

Country	Entity	License requirement	License review policy	Federal Register citation
	Sky Float Aviation FZE, M6 Office 1309, Building R2, Near Urban Line Group, SAIF Zone, P.O. Box 121887, Sharjah, U.A.E.	For all items subject to the EAR. (See § 744.11 of the EAR).	Presumption of denial	85 FR [INSERT FR PAGE NUMBER] 12/22/2020.
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Matthew S. Borman,
Deputy Assistant Secretary for Export
Administration.
[FR Doc. 2020-28031 Filed 12-18-20; 11:15 am]
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**DEPARTMENT OF HOMELAND
SECURITY**
U.S. Customs and Border Protection
19 CFR Chapter I

**Notification of Temporary Travel
Restrictions Applicable to Land Ports
of Entry and Ferries Service Between
the United States and Canada**

AGENCY: Office of the Secretary, U.S.
Department of Homeland Security; U.S.
Customs and Border Protection, U.S.
Department of Homeland Security.
ACTION: Notification of continuation of
temporary travel restrictions.

SUMMARY: This document announces the
decision of the Secretary of Homeland
Security (Secretary) to continue to
temporarily limit the travel of
individuals from Canada into the United
States at land ports of entry along the
United States-Canada border. Such
travel will be limited to “essential
travel,” as further defined in this
document.

DATES: These restrictions go into effect
at 12 a.m. Eastern Standard Time (EST)
on December 22, 2020 and will remain
in effect until 11:59 p.m. EST on
January 21, 2020.

FOR FURTHER INFORMATION CONTACT:
Stephanie Watson, Office of Field
Operations Coronavirus Coordination
Cell, U.S. Customs and Border
Protection (CBP) at 202-325-0840.

SUPPLEMENTARY INFORMATION:

Background

On March 24, 2020, DHS published
notice of the Secretary’s decision to
temporarily limit the travel of
individuals from Canada into the United
States at land ports of entry along the
United States-Canada border to
“essential travel,” as further defined in

that document.¹ The document
described the developing circumstances
regarding the COVID-19 pandemic and
stated that, given the outbreak and
continued transmission and spread of
the virus associated with COVID-19
within the United States and globally,
the Secretary had determined that the
risk of continued transmission and
spread of the virus associated with
COVID-19 between the United States
and Canada posed a “specific threat to
human life or national interests.” The
Secretary later published a series of
notifications continuing such
limitations on travel until 11:59 p.m.
EST on December 21, 2020.²

The Secretary has continued to
monitor and respond to the COVID-19
pandemic. As of the week of December
8, there have been over 65 million
confirmed cases globally, with over 1.5
million confirmed deaths.³ There have
been over 15.2 million confirmed and
probable cases within the United
States,⁴ over 400,000 confirmed cases in
Canada,⁵ and over 1.1 million
confirmed cases in Mexico.⁶

¹ 85 FR 16548 (Mar. 24, 2020). That same day,
DHS also published notice of the Secretary’s
decision to temporarily limit the travel of
individuals from Mexico into the United States at
land ports of entry along the United States-Mexico
border to “essential travel,” as further defined in
that document. 85 FR 16547 (Mar. 24, 2020).

² See 85 FR 74603 (Nov. 23, 2020); 85 FR 67276
(Oct. 22, 2020); 85 FR 59670 (Sept. 23, 2020); 85
FR 51634 (Aug. 21, 2020); 85 FR 44185 (July 22,
2020); 85 FR 37744 (June 24, 2020); 85 FR 31050
(May 22, 2020); 85 FR 22352 (Apr. 22, 2020). DHS
also published parallel notifications of the
Secretary’s decisions to continue temporarily
limiting the travel of individuals from Mexico into
the United States at land ports of entry along the
United States-Mexico border to “essential travel.”
See 85 FR 74604 (Nov. 23, 2020); 85 FR 67275 (Oct.
22, 2020); 85 FR 59669 (Sept. 23, 2020); 85 FR
51633 (Aug. 21, 2020); 85 FR 44183 (July 22, 2020);
85 FR 37745 (June 24, 2020); 85 FR 31057 (May 22,
2020); 85 FR 22353 (Apr. 22, 2020).

³ WHO, Coronavirus disease 2019 (COVID-19)
Weekly Epidemiological Update (Dec. 8, 2020),
available at [https://www.who.int/publications/m/
item/weekly-epidemiological-update-8-december-
2020](https://www.who.int/publications/m/item/weekly-epidemiological-update-8-december-2020).

⁴ CDC, COVID Data Tracker (accessed Dec. 10,
2020), available at [https://covid.cdc.gov/covid-data-
tracker/](https://covid.cdc.gov/covid-data-tracker/).

⁵ WHO, COVID-19 Weekly Epidemiological
Update (Dec. 8, 2020).

⁶ *Id.*

Notice of Action

Given the outbreak and continued
transmission and spread of COVID-19
within the United States and globally,
the Secretary has determined that the
risk of continued transmission and
spread of the virus associated with
COVID-19 between the United States
and Canada poses an ongoing “specific
threat to human life or national
interests.”

