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Travel to the U.S. for a Sporting Event

Permissible Activities

A foreign national may enter the U.S. on a B-1/B-2 visitor visa or Visa Waiver Program, if from an eligible country, to participate in a sporting event provided that the foreign national intends to depart the U.S. after a temporary visit and does not perform work in the U.S. Canadians and Bermudans are visa exempt, do not require a B-1/B-2 visa or Visa Waiver Program registration, and can enter for up to 6 months as visitors.

Professional athletes or team members who seek to enter the United States as members of a foreign-based team in order to compete with another sports team are eligible to enter on the B-1/B-2 visa or Visa Waiver Program, provided that:

- 1) The foreign athlete and the foreign sports team have their principal place of business or activity in a foreign country;
- 2) The income of the foreign-based team and the salary of its players are principally accrued in a foreign country and
- 3) The foreign-based sports team is a member of an international sports league or the sporting activities involved have an international dimension.

Amateur athletes engaging in an amateur activity are also eligible for B visitor visas to attend a sporting event. The athlete's incidental expenses may be reimbursed.

Limitations

Individuals in the U.S. who entered on a B-1/B-2 visa or through the Visa Waiver Program cannot engage in gainful employment in the United States. The foreign national may not receive a salary from a U.S. source for services rendered in connection with his/her activities in the U.S., though it is permissible to receive tournament prize money.

Intent and Evidence of Ties to Home Country

With every visitor's entry into the U.S., there is a presumption of immigrant (permanent) intent. In order to overcome this presumption, the foreign national must be able to show intent to return abroad at the conclusion of the temporary visit by demonstrating financial and personal ties to his/her home country and/or country of residence. Visitors should carry a return trip ticket within 6 months (or 90 days for Visa Waiver Program) when entering the U.S. Additional evidence can include an employment letter from a foreign employer, mortgage or lease agreements, bank account statements, school enrollment, evidence of family ties, etc.



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Timing

Travelers in possession of a B-1/B-2 visa can enter the U.S. for up to 6 months per trip and may request to extend the stay for an additional 6 months provided that there is a proper purpose for the extension of stay.

Visa Waiver Program travelers can enter the U.S. for up to 90 days per trip, which cannot be extended.

Methods for Travel to the U.S.: B-1/B-2 Visitor Visa or Visa Waiver Program (if eligible)

B-1/B-2 Visitor Visa

When to Apply

The application process should begin as early as possible, particularly for individuals who may be subject to additional clearance steps (detailed below). Applicants should request an invitation letter from the U.S. host organization at the earliest date possible.

Apply for a B-1/B-2 Visitor Visa at a U.S. Embassy/Consulate Abroad

Before the foreign visitor can enter the U.S. on B-1/B-2 visa, he/she must obtain a visa from a U.S. Embassy/Consulate located outside the U.S. The procedures for making such an application varies by country. Please refer to <http://www.usembassy.gov/> to locate the nearest U.S. Embassy/Consulate and its procedures.

In general, the application process includes the following steps:

- Prepare and submit an electronic nonimmigrant visa application, Form DS-160 (<http://ceac.state.gov/genniv/>). The applicant will need to upload a digital photo with the application.
 - For additional information regarding the DS-160 online application, please refer to <https://travel.state.gov/content/travel/en/us-visas/visa-information-resources/forms/ds-160-online-nonimmigrant-visa-application.html>.
- Pay the visa application fee (currently \$160 USD), typically at a designated bank, though specific practices may vary depending on the Embassy/Consulate. Please refer to <http://www.usembassy.gov/> for instructions on the Embassy/Consulate's practices.
- Schedule a visa interview with the consular post. The applicant is often asked to use a designated phone or online service to schedule the interview.



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- Appear for the visa interview at the U.S. Embassy/Consulate, carrying the necessary documents
 - DS-160 confirmation page
 - Proof of payment of the application fee
 - Passport
 - Passport-style photos
 - Supporting documents establishing the purpose for the travel to the U.S. for the sporting event and the eligibility for the visa, including the invitation letter, Notice of Race (NOR), and any other documentation regarding the event.
 - Evidence of the financial and personal ties to the applicant's home country and/or country of residence, such as an employment letter from a foreign employer, mortgage or lease agreements, bank account statements, school enrollment, evidence of family ties, etc.

Questions to Expect at the U.S. Consular Interview

At the B-1/B-2 visitor visa interview, the consular officer may ask questions regarding the applicant's purpose for travel and ties to his/her home country and/or country of residence.

After the U.S. Visa Interview

The U.S. Embassy/Consulate will hold the applicant's passport in order to issue the visa stamp in the passport. Typically, the visa is issued in approximately 5-10 business days, though it may vary by consular post.

Possible Delays in the B-1/B-2 Visa Issuance: Administrative Processing

Again, we recommend applying for the B-1/B-2 visitor visa as early as possible given the potential delays in the process.

By way of background, the names of all visa applicants are checked against the U.S. Department of State's lookout system at the time of application. This check is computerized and typically is completed promptly.

However, the U.S. Embassy/Consulate may require certain visa applications to undergo an additional security clearance process, depending on the results of the name check and the nationality and background of the particular visa applicant. If a security clearance is required, the



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visa may be issued until the clearance has been completed. As the security clearance process is generally confidential, most Embassies/Consulates will not confirm that a security clearance is underway but rather will typically inform the applicant only that additional “administrative processing” is required. In most instances, the visa applicant receives a notice indicating that the visa has been refused while the additional review is conducted. This indicates that the applicant is not eligible for a visa now but is pending further action.

