

## U.S. Restricts Entry from India, and Other Updates to Travel Restrictions to the U.S.



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We continue receiving questions from clients regarding COVID-related U.S. entry requirements and restrictions. Please see below for the latest updates:

### **Travel from Restricted Countries With Elevated Rates of COVID-19**

- Last week, President Biden announced that he is [adding India](#) to the list of COVID-19 public health travel ban countries, barring U.S. entry by foreign nationals who have been physically present in India within 14 days of travel to the United States, unless they qualify for an exception or exemption. This restriction will take effect at 12:01 am EST today (Tuesday, May 4th).
- Entries by non-U.S. travelers who have been in **Brazil, Ireland, the UK, Schengen Area countries, or South Africa** in the 14 days preceding their scheduled/planned entry to the U.S. also continue to be barred, unless the individual qualifies for an exception or exemption.

NOTE: U.S. Consular operations remain extremely restricted in the above-listed countries due to the ongoing COVID-19 pandemic; as such, exceptions to the ban on entry from these locations will continue to be difficult to obtain for

many individuals.

The following are not subject to the ban, but may be required to undergo screening, quarantine, and/or other precautions to prevent the spread of COVID-19, upon arrival in the U.S.:

- U.S. lawful permanent residents;
- U.S. citizens and nationals;
- Spouses of U.S. citizens and lawful permanent residents;
- A foreign national who is the parent or legal guardian of an unmarried U.S. citizen or lawful permanent resident under the age of 21;
- A foreign national who is the sibling of a U.S. citizen or lawful permanent resident, provided they are both under 21;
- A foreign national who is the child, foster child or ward of a U.S. citizen or lawful permanent resident, or who is a prospective adoptee seeking to enter the United States on an IR-4 or IH-4 visa;
- A foreign national traveling at the invitation of the U.S. government for a purpose related to containment or mitigation of the COVID-19 virus;
- A foreign air or sea crewmember;
- Certain A, C, E-1 (TECRO or TECO employees), G, and NATO nonimmigrants or whose travel falls within the scope of section 11 of the United Nations Headquarters Agreement;
- A foreign national whose entry would further important U.S. law enforcement objectives;
- A foreign national whose entry would be in the national interest; and
- Members of the U.S. armed forces and their spouses and children.

### **Travel from Canada**

Non-U.S. persons from Canada may fly into the U.S. for any purpose (including recreation and tourism), but are [restricted at land and sea ports of entry](#) from entering for the purpose of recreation, tourism, or any activity that could reasonably fit within those parameters (e.g., visiting family, touring colleges, etc.). A viral COVID-19 test is required within 3 days of flying into the U.S., but no COVID testing is currently required at the land or sea borders. Individuals wishing to enter as business visitors at the U.S. land or sea borders are advised to bring documentation of the purpose and parameters of their intended trip to the U.S., and all others will be required to present appropriate documentation of work authorization, permanent residence, U.S. citizenship, or alternate eligibility to enter the U.S. You can read all notifications relating to border restrictions resulting from the COVID-19 pandemic [here](#).

For Canadians requiring a visa (i.e., individuals applying for E visas to travel to the U.S. as Treaty Traders or Treaty Investors), the U.S. Embassy and Consulates in Canada continue to have mostly suspended operations during the pandemic, and have significant backlogs relating to filed cases and requests for nonimmigrant visas over the past 14 months. Essential workers and certain others may qualify for an emergency or expedited appointment.

### **COVID-19 Testing Requirements for Air Travelers (Only) to the U.S.**

All air passengers coming to the U.S. from a foreign country are [required to prove they are not COVID positive or infectious](#), by obtaining a viral COVID-19 test within three days of travel. Be prepared to show a negative viral COVID-19 test result to the airline before you board your flight, or to show documentation of recovery (proof of a recent positive viral test and a letter from your healthcare provider or a public health official stating that you were cleared to travel). No similar, additional, or alternate public health protocols have been identified for land or sea ports of entry.

### **Other COVID-19-Related Restrictions and Requirements**

All travelers are required to wear face masks when they are in U.S. airports, bus and rail stations, as well as while on passenger aircraft, public transportation, passenger railroads, and over-the-road buses operating on scheduled fixed-routes. According to an [order by the U.S. Centers for Disease Control and Prevention \(CDC\)](#), face masks should cover the nose and mouth and fit snugly against the sides without gaps. Masks can be either manufactured or homemade

and should be a solid piece of material without slits, exhalation valves, or punctures. While medical masks and N-95 respirators fulfill CDC and the U.S. Transportation and Security Administration (TSA)'s requirements, face shields and/or goggles are not an acceptable substitute for the use of a mask; however, they may be used in addition to an acceptable mask. The TSA also requires individuals to wear a mask at TSA airport screening checkpoints and throughout the commercial and public transportation systems. This requirement is currently slated to expire on May 11, 2021, but may be extended.

State, local, and territorial governments may have travel restrictions in place, including testing requirements, stay-at-home orders, and/or quarantine requirements upon arrival. Many U.S. states have lifted COVID-related restrictions over the past few months. You can read about requirements and developments in the various states by clicking [here](#). Most state-government websites have a COVID-19 information page for travelers heading to the state. For example, New York State has a specific [COVID-19 Travel Advisory page](#), and updated guidance for travelers arriving in NYS can be found [here](#).

For up-to-date information and travel guidance, check the state or territorial and local health department information for each U.S. destination along your travel route, as well as your final U.S. destination. Prepare to be flexible during your trip, as restrictions and policies may change during your travel.

### **Quarantine/Isolation Upon Entry**

All international travelers are required to comply with CDC guidelines concerning international travel, including recommended periods of self-quarantine or self-isolation upon entry to the U.S. CDC guidelines currently recommend (but do not require) that all travelers to the U.S.—whether or not they have received the full COVID-19 vaccination—get tested with a viral test 3-5 days after travel. Additional periods of self-quarantine and/or isolation are recommended (but not required) for non-vaccinated travelers or those who test positive. You can read the most recent CDC guidelines [here](#).

### **What If I Have Received a COVID-19 Vaccine?**

There is currently no exemption from the federal U.S. COVID-testing requirement for international travelers coming to the United States who have received the COVID-19 vaccine. However, travel within the U.S. has been deemed safe for people who are fully vaccinated with a [Federal Drug Administration \(FDA\)-authorized vaccine](#) or a vaccine authorized for emergency use by the [World Health Organization](#).

Please check back on this blog for updates frequently, and reach out directly to your LMWF immigration professional with questions relating to U.S. entry.

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