

# COVID-19 and Mobility

## Global Travel and Immigration Impacts

### WEBINAR Q&A REPORT

Webinar Presenters: Sophy King, SVP Global Immigration and Jason Rogers, VP and Sr. Global Immigration Counsel



The problem of current authorizations being canceled is not only linked to China, but now USA as well. Is ESTA-VWP still valid?

**NC:** The more relevant consideration is the travel ban itself. ESTAs remain valid for future use (but the ESTA will be cancelled if people subject to the travel ban try to use them).



What happens with health insurance for those who are stuck with their documents expiration extender?

**NC:** Possible concessions for health insurance tied to an expired document will be granted by the insurance company. Please contact your health insurance provider to discuss this topic as Newland Chase can address immigration questions only.



Our Tier 2 ICT employee is out of the UK and his BRP has expired. He is unable to return to the UK to submit his extension application. Can he return to UK with the expired BRP or will he be subject to the cooling off period?

**NC:** The Home Office has not yet issued any guidance in respect of UK visa holders who are overseas and have been unable to return prior to the expiry of their visa. However, as the government has previously stated that individuals should not be disadvantaged as a result of COVID-19, we anticipate that this situation will be addressed in the coming weeks.

At present we recommend reaching out to the Home Office Coronavirus Immigration Team with the complete background and requesting confirmation on any possible solutions. We will be pleased to assist you with liaising with the Home Office on this matter. Our fees to assist would be £275 + VAT.



Per the EU guidelines, would an EU national with a third-country spouse, based in the US, but planning to relocate to Spain before 31 December, be permitted to travel to Spain in the first stage (15 June) as long as they have proof of marriage?

**NC:** Currently, UK citizens can travel to Spain only if they also have proof of residency in Spain. Travel to Spain as a tourist or as a business visitor is not currently an option for UK citizens. It is believed Spain will soon lessen restrictions on UK nationals so please follow up with your Newland Chase contact, as needed.



When EU travelers are mentioned in travel restrictions, is the UK included in this group?

**NC:** No, UK citizens would not be covered by those restrictions.



Have the Spanish authorities confirmed when travel from the UK will be permitted?

**NC:** No confirmation has been made. Currently only UK citizens who also have proof of residency in Spain are allowed to enter Spain (also will be subject to quarantine.). It is believed Spain will soon lessen restrictions on UK nationals so please follow-up with your Newland Chase contact, as needed.



Regarding entry to the US, is there a differentiation between permanent residents versus employees on long-term work visas living primarily in the US?

**NC:** Yes - there's a differentiation between immigrant and non-immigrant - but also between first time entrants and current residents.



With regard to the 14-day quarantine period, what if the trip is for one or two days? Are countries allowing travelers a shorter quarantine period if they are flying out of the country within 14 days?

**NC:** If a traveler is subject to a 14-day quarantine upon arrival into a new location and their duration of stay is less than 14 days, the traveler must remain quarantined for the entire duration of their stay unless an exception is given prior to entry. Exceptions are rare, and generally are granted only to individuals traveling to perform essential services.



Will a German work permit visa remain valid after the travel ban is lifted? Can travelers travel on the same visa or do they have to apply for a fresh visa?

**NC:** The issued permits and visas for Germany (national D visas and Schengen visas) remain valid, irrespective of the entry ban to Germany. The applicant must observe the validity of the issued visas for Germany, when they plan to enter and stay in Germany. If there is no sufficient cover for the intended stay in Germany, a new visa must be applied for.



I understand that the UK quarantine will not come into effect until early June. Is that correct?

**NC:** Yes, that is correct. Effective 8 June, passengers of all nationalities arriving in the UK will have to self-isolate for 14 days and could be contacted regularly throughout this period to ensure compliance. Anyone failing to comply may face enforcement action.



Is there any update on when it will be possible to apply for a China visa?

**NC:** China has not made any official announcement to date on the re-opening of Consulates and/or towards resuming the visa application process. Most Chinese Consulates are, however, accepting visa applications that are urgent. You must present justification for the emergency directly to the Consulate and the Consulate will then decide if you may submit the application or not. Approval of these requests have varied by location, but a strong justification will be required under the current protocols.



Does Mexico or the US have a 14-day quarantine requirement?

**NC:** Mexico has not yet implemented a mandatory quarantine upon arrival for any foreign nationals. The United States is recommending a 14-day self-quarantine period in one's own residence upon returning to the US from any international destination.



When will the Chinese consulate reopen in Houston?

**NC:** The Chinese Consulate in Houston suspended service from 7 April and currently remains closed. The Consulate has not yet announced re-opening plans. In case of urgent visa-related emergencies, CIBTvisas can assist and request approval for an emergency filing.



What is the tracking app that travelers need to download on their phones if they are planning on entering China?

**NC:** Instructions for the app and how to download it can be found [here](#).



Will the Mexico Border Restriction be updated on the A Briggs website with the latest date? Is there any information/definition on what is considered an essential traveler?

