



US Entry

Tighter controls or „business as usual“?

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The Status Quo

The media are covering more and more reports about problems entering the USA. As a result, members of the VDR (the German business travel association) felt the need to exchange experiences and seek guidance - both online and at the regional conferences.

Fact is that the entry requirements are currently undergoing changes. Therefore, there is increasing uncertainty as to what needs to be considered before traveling to the USA. Border officials in the USA are primarily checking compliance with entry requirements. Increasingly, however, they are also focusing their attention on issues such as national security, foreign policy concerns and national interests.

In principle, you may still enter the country with a valid ESTA (Electronic System for Travel Authorization) as long as it is sufficient for the purpose of your trip. It is advisable to contact a visa service provider or legal advice to have this checked if you are unsure.

The VDR posted a poll on LinkedIn to find out whether traveller behaviour is changing. More than a quarter (26%) have changed their behaviour and check their ESTA validity. For 35%, this also includes better preparation for border control. However, almost a third (30%) say that nothing has changed for them when traveling to the USA and only 9% state that they have switched from an ESTA to a B visa.

What Travellers Need to Know

To be on the safe side, it makes sense to make travellers aware of the following points before travelling to the USA:

- **Information**

Before traveling, travelers should always check the website of the [Federal Foreign Office](#) for any changes and recommendations regarding entry into the USA. Link: https://www.auswaertiges-amt.de/de/service/laender/usa-node/usaverieinigtestaatensicherheit-201382#content_3

- **ESTA Check & Update**

Even though the ESTA is usually valid for 2 years, there are more and more cases where the validity has been withdrawn before expiry.

- ESTA validity should be checked in good time, at least 72 hours before the start of the flight. This will give you time to apply for a new ESTA if necessary.
- Remember to update the destination airport and the address of the place of stay for each trip.



- Always go to the [US government website](https://esta.cbp.dhs.gov/) to check the status or change addresses. Link: <https://esta.cbp.dhs.gov/> (Third-party providers may incur additional costs.)

- **At the Immigration Counter**

Misunderstandings, based on language, can occur. It is therefore important to remind travellers of the correct terminology to use:

 - What to say:
 - “I’m here for business / to support / to train...”
 - “I’m staying at XX hotel”
 - What to avoid:
 - “I’m coming to work”
 - “I’m living at XX hotel”

These are „red flags“ for officers who, for example, suspect illegal immigration. Dies sind “rote Tücher“ für Beamte, die bspw. illegale Einwanderung vermuten. This can lead to prolonged waiting and processing times.

- > **Data and IT**

Border officials have the right to demand the unblocking of cell phones, computers and other technical devices. This also includes the disclosure of emails, VPN lines and the content of social networks. Consultation with IT and data protection officers is recommended before traveling to the USA if, for example, sensitive data is stored on a company laptop.

- > **Personal Recommendations**
 - Critical statements about the US government in private channels on social networks can lead to problems when entering the country.
 - Travellers should seek legal advice if they are currently or have been involved in criminal conflicts in the past or have already encountered problems when entering the country.

- > **Post Trip**
 - It is recommended that travelers review the I-94 form after travel to ensure that no incorrect information is entered. Travelers can access their electronic arrival/departure record via the CBP I-94 website at <https://i94.cbp.dhs.gov> or the CBP Home Mobile Application.

Further Information

VDR Member Organizations

When traveling on business and especially when it comes to the question of whether a visa is required, it makes sense to ask a service provider. The following member companies have contributed to this VDR information and provided advice:

