

# Update on Restrictions on Entering U.S./"Quarantine" Rules

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We continue to receive questions about whether foreign nationals can enter the U.S., what any restrictions are on entry, and also whether there are "quarantine"/self-isolation requirements in place, should someone enter the country at this time. Please see below for the latest Q&A on U.S. immigration-related issues stemming from the COVID-19 pandemic and worldwide response:

## **"Essential Traveler" Restriction**

The United States has temporarily limited inbound land border crossings from Canada and Mexico to "essential travel". The current "essential travel" restrictions run through 11:59pm on May 19th (unless they are again extended) and include travel through the land ports of entry and ferry terminals along the United States-Canada and United States-Mexico borders. This action does not apply to air, rail, or sea travel at this time, but does apply to commuter rail and ferry travel.

"Essential travelers" permitted to cross into the U.S. from Canada and Mexico include:

- U.S. citizens and lawful permanent residents returning to the United States;
- Individuals traveling for medical purposes (e.g., to receive medical treatment in the United States);
- Individuals traveling to attend educational institutions;
- Individuals traveling to work in the United States;
- Individuals traveling for emergency response and public health purposes (e.g., government officials or emergency responders entering the United States to support Federal, state, local, tribal, or territorial government efforts to respond to COVID-19 or other emergencies);
- Individuals engaged in lawful cross-border trade (e.g., truck drivers supporting the movement of cargo between the United States and Canada);
- Individuals engaged in official government travel or diplomatic travel;
- Members of the U.S. Armed Forces, and the spouses and children of members of the U.S. Armed Forces, returning to the United States; and
- Individuals engaged in military-related travel or operations.

Travel for tourism purposes (e.g., sightseeing, recreation, gambling, visiting family or friends, or attending cultural events) does not fall within the definition of "essential travel." To our knowledge, business visitors entering for meetings, to negotiate contracts, etc. are still being permitted entry on a case-by-case basis.

## **State-By-State Restrictions**

Whether there are self-isolation requirements in place depends on the state(s) to which the individual is going. While the U.S. Centers for Disease Control and Prevention recommends that anyone returning from international travel self-isolate for 14 days, there is no blanket federal requirement that essential travelers permitted entry to the U.S. from abroad self-isolate/quarantine for 14 days (as is the case for those entering Canada). However, some states do require workers to self-isolate, and/or carry a letter explaining why they are “essential.” LMWF is not aware of any comprehensive, centralized government list of restrictions or requirements by state, and restrictions are constantly changing. Lots of media outlets have recently published lists of state-by-state travel restrictions (e.g., *Forbes*, *Foxbusiness*, *CNN*, *USAtoday*, *travelandleisure.com*, etc.), and many individual state websites also address state and local rules specifically.

### 14-Day “Quarantine” Questions

Do keep in mind that nonimmigrants who have been in certain other countries within 14 days of their seeking entry to the U.S. will likely be denied entry. These include individuals who have been in:

- **China** (excluding Hong Kong and Macau)
- **Iran**
- **Europe: Schengen Area countries** (including Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, and Switzerland)
- **United Kingdom** (including England, Scotland, Wales and Northern Ireland)
- **The Republic of Ireland**

These restrictions do not apply to American citizens, Green Card holders, their families, and a number of others categories of individuals—and remain in place until further notice from the U.S. government. However, those who are permitted entry from one of these countries are likely to be quarantined or required to self-isolate for 14 days.

### Additional Questions?

Individuals seeking entry to the U.S. from Canada can find additional answers on the U.S. Customs and Border Protection website at [https://help.cbp.gov/s/article/Article-1596?language=en\\_US](https://help.cbp.gov/s/article/Article-1596?language=en_US).

Others entering the via air from outside the U.S. can find additional detail on how to obtain admittance to the U.S. on the Department of Homeland Security website at <https://www.dhs.gov/coronavirus/protecting-air-travelers-and-american-public>.

Information on which travelers from outside the U.S. will be permitted entry can also be found on the CDC website at <https://www.cdc.gov/coronavirus/2019-ncov/travelers/from-other-countries.html>.

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