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Border control and crossings	Category:	 רשות האוכלוסין וההגירה Population & Immigration Authority سلطة السكان والهجرة
Reciprocal privileges with the USA, in border control	Subject:	

Reciprocal privileges for US citizens at border control

A. Purpose of these guidelines

A. These guidelines are intended to specify the method of arranging for entry of US citizens 1. who wish to come to Israel and pass through Israel's border crossings, including the stage where they are still outside Israel and have not reached its border crossings. Moreover, the privileges will also apply, as detailed in this document, to US citizens who are residents of the Judea and Samaria area or who possess an additional citizenship included in the appendix to the **Citizenship and Entry into Israel Law (Temporary Order), 5782/2022** hereafter, "**the Temporary Order**").

A.2 Let it be clear that these guidelines do not deal with the entry of Israeli citizens into the .USA That matter is handled according to the policy of the relevant US governmental offices.


A.3. In this document, the masculine gender is used as inclusive of all genders.

B. General

B.1. The Minister of the Interior possesses broad discretion in applying his prerogatives under **the Entry into Israel Law of 5712/1952** (hereafter, "**the Entry into Israel Law**"). This falls under the principle of sovereignty, whereby a state has broad discretion to prevent entry of foreigners into its territory or to expel them when they are no longer welcome (Israel HCJ case 482/71, **Clark v. Minister of Interior**, Verdict, 27(1) 133, 117; the Kendall case as above, p. 520; HCJ case 1031/93, **Pessaro (Goldstein) v. Minister of Interior**, Verdict 49(4) 661, 705; HCJ case 4370/01, **Lipke v. Minister of Interior**, Verdict 57(4) 920, 930). The premise is that no one who is neither a citizen nor a permanent resident of Israel has a vested right to enter Israel, whether he is or is not a national of a country with which Israel has signed an agreement affording such nationals a visa waiver to Israel.

B.2. In addition to the above, Clause 2 of the Temporary Order stipulates that the Minister of the Interior shall not grant to any resident of the area, nor to any citizen or resident of a state listed in the appendix to that law, a residency permit under the Entry into Israel Law. However, as stipulated in Clause 9 of the Temporary Order, the Minister of the Interior is authorized to grant a residency permit, notwithstanding the above, if he is convinced that the issuance of such a permit is of special interest to the State of Israel or otherwise of important interest to the State.

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C. **Definitions**

C.1. **US citizen** – The holder of a valid US passport, including a US citizen who, in addition to the US passport, holds an identity card testifying to residency in the area; or who in addition holds citizenship in one of the states listed in the appendix to the Temporary Order. This does not include US citizens whose documents identify them as residents of the Gaza Strip.

C.2. **Equitably** – In accordance with the system of equitability rules that applies to all those working at Israel's international border crossings and in accordance with the stipulations of the Entry into Israel Law and the regulations of the Population and Immigration Authority.

"**B/2 Permit**" – A permit (also referred to in this document as **B/2 Admission Paper**) which, under Israeli law, is granted equitably to all foreign citizens who have successfully passed a border control process and are present in Israel for visiting or for any other purpose that requires only a short stay in Israel (such as tourists and businesspeople), and not for employment purposes, this being subject to the stipulations of the Entry into Israel Law, the Entry into Israel regulations 5734/1974, and the procedures of the Population and Immigration Authority.

D. The handling process

D.1. If a US citizen's specific case involves no security block and no criminal, immigration, or health disqualification, he shall receive a B/2 Admission Paper in Israel that covers a period of up to 90 days. That visa is conditional on a border control procedure which is performed equitably on all foreign citizens wishing to enter Israel and in accordance with the stipulations of the Entry into Israel Law and the regulations of the Population and Immigration Authority.¹


D.2. When the ETA–IL program goes into operation in the future citizens of countries for which visas are waived are expected to arrange in advance, electronically, for their arrival in Israel. At that time, all US citizens will equitably submit their requests through ETA–IL, under the same principles that will apply to all other foreign citizens submitting requests under the program.³

¹ See for example the "Procedure for handling persons entering Israel's international border crossings" (no. 6.4.0010).

² A future program now under development at the Population and Immigration Authority is intended to integrate it with the Israeli border control and police in order to properly arrange for the reception of visa-exempt foreigners into Israel in accordance with Government Decision 451.

³ Before the ETA–IL program becomes compulsory, the Population Authority intends to operate it on a voluntary basis, thus enabling it to be used by foreigners interested in doing so. During that term of voluntary usage, as during compulsory usage, anyone declaring false information, or failing to declare legally required information, will be treated the same as anyone acting similarly at a border control inspection.

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D.3. Like any other foreign citizen entering Israel for a visit, a visiting US citizen who has arrived at one of Israel's international border crossings will be obliged to leave through one of Israel's international border crossings at the time specified for him on the Admission Paper that was issued to him upon entry into Israel. In this matter, there is no significance to whether or not, during that period, he spent part of the time in the Judea and Samaria area.

D.4. A US citizen to whom no security block and no criminal, immigration, or health disqualification applies, who is also a resident of the Judea and Samaria area, and who chooses to identify himself as such at the Allenby Bridge Crossing by means of the Palestinian documents in his possession, may enter the Judea and Samaria area in that way and may stay there in accordance with COGAT procedures. In such a case, the US citizen shall not be entitled to a B/2 Admission Paper in Israel that covers a period of up to 90 days. Should he wish to enter Israel through an internal crossing (having entered the Judea and Samaria area through the Allenby Bridge Crossing), he may submit an appropriate permit request under the COGAT procedures. Needless to say, such a US citizen is entitled, if he wishes, to identify himself by means of a US passport at first when passing through the Allenby Bridge Crossing, as at any other international border crossing, and to take advantage of a B/2 Admission Paper in Israel that covers a period of up to 90 days.

D.5. Let it be clear that the content of this document does not apply to relatives of a US citizen if they are not themselves US citizens.

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E. Appeals

E.1. If a US citizen has been refused entry at the border crossing, he may equitably submit an appeal to the court of appeals, the same as any other foreign citizen who has been refused entry at a border crossing. Alternatively, he may submit a request to be invited to Israel in advance, through the offices of the Population Administration.

F. The law

- **The Entry into Israel Law, 5712/;1952**
- **The Citizenship and Entry into Israel Law (Temporary Order), 5763/2003;**
- **The Entry into Israel Regulations, 5734/1974**