearest U.S. embassy or consulate for specific information
 - o Nonimmigrant Visa Application, Form DS-156, completed and signed
 - o Current, valid passport or travel document
 - o Photograph (2 x 2 inches, passport type)
 - o Application fees. All applicants must pay the application fee and might also pay an issuance fee
 - o Evidence of funds to cover expenses in the United States
 - o Evidence of compelling social and economic ties abroad
 - o Supplemental Nonimmigrant Visa Application, Form DS-157, for men between 16-45 years of age, and for all applicants age 16 and over who are from Cuba, Iran, Iraq, Libya, North Korea, Sudan and Syria. Note that a consular officer may ask any applicant to complete this form.

ARRIVAL IN THE UNITED STATES

Applicants should be aware that a visa does not guarantee entry into the United States. At the Port of Entry (POE), an Immigration Inspector must authorize the traveler's admission to the US. The inspector has authority to deny admission. Also, the inspector will determine how long the person is permitted to stay in the United States. If admitted, the inspector will issue the traveler a Form I-94, Record of Arrival/Departure, which notes the length of stay permitted. Those visitors who wish to stay beyond the time indicated on their Form I-94 must apply for an extension of stay with the US Citizenship and Immigration Services (USCIS) in the United States. The decision to grant or deny a request for

Visas for Business Travel, Pleasure or Medical Treatment

BI Business Travel Visa/B2 Tourist Visa

The B1 or B2 visitor visa is a nonimmigrant visa for foreign citizens desiring to enter the United States temporarily for business (B1, Business Travel Visa) or for pleasure or medical treatment (B2, Tourist Visa). Those entering on visitor visas will generally be granted 6 months leave to remain (the maximum allowable is one year) on entry. It may be possible to obtain a six-month extension to the visit visa as long as the candidate will be maintaining visitor status, and there are good reasons to do so. Persons planning to travel to the US for a different purpose such as students, temporary workers, crewmen, journalists, etc., must apply for a different visa in the appropriate category.

Applying for B1 Business or B2 Tourist Visitor Visa

Applicants for B1 business or B2 tourist visa have the burden of showing that they qualify for such visa. The presumption is that every visitor visa applicant is an intending immigrant. Therefore, applicants for B1 or B2 visas must convince the consular officer the temporary nature of their trip by demonstrating that:

1. The purpose of their trip is to enter the US for business, pleasure, or medical treatment;
2. That they plan to remain for a specific, temporary period of time; and
3. That they have a residence outside the US, as well as, other strong economic, financial, and family ties to their home country, which will insure their return abroad at the end of the visit.

Applicants for B1 business or B2 tourist visa should generally apply at the American Embassy or Consulate with jurisdiction over their place of permanent residence. Although visa applicants may apply at any US consular office abroad, it may be more difficult to qualify for the visa outside the country of residence.

Visas for Academic Studies, Language Training Programs, Nonacademic or Vocational studies, Educational and Cultural Exchange Programs and International Cultural Exchange Program

F Visa-Academic Students, M Visa-Vocational Students, J and Q Visa - Exchange Visitor Program

The Immigration and Nationality Act provides two nonimmigrant¹ visa categories for persons wishing to study in the United States. The “F” visa is reserved for nonimmigrants wishing to pursue academic studies and/or language training programs, and the “M” visa is reserved for nonimmigrants wishing to pursue nonacademic or vocational studies. The Immigration and Nationality Act also provides two nonimmigrant visa categories for persons to participate in exchange visitor programs in the United States. The “J” visa is for educational and cultural exchange programs designated by the U.S. Department of State, Exchange Visitor Program and Designation Staff, and the “Q” visa is for international cultural exchange programs designated by the Bureau of Citizenship and Immigration Services in the Department of Homeland Security (BCIS).

