

Updated Guidance Re: Travel by Air to the U.S. On and After November 8th, 2021



By [Elizabeth M. Klarin](#)

October 26, 2021 | **IMMIGRATION**

Following on the recent announcement that [restrictions will be lifted](#) on travel from all countries to the U.S. on November 8th, the White House has released a [Fact Sheet](#) with additional detail on requirements for air travel to the U.S., clarifying several points regarding the new requirement that foreign travelers to the U.S. be fully vaccinated (starting November 8th).

The administration also released the following related documents on implementing these requirements:

- 1. A [Presidential Proclamation to Advance the Safe Resumption of Global Travel](#) During the COVID-19 Pandemic;
- 2. A Department of State announcement regarding [safely resuming travel by vaccine requirement and rescission of travel restrictions](#)
- 3. Three Centers for Disease Control and Prevention (CDC) Orders on [vaccination](#), [testing](#), and [contact tracing](#); and

.. [Technical instructions](#) to provide implementation details to the airlines and their passengers.

Importantly to individuals who have been locked outside the U.S. because they have not been able to obtain visas—often despite being eligible for them, including for work-related visas for travel to the U.S.—the Department of State announcement specifically noted that “Pursuant to President Biden’s proclamation, as of November 8, the Department can process visa applications for individuals physically present in the affected countries,” including Brazil, China, India, Iran, Ireland, the Schengen Area, South Africa, and the United Kingdom.

However, a caveat to this statement also notes that this “does not necessarily mean that your local U.S. Embassy or Consulate is able to immediately schedule all affected applicants for visa interviews,” and directs would-be applicants to the embassy/consulate website in their jurisdiction, for information on what services they are offering at this time and instructions on how to apply for a nonimmigrant visa. With what we have seen regarding the suspension of services in jurisdictions around the world over the past 19 months, we expect there to continue to be significant unavailability of visa appointments at many U.S. Embassies and Consulates worldwide, at least through the end of 2021.

Please see the links above for more information, or contact your Lippes immigration professional with specific questions regarding how these new rules may impact you based on your specific circumstances.

Related Team



Elizabeth M. Klarin
Partner



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



Eileen M. Martin
Partner | Team Co-
Leader - Immigration
| Team Leader -
Canada-U.S. Cross
Border



Andrew M. Wilson
Partner | Chief
Advisory Officer |
Team Co-Leader -
Immigration

Disclaimer: *The information in this post is provided for general informational purposes only, and may not reflect the current law in your jurisdiction. No information contained in this post should be construed as legal advice from our firm or the individual author, nor is it intended to be a substitute for legal counsel on any subject matter. No reader of this post should act or refrain from acting on the basis of any information included in, or accessible through, this post without seeking the appropriate legal or other professional advice on the particular facts and circumstances at issue from a lawyer licensed in the recipient's state, country or other appropriate licensing jurisdiction.*