



News & Types: Client Advisories

Travel and Visa Considerations Between the US and Japan

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EXECUTIVE SUMMARY

As the world adjusts to the increase in COVID-19 vaccinations, and a gradual resumption of global business activity, questions remain as to how a Japanese expatriate can apply for a visa or enter the US for a business trip or how a non-Japanese citizen can apply for a Japanese work visa or enter Japan for a business trip.

For persons residing in Japan, at the present time, there is no restriction on entering the United States, other than the universal requirement that all persons, regardless of nationality take a COVID-19 test 72 hours prior to arrival in the United States. This requirement applies to all persons, including US citizens. The US government does not have a quarantine requirement, although certain states may require either proof of vaccination, a negative COVID-19 test, or a quarantine. The US currently does not recognize or accept any form of "COVID Passport."

With regard to travel to Japan, the Japanese government continues to restrict non-Japanese citizens from entering Japan. However, spouses or children of Japanese citizens, certain students or researchers and certain returning residents can enter Japan as long as they first apply for a visa. All non-Japanese traveling to Japan who are eligible to enter the country must apply for a visa at the Japanese consulate as the Japanese government has suspended use of the visa exemption agreement which allows persons from certain countries to travel to Japan without applying for a visa. All persons traveling to Japan, regardless of citizenship, must comply with the following requirements:

1. Travelers must show proof of a negative COVID-19 test taken 72 hours before arrival in Japan;
2. Travelers must take a COVID-19 test upon arrival in Japan and provide contact information;
3. Travelers must quarantine for 14 days and must refrain from using public transportation during this time.;
4. For travelers who have resided in areas that have a high degree of COVID-19 infections due to the delta variant, in addition to the foregoing, they must quarantine for three days in a designated quarantine hotel and must take a COVID-19 test three days after arrival at the quarantine hotel. If this

COVID-19 test is negative, the traveler will then be allowed to finish quarantine at his/ her designated place of residence.

Because international travel has been difficult or, in some cases impossible, it has been difficult to apply for visas, either new visas or renewals. At the present time, many US Embassies and Consulates remain closed and are not processing visa applications. Fortunately, for many Japanese expatriates in the United States, as well as Japanese executives wishing to come to the United States, the US Embassy in Tokyo and the US Consulate in Osaka have generally remained open and have been processing applications. However, it is often difficult to schedule a visa appointment due to limited staff and Japanese government requirements relating to precautions taken during the pandemic. Because of the current quarantine requirements when entering Japan, the US Embassy and US Consulate will not schedule a visa appointment for applicants unless they can demonstrate that they have complied with the 14-day quarantine requirement.

The US Embassy and US Consulate will permit Japanese citizens who received their original visa at the Consulate in Japan to submit a renewal application by mail, and the mail-in application may be submitted while the person is in quarantine. This mail-in procedure is available to most nonimmigrant visa applications except for the L-1 Blanket Visa. However, the mail-in procedure is not available to persons who were not previously interviewed at the US Consulate. Notably, children who were under the age of 14 when they first obtained their visa and are now over the age of 14 may not be eligible for the mail-in procedure as they were not required to attend an interview. In this case, the child will have to schedule an interview at the consulate. In most cases, the renewal application submitted by mail will be approved, and the visa issued, prior to the completion of the quarantine.

For persons who are unable to travel to Japan, they may file an application to extend their form I-94 with the US Citizenship and Immigration Services in the United States. Unfortunately, the processing time for these applications is lengthy. With the average processing time for the principal applicant being four months and the processing time for dependent family members 12 to 14 months. While the application is pending with the US citizenship and Immigration Services, the principal applicant's employment authorization will be extended for a period of 240 days or until the application is reviewed. Dependent family members will be allowed to remain in the United States until the application is reviewed. Generally, there is no restriction on travel while the application is pending, and it is possible to leave the United States if needed.