F-Academic Students and M-Vocational Students Requirements:

Foreign students seeking to study in the U.S. may enter in the F-1 or M-1 category provided they meet the following criteria:

- The student must be enrolled in an “academic” educational program, a language-training program, or a vocational program;
- The school must be approved by U.S. Citizenship and Immigration Services (USCIS);
- The student must be enrolled as a full-time student at the institution;
- The student must be proficient in English or be enrolled in courses leading to English proficiency;
- The student must have sufficient funds available for self-support during the entire proposed course of study; and
- The student must maintain a residence abroad, which he/she has no intention of giving up.

Exchange Visitor Programs - "J" and the "Q" Visa

The “J” exchange visitor program is designed to promote the interchange of persons, knowledge, and skills in the fields of education, arts, and sciences. Participants include students at all academic levels; trainees obtaining on-the-job training with firms, institutions, and agencies; teachers of primary, secondary, and specialized schools; professors coming to teach or do research at institutions of higher learning; research scholars; professional trainees in the medical and allied fields; and international visitors coming for the purpose of travel, observation, consultation, research, training, sharing, or demonstrating specialized knowledge or skills, or participating in organized people-to-people programs.

The “Q” international cultural exchange program is for the purpose of providing practical training, employment, and the sharing of the history, culture, and traditions of the participant’s home country in the United States.

¹nonimmigrant 1. somebody who enters a country of which he or she is not a citizen for a temporary stay 2. somebody who returns to his or her own country after a period of time spent in another country

The Visa Waiver Program (VWP)

The Visa Waiver Program (VWP) enables citizens of certain countries to travel to the United States for tourism or business for 90 days or less without obtaining a visa. Visitors entering on the Visa Waiver Program cannot work or study while in the US and cannot stay longer than 90 days or change their status to another category. Not all countries participate in the VWP and there are some restrictions that apply to this program.

NOTE: Representatives of the foreign press, radio, film, journalists or other information media, engaging in that vocation while in the U.S., require a nonimmigrant Media (I) visa cannot travel to the U.S. on the visa waiver program and cannot travel using a visitor visa, seeking admission by the DHS immigration inspector, at the U.S. at the port of entry.

Visa Waiver Program - 27 Participating Countries

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|----------------|---------------------|----------------|
| Andorra (MRPP) | Iceland | Norway |
| Australia | Ireland | Portugal |
| Austria | Italy | San Marino |
| Belgium (MRP) | Japan | Singapore |
| Brunei (MRP) | Liechtenstein (MRP) | Slovenia (MRP) |
| Denmark | Luxemburg | Spain |
| Finland | Monaco | Sweden |
| France | the Netherlands | Switzerland |
| Germany | New Zealand | United Kingdom |

Guam has additional Participating Countries

(The following passport holders are eligible)

| | |
|-------------------------|-----------------|
| Indonesia | Solomon Islands |
| Republic of South Korea | Taiwan |
| Malaysia | Vanuatu |
| Nauru | Western Samoa |
| Papua New Guinea | |

To enter the U.S. on this Visa Waiver Program, travelers from participating countries must:

1. Have a valid passport issued by the participating country and be a citizen of that country;
2. Be seeking entry for 90 days or less as a temporary visitor;
3. If entering by air or sea, have a round-trip transportation ticket issued on a carrier that has signed an agreement with the U.S. government to participate in the VWP, and arrive in the U.S. aboard such a carrier.
4. Have proof of financial solvency and hold a completed and signed visa waiver arrival/departure form I-94W, on which s/he has waived the right to a hearing of exclusion or deportation. These forms are available from participating carriers, from travel agents, and at land-border ports-of-entry.

The Student and Exchange Visitor Information System (SEVIS):

The Student and Exchange Visitor Information System (SEVIS) is a government, computerized system that maintains and manages data about foreign students and exchange visitors during their stay in the United States. It is part of the Student and Exchange Visitor Program (SEVP). This program is managed by the U.S. Immigration and Customs Enforcement (ICE).

For more information, please contact:

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