



## HOLIDAY TRAVEL TIPS FROM CIP

With the holidays fast approaching, traveling internationally may be on your mind. Planning your trip can be fun but also stressful. Being prepared for any immigration requirements will reduce that stress, save valuable time, and remain compliant.

Below are some critical tips for your holiday travel. As always, please don't hesitate to contact us with any questions at +1 415-771-7500 (Americas); +44 20 34326564 (EMEA); +86 10 84053554 (APAC); or via email at [info@cipllp.com](mailto:info@cipllp.com).



### **PRESIDENTIAL PROCLAMATION: COUNTRY-SPECIFIC TRAVEL BANS REPLACED BY A GLOBAL COVID VACCINATION REQUIREMENT**

**Vaccinated Status:** As of November 8, 2021, all non-citizen, non-immigrant ("foreign nationals") air travelers to the United States must provide proof of vaccination status before boarding an airplane to fly to the US. This recent presidential proclamation replaces the previous country-based restrictions. All foreign travelers must be fully vaccinated against COVID at least two weeks before travel.

#### **KEY POINTS**

- **Proof of Vaccination:** The airlines will be responsible for verifying the vaccination status, and they will make sure that the vaccination record matches the traveler's details.
- **Accepted Vaccines:** CDC has determined that for purposes of travel to the United States, accepted vaccines will include FDA-approved or authorized and World Health Organization (WHO) emergency use listed (EUL) vaccines. Individuals will be considered fully vaccinated two weeks after receipt of the last dose of the vaccine.
- **Enhanced Testing:** All vaccinated travelers (including LPRs and US citizens) will need to produce a negative COVID-19 test result within three days of travel. However, under the new requirements, unvaccinated US Citizens and LPRs will need to provide a negative test taken within one day of traveling.
- **Contact Tracing:** The CDC is also issuing a Contact Tracing Order that requires all airlines flying into the United States to keep on hand – and promptly turn over to the CDC when needed – contact information that will allow public health officials to follow up with inbound air travelers who are potentially infected or have been exposed to someone infected.
- **Previously Granted National Interest Exception (NIE) Waiver No Longer Valid:** Previously granted NIE waivers were voided when the White House repealed the country-specific travel bans. Therefore, any traveler with a previously granted NIE waiver is subject to the new vaccination rules under this proclamation.
- **Requirements for Children:** Children under 18 are exempt from the vaccination requirement for foreign national travelers, but children between the ages of two and 17 must take a pre-departure test. If traveling with a fully vaccinated adult, an unvaccinated child can test...

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## KEY POINTS (CONTINUED)

- ...three days before departure (consistent with the timeline for fully vaccinated adults). If an unvaccinated child is traveling alone or with unvaccinated adults, they will have to test within one day of departure.
- **Very Limited Exceptions to Vaccine Requirement:**
  - Children under 18 (see above).
  - Specific COVID-19 clinical trial participants.
  - Travelers with medical contraindications to the COVID-19 vaccine.
  - Travelers issued a humanitarian or emergency exception (via a US government-issued letter).
  - Travelers entering on non-tourist visas from countries with low-vaccine availability (as determined by the CDC).
  - US Armed Forces or their spouses or children (under 18).
  - Travelers whose entry would be in the US national interest, as determined by the Secretary of State, Secretary of Transportation, or Secretary of Homeland Security (anticipated to be a very narrow exemption, more limited than prior NIE criteria).
  - Travelers who receive an exception and intend to stay in the US for more than 60 days will generally be required to attest they will comply with applicable public health requirements, including, with minimal exceptions, a condition that they are vaccinated in the US.
- **Travel Across Canada/Mexico Land Borders or Ferry Crossings:**
  - Nonessential travel permitted for Fully Vaccinated:
    - Fully vaccinated foreign nationals with an approved CDC or WHO COVID-19 vaccine will be allowed to enter the US through a Canada or Mexico land border/ferry crossing for “nonessential” travel (e.g., tourism and personal visits).
      - Those seeking to enter will need to 1) provide proof of COVID-19 vaccination, and 2) verbally attest to their reason for travel and COVID-19 vaccination status during a border inspection.
    - Unvaccinated foreign nationals will still be barred from entering the US through a Canada or Mexico land border/ferry crossing through at least January 21, 2022.
    - Exceptions: Children under 18, US Lawful Permanent Residents, and US Citizens will not be subject to the vaccination requirement.
  - Essential travel not subject to vaccination requirement (for now):
    - Non-immigrant foreign nationals seeking to enter the US through a Canada or Mexico land border/ferry crossing for “essential” travel (e.g., work, business visits, school) will not be subject to the vaccination requirement, but should expect this to change sometime in January 2022. [Read more.](#)
- **Are you interested in learning more about travel & vaccination requirements?** Visit [US Department of State Travel FAQs](#), [CDC International Travel Guidelines](#), or contact your [Corporate Immigration Partners Team](#).



