



Ministerial Statement

By

**The Hon. C. Walton D. Brown, Jr., JP, MP
Minister of Home Affairs**

Friday, December 1, 2017

An Advisory Regarding Travel to the United States by Residents who are BOTCs but are not Bermudian

Mr. Speaker, I rise to inform this Honourable House about a recent notification to the Department of Immigration regarding persons who do not possess Bermudian status but are in possession of a British Overseas Territories Citizen (BOTC) passport.

Mr. Speaker, we recently received a complaint that a spouse of a Bermudian who had been naturalised but did not possess Bermudian status had been denied entry to the United States. Honourable members would be aware that there are persons that are not Bermudian but

possess BOTC status because they were either (1) born in Bermuda before 1983 or (2) naturalised as BOT citizens.

As a result of this complaint, we raised the issue with the U.S. Customs & Border Protection Agency and received the following response:

“In accordance with US law, only Bermudians can travel visa free. If someone is using a BOTC passport but is not Bermudian, they will not be allowed to travel to the US visa free. They have to present a passport from their Country of citizenship and a valid visa to travel.”

Mr. Speaker, to be clear:

- Persons using BOTC passports but are not displaying the observation *“Holder is registered as a Bermudian”* will not be permitted entry to the US without a visa. Additionally, it should be noted that Bermudians traveling with BOTC passports that are not displaying the mentioned observation will not be eligible for entry to the US under the visa-exempt classification. That observation in our passport is necessary to reflect that the person possesses Bermudian status to benefit from the “visa exempt” classification;
- Other persons who qualify to possess BOTC passports but do not possess Bermudian status and are, therefore, not eligible to

obtain the observation “*Holder is registered as a Bermudian*” will not be permitted travel to the US as a visa-exempt national.

Mr. Speaker, the previously mentioned list details clearly the position of the US Customs & Border Protection Agency according to the relevant US legislation as it pertains to eligibility for visa exemption. There are a number of persons who qualify for and do possess BOTC (Bermuda) passports but are not eligible for the grant of Bermudian Status. Therefore we encourage Bermudians to check their Bermuda passports to ensure that the observation has been added to their passport before travelling to the US. Persons who do not possess Bermudian status but are in possession of a BOTC (Bermuda) passport are advised that if they plan to travel to the USA to either travel with a passport that identifies their citizenship or, if they are using the BOTC passport, make arrangements in advance to secure a US visa.

Thank you, **Mr. Speaker**.