

Mobility: immigration alert

May 2021

United States

United States restricts entry from India

Executive summary

Effective Tuesday, 4 May 2021, foreign nationals who were physically present in India during a 14-day period preceding their entry or attempted entry to the U.S. will no longer be admissible.

Background

The Biden Administration has enacted new restrictions on entry to the U.S. of foreign nationals who have been present in India within the 14 days prior to their entry or attempted entry. The decision, enacted by Presidential Proclamation on 30 April 2021, was made at the recommendation of the Centers for Disease Control and Prevention, in response to the increases in Covid-19 infections and multiple variants currently circulating in India. The restrictions do not apply to United States citizens or lawful permanent residents, or to their spouses and minor children, and other limited exceptions such as military personnel or foreign government officials on diplomatic visas. The Proclamation went into effect on 4 May 2021 and will remain in effect until terminated.

The Department of State will continue to grant National Interest Exceptions for qualified travelers from India seeking to enter the U.S. for purposes related to humanitarian travel, public health response, and national security. Similar entry restrictions are already in effect for travelers from Brazil, China, Iran, Ireland, South Africa, the United Kingdom, and countries in the European Schengen Area.

Admissible individuals who have been present in India within the 14 days prior to U.S. entry must still test negative prior to embarking for the U.S. The restriction is intended to help mitigate the spread of Covid-19 and variants in the United States.

What this means

Foreign national employees who have been present in India within 14 days will be unable to enter the U.S. directly, and will need to remain in a third country for at least 14 days before attempting to enter. However, a growing number of countries have enacted restrictions on entry from India including Canada, the United Kingdom, France, and Hong Kong. As consular operations in India are currently at significantly reduced capacity, those applying for National Interest Exceptions for travel should expect delays.

We will continue to monitor and review future developments. For additional information, or if you wish to discuss further, please contact your EY Law LLP professional.



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