

# THE U.S. ASIA-PACIFIC ECONOMIC COOPERATION BUSINESS TRAVEL CARD PROGRAM



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After brief correspondence with a colleague who travels to China frequently, it became apparent that the U.S. Asia-Pacific Economic Cooperation Business Travel Card (“ABT Card”) Program is not as well-known as it ought to be. Since Department of Homeland Security (“DHS”) will stop issuing these cards on September 18, 2018, those who travel to China regularly for business, such as EB-5 Program participants, may wish to consider applying for an ABT Card soon.

On November 12, 2011 President Obama signed the Asia-Pacific Economic Cooperation Business Travel Cards Act of 2011. Under this Act the Secretary of Homeland Security is authorized to issue ABT Cards to “any eligible person.” The ABT Card enables business travelers pre-cleared, facilitated short-term entry to participating member economies.

According to a final rule published on November 23, 2016, use of an ABT Card saves travelers an average of 43 minutes at airports in these countries.

To qualify for an ABT Card, the applicant must be a member of U.S. Customs and Border Protection (“CBP”) Trusted Traveler Program, however, 8 CFR 235.13(b)(4) permits an applicant to apply for an ABT Card at the same time as he or she applies for membership in a Trusted Traveler Program. Additionally, the applicant must be a U.S. citizen, and engaged in the trade of goods, the provision of services, or the conduct of investment activities in the APEC region (or a U.S. government official actively engaged in APEC business). Professional athletes, news correspondents, entertainers, musicians, artists or

persons engaged in similar occupations do not qualify for an ABT Card.

To apply for an ABT Card, an applicant must log-in, or create an account using the Global Online Enrollment System (“GOES”). Next, the applicant must complete an application and certify that he or she is a member in good standing of a Trusted Traveler Program (or enroll in such a program). Applicants must maintain enrollment in a Trusted Traveler Program for the duration of the validity of their ABT Card. Before an ABT card can be issued, applicants must attend an interview, provide a signature, and pay the application fee of \$70 (8 CFR 103.7(b)(1)(ii)(N)) (plus any GOES application fees that may apply).

To use the ABT Card once it is issued, card holders may access a dedicated fast-track lane for expedited processing at participating airports in the countries listed above. Card holders must present their travel documents (eg. passport and visa) at this desk. Importantly, the ABT Card may only be used if the card holder is traveling solely for business purposes to a foreign APEC member economy and is not engaging in paid employment in the foreign APEC member economy.

An ABT Card may be valid for up to five years, and will continue to be valid even if the expiry date occurs after DHS stops issuing these cards on September 18, 2018. Given the average time savings provided by an ABT Card, it is a valuable investment for anyone who makes regular business trips to any of the countries listed covered by the Program. ■



## APEC BUSINESS TRAVEL CARD MEMBER ECONOMIES

Australia  
Brunei Darussalam  
Chile  
China  
Hong Kong  
Indonesia  
Japan  
South Korea  
Malaysia  
Mexico  
New Zealand  
Papua New Guinea  
Peru  
Philippines  
Singapore  
Thailand  
Vietnam