## MAKE SURE YOUR DOCUMENTS REMAIN VALID

- **Passport:** Make sure your passport is valid for at least as long as the validity period on your Form I-797 Approval Notice. If not, your I-94 expiration when re-entering the US will match your passport expiration date (meaning, your period of stay in the US will be shortened). Be sure to alert your CIP legal team if this occurs.
- **Visa Stamps:** For most nonimmigrant workers, you will need a valid visa stamp for the appropriate nonimmigrant category in your passport to re-enter the US. If your visa stamp is expired, you will need to apply for a new visa at a US Embassy/Consulate before you return.
  - Make your visa appointment via the [DOS website here](#) before you depart! Complete your DS-160 online before booking your travel to determine the availability of visa appointments. Be aware that US consulates worldwide are still operating at reduced capacity, and full visa services may have not yet resumed in your destination country.
  - Pent-up travel demand may result in long wait times for visa appointments for consulates that have continued partial or complete visa services.
- **I-797 Approval & Petition:** If you are in the US on a nonimmigrant employment-based petition, make sure you have your most recent original nonimmigrant petition approval notice - aka the "Form I-797 Approval Notice." Be sure also to have a full copy of your employer's nonimmigrant petition. Ask your CIP team for help if you need a copy of your petition from our [CIP-Envoy Web Portal](#).
  - **L-1 Blanket Petition Applicants:** you will need to present your original Form I-129S stamped by an immigration officer.
- **Proof of Continuing Employment:** Bring copies of your three most recent paystubs and/or an Employment Verification Letter from your HR to show continued employment in the US.
- **Permanent Residents/Permanent Residence Applicants**
  - Make sure that you have your Green Card with you and that it is unexpired and undamaged.
  - If your Green Card/Adjustment of Status Application is pending, you should have your valid Advance Parole document or a valid H-1B or L-1A/B nonimmigrant visa to re-enter the US. Check with your CIP team for details or questions.
  - If you have a pending advance parole application, we recommend that you wait for it to be approved before traveling internationally, as the advance parole application may be denied if you depart the US while it is still pending.
- **Questions about your travel documents?** Contact your [CIP team](#).



## TRANSITING THROUGH OTHER COUNTRIES OR REGIONS

If you have to transit through another country to get to your final destination (e.g., layover), ensure that you have the required visa and documents applicable to the transiting country. If you have any questions regarding the country's visa requirements that you will be transiting through, please get in touch with your CIP-Envoy Global Account Manager for assistance.



## PLAN EXTRA TIME FOR TRAVEL DELAYS

International travel can incur many unexpected delays; add extra time to your trip to cover increased wait times for US Customs inspection, security checkpoints, COVID screenings, and other related procedures.

Plan for potential delays and arrange travel that is refundable or can be rescheduled if needed. Check with your HR and your manager and let them know of the potential for delays.



## WHEN YOU RETURN

**Questions from US Customs:** If you are stopped or questioned by US Customs officers, US immigration officials, or other Port of Entry/Airport personnel, be cooperative, listen carefully to any questions asked, and answer clearly and concisely. Be ready to answer questions on your immigration status, such as the following:

- Who is your employer?
- What is your job title?
- What do you do in the US?
- How long do you plan to stay?

You should review the job details listed in your most recently filed visa petition, so you are prepared to answer these questions. Please check with CIP before you depart if you have any questions about how your job details appear in your petition. If you do not know the answer to an officer's question, it is okay to say so. It is better to answer truthfully than make up an answer that can become problematic later.

**Contacting CIP at US Entry:** You do not have the right to an attorney when at a Port of Entry or Preflight Inspection Facility. However, immigration officials are generally reasonable and understanding and may allow you to contact your attorney at CIP for assistance. If you need help after regular business hours, please call our main line, (415) 771-7500, and our emergency answering service will put you through to your attorney.

**Provide CIP with your I-94 Arrival/Departure Record.** Once you have returned to the US, remember to:

- Check your I-94 Arrival/Departure Record online: <https://i94.cbp.dhs.gov> > Get Most Recent I-94
- Confirm that your information is correct and that you were given the right status and duration of time
- Upload your and your dependent family members' I-94 record(s) (and visas if you secured new ones) to your [CIP-Envoy Web Portal](#) after each international travel

By following these steps, you will ensure that your US immigration status is adequately monitored and maintained.



**Safe travels and happy holidays from the CIP Family!**