

Vaccination Requirements to Enter the U.S.

Alert

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By Elizabeth Chatham & Anthony Jarboe

The White House announced a new air travel proclamation effective November 8, 2021, that requires foreign nationals traveling to the U.S. by air be fully vaccinated for COVID-19, with limited exceptions. The October 25, 2021 [Presidential Proclamation](#) rescinds prior country-specific travel bans currently in place for citizens of 33 countries, but makes it more difficult for unvaccinated travelers to enter the U.S.

Proof of Vaccination Required in Most Instances

Prior to boarding an international flight to the U.S., fully vaccinated U.S. citizens, lawful permanent residents and foreign nationals will continue to be required to present a pre-departure negative viral test to their air carrier from a sample taken within three days of travel to the U.S., along with proof of full vaccination. “Fully vaccinated” is defined as individuals who have been inoculated against COVID-19 by the full dosage of a vaccine approved by the U.S. Food and Drug Administration (Pfizer-BioNTech, Moderna, and Johnson & Johnson) or the World Health Organization (AstraZeneca/Oxford, Covishield, Sinopharm, and Sinovac) for emergency use, with the last dose administered at least two weeks prior to departure to the U.S. Mixed vaccination administration would be acceptable for full vaccination. “Unapproved” vaccines (e.g., Russia’s Sputnik V, China’s CanSino, etc.) are not accepted at this time. The U.S. Department of State indicates that both physical and digital vaccination records are acceptable, including a digital photograph of a vaccination record. The records must be issued by an official source and should include the traveler’s name and date of birth, as well as the vaccine product and date(s) of administration for all doses the traveler received.

Individuals who have recently recovered from COVID-19 may instead travel with documentation of recovery from COVID-19 (i.e., a positive COVID-19 viral test result on a sample taken no more than 90 days before the flight’s departure from a foreign country) and a letter from a licensed health care provider or a public health official stating that the individual was cleared to travel.

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Exceptions to the Vaccination Requirement

There are no exceptions under the proclamation for religious or moral objections related to the vaccine. However, the proclamation does exempt certain groups:

- Children under the age of 18
- Foreign nationals with documented medical contraindications for COVID-19 vaccination
- Foreign nationals who are citizens of a country where no more than 10 percent of the country's total population has been fully vaccinated, and who seek to enter the U.S. pursuant to a nonimmigrant visa, except for a B-1 or B-2 visa
- Other limited groups, including foreign nationals granted exceptions by the Director of the Centers for Disease Control and Prevention (CDC) for humanitarian or emergency reasons, aircrews, U.S. Armed Forces spouses and children, participants in certain clinical trials for COVID-19 vaccination or other individuals whose entry is in the national interest as determined by the State Department, Department of Transportation or Department of Homeland Security

Unvaccinated U.S. citizens and legal permanent residents will be permitted to enter the U.S. but will be required to show documentation to the airline of a negative viral test taken no more than one day before departure starting on November 8.

Restrictions for Foreign Nationals Entering the U.S. Pursuant to an Exception

Any foreign national that enters the U.S. pursuant to one of the above exceptions must agree to comply with applicable public health precautions established by the Director of the CDC and may be required to:

- Provide proof of one-day pre-arrival negative COVID-19 test
- Take precautions during air travel by wearing a face mask
- Provide proof of quarantine for up to seven days or a negative COVID-19 test three to five days after arriving in the U.S.
 - These exceptions do not apply for foreign nationals who have documentation of having recovered from COVID-19 in the past 90 days
- Agree to become fully vaccinated against COVID-19 within 60 days after arriving in the U.S. and to provide proof of having made such arrangements
 - This exception only applies to foreign nationals staying in the U.S. for more than 60 days

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Additional Information for Children Under the age of 18

Children under 18 are exempt from the vaccination requirement for foreign national travelers, given both the current ineligibility of some younger children for vaccination, as well as the global variability in access to vaccination for older children who are eligible to be vaccinated. Children between the ages of 2 and 17 will be required to take a pre-departure COVID-19 test or documentation of recovery from COVID-19 before they board a flight to the U.S. If an unvaccinated child is traveling with a vaccinated adult, proof of a negative viral test from a sample taken within three days before departure will be required. If an unvaccinated child is traveling alone or with an unvaccinated adult, then proof of a negative viral test from a sample taken within one day of departure will be required.

This vaccination requirement for travelers to the U.S. does not impact nonimmigrant visa issuance by a U.S. Embassy or Consulate.

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