U.S. and Canadian officials have
mutually determined that non-essential
travel between the United States and
Canada poses additional risk of
transmission and spread of the virus
associated with COVID-19 and places
the populace of both nations at
increased risk of contracting the virus
associated with COVID-19. Moreover,
given the sustained human-to-human
transmission of the virus, returning to
previous levels of travel between the
two nations places the personnel
staffing land ports of entry between the
United States and Canada, as well as the
individuals traveling through these
ports of entry, at increased risk of
exposure to the virus associated with
COVID-19. Accordingly, and consistent
with the authority granted in 19 U.S.C.
1318(b)(1)(C) and (b)(2),⁷ I have

⁷ 19 U.S.C. 1318(b)(1)(C) provides that
“[n]otwithstanding any other provision of law, the
Secretary of the Treasury, when necessary to
respond to a national emergency declared under the
National Emergencies Act (50 U.S.C. 1601 *et seq.*)
or to a specific threat to human life or national
interests,” is authorized to “[t]ake any . . . action
that may be necessary to respond directly to the
national emergency or specific threat.” On March
1, 2003, certain functions of the Secretary of the
Treasury were transferred to the Secretary of
Homeland Security. See 6 U.S.C. 202(2), 203(1).
Under 6 U.S.C. 212(a)(1), authorities “related to
Customs revenue functions” were reserved to the
Secretary of the Treasury. To the extent that any
authority under section 1318(b)(1) was reserved to
the Secretary of the Treasury, it has been delegated
to the Secretary of Homeland Security. See Treas.
Dep’t Order No. 100-16 (May 15, 2003), 68 FR
28322 (May 23, 2003). Additionally, 19 U.S.C.
1318(b)(2) provides that “[n]otwithstanding any
other provision of law, the Commissioner of U.S.
Customs and Border Protection, when necessary to
respond to a specific threat to human life or
national interests, is authorized to close temporarily
any Customs office or port of entry or take any other
lesser action that may be necessary to respond to
the specific threat.” Congress has vested in the
Secretary of Homeland Security the “functions of

determined that land ports of entry along the U.S.-Canada border will continue to suspend normal operations and will only allow processing for entry into the United States of those travelers engaged in “essential travel,” as defined below. Given the definition of “essential travel” below, this temporary alteration in land ports of entry operations should not interrupt legitimate trade between the two nations or disrupt critical supply chains that ensure food, fuel, medicine, and other critical materials reach individuals on both sides of the border.

For purposes of the temporary alteration in certain designated ports of entry operations authorized under 19 U.S.C. 1318(b)(1)(C) and (b)(2), travel through the land ports of entry and ferry terminals along the United States-Canada border shall be limited to “essential travel,” which includes, but is not limited to—

- 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.

The following travel does not fall within the definition of “essential travel” for purposes of this Notification—

- Individuals traveling for tourism purposes (e.g., sightseeing, recreation, gambling, or attending cultural events).

At this time, this Notification does not apply to air, freight rail, or sea travel

all officers, employees, and organizational units of the Department,” including the Commissioner of CBP. 6 U.S.C. 112(a)(3).

between the United States and Canada, but does apply to passenger rail, passenger ferry travel, and pleasure boat travel between the United States and Canada. These restrictions are temporary in nature and shall remain in effect until 11:59 p.m. EST on January 21, 2020. This Notification may be amended or rescinded prior to that time, based on circumstances associated with the specific threat.⁸

The Commissioner of U.S. Customs and Border Protection (CBP) is hereby directed to prepare and distribute appropriate guidance to CBP personnel on the continued implementation of the temporary measures set forth in this Notification. The CBP Commissioner may determine that other forms of travel, such as travel in furtherance of economic stability or social order, constitute “essential travel” under this Notification. Further, the CBP Commissioner may, on an individualized basis and for humanitarian reasons or for other purposes in the national interest, permit the processing of travelers to the United States not engaged in “essential travel.”

The Acting Secretary of Homeland Security, Chad F. Wolf, having reviewed and approved this document, has delegated the authority to electronically sign this document to Chad R. Mizelle, who is the Senior Official Performing the Duties of the General Counsel for DHS, for purposes of publication in the **Federal Register**.

Chad R. Mizelle,

Senior Official Performing the Duties of the General Counsel, U.S. Department of Homeland Security.

[FR Doc. 2020-28381 Filed 12-21-20; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

19 CFR Chapter I

Notification of Temporary Travel Restrictions Applicable to Land Ports of Entry and Ferries Service Between the United States and Mexico

AGENCY: Office of the Secretary, U.S. Department of Homeland Security; U.S. Customs and Border Protection, U.S. Department of Homeland Security.

ACTION: Notification of continuation of temporary travel restrictions.

⁸ DHS is working closely with counterparts in Mexico and Canada to identify appropriate public health conditions to safely ease restrictions in the future and support U.S. border communities.

SUMMARY: This document announces the decision of the Secretary of Homeland Security (Secretary) to continue to temporarily limit the travel of individuals from Mexico into the United States at land ports of entry along the United States-Mexico border. Such travel will be limited to “essential travel,” as further defined in this document.

DATES: These restrictions go into effect at 12 a.m. Eastern Standard Time (EST) on December 22, 2020 and will remain in effect until 11:59 p.m. EST on January 21, 2020.

FOR FURTHER INFORMATION CONTACT: Stephanie Watson, Office of Field Operations Coronavirus Coordination Cell, U.S. Customs and Border Protection (CBP) at 202-325-0840.

SUPPLEMENTARY INFORMATION:

Background

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The Secretary has continued to monitor and respond to the COVID-19

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