



# GMS Flash Alert

## Immigration Edition

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# United States – Lifting COVID-19 Vaccination Requirement on May 12

On May 1, 2023, the Biden Administration announced that the U.S. will be lifting the COVID-19 vaccination requirement for all nonimmigrant travelers entering the U.S. by air effective May 12, 2023.<sup>1</sup> The Department of Homeland Security subsequently announced that it will also end the vaccination requirement for all nonimmigrant travelers entering the country by land and sea beginning May 12, 2023.<sup>2</sup>

Both of these announcements come on the heels of legislation passed by Congress and signed by President Biden last month ending the COVID-19 public health and national emergencies that have been in effect since the outset of the pandemic in 2020.<sup>3</sup> The vaccination requirement for foreign travelers seeking to enter the U.S. has been in place since it took effect on November 8, 2021 (see [GMS Flash Alert 2021-268](#), October 28, 2021).

## WHY THIS MATTERS

The end of the day on May 11, 2023, officially marks the conclusion of the public health and national emergencies in effect since 2020. May 12, 2023 will be the first full day on which the COVID-19 vaccination requirement no longer applies to nonimmigrant travelers entering the U.S. from abroad. The termination of the vaccination mandate – one of the final policy measures in place relating to the COVID-19 pandemic – is important news for companies and their mobile employees, as well as travelers, around the world as it reduces their entry requirements into the U.S. and simplifies their travel experience on the whole.

## Removal of the Vaccination Requirement Prior to U.S. Entry

The removal of the COVID-19 vaccination requirement means that nonimmigrant travelers entering the U.S. by air, land, or sea will no longer need to present proof of being fully vaccinated with a vaccine approved by the Centers for Disease Control and Prevention (CDC) prior to their entry. Thus, those seeking to enter the U.S. who are either unvaccinated or who are not considered fully vaccinated by the CDC may do so as of May 12, 2023, without restriction.

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## KPMG INSIGHTS

As a reminder, until the vaccination requirement is eliminated at the end of the day on May 11, 2023, nonimmigrant travelers are still required to be fully vaccinated in order to enter the U.S. by air, land, or sea. Individuals are considered “fully vaccinated” by the CDC fourteen (14) days after receipt of the Moderna or Pfizer bivalent vaccine; fourteen (14) days after receipt of the last dose of the two-dose series Novavax vaccine, or of any combination of two doses of the Moderna or Pfizer monovalent, two-dose series vaccines; or fourteen (14) days after receipt of the single-dose Janssen/Johnson & Johnson vaccine.<sup>4</sup>

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.

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## FOOTNOTES:

- 1 See The White House, [“The Biden-Harris Administration Will End COVID-19 Vaccination Requirements for Federal Employees, Contractors, International Travelers, Head Start Educators, and CMS-Certified Facilities”](#) (May 1, 2023).
- 2 See U.S. Department of Homeland Security, [“DHS Statement on the Lifting of Title 19 Requirements”](#) (May 1, 2023).
- 3 See The White House, [“Bill Signed: H.J.Res. 7”](#) (April 10, 2023).
- 4 See Centers for Disease Control and Prevention website, [“Requirement for Proof of COVID-19 Vaccination for Air Passengers”](#) (Updated April 27, 2023).

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**The information contained in this newsletter was submitted by the KPMG International member firm in Canada.**

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