

COVID-19 VACCINE REQUIREMENTS FOR TRAVELERS TO THE UNITED STATES

Hodgson Russ Immigration Alert
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On October 25, 2021, President Biden issued Presidential Proclamation 10294 rescinding the geographic COVID-19 travel bans and implementing COVID-19 vaccination requirements for international air travelers to the United States, with limited exemptions. This new policy went into effect on November 8, 2021.

International air travelers must be fully vaccinated and provide proof of vaccination to airlines before boarding a flight to the United States. Individuals will be considered fully vaccinated two weeks after receiving the last dose of a two dose vaccine, the first dose of an approved single-dose vaccine, or any combination of two doses of an approved vaccine (mix and match). Vaccines approved or authorized by the Food and Drug Administration or on the World Health Organization emergency use listed (EUL) will be accepted. The full list of acceptable vaccines can be [found here](#).

Exceptions to the Vaccine Requirement

The Proclamation does not apply to United States citizens, lawful permanent residents, or those traveling on immigrant visas. Those applying for an immigrant visa abroad or who seek to adjust status from within the United States are required to receive, among other vaccinations, an authorized COVID-19 vaccination as of October 1, 2021.

Exceptions to the vaccine requirement include:

- Children under the age of 18;
- Those for whom an approved COVID-19 vaccination is medically contraindicated;
- Individuals who urgently need to travel to the U.S. for their health and/or safety and are unable to complete the vaccine requirement before doing so; and
- Citizens of a country with less than 10% of the population vaccinated, who seek to enter the United States pursuant to a nonimmigrant visa, except for a B-1/B-2 visa.

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Requirements for Unvaccinated Individuals after Arrival to the United States

While the categories of persons above are excepted from the vaccination requirement, these individuals will be subject to more rigorous testing requirements (as discussed below), as well as a requirement that they be vaccinated against COVID-19 within 60 days of arriving to the United States. The Proclamation provides limited exceptions for the 60-day vaccination requirement.

Depending on the category of exception, excepted individuals may also be required to attest that they will:

- Take a COVID-19 viral test 3–5 days after arrival in the United States, unless they have documentation of having recovered from COVID-19 in the past 90 days;
- Self-quarantine for 7 days, even if the post-arrival COVID-19 test result is negative, unless they have documentation of having recovered from COVID-19 in the past 90 days; and
- Self-isolate if the result of the post-arrival test is positive or if they develop COVID-19 symptoms.

Testing Requirements for Vaccinated and Unvaccinated Adults and Children

The United States is also amending testing requirements for all persons entering the country. All vaccinated individuals, including U.S. citizens, lawful permanent residents, and foreign nationals traveling to the U.S. on immigrant or nonimmigrant visas, will be required to produce a negative viral test (NAAT or PCR) result within three calendar days of travel to the United States.

Unvaccinated travelers, whether U.S. citizens, lawful permanent residents, or those who qualify for an exception under the Proclamation, will be required to show documentation of a negative test taken within one day of travel to the United States.

Children between the ages of 2 and 17 will be required to take a pre-departure test. If the child is not fully vaccinated but traveling with a fully vaccinated adult, they can show proof of a negative viral test taken within three calendar days before departure. If they are traveling alone, they will be subject to the same testing requirements as unvaccinated adults.

Requirements for Land and Ferry Border Crossing

On October 29, 2021, [the Department of Homeland Security announced](#) a modification to travel restrictions via land ports of entry and ferry terminals. Effective November 8, 2021, non-citizen travelers who are fully vaccinated for COVID-19 will be allowed to enter the United States at land borders and ferry terminals for both essential and non-essential travel with proof of vaccination. Unvaccinated travelers may continue to cross the border for essential travel until January, 2022. Customs and Border Protection is expected to announce additional guidance on this new rule.

Please contact [Elizabeth Buscaglia](#) (716.848.1379), [Meghan Carrig](#) (716.848.1235), [Kristen Kozlowski](#) (716.848.1485), or any other attorney in our [Immigration Practice](#) if you have questions or need further information.