On March 20, 2020, the Department of Homeland Security (DHS) released a joint statement, together with the Canadian government, announcing a joint initiative restricting travel across the United States-Canada border to help prevent the spread of COVID-19 (“COVID-19” is the disease which is caused by the virus, “SARS-CoV-2”). The joint initiative will commence on March 21, 2020 across the United States-Canada land border.

Q: Who is covered by the travel restrictions?

The joint statement restricts all non-essential travel between Canada and the United States.

“Non-essential” travel is defined as “travel that is considered tourism or recreational in nature” (e.g., sightseeing, recreation, gambling, or attending cultural events). The travel restrictions apply to passenger rail and ferry travel between the United States and Canada.

Q: Who is exempt from the travel restrictions?

According to a regulation entitled “Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Canada” promulgated by the Department of Homeland Security, essential travel includes:

- 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 (e.g., individuals working in the farming or agriculture industry who must travel between the United States and Canada in furtherance of such work);
- 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.

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Additionally, the joint statement states that supply chains between Canada and the United States, including trucking, will not be impacted. Travel between the United States and Canada for “essential work or for other urgent or essential reasons” is also exempt from the travel restrictions. Entry for trade and business travel will continue to operate, subject to additional scrutiny. Cargo shipments will also be exempt from restrictions.

**Q: Do these travel restrictions apply to asylum seekers?**

Seemingly, these travel restrictions apply to individuals crossing the United States-Canada border for any purpose not defined as “essential travel”.

**Q: Do these travel restrictions apply to individuals of non-Canadian nationality?**

These travel restrictions do not apply to U.S. citizens and permanent residents. However, they appear to apply to all other individuals, regardless of nationality, seeking to cross the United States-Canada border for any purpose not defined as “essential travel”.

**Q: How do these travel restrictions apply to individuals who cross the border between ports of entry?**

A fact sheet on these travel restrictions released by the President states that: “The United States will expeditiously return aliens who cross between ports of entry or are otherwise not allowed to enter the country, as the facilities in which these aliens would normally be held cannot support quarantine for the time needed to assess potential cases”.

**Q: What is the effective date of the joint initiative?**

The effective date of the joint initiative is March 21, 2020 across the United States-Canada land border, for a period of 30 days. After 30 days, there will be a joint review of the initiative.

**Q: What is the rationale for these travel restrictions?**

The joint statement states that: “In each of our countries, we are encouraging people to exercise caution by avoiding unnecessary contact with others. This collaborative and reciprocal measure is an extension of that prudent approach”.

**Q: Where can I find more information?**

The President has issued a fact sheet on the travel restrictions:


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