

New (and Renewed) Travel Restrictions and Requirements for Entering the U.S.



January 27, 2021 | **IMMIGRATION**

There has been a flurry of activity in the immigration realm since President Biden took the executive office last week. Some of the major items impacting immigration and travel to the U.S. as of this date are as follows:

- **Reinstatement of the travel restrictions imposed on most non-U.S. travelers who have been in Brazil, Ireland, the UK, and 26 other European countries (Schengen Area countries)** in the 14 days preceding their scheduled/planned entry to the U.S. Former President Donald Trump had ordered these travel restrictions lifted, as one of his final acts as president, to be effective January 26th. The order to reinstate the travel restrictions came as one of President Biden's first acts in office, five days into his administration. National interest and emergency exemptions to these restrictions continue to be available, where applicable based on individual circumstances.
- **A new travel restriction has been added for travelers from South Africa.** This restriction, like the restrictions on other countries, has been imposed due to concern about elevated COVID-19 rates and/or variant strains of COVID-19 spreading beyond borders. If the virus continues to mutate, additional countries could be added to the restricted list in the future.
- **All air passengers coming to the U.S. from a foreign country are required to a test for COVID-19** within three days of boarding their flight and provide proof of the negative result or documentation of having recovered from COVID-19 to the airline before boarding the flight. The U.S. Secretary of State is also tasked with reaching out, over the coming two weeks, to the governments of Canada and Mexico to determine if additional or alternate public health protocols are needed at land ports of entry. The timing and types of COVID-19 testing that will be considered acceptable are still under review.
- **All international travelers will be required to comply with CDC guidelines concerning international travel, including recommended periods of self-quarantine or self-isolation upon entry to the U.S.** While CDC guidelines currently recommend "staying home for 7 days after travel," there is no hard and fast requirement for a

specific time frame for quarantine/isolation at this time; these provisions are currently under review. For your reference:

- “Quarantine” keeps someone who might have been exposed to the virus away from others.
 - “Isolation” keeps someone who is infected with the virus away from others, even in their home.
- **Various U.S. government agencies have been tasked to “immediately take action, to the extent appropriate and consistent with applicable law” to require that masks be worn in compliance with CDC guidelines** in or on:
 - Airports;
 - Commercial aircrafts;
 - Trains;
 - Public maritime vessels, including ferries;
 - Intercity bus services; and
 - All forms of public transportation as defined in section 5302 of title 49 of the United States Code.
 - **The U.S. government is also considering the feasibility of linking COVID-19 vaccinations to International Certificates of Vaccination or Prophylaxis (ICVP)** and producing electronic versions of ICVPs. However, no program has currently been implemented.

Please continue to check the news, federal U.S. guidelines and state department of health websites in the destination to which you are travelling before departing for the airport or U.S. border.

Immigration policies and COVID-19 related practices are changing rapidly, and are subject to update at any time. Please check in with your LMWF Immigration team member and this blog frequently for updates or any questions regarding these matters.

Related Team



**Nisha V. Fontaine
(Jagtiani)**
Partner



Eileen M. Martin
Partner | Team Co-
Leader - Immigration



Andrew M. Wilson
Partner | Team Co-
Leader - Immigration

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ALBANY | 54 State Street, Suite 1001 • Albany, NY 12207 • 518.462.0110

BUFFALO | 50 Fountain Plaza, Suite 1700 • Buffalo, NY 14202 • 716.853.5100

CHICAGO | 332 S. Michigan Ave., 9th Floor • Chicago, IL 60604 • 872.254.5500

GREATER TORONTO AREA (PRACTICE FOCUSED ON U.S. LAW) | 1100 Burloak Drive, Suite 300 • Burlington, ON L7L 6B2 • 905.319.8964

JACKSONVILLE | 10151 Deerwood Park Blvd. , Bldg. 300, Suite 300 • Jacksonville, FL 32256 • 904.660.0020

NEW YORK CITY | 477 Madison Avenue, 6th Floor • New York City, NY 10022 • 646.673.8633

WASHINGTON, D.C. | 1900 K Street, NW, Suite 730 • Washington, DC 20006 • 202.888.7610