

# I M M I G R A T I O N

# A L E R T

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## BIOMETRIC PASSPORT REQUIREMENT FOR VISA WAIVER PROGRAM COUNTRIES DEADLINE EXTENDED

President Bush recently signed a bill to extend by one year the requirement that Visa Waiver Program (“VWP”) countries include biometric identifiers in passports. The requirement for VWP travelers to have biometric information such as photographs and digital fingerprints included in their passports was set to begin on October 26, 2004. After October 26, 2005, new passports issued by VWP countries must be biometrically enabled.

Generally, travelers from VWP countries are not required to obtain a U.S. visa before visiting the United States. Since few, if any, VWP countries have developed biometric passports, travelers from VWP countries were expected to flood the U.S. Department of State and its U.S. embassies and consulates abroad with requests for visas. The deadline extension will help avoid this anticipated disruption in international travel.

To alleviate security concerns, the Department of Homeland Security will process VWP travelers through the U.S. Visitor and Immigration Status Indicator Technology (US-VISIT) program at all airports and seaports, starting around September 30, 2004. The US-VISIT system verifies the identity of travelers by taking two digital fingerprint scans and a digital photograph of each traveler and matching the information against government records.

The new law does not affect the October 26, 2004 machine-readable passport deadline. On and after that date, all passports used for travel under the VWP must be machine-readable.

Countries in the visa waiver program include: Andorra, Australia, Austria, Belgium, Britain, Brunei, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Portugal, San Marino, Singapore, Slovenia, Spain, Sweden, and Switzerland.

Though U.S. biometrics passports are not currently available, the Department of State has been working towards developing such passports. The Department of State expects that all domestically produced U.S. passports will contain biometric information by the end of 2005.

If you have any questions regarding the biometrics passport deadline extension or VWP travel, please contact José A. Olivieri at (414) 225-4967 or [jaolivieri@mbf-law.com](mailto:jaolivieri@mbf-law.com), or Kelly M. Fortier at (414) 277-3460 or [kmfortier@mbf-law.com](mailto:kmfortier@mbf-law.com).

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