

## Green Card Applicants Must Receive the COVID-19 Vaccine

On August 24, 2021, the U.S. Centers for Disease Control and Prevention (CDC) announced a new policy that will require foreign nationals applying for a U.S. permanent resident card (green card) to be fully vaccinated against COVID-19. Beginning on October 1, 2021, all green card applicants must submit proof of COVID-19 vaccination as part of their Form I-693 medical examinations. Any individual who refuses to be vaccinated, and does not qualify for any of the agency's limited exemptions, will be marked as inadmissible to the United States. CDC guidance allows for medical and religious exemptions for children and people living in areas without wide vaccine distribution, but vaccine refusal without an adequate reason would be grounds for inadmissibility.

Green card applicants may use an official vaccination record or a copy of a medical chart noting they were vaccinated against COVID-19 as proof of vaccination. The CDC reported that the United States will not accept self-reported vaccine doses without written documentation by a doctor or "other appropriate medical personnel." A negative COVID-19 test is not sufficient to prove an immigrant does not pose a public risk of spreading the disease. Individuals must be vaccinated with either the Pfizer-BioNTech, Moderna, or Johnson & Johnson vaccine. The CDC will also accept different COVID-19 vaccines as they are recommended by its Advisory Committee on Immunization Practices.

The CDC now classifies COVID-19 as a "Class A inadmissible condition," and failure to vaccinate against a vaccine-preventable disease would render a person ineligible for a visa. The COVID-19 vaccine requirement is added to a list of pre-existing requirements that green card applicants be vaccinated to prevent other diseases, including mumps, measles, rubella, hepatitis A and B, tuberculosis, syphilis, tetanus, polio, measles, influenza, and nearly a dozen other diseases. The CDC states it will waive the new COVID-19 vaccine requirement for individuals too young to safely receive a vaccine and for people with contraindications, such as any health conditions that indicate someone is likely to have a severe adverse reaction to the vaccine. The requirement will also be waived for individuals in countries with no or limited available COVID-19 vaccine supplies. Applicants who refuse the vaccine on religious or moral grounds may request an exemption from U.S. Citizenship and Immigration Services (USCIS). The CDC added that it will not waive the vaccine requirement for those who prove they contracted COVID-19 and are still immune to the virus.

This new guidance only applies to immigrants inside the United States seeking adjustment of status, rather than immigrants who apply for their green cards at the U.S. consulate in their home country abroad.



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