

Restrictions for many U.S.-bound travelers to be lifted November 8, 2021



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On October 12, Secretary of Homeland Security Alejandro N. Mayorkas announced that the Department of Homeland Security will [allow non-essential travelers who have been fully vaccinated for COVID-19 to enter the United States](#) via land and ferry ports of entry, starting November 8th, 2021. This welcome news follows on a recent announcement by the White House that it also plans to ease travel restrictions for international travelers flying to the United States from certain countries around the globe, from which travel has been restricted due to country-related COVID concerns over the past 19 months.

This new change will allow many travelers entering from Canada and Mexico to enter via land and seaports to visit friends and family or for tourism and recreational purposes. Travelers have not been able to do so via land and seaports of entry since March 2020.

The changes at the land and seaports along our northern and southern borders will occur in two phases:

1. In November, U.S. Customs and Border Protection will begin allowing fully vaccinated travelers from Mexico or Canada to enter the United States at land and ferry ports of entry for non-essential reasons. Travelers will be required to have appropriate paperwork that provides proof of vaccination. Individuals who have not been fully vaccinated for COVID-19 will not be allowed to travel for non-essential purposes from Canada and Mexico into the United States via land and ferry ports; however, essential travelers (e.g., students, truck drivers, etc.) will continue to be allowed in regardless of vaccination status until early 2022.
2. Beginning in early January 2022, DHS will require that all (essential and non-essential) inbound foreign national travelers crossing U.S. land or ferry port of entry be fully vaccinated for COVID-19 and provide related proof of vaccination.

Similar requirements permitting the lifting of restrictions for travelers coming from elsewhere around the world—including Brazil, China, India, Iran, Ireland, South Africa, the United Kingdom, and all Schengen Area countries—is slated to occur on November 8th as well.

Fully-vaccinated U.S. citizens and permanent residents have been allowed into Canada since August, provided they have waited at least two weeks since getting their second (Canadian government approved) COVID-19 vaccine dose and can show proof of a recent negative COVID-19 test. Mexico has not enforced COVID-19 entry procedures for land travelers at any point since restrictions were put in place at the northern border in March 2020. Other countries around the world have been gradually easing inbound travel restrictions as well, and the shift in U.S. policy appears to be at least somewhat in response to pressure from other nations to align with their own, less restrictive travel requirements.

Q&A:

When can I travel to the U.S. (if I am considered “non-essential”)?

The White House announced on Friday, October 15th that the new travel policy that requires vaccination for foreign national travelers to the United States will begin on November 8th. The Department of Homeland Security still has not provided specifics regarding what will be required of travelers from these countries to demonstrate that they have received an acceptable vaccination.

What COVID-19 vaccines will be considered acceptable?

"Fully vaccinated" is defined by the CDC to include those who have received [vaccines approved for use in the U.S.](#), as well as those [listed for emergency use by the World Health Organization](#) (but which have not yet received approval in the U.S.). On Friday, a White House official confirmed that "all FDA approved and authorized vaccines, as well as all vaccines that have an Emergency Use Listing (EUL) from the WHO will be accepted for air travel. We anticipate the same will be true at the land border."

What will the procedure be for checking my vaccination and/or testing status?

Foreign travelers entering the U.S. by vehicle, rail and ferry will be asked about their vaccination status as part of the standard U.S. Customs and Border Protection inspection. Travelers may have their proof of vaccination verified in a secondary screening process, at the discretion of the Customs and Border Protection officer assessing the admissibility of the entrant. No COVID-19 testing will be required to enter the U.S. by land or sea, provided the

travelers meet the vaccination requirement.

Foreign travelers entering by air currently only have to show proof of a negative (viral) COVID-19 test before boarding a flight to enter the U.S. However, as of November 8th, new rules will require all foreign nationals arriving in the United States by air to show proof of being fully vaccinated. It is anticipated that the new rules will state that fully vaccinated individuals returning to the United States from abroad will have to take a pre-departure COVID-19 test (of a type authorized for use in the country where it's administered) within three days of their flight, and show proof of a negative result before boarding. They will also need to do a viral test, such as a PCR or rapid test, three to five days after arrival in the U.S.

Unvaccinated Americans returning to the U.S. will purportedly be subject to stricter testing requirements, such as a test within one day of departure and an additional test when they return.

No details on how the U.S. government plans to accept details confirming travelers' vaccination status and completion of COVID-testing, where required, have been forthcoming thus far.

Will I need to be fully vaccinated AND have to show a negative COVID-19 test to travel?

Via land and sea, no (currently). However, travelers entering by air will need to show both full vaccination and that they have a negative result from a COVID-19 test taken within three days of travel to the U.S., to board their flight.

Will I have to quarantine when I come/return to the U.S.?

Fully-vaccinated passengers will not be subject to any federal quarantine mandates upon arrival in the U.S. While no quarantine requirements have yet been announced for unvaccinated Americans returning to the U.S., it is possible that the final rule could include a provision for some sort of quarantine. Likewise, travelers should check that there are no state-specific quarantine requirements in the U.S. state in which they will arrive or state(s) to which they will travel once they are in the U.S.

Will there be contact tracing?

The [U.S. Centers for Disease Control and Prevention \(CDC\)](#) plans to issue an order requiring airlines to collect information from U.S.-bound travelers, including a phone number and email address, to alert travelers of potential exposure.

What if I am traveling with children under age 12 who don't yet have the option of getting vaccinated, or minor children who I have chosen not to get vaccinated?

The rules for travel by unvaccinated foreign or American children are still unclear. The Department of Homeland Security's announcement about Mexico and Canada's land borders did not address children, many of whom are not eligible for vaccinations. Future air travel rules for unvaccinated children are also unclear. The only thing that is clear, at this point, is that come November 8th, children with American citizenship should still be permitted to travel by air so long as they follow the new COVID-19 testing requirements for air travel for unvaccinated Americans, prior to boarding their flight.

What if I don't want to get vaccinated?

American citizens who do not wish to have the COVID-19 vaccine, or have not completed the full COVID-19 vaccination protocol deemed acceptable for U.S. entry, can still travel to the U.S. via air, provided they follow the updated COVID-19 testing requirements before boarding their flight. It currently appears that all unvaccinated foreign (non-American) travelers will not be permitted to board a flight to the U.S. or cross via a land or seaport, even if testing shows no COVID-19 infection, starting some time in the near future; HOWEVER, previous presidential actions have exempted certain individuals from foreign national requirements, consistently including those who hold U.S. permanent resident status (i.e., "Green Cards"). We will have to wait and see how this shakes down in the final proclamation.

Does this mean I will now be able to get a U.S. visa at a U.S. Embassy or Consulate abroad?

Not necessarily—or at least, not necessarily soon. Foreign nationals who are eligible for a U.S. visa have been finding it extremely difficult to schedule and/or appear for an interview at U.S. diplomatic posts over the past 19 months, due to COVID-related service suspension, staffing shortages at the posts, and other issues causing delays in visa interviewing, processing and issuance over the past 19 months. We anticipate that the overwhelming backlog of cases sitting with U.S. diplomatic posts abroad will continue to make obtaining a visa difficult for foreign nationals in the short- and medium-term, at least. However, we have seen a few U.S. Embassies and Consulates offering appointments for all visa types, and are hopeful that this trend will spread to a wider swath of countries as the U.S. Department of State gets back to the business of issuing U.S. visas for eligible individuals.

Please see more information on these topics—including COVID-19 vaccine, testing and mask requirements for travel to the U.S.—at the [CDC website](#) and [Department of Homeland Security website](#), and also check with your airline for updated travel requirements and restrictions before traveling to the U.S.

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