

DRAFT / DELIBERATIVE / PRE-DECISIONAL

Principals Meeting on COVID-19 Response

Monday, March 22, 2021
1:30 p.m. – 2:30 p.m.

Agenda

- I. State of the Pandemic and Science Update.....Dir. Walensky / Dir. Fauci
Anticipated length: 10 minutes

- II. Vaccinations Update COVID Team / Sec. McDonough
Anticipated length: 10 minutes

- IV. Approach to Equity Chair Nunez-Smith
Anticipated length: 20 minutes

- III. Global Approach to Travel Restrictions... COVID Team / State
Anticipated length: 10 minutes

- V. Vaccination Verification... COVID Team
Anticipated length: 10 minutes

Principals will receive a state of the pandemic and science update from Directors Walensky and Fauci.

The COVID-19 Response Team and the Department of Veterans Affairs (VA) will provide an update on vaccination administration and progress toward the President's goal of administering 100 million shots in the first 100 days. The Chair of the COVID-19 Health Equity Task Force will brief Principals and lead a discussion on the Administration's approach to driving equity in the COVID-19 Response.

Principals will also discuss and decide next steps to implement the President's Executive Order, "Promoting COVID-19 Safety in Domestic and International Travel." Specifically, they will discuss and approve potential changes to 212(f) travel restriction policy. Principals will discuss and approve the Administration's potential approach to vaccination verification.

I. State of the Pandemic and Science Update

Directors Walensky and Fauci will provide a briefing on the state of the pandemic, select variant strains, and the state of the science of vaccines.

II. Vaccinations Update

The COVID Team and the VA will provide an update on vaccination administration and progress toward the President's goal of 100 million vaccinations administered in the first 100 days. Principals will discuss ways to leverage existing agency resources to support vaccination efforts.

III. Approach to Equity

The Chair of the COVID-19 Health Equity Task Force will brief Principals on the Administration's strategy for driving equity in COVID-19 vaccinations. The briefing will cover COVID-19 vaccinations equity data, actions taken to drive equity in federal vaccinations programs, and additional policies under consideration.

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Global Approach to Travel Restrictions

Principals will discuss progress in implementing provisions of the President's Executive Order on Promoting COVID-19 Safety in Domestic and International Travel (Executive Order).

Specifically, Principals will discuss proposed changes to restrictions on international air travel under section 212(f) of the Immigration and Nationality Act. Principals requested the Interagency Policy Committee (IPC) develop options for potential policy changes that would: 1) bring uniformity to current set of 212(f) restrictions; and 2) promote public health objectives by decreasing total travel volume.

212(f) of the Immigration and Nationality Act allows the Departments of State and Homeland Security, with delegated authority from the President, to deny entry to the United States to foreign nationals; it does not apply to lawful permanent residents (LPRs) or U.S. citizens, who represent the majority of entrants at ports of entry. For reference, approximately 77 percent of the 12.4M arrivals via international air from August 2020 to January 2021, were either U.S. citizens or LPRs.

Under current U.S. policy, 32 countries fall under 212(f) travel restrictions implemented due to the COVID-19 pandemic: China, Iran, the European Schengen visa area, the United Kingdom, Ireland, Brazil and the Republic of South Africa. The exemptions within these 212(f) proclamations differ. For example, students are allowed to travel to the United States by international air travel from Europe, the United Kingdom, and Ireland, but not from Brazil.

Deputies considered several options that would provide uniformity to the current set of 212(f) restrictions and either promote public health objectives by decreasing total travel volume or cause minimal harm.

While State initially proposed imposing a global, time-limited 212(f) restriction on non-essential travel, after careful consideration of impacts on public health, the economy and foreign policy, deputies recommended *against* this policy.

Deputies recommend consideration of three options which can be approved singularly or in combination:

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- Option A - Offering a narrow exemption specifically for travel required to maintain airline pilot training requirements and aircraft maintenance; AND/OR
- Option B - Maintaining the 32 current 212(f) restrictions but start the 6-8 week process to allow specific immigrant and fiancé visas, with the understanding that they undergo thorough health exams (including COVIDvaccination); AND/OR
- Option C - Maintain the 32 current 212(f) restrictions but amend current National Interest Exceptions and visa category allowances so that they are uniformly applied across the 32 countries.

