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IMMIGRATION AND COMPLIANCE BRIEFING: INDIA ADDED TO COVID-19 GEOGRAPHIC TRAVEL BAN

Effective Tuesday, May 4 at 12:01 a.m. ET

In response to the increase in COVID-19 cases in India, a Presidential Proclamation was issued on April 30, 2021 to **suspend the entry into the U.S. of nonimmigrant, noncitizen individuals who have been present in India within the fourteen (14) days prior to attempted entry into the U.S.** This travel ban will continue in effect until rescinded.

U.S. citizens, Lawful Permanent Residents ("LPRs" or "green card holders"), certain family members of U.S. citizens or LPRs, members of the Armed Forces or their spouses and children, and certain other individuals are exempt from the travel ban, including university students. For a full list of exemptions, refer to the Presidential Proclamation [here](#). Travelers exempt from the geographic ban may still be subject to additional security and health screening procedures and should carefully review changing travel guidelines.

Note that the suspension applies to temporary non-immigrants, such as H-1B and other work-based visa holders. Impacted employees and their employers should plan accordingly given the new ban, ongoing U.S. consular visa processing delays throughout India, and

the challenges in obtaining a National Interest Exception to any travel ban.

Ongoing Travel Restrictions

As a reminder, similar travel restrictions are still in place for the following countries/regions:

- **South Africa:** Effective January 26, 2021
<https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/25/proclamation-on-the-suspension-of-entry-as-immigrants-and-non-immigrants-of-certain-additional-persons-who-pose-a-risk-of-transmitting-coronavirus-disease/>
- **Brazil:** Effective May 28, 2020
<https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-certain-additional-persons-pose-risk-transmitting-novel-coronavirus/>
- **UK & Ireland:** Effective March 16, 2020
<https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-certain-additional-persons-pose-risk-transmitting-coronavirus-2/>

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This publication is a summary of legal principles. Nothing in this article constitutes legal advice, which can only be obtained as a result of a personal consultation with an attorney. The information published here is believed accurate at the time of publication, but is subject to change and does not purport to be a complete statement of all relevant issues.

- **Schengen Area:** Effective March 13, 2020 <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-certain-additional-persons-pose-risk-transmitting-2019-novel-coronavirus/>
- **Iran:** Effective March 2, 2020 <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-certain-additional-persons-pose-risk-transmitting-coronavirus/>
- **China:** Effective February 2, 2020 <https://trumpwhitehouse.archives.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-persons-pose-risk-transmitting-2019-novel-coronavirus/>
- All COVID-19 related policies, requirements, and timeframes may change, additional modifications are anticipated. Please refer to <https://www.ice.gov/coronavirus> for updates.

Given that this is a rapidly changing situation, please also refer to the following online resources, and be sure to review the "last updated" date:

- **World Health Organization, Health Topics: Coronavirus**
- **U.S. Centers for Disease Control and Prevention: Coronavirus Disease 2019**
- **U.S. Department of State: COVID-19 Country-Specific Information**
- **U.S. Department of Homeland Security: Coronavirus (COVID-19) Update**

Visit Wiggin and Dana's COVID-19 Resource Center [here](#) for additional publications and helpful links on multi-disciplinary topics that are relevant during the current COVID-19 global pandemic.

Associate **Ashley Moore** contributed to this briefing.

Wiggin and Dana's Immigration and Nationality Law and Compliance Practice Group will continue to provide briefings as more information becomes available. Please contact the practice group Co-Chair, **Najia Khalid**, at 203.498.4314 or nkhalid@wiggin.com if you have any questions.

U.S. Land Border Restrictions Continue

- The suspension of non-essential travel between land ports-of-entry across the northern and southern U.S. borders was implemented on March 21, 2020 and has been extended on a monthly basis since. The suspension currently remains in place through May 21, 2021 and may be extended again.
- Recreational travel, such as for tourism or visiting relatives, remains prohibited. Land border closures do not prohibit travel for essential workers, military personnel, or medical personnel engaged in activities combating the effects of COVID-19, and the transportation of goods is also exempted.