

IPP:BZ

October 21, 2004

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
DIRECTOR, PRECLEARANCE

FROM: Acting Executive Director
Immigration Policy and Programs

SUBJECT: Machine-Readable Passport Requirement for Visa Waiver
Program Applicants for Admission

On or after October 26, 2004, applicants for admission to the United States under the Visa Waiver Program (VWP) will be required to present a machine-readable passport (MRP), or have a nonimmigrant visa in their passport. Travelers who cannot comply with this requirement will be considered, on a case-by-case basis, for a one-time parole into the United States for a period of up to 90 days.

Section 217(g) of the Immigration and Nationality Act (INA) states that if an alien is deemed to be inadmissible under the VWP, he or she will be required to have a nonimmigrant visa before returning to the United States.

Under normal circumstances, an alien who is found to be inadmissible under the VWP would be ineligible as a VWP applicant in the future. However, an alien who arrives on or after October 26, 2004, and applies for admission under the VWP without an MRP (b) (7)(E) and is granted a one-time parole, will not be considered to have violated the terms of the VWP under 217(g) INA. (b) (7)(E)

Should you have any questions or require additional information, please contact Michael Hrinyak, Acting Executive Director, Immigration Policy and Programs or (b) (6), (b) (7)(C) Program Officer, Customs and Border Protection, at (b) (6), (b) (7)(C)

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