



Homeland
Security

November 25, 2024

TO: Richard Revesz, Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget

FROM: Eric Hysen, Chief Information Officer
U.S. Department of Homeland Security

SUBJECT: Approval Request for Arrival and Departure Record and Electronic System for Travel Authorization (ESTA) under the Paperwork Reduction Act

This memorandum requests an emergency approval to revise the existing collection of information under the Paperwork Reduction Act (PRA) for U.S. Customs and Border Protection's (CBP) Arrival and Departure Record and Electronic System for Travel Authorization (ESTA) to account for the designation of Qatar to the Visa Waiver Program (VWP). As an ESTA is required for any travel to the United States under the VWP, DHS is revising the collection to include citizens and nationals of Qatar. This information collection is approved under OMB control number 1651-0111.

Emergency Justification

DHS is requesting an emergency information collection revision under 5 C.F.R. § 1320.13, with the intention of carrying out all the regular requirements for publication and review after implementation.

On September 20, 2024, the Secretary of Homeland Security designated Qatar as a VWP participant, to become effective on September 24, 2024.¹ On September 26, 2024, DHS issued a final rule adding Qatar to the list of countries designated for VWP participation at 8 C.F.R. § 217.2(a), also effective that same day.² At the time, DHS projected an implementation date of December 1, 2024, announcing that "Starting no later than December 1, 2024, the Electronic System for Travel Authorization (ESTA) online application and mobile app will be updated to allow citizens and nationals of Qatar to apply to travel to the United States for tourism or business purposes for up to 90 days without first obtaining a U.S. visa."³ Consistent with past practice, DHS indicated that it would seek a change to the subject information collection on an emergency basis.

¹ See Memorandum for the Secretary from the Under Secretary for Strategy, Policy and Plans Silvers, *Initial Designation of Qatar to the Visa Waiver Program* (Sept. 18, 2024).

² See 89 FR 78783

³ See DHS Press Release, *Secretary Mayorkas and Secretary Blinken Announce Designation of Qatar into the Visa Waiver Program* (Sept. 24, 2024). [insert link]

This information collection is essential to the agency's mission, and the agency cannot reasonably comply with the regular clearance procedures under the PRA because delayed implementation would likely cause public harm . *See* 5 C.F.R. § 1320.13(a)(1), (2)(i)-(ii). In particular, prompt implementation is necessary because Qatar's designation in the VWP serves U.S. law enforcement and security interests through requisite enhancements to the U.S.-Qatar security partnership, including Qatar's improved screening of travelers, its increased sharing of information on known and suspected terrorists, and its automation of the real-time exchange of biometric information in support of immigration and border vetting. These programs only become fully effective with the implementation of the VWP. Without immediate approval of this information collection, public harm is reasonably likely.

With OMB approval, following implementation of the revised collection to expand the respondent group, CBP will undergo the regular PRA revision process, beginning with a 60-day notice for public comment as described at 5 C.F.R. § 1320.10, within 45 days of approval. After publication of the FRNs required under the PRA, DHS will address comments and concerns as necessary and submit the information collection to OMB for three-year approval within the required timeframe.

Thank you for your consideration of this Emergency.