The following types of cases are most likely to require a security clearance:

- Applicants from countries that present U.S. national security concerns, particularly if the applicant is a male between 16 and 45.
- Applicants with names similar to individuals listed in the U.S. government’s lookout system.
- Applicants engaged in activities involving sensitive technologies that may have potential military applications, including individuals with employment and/or advanced education in such areas as microbiology, biomedical engineering, nuclear engineering, high-speed computers, or nanotechnology.

While some security clearances can be completed in a few days, most take at least a few weeks, and some can take several months. The U.S. Department of State generally will not consider expediting security clearances except in very limited cases of medical emergency or if travel is in the U.S. national interest.

Please note that consular officers have broad authority to flag visa applicants for additional scrutiny and may request that visa applicants provide details of their social media accounts, email addresses, phone numbers, names of family members, residence and employment history, travel history and source of travel funds, and prior passport numbers. Only foreign nationals flagged by a U.S. consular officer for additional security screening will be asked to provide this information.

If the B-1/B-2 visa application is subject to administrative processing or is denied, please contact para.worldsailing@sailing.org to discuss any potential next steps.



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Visa Waiver Program

The Visa Waiver Program (VWP) allows eligible citizens or nationals of designated countries to travel to the U.S. for tourism or business for up to 90 days without first obtaining a visa. If a foreign national has a B visitor visa, he/she does not need to register for the VWP.

Eligible countries are provided down below.

Visa Waiver Program (VWP) Eligible Countries:

Andorra	Estonia	Italy	Monaco	Slovenia
Australia	Finland	Japan	Netherlands	Spain
Austria	France	Republic of Korea	New Zealand	Sweden
Belgium	Germany	Latvia	Norway	Switzerland
Brunei	Greece	Liechtenstein	Portugal	Taiwan
Chile	Hungary	Lithuania	San Marino	United Kingdom
Czech Republic	Iceland	Luxembourg	Singapore	
Denmark	Ireland	Malta	Slovakia	

All VWP travelers will be required to obtain advance travel authorization by registering in the Electronic System for Travel Authorization (ESTA) at least 72 hours before travel. In order to participate in the VWP, travelers must be in possession of a machine readable passport. An ESTA application costs \$14 USD per applicant. ESTA authorization is typically valid for 2 years and allows for multiple entry. Please use this link to access more information about ESTA. <http://esta.cbp.dhs.gov/esta/>.

Please note that there are some restrictions on VWP eligibility, which may be impacted by a prior criminal arrest/conviction. Also, nationals of VWP countries who: (1) have traveled to or been present in Iran, Iraq, Libya, Somalia, Sudan, Syria, or Yemen since March 1, 2011 and/or (2) are dual nationals of a VWP member country and Iran, Iraq, Sudan, or Syria are ineligible for the VWP. If an individual is ineligible for the VWP, he/she must apply for and obtain a B-1/B-2 visa from a U.S. Embassy/Consulate to visit the U.S. for business or tourism, with very limited exceptions.

For additional information regarding the VWP requirements, including a machine readable passport, please refer to this website: <http://www.dhs.gov/visa-waiver-program-requirements>.



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Entering the U.S.

What Documents to Bring

In order to enter the U.S. after obtaining the B-1/B-2 visa stamp or registering with ESTA, the visitor must have the following documents at the U.S. port of entry:

<p><u>B-1/B-2 Visitor</u></p> <ul style="list-style-type: none"> Valid passport with a valid B-1/B-2 visa stamp 	<p><u>Visa Waiver Program</u></p> <ul style="list-style-type: none"> Valid passport
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In addition, foreign nationals should bring the following documents and present to the officer only if questioned (discussed in more detail below):

- 1) Invitation letter from U.S. host organization and other event materials
- 2) Return airline ticket
- 3) Other evidence of intent to depart the U.S. after a temporary stay

What Questions to Expect

Upon entry to the U.S., a Customs and Border Protection (CBP) Officer may inquire about the purpose of coming to the U.S. The applicant would confirm that he/she is entering the U.S. as a visitor for an athletic event and present the invitation letter prepared by Sail Sheboygan and Sailing Education Association of Sheboygan (SEAS). If asked, the applicant should confirm that he/she will not be working in the U.S. and will not be paid in the U.S.

Each visitor should be prepared to demonstrate the intent to return abroad at the conclusion of his/her temporary stay, by demonstrating ties to his/her home country and/or country of residence, such as an employment letter from a foreign employer, mortgage or lease agreements, bank account statements, school enrollment, evidence of family ties, etc.

A return trip ticket home within 6 months (or 90 days for the VWP) should also be in the individual’s possession when entering the U.S.

I-94 Entry Record

When the CBP Officer determines that the applicant should be admitted, he/she will create an electronic record of the entry, including the class of admission, and expiration of stay. After



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entry to the U.S., the visitor must visit the I-94 website (available at <http://i94.cbp.dhs.gov/I94>), print out a copy of the electronic admission record.

Regardless of the expiration date on the visa stamp in the passport, the applicant should depart the U.S. prior to the expiration date on the I-94 entry record. Please note that if he/she overstays the admission period, be even one day, it may result in serious consequences to the applicant's current and future immigration status and eligibility for future immigration benefits.

Assistance

For assistance, please contact para.worldsailing@sailing.org.