

24 May 2005

**The Honorable F James
Sensenbrenner, Jr**
Chairman
Committee on the Judiciary
US House of Representatives
Washington, DC 20515

Senator Arlen Specter
Chairman
Senate Judiciary Committee
711 Hart Senate Office Building
Washington, DC 20510

Dear Chairmen,

In my letter of 15 April 2004, I expressed our concerns about the implications for business of the 26 October 2004 deadline for the Visa Waiver Programme, based on a survey we had conducted of our members.

As a follow-up to last year's survey, we have again canvassed the views of our members on the new 26 October 2005 deadline. On this occasion, we also invited input from the British-American Business Council network of 3,500 member companies. The results of our survey clearly show that executives on both sides of the Atlantic remain concerned about the business implications of this deadline.

Over three-quarters of our survey respondents on both sides of the Atlantic believe that the 26 October deadline will make the conduct of transatlantic business difficult – 77% in the UK and 64% in the US say that business between the UK and US will be negatively affected.

Also, over half of the UK and US respondents (55% and 61% respectively) say they would be less likely to use UK and other VWP nationals for business travel to the US if it proved difficult to obtain entry visas as a result of the new US entry requirements.

Both BABi, which incorporates the American Chamber of Commerce (UK) and British-American Chamber of Commerce (New York/London), and The British-American Business Council, the largest transatlantic business network, with more than 30 chapters and 3,500 member companies, are strong supporters of the 'special relationship.' We are ideally placed to represent the concerns and interests of the economically significant transatlantic business community between the UK and US.

Whilst we welcome the one-year extension of the deadline endorsed in August 2004, it is evident that this has not given adequate time for governments to deal with the issues that need to be overcome in order to create an effective, durable and universally accepted biometric passport – though most have met their own ambitious timetables and continue to strive in this direction.

However, our research shows there is a strong feeling amongst the business community both in the US and UK that the deadline of 26 October 2005 will significantly and negatively impact transatlantic business. We believe that the imposed deadline will have serious implications for business development and hamper business operations on both sides of the Atlantic.

On behalf of the British-American business community, I would, therefore, urge you and your Committee to endorse a further extension of the VWP until the date we originally requested of 31 December 2006.

In the course of our research and through on-going discussions with our members and key business organisations both in the US and UK, it has also recently come to our attention that there is some confusion as to who will no longer qualify under the VWP, once the deadline has passed.

It is our recent understanding that only those travellers who will be issued with new passports on or after 26 October 2005 will not qualify under the VWP, unless they have biometric passports. Those travellers who bear non-biometric passports issued before this date will still qualify under the VWP, providing their passport is machine-readable. We would be grateful for further clarification on this particular matter.

As ever, we are grateful for your efforts to address this important matter and look forward to your response.

Yours sincerely,

Ian Stopps CBE
Chairman
BritishAmerican Business Inc (BABi)
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The BABi/UKTI Transatlantic Business Survey 2005 Immigration Results

Summary

BritishAmerican Business Inc and UK Trade & Investment jointly conducted the Transatlantic Business Survey 2005 during March, April and May 2005.

The survey asked for the views and opinions of executives based in both the UK and US on issues pertinent to transatlantic business. Below are the partial findings from the Immigration and Travel section of the survey. These are interim results. The full results will be published later in 2005.

Question

Were you aware that entry requirements to the US for passport holders who are part of the Visa Waiver Program (which includes UK passport holders) could change on 26 October 2005?

Based in	UK	US
Yes	63%	51%
No	36%	43%
Not stated	2%	6%

Question

If the US authorities introduce on 26 October 2005 a mandatory visa for all visitors to the US who do not possess biometric passports, would that make the conduct of business between the UK and the US more difficult for your company?

Based in	UK	US
Yes	77%	64%
No	22%	26%
Not stated	2%	10%

Question

Would you anticipate that you would use UK and other foreign nationals less for business travel to the US if it became difficult for them to obtain papers to enter the US?

Based in	UK	US
Yes	55%	61%
No	42%	32%
Not stated	3%	7%