Regardless of action taken, Deputies recommended reassessment based on public health risk-based metrics (to be developed by the Interagency Policy Committee) every 30 days.

Option A: Maintaining the 32 current 212(f) and allow travel for airline pilot safety training

Under this option, which was recommended by Deputies, a specific National Interest Exception (NIE) category would be added to allow pilots and airline crewmembers to travel to the United States for critical safety training and for aircraft maintenance. Such travel is currently allowable for travel from the United Kingdom, Ireland and the European Schengen visa area, but not other countries under 212(f) restrictions. Recurrent training for pilots is both necessary and required to ensure proficiency, which directly affects safety. These pilots are needed to move vital cargo and passengers; if they cannot get training, they cannot meet safety regulatory requirements to maintain their certification. For maintenance, flight crews and maintenance technicians travel to the United States as passengers to pick up aircraft after maintenance is complete or observe maintenance activities. The Federal Aviation Administration anticipates that maintenance and training would add fewer than 100 travelers per month.

Assessing implications for public health, foreign policy and the economy:

- Public Health: Public health impact would be minimal given the handful of travelers involved.
- Foreign Policy: This would create uniformity for a small sub-category of business travelers but would not offer broader uniformity of policy implementation.

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Economic Impact: Any impact would be indirect, due to airline uncertainty regarding interference with maintenance and training compliance. In response they may begin to cancel aircraft orders.

Option B: Maintaining the 32 current 212(f) but begin the 6-8 week process to start to allow immigrant and fiancé visas:

In this option, 212(f) Proclamations would remain in place for the 32 countries and the State Department and CDC would begin the process to add immigrant and fiancé visas to the list of excepted visa classes. Immigrants and fiancés are considered for exception for several reasons. First, these individuals would be traveling to the United States as their new home, thus risk associated with repeated travel would not be incurred. Second, the individuals undergo an extensive interview process, including medical exam by State Department panel physicians. During the latter process, COVID-19 vaccination will be required through recommendations being finalized by CDC. And third, like other international air passengers, they would be tested for COVID-19 before and after travel (and required to self quarantine upon arrival).

The Department of State estimates that travel volume would increase by 5,000 people per month if immigrant and fiancé visas were allowed. Notably, it would take 6-8 weeks, as consular sections ramped up interview scheduling and visa applications were processed. Applicants would also need to make preparations to move. Initial change to travel volume, therefore, would be minimal.

Assessing implications for public health, foreign policy and the economy:

- Public Health: CDC estimates that the added 5,000 travelers per month or 167 per day will result in a small net increase in importations of 1-11 cases per day.
- Foreign Policy: 212(f) restrictions are unsurprisingly opposed by the countries on which they are placed. Exempting immigrants and fiancés as a first step would have the advantage of addressing some current court challenges to existing travel policy. However, if 212(f) is removed, it may cause an increase in visa applications that require increased vetting from a national security point of view.
- Economic Impact: The economic harm that could be caused by global 212(f) would be absent in this option. Therefore, economic impact of the

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policy, if any, would be a net positive due to increased travel from trade partners.

Option C: Maintain the 32 current 212(f) restrictions but amend current National Interest Exceptions to be uniformly applied

In this option, the current 212(f) restrictions would be kept in place with no changes, and exceptions that are currently non-uniform across the 32 countries would be harmonized. This would mean adding NIE currently available only in the European Schengen visa area, the United Kingdom and Ireland to the other 212(f) countries. These NIE categories are: 1) business travelers coming for reasons related to critical infrastructure or vital jobs; 2) Journalists; and 3) Students. Although students would be unlikely to enter in large numbers until the late summer, visa interviews would need to start soon for the fall 2021 semester.

