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Mobility: Immigration Alert

March 2020

COVID-19, also known as the novel coronavirus, has now been identified in over 100 countries, including the United States. The [World Health Organization](#) has classified the outbreak as a pandemic, with (at the time of writing) over 118,000 cases confirmed worldwide and over 4,000 reported deaths.

United States

US Travel Advisory: COVID-19

Inbound travel

The United States has implemented admission restrictions for inbound travel in an effort to contain COVID-19. Currently, no mandatory health screenings exist at ports of entry; however, immigration officers are reviewing travel history and checking for clear signs of flu-like symptoms. Officers may refer applicants for admission for health screenings. Further, airlines may take specific measures to prevent travelers from boarding flights if a traveler shows symptoms.

Presidential Proclamation of 11 March

On 11 March 2020, via Presidential Proclamation, the United States announced restrictions on all travel from 26 Schengen Area countries. These countries are listed on the following page. The restrictions will apply to foreign nationals who have been in the Schengen Area in the 14 days prior to seeking admission to the US. The Proclamation is effective until lifted by the president.

The travel restrictions become effective Friday, 13 March 2020 at 11:59 pm ET. The United Kingdom and Ireland are not part of the Schengen Area and, at the time of writing, there are no travel restrictions from these areas.

While not exhaustive, the new travel restrictions **do not** apply to the following individuals:

- ▶ US citizens and spouses of US citizens
- ▶ Lawful permanent residents and their spouses
- ▶ Siblings and parents of US citizens or lawful permanent residents who are unmarried and under 21 years old
- ▶ Children of US citizens and lawful permanent residents (including prospective adoptees)
- ▶ Members of the US armed forces and their immediate families

In addition, the travel restrictions **do not** apply to persons who are residing or who have been in the United Kingdom or Ireland unless they have been in a Schengen country in the 14 days prior to travel to the US.

FAQs on the Schengen travel restrictions

- 1. Which 26 Schengen countries form part of the new restrictions?** Austria, Belgium, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland
- 2. When do the restrictions take effect?** Friday, 13 March 2020 at 11:59 p.m., ET.
- 3. When do the restrictions end?** At this time, there is no specific end-date to the restrictions. The proclamation will end upon termination of the restrictions by the president. In addition, the restrictions may be modified to reflect additional requirements in the coming period.
- 4. I am in the United Kingdom/Ireland. Do these rules affect me?** Generally, no. However, if you have traveled to a Schengen country in the past 14 days, you must wait the full 14 days to travel to the US.
- 5. How long are the new Schengen restrictions in place for?** At the time of writing, there is no end-date identified in the proclamation. The text of the proclamation does, however, indicate that it remains in place until the president lifts the restrictions.
- 6. I have not been in the Schengen during the last 14 days, but I do have flu-like symptoms. Can I travel to the US?** According to the proclamation, persons who “pose a significant risk of introducing, transmitting, or spreading the virus” may be determined to be inadmissible on arrival.
- 7. Where can I find more information on the new rules?** The text of the rules are listed here: <https://www.whitehouse.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-certain-additional-persons-pose-risk-transmitting-2019-novel-coronavirus/>
- 8. I have a US work permit. Do these rules affect me if I have been in the Schengen Area 14 days prior to admission?** Yes.
- 9. I/my family members are exempt from the proclamation based on the criteria listed above. Is there anything I should be considering on my return?**
Yes:
 - ▶ Ensure that you are symptom-free. Airlines reserve the right to refuse boarding to persons with flu-like symptoms.
 - ▶ The proclamation indicates that you may need to seek admission through certain ports of entry where screening will take place. Those ports, at the time of writing, have not been identified.
- 10. I have been in a Schengen country in the last 14 days. Can I seek admission to the US before it takes effect on 11:59 p.m., ET on 13 March?** Yes. However, if you have flu-like symptoms we recommend you do not travel. Further, if your flight is delayed beyond the effective time/date, you may be inadmissible based on the proclamation and may need to return. This proclamation does not apply to persons aboard a flight scheduled to arrive in the United States that departed prior to 11:59 p.m., ET on 13 March 2020.
- 11. Anything else I should be thinking about?**
Yes.
 - ▶ Major airlines have already reduced flights, and they may cancel or alter flight schedules as circumstances evolve worldwide. If you travel, be prepared for new travel restrictions and the possible inability to return or otherwise travel to the US until such restrictions are lifted and/or quarantines are adhered to.
 - ▶ Check with your employer’s travel policies prior to booking flights or traveling internationally for work or business

Outbound travel

At the time of writing, the US Centers for Disease Control and Prevention is recommending avoidance of travel to China, Iran, Italy and South Korea due to Level 3 Travel Health Notices (widespread, ongoing community spread). Layovers in these locations should also be avoided. Please visit the CDC website for the latest information at <https://www.cdc.gov>.

We recommend, before any travel, that you review the [U.S. Department of State Travel Advisories website](#). Methods of transportation may become limited as airlines cancel international flights, so individuals should prepare for unanticipated travel restrictions and the potential inability to return to the US.

Additionally, all persons with planned travel for visa appointments are urged to check their chosen consulate or embassy websites in coming days and weeks for closures and limited operations. Visa appointments may be rescheduled for a future date at no cost. Continue to monitor the WHO, State Department and CDC websites for additional updates and safety protocols.

We will continue to monitor developments as they occur. For further information, please contact your EY Law professional.

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