

## **OVERVIEW of US Visa and access requirements to attend Folk Alliance International**

For visitors wishing to travel to the United States to attend our annual industry conference, a “non-work” visiting Visa is required for guests coming from non-Visa Waiver Program countries.

A list of the 38 countries that are part of the Visa Waiver Program can be found here: <http://travel.state.gov/content/visas/en/visit/visa-waiver-program.html>

Citizens of other countries (including Canada) should obtain a B-1 or B-2 temporary stay visa, typically awarded while clearing customs at the US border as part of standard access to the US on business (not work) trips to an industry business & networking conference.

*If any paid employment is part of your intended time in the US during which you attend the Folk Alliance Conference (whether or not paid performance is part of the Conference) you must obtain a work visa in advance of entry separate from the process described here.*

For all others traveling from the 38 countries that are part of the Visa Waiver Program, because of delays in processing times, it is recommended that an application for a visitor visa be submitted **at least 90 days in advance of the date you wish to travel**. Whether you apply for a B-1 or B-2 will depend whether you are travelling for work or pleasure.

**The Visa Waiver Program (VWP)** allows citizens of participating countries to travel to the United States without a visa for stays of 90 days or less, when they meet all requirements explained below. Travelers must be eligible to use the VWP and have a valid Electronic System for Travel Authorization (ESTA) approval prior to travel.

If you are eligible to travel on the VWP, but prefer to have a visa in your passport, you may still apply for a visitor (B) visa.

### **Requirements for using the Visa Waiver Program (VWP)**

You must meet all of the following requirements to travel to the US on the VWP:

#### **1) Travel purpose must be permitted on a Visitor (B) Visa**

The Visa Waiver Program (VWP) allows citizens of participating countries to travel to the United States without obtaining a visa, for stays of 90 days or less for tourism or business. Transiting or traveling through the United States to Canada or Mexico is generally permitted for VWP travelers. The following are examples of activities permitted while in the United States on the VWP.

Business:

- consult with business associates
- attend a scientific, educational, professional, or business convention or conference
- attend short-term training (you may not be paid by any source in the United States with the exception of expenses incidental to your stay)

- negotiate a contract

### **Travel Purposes Not Permitted on Visa Waiver Program –**

These are some examples of activities not permitted on the VWP and require visas for travel to the United States:

- study, for credit
- employment
- work as foreign press, radio, film, journalists, or other information media
- permanent residence in the United States

### **2) Each Traveler Must have authorization under ESTA**

In order to travel without a visa on the VWP, you must have authorization through the Electronic System for Travel Authorization (ESTA) prior to boarding a U.S. bound air or sea carrier. ESTA is the Department of Homeland Security (DHS), Customs and Border Protection's (CBP) automated web-based system to determine eligibility to travel without a visa to the United States for tourism or business. Visit the [ESTA webpage](#) on the CBP website for more detailed information, to apply for ESTA, and pay the fee.

### **3) Travel Must be on an Approved Carrier**

If arriving by air or sea, you must be arriving on an [approved air or sea carrier](#). You must also have a round trip ticket indicating return passage to a country\* outside the United States.

### **4) Previous Compliance and No Prior Visa Ineligibilities**

If you have had a U.S. visa before or previously traveled to the United States under the VWP or another status, you must have complied with the conditions of previous admissions to the United States, and you must not have previously been found ineligible for a U.S. visa.

Travelers should be aware that by requesting admission under the Visa Waiver Program, they are generally waiving their right to review or appeal a CBP officer's decision as to their application for admission at the port of entry. See the [CBP website](#) for additional details.

### **5) Have the Correct Type of Passport**

You must have a passport that is valid for at least 6 months after your planned departure from the United States (unless exempted by [country-specific agreements](#)). For families, each member of your family, including infants and children, must have his/her own passport.

## **Additional information:**

### **Emergency and Temporary Passports**

If you use an emergency or temporary passport to enter the United States on the VWP, the passport must be an electronic passport, or e-Passport. This includes VWP travelers who are transiting the United States.