**NC:** The borders between Canada, Mexico and the United States remain closed for travelers entering for tourism or recreational purposes. Business travel may be allowed if a letter of support can be provided that outlines the urgent need for entry and confirms the traveler works in a field deemed "essential". No formal guidance has been provided to help define "essential" but generally the fields of healthcare, transportation, agriculture have been included.



Can a person with an essential worker letter from the UK travel through France without quarantine?

**NC:** Yes. Travelers coming from the European Union, any Schengen member country, and the United Kingdom are not subject to quarantine. The international travel attestation available [here](#) should be prepared for the travel. Should the destination address in France be at a distance of more than 100 km from the employee's point of entry in France, he/she should also have the attestation [here](#) prepared. Please also note that wearing a mask is compulsory on all French public transport.



If a person's UK spouse visa is expiring, and they make an application online this week, can they travel while waiting for decision - the BRP expiring in three weeks?

**NC:** Once an application has been submitted online, applicants must remain in the UK/Common Travel Area. Should the applicant travel outside of the common travel area (although we recommend remaining within the UK) the application will be deemed withdrawn and canceled. The applicant would be required to submit a new valid immigration application overseas in order to return to the UK. The applicant should remain in the UK until a decision has been made on the application and the new BRP card is hand.



Is USCIS going to file the H1B CAP FY 2020?

**NC:** Yes. There are no changes to the current H1B Regular Cap program. USCIS temporary suspended premium processing for all Form I-129 and I-140 petitions until further notice in response to the current COVID-19 pandemic.



Do you think there will be any standardization of pre-entry checks (health, travel etc.) and post-entry requirements (quarantines, self-isolation etc.) between countries or groups of countries?

**NC:** To date, no such collaborations or agreements have been announced. As the topics of medical test results, COVID-19 testing aren't likely to diminish any time soon, it is very possible that cooperation will develop among groups of countries (for example, Schengen Member States or between Canada, Mexico and the United States, Mercosur nations).



We have an employee working in Dallas, TX on a B1 Visa expiring 31 July. He holds an Indian passport but is paid/based in Ireland. Does he have to return to India to extend his visa or may he return to Ireland?

**NC:** Generally, a holder of a B1/B2 visa holder is required to depart the United States prior to or on their "admit-until-date", which is found on the I-94/admission stamp. If the visa holder is unable to depart, an extension can be filed with USCIS. If the extension request is received before the expiration date of the I-94, the applicant will remain in valid status until USCIS adjudicates the extension request.



Are the cross border workers that the ban doesn't apply to those within the EU? Does that apply to all EU nationals and EU work permit holders?

**NC:** In principle, the exemption could apply to cross-border commuters from within or outside the EU provided they have an essential function (there is a list of categories of frontier workers permitted to cross borders). However, for other cross border commuters or posted workers not included in such list, they would be allowed to continue crossing the borders to their workplace if work in the sector concerned is allowed in the host Member State.

The travel ban exemption guidance mention only to those EU nationals or work permit holders returning to their EU country of residence or home. However, as many EU countries are in phase 1 of the EU Roadmap discussed during our recent [webinar](#), restrictions are started to be lifted for non-essential work at the time of writing and it maybe they can send their lawyers back to work. To avoid any incorrect advice or pass on out of date information, situations should be checked every day/week.



For employees on a UK Tier 2 ICT whose visas have expired during the pandemic and for whom the Home Office has extended visas until 31 May, what will happen after 31 May if there are no flights?

**NC:** The UK Home Office has extended the period of validity in order to protect individuals who have had to remain in the UK due to the continuation of the lockdown. Those with leave expiring from 24 January up until 30 July who are unable to leave the UK but intend to do so may now seek to temporarily extend conditions until 31 July where they are unable to leave the UK.

---

**We're here to help with all global immigration actions.** [Contact us](#) to schedule a consultation to learn how we can support your business during and after the COVID-19 pandemic and keep up-to-date with the latest COVID-19 travel and immigration updates on our dedicated online resource – [COVID-19: Latest Travel and Immigration Disruption](#).

Watch our on-demand webinar, [COVID-19 and Mobility: Global Travel and immigration Impacts](#).

This publication is not intended as a substitute for legal advice. Readers are reminded that immigration laws are subject to change. We are not responsible for any loss arising from reliance on this publication. Please contact Newland Chase should you require any additional clarification or case-specific advice.

**Newland Chase**, a wholly-owned subsidiary of CIBT, is the leading global provider of immigration and visa services for corporations and individuals with over 1,700 expert immigration and visa professionals, attorneys and qualified migration consultants located in over 70 offices in 25 countries.

With thirty years of experience, **CIBT** is the primary service provider to 75% of Fortune 500 companies. CIBT offers a comprehensive suite of services under two primary brands: **Newland Chase**, focused on global immigration strategy and advisory services for corporations worldwide and **CIBTvisas**, the market leader for business and other travel visa services for corporate and individual clients.