

# GMS Flash Alert

### **Immigration Edition**

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## United States - COVID-19: Negative Test/ Recovery Requirement Eliminated for China

Travelers from the People's Republic of China ("China") no longer require a negative COVID-19 test to enter the United States. The U.S. Centers for Disease Control and Prevention ("CDC") announced that as of March 10, 2023, travelers entering the United States by air from the People's Republic of China and the Special Administrative Regions of Hong Kong and Macau no longer require proof of a negative COVID-19 test or evidence of COVID-19 recovery.<sup>1</sup>

The test requirement had been applicable to passengers entering the United States by air directly from China or via third-country transit and to those connecting through the United States to further destinations.<sup>2</sup> (See <u>GMS Flash Alert 2023-001</u>, January 6, 2023).

#### WHY THIS MATTERS

Passengers flying to the U.S. from China, Hong Kong, Macau, and from designated airports, are no longer required to show a negative COVID-19 test or proof of recovery from COVID-19 prior to boarding. The designated airports subject to the test requirement were Incheon International Airport (ICN) in Seoul, Republic of Korea; and Toronto Pearson International Airport (YYZ) and Vancouver International Airport (YVR) in Canada. These international hubs were included due to their high numbers of travelers having originated in China.

The elimination of the test requirement reduces U.S. entry requirements and the inconvenience of completing COVID-19 testing in advance of travel. Airlines will no longer be checking for this documentation and, so, business and leisure travel should be easier.

#### **Additional Information**

The COVID-19 test requirement took effect on January 5, 2023, amid a surge in infections in China and as U.S. health officials expressed concerns that the government may not be reporting the true number of infections and deaths. The CDC now reports that epidemiologic data show there is no longer a surge in COVID-19 cases in China, and the agency has not identified new variants. The agency has determined that testing requirements are no longer necessary.

The requirement for proof of COVID-19 vaccination for all non-U.S. citizens, non-immigrants (not a U.S. citizen, U.S. national, lawful permanent resident, or traveling to the United States on an immigrant visa) entering the U.S. by air remains in place. (See, *GMS Flash Alert* 2021-268, October 28, 2021).

#### **KPMG INSIGHTS**

The elimination of the testing requirement means that previously affected travelers will no longer need to consider altering their travel plans or submit to additional steps around proving their COVID-19 negative status by means of an approved test or proof of recovery. Employers with employees traveling from China no longer need to build in extra preparatory time to have their employees complete their testing and/or collect the necessary documents for entry. This should help improve the ease of travel into the United States.

However, the same day the requirements were lifted by the CDC, the U.S. State Department reissued China a Level 3 Travel Advisory.<sup>3</sup> The advisory urges Americans to reconsider travel to China, citing health risks, wrongful detention, and other potential risks. According to the State Department's "China Travel Advisory," the Chinese government has not authorized the use of commonly-available COVID vaccines in mainland China, such as Moderna and Pfizer/BioNTech. There are 13 Chinese-made vaccines, but not all of these have been approved by the U.S. FDA.

KPMG Law LLP in Canada is tracking this matter closely. We will endeavor to keep readers of *GMS Flash Alert* posted on any important developments as and when they occur.

#### **FOOTNOTES:**

- 1 See CDC, "Rescission: Requirements for Negative Pre-Departure COVID-19 Test Result or Documentation of Recovery from COVID-19 for Aircraft Passengers Traveling to the United States from the People's Republic of China" (March 10, 2023).
- 2 See CDC, "CDC Announces Negative COVID-19 Test Requirement from Air Passengers Entering the United States from the People's Republic of China" (December 28, 2022).
- 3 Department of State, "China Travel Advisory" (last update, March 10, 2023).

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#### Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or one of the following professionals with the KPMG International member firm in Canada:



Alexander Tolic
Associate, Attorney, U.S. Immigration
KPMG Law LLP – Tax + Immigration, Canada
Tel. +1-416-468-7553
atolic@kpmg.ca



Kirsten Kelly
Partner / Attorney, U.S. Immigration
KPMG Law LLP – Tax + Immigration, Canada
Tel. +1 416-777-3688
kirstenkelly@kpmg.ca

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