




**U.S. Customs and
Border Protection**

FEB 23 2016


MEMORANDUM FOR: Directors, Field Operations
Director, Field Operations Academy



FROM:  (b) (6), (b) (7)(C)
Todd A. Hoffman
Executive Director
Admissibility and Passenger Programs

SUBJECT: **Interim Update** - Visa Waiver Program Restrictions & the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015

The Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 (The Act) was signed into law on December 18, 2015 and established new ineligibilities for travel under Section 217 of the Immigration and Nationality Act (INA). These restrictions do not bar travel to the United States, but created additional ineligibilities restricting use of the Visa Waiver Program (VWP).

As of February 23, 2016, CBP will begin to enforce new policy at the ports of entry to fully comply with the provisions in The Act.

- Any VWP applicant who has dual citizenship with Iran, Iraq, Syria or Sudan are ineligible for the admission under the VWP. These types of travelers must not be granted admission under the VWP.
- VWP applicants who have traveled to or been present in **Iran, Iraq, Syria, Sudan, Libya, Somalia and/or Yemen** on or after March 1, 2011 may be ineligible for admission to the United States under the VWP.
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In support of the changed eligibility requirements under The Act, new mandatory questions have been added to the  (b) (7)(E) Beginning February 23, 2016,  (b) (7)(E)

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To reiterate, CBP officers at the ports of entry do (b) (7)(E)

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Please ensure that this memorandum and muster are disseminated to all ports of entry within your jurisdiction. Should you have any questions or require additional information, please contact (b) (6), (b) (7)(C) Director, Electronic System for Travel Authorization at (b) (6), (b) (7)(C)

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Date: February 23, 2016
Topic: Interim Update - Visa Waiver Program Restrictions & the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015
POC: (b) (6), (b) (7)(C)
Office: ESTA

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- Ports of entry do not have the authority to waive the new travel restrictions for VWP admission under The Act.

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- If an individual is ineligible for entry under the VWP due to The Act, and no discretion is appropriate, then the traveler must be processed as a Visa Waiver Refusal pursuant to §212(a)(7)(B)(i)(II) of the INA.

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