- **Public Health**: estimates 25K additional entrants per month, of which 23K are students (the majority of whom would enter in late summer 2021) if NIEs are expanded to the four additional countries. The 25K per month would result in 5-54 new introductions per day (162-1625 per month). Without students, the numbers drop to <1 to 4 introductions per day (or 13-130 per month).
- **Foreign Policy**: This would offer uniformity across the 32 countries, which would be helpful in diplomatic messaging. For some of the countries under travel restriction, inclusion of the critical infrastructure business travel could cause concern from a national security perspective.
- **Economic Impact**: Impacts are most severe in the aviation sector, where an inability to complete sales of aircraft resulted in \$1.4 billion in lost sales. Customers typically fly to the United States to inspect the aircraft, taking possession and flying them back.

Enhancing the Evidence Base for 212(f) Travel Restrictions: Deputies remanded to the IPC consideration of a public-health-metric driven approach to policy decisions regarding long-term changes to the U.S. policy on COVID-19 related travel restrictions.

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The Deputies recommended against the global restriction on non-essential travel, reasoning that the public health benefit of reducing 65-650 infections per day, set against the context of more than 60,000 current cases per day. They recommended presenting Principals with Options A-C, which could be taken singularly or in combination.

IV. Vaccination Verification

In the United States, a number of private sector initiatives have started to emerge to create digital solutions to verify an individual's vaccination status. Proof of vaccination status has the potential to become a requirement for access to many private services, driven by the desire of commercial actors to provide assurances of safety to the public (e.g., in workplaces, universities, commercial travel, restaurants, retail stores, concert venues). As the domestic and international landscapes on vaccination verification take shape, the United States government will need a coherent approach to vaccine verification.

On the international front, the World Health Organization has been developing minimum global standards since January 2021, while a number of governments have started implementing their own national approaches. For example, Israel started distributing vaccination credentials called Green Passes. The Israeli government has taken a centralized approach as the only issuer of Green Passes, and the passes will be used to gain access to facilities like gyms, hotels, theatres, restaurants, and cultural events. India, New Zealand, Canada, Denmark, Sweden, Greece, and the European Union are contemplating or pursuing policies to develop or support digital vaccination certificates.

Principals will review a proposed approach to vaccination verification that promotes private-sector development of vaccine verification tools that meet USG-identified guidelines. Under the proposed approach, the Federal government would neither develop the proof of vaccination and vaccination verification tools, nor mandate a single technological standard. Rather, the Federal government would develop guidelines for private entities to meet and only procure or use vaccination verification tools that meet Federal guidelines to help drive wide-scale market adoption of tools that comport with those guidelines.

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In addition, the Federal government will work with private consortia to encourage development and use of vaccine verification tools that meet Federal guidelines.

Principals will consider the following core principles outlining the Federal approach to vaccination verification developed by Deputies

1. **No Federal Mandate.** There will be no Federal mandate (statute or regulation) for vaccines or vaccine credentials. The Federal government may require credentials for its own operations and activities, such as international port-of-entry checks or workplace safety for Federal employees.
2. **No Federal Credentials.** There will be no Federally-created or -issued vaccine credentials or vaccine credential solutions for universal use across the country (i.e., no Federal database of individual vaccine records and no Federal vaccine “passports”).
3. **Open marketplace.** The Federal government will encourage an open, competitive marketplace of vaccine credential solutions that meet key public policy objectives.
4. **Market activities.** Federal government will use its market presence and actions to motivate a market-based vaccine credential ecosystem aligned with public interest goals. The Federal government will endorse guidelines for vaccination verification; only procuring, using, or endorsing (i.e. providing a “seal of approval”) vaccination verification credentials and tools that meet those guidelines.
5. **Public Interest.** Vaccine credential solutions should meet key public interest goals, including but not limited to universal availability and access, inclusivity, equity, privacy, security, anti-fraud, open standards in all contexts, from employment to travel. They should facilitate commerce and social interaction while protecting public health and align with WHO and international health regulations standards as feasible. The goal of universal access to the vaccine itself underpins these goals.

Principals reserve the right to adjust principles and policies as the domestic and international landscape on vaccination verification continues to evolve.

Principals will discuss and approve the proposed general approach to vaccination verification, as recommended by Deputies.

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