### **May I apply for a visa instead of using the VWP?**

Travelers who are eligible for the VWP may apply for a visitor (B) visa, if they prefer to do so. If you do not meet **all of the criteria** explained in this webpage, then you must apply for a visa. Additionally, you need to apply for a visa if you will be traveling on a private aircraft or other non-VWP approved air or sea carrier. Review the [approved carriers list](#). Also, if you intend to extend your stay beyond 90 days or change your status once in the United States (for example, you intend to request change of status to student or temporary worker, etc.), then you need to apply for a visa.

### **I was denied a visa under section 214(b). May I use the VWP?**

A recent visa refusal for any reason could result in denial of ESTA authorization, additional review at the port of entry, or denial of admission to the United States. If you are uncertain if you qualify for VWP travel, you may choose to apply for a visa.

### **Trips to Canada, Mexico, or nearby Islands**

If you are admitted to the United States under the VWP, you may take a short trip to Canada, Mexico, or a nearby island and generally be readmitted to the United States under the VWP for the remainder of the original 90 days granted upon your initial arrival in the United States. Therefore, the length of time of your total stay, including the short trip, must be 90 days or less. See the [Customs and Border Protection \(CBP\) website](#).

*Citizens of VWP countries\* who reside in Mexico, Canada, or a nearby island are generally exempted from the requirement to show onward travel to another country\* when entering the United States. Learn more at the [CBP website](#).*

### **Entering the United States**

An approved ESTA (Electronic System for Travel Authorization) allows a citizen of a Visa Waiver Program participating country to travel to a U.S. port-of-entry (generally an airport) and request permission to enter the United States.

An approved ESTA does not guarantee entry into the United States. The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) officials at the port-of-entry have authority to permit or deny admission to the United States. If you are allowed to enter the United States, the CBP official will place an admission stamp in your passport. Learn more on the [CBP website](#).

Learn about admissions and entry requirements, as well as restrictions about bringing [food](#), [agricultural products](#), and other [restricted/prohibited goods](#), by reviewing the CBP website under [International Visitors](#) and [Clearing CBP](#).

## **Extending Your Stay in the US**

Persons admitted under the Visa Waiver Program are not permitted to extend their stays in the United States. You must depart the United States on or before the date on your admission stamp when you entered the United States.

If you want to extend your stay in the United States, you must file a request with U.S. Citizenship and Immigration Services (USCIS) on the Form I-539, Application to Extend/Change Nonimmigrant Status before your authorized stay expires. If you remain in the United States longer than authorized, you may be barred from returning and/or you may be removed (deported) from the United States. Check the date in the lower right-hand corner of your Form I-94, Arrival-Departure Record, to determine the date your authorized stay expires. We recommend that you apply to extend your stay at least 45 days before your authorized stay expires.

You may apply to extend your stay if:

- You were lawfully admitted into the United States with a nonimmigrant visa
- Your nonimmigrant visa status remains valid
- You have not committed any crimes that make you ineligible for a visa
- You have not violated the conditions of your admission
- Your passport is valid and will remain valid for the duration of your stay

You may not apply to extend your stay if you were admitted to the United States in the following categories:

- Visa Waiver Program
- Crew member (D nonimmigrant visa)
- In transit through the United States (C nonimmigrant visa)
- In transit through the United States without a visa (TWOV)
- Fiancé of a U.S. citizen or dependent of a fiancé (K nonimmigrant visa)
- Informant (and accompanying family) on terrorism or organized crime (S nonimmigrant visa)

For information on how to apply, see the “[How Do I: Guides for Nonimmigrants](#)”.

See [Extend Your Stay](#) on the U.S. Citizenship and Immigration Services (USCIS) website for more information.

## **Change of Status**

Persons admitted under the Visa Waiver Program are not permitted to change status in the United States. See [Change My Nonimmigrant Status](#) on the U.S. Citizenship and Immigration Services (USCIS) website.

More information can be found at the US Department of State website:

<http://travel.state.gov/content/visas/en/visit/visitor.html>

Or at US Citizenship and Immigration Services: <http://www.uscis.gov/>