

National Interest Exceptions for Certain Travelers Subject to Travel Restrictions Covering the Schengen Area, United Kingdom, and Ireland

- On March 2, 2021, the Secretary of State approved changes to the Department's National Interest Exceptions (NIE) policy with regard to the travel restrictions that apply to the Schengen Area, United Kingdom, and Ireland under the President's January 25, 2021 Presidential Proclamation.
- These changes add an exception for critical infrastructure travelers, maintain the exceptions for students, academics, and journalists, and remove the exception for certain business travelers and athletes.
- Effective immediately, travelers seeking to provide vital support for critical infrastructure in the United States may review information provided on travel.state.gov and contact the nearest embassy or consulate to see if they qualify under this most recent national interest determination.
- The following travelers subject to the travel restrictions covering those present in the Schengen Area, the United Kingdom, and Ireland within 14 days before attempted entry into the United States may qualify for NIEs if they are otherwise qualified for visas: travelers seeking to provide critical infrastructure support, academics, students, journalists, humanitarian travelers,

travelers participating in public health response, and travelers whose travel is in the interest of U.S. national security.

- Technical experts and specialists, senior-level managers and executives, treaty-traders and investors, and professional athletes and their dependents no longer qualify for NIEs.
- No previously-issued visas or national interest exceptions will be revoked due to the new policy.

Q&A

Who is covered under this new exception?

Under the new national interest exception (NIE), certain travelers subject to the travel restrictions covering those present in the Schengen area, the United Kingdom, and Ireland who seek to provide vital support for critical infrastructure may now contact the nearest U.S. embassy or consulate to seek an exception to COVID-19-related travel restrictions. Additionally, the exception for students and academics remains in place.

What is “critical infrastructure”? How can a visa applicant know if he/she does work that provides vital support for the critical infrastructure of the United States?

The Department of Homeland Security has defined critical infrastructure sectors as chemical, commercial facilities, communications, critical manufacturing, dams, defense industrial bases, emergency services, energy, financial services, food and agriculture, government facilities, healthcare and public health, information technology, nuclear reactors, transportation, and water/wastewater systems. The Department of State evaluates if an applicant's travel is in vital support of one of these sectors and thus qualifies for an NIE.

Who was covered by the old exception?

Under the rescinded national interest determination, certain technical experts and specialists, senior-level managers and executives, treaty-traders and investors, and professional athletes and their dependents subject to the travel restrictions covering those present in the Schengen area, the United Kingdom, and Ireland were excepted from COVID-19-related travel restrictions. These travelers are now restricted from travel to the United States, and will not be issued visas until these travel restrictions are lifted.

Why is the administration doing this now? Why have businesspeople, athletes, and investors been removed from the list of people excepted? Does the new administration believe these travelers are no longer important to the U.S.

economy?

The Secretary of State made this determination of travel in the national interest following discussions with the Principals Committee of the National Security Council. The Secretary's view, consistent with the administration, is that these measures, prioritizing health and safety as we work to reduce the prevalence of COVID-19, are in the United States' best long-term interests. The Secretary also believes that travel that will provide vital support for critical infrastructure continues to be in the national interest. The United States will look to reevaluate these restrictions as the science-based conditions allow.

Are there other NIEs that haven't been changed by this action?

Academics, students, and journalists subject to the travel restrictions covering the Schengen area, the United Kingdom, and Ireland may still qualify for NIEs; NIEs covering those categories of travelers have not changed. Students seeking to apply for F-1 or M-1 visas should check the status of visa services at the nearest embassy or consulate; those applicants who are found to be otherwise qualified for an F-1 or M-1 visa will automatically be considered for a national interest exception to travel.

What about journalists and those traveling on J visas?

Journalists and certain exchange visitors on J visas may still qualify for NIEs from the travel restrictions covering those present in the Schengen area, the United Kingdom, and Ireland and should contact the nearest U.S. embassy or consulate to determine if they qualify.

Why are only travelers from Europe excepted? What about people from South Africa, Brazil, China, and Iran?

The State Department has been working closely across the U.S. government to implement these Presidential Proclamations in a manner that promotes public health and safety and also allows for essential travel to continue, in a reciprocal fashion where possible. We remain in close contact with our foreign counterparts and are continuously adapting to evolving conditions.

Can you give me a list of what types of travelers currently qualify for NIEs?

Travelers subject to the restrictions covering those present in the Schengen Area, the United Kingdom, and Ireland may currently qualify for NIEs if they are otherwise qualified for visas for the following purposes:

- Vital support for critical infrastructure
- Academics (some J-1 visas)

- Students (F-1, M-1, or J-1 visa)
- Journalists (I visa)
- Humanitarian travel
- Public health response
- U.S. national security

What is an NIE?

The COVID-19-related travel restrictions covering those present in the Schengen Area, the United Kingdom, and Ireland allow the entry of foreign nationals into the United States if their entry would be in U.S. national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their designees. The Secretary of State has determined that travelers seeking to provide critical infrastructure support, academics, students, journalists, humanitarian travelers, travelers participating in public health response, and travelers whose travel is based on U.S. national security may be excepted from these travel restrictions. These exceptions are referred to as national interest exceptions (NIEs).

Whose travel is restricted under the COVID-19 proclamations?

All non-U.S. citizen travelers who have been physically present in the Schengen Area, the United Kingdom, the Republic of Ireland, Brazil, China, Iran, and/or South Africa within the 14 days preceding their attempted entry into the

United States are currently restricted from being issued a visa to the United States, unless otherwise excepted.

Where may a traveler apply for an NIE?

Travelers who believe they qualify for an NIE should contact the nearest U.S. embassy or consulate, with the exception of students traveling to the U.S. on an F-1 or M-1 visa. These students will automatically qualify and may seek entry into the United States once issued their visa, with no further action needed.

When may a traveler apply for an NIE?

If a traveler believes he or she is qualified for an NIE, he or she should contact the nearest embassy or consulate to apply for a visa or to request NIE consideration.

How can a person qualify and apply for an NIE?

Travelers subject to the travel restrictions covering those present in the Schengen Area, the UK, and Ireland who wish to visit the United States to offer vital support to critical infrastructure sectors, as well as academics, J-1 students, and journalists, who have a valid visa in the appropriate class, an ESTA authorization, or who are seeking to apply for a visa and believe they may qualify for a national interest exception should contact the nearest U.S. embassy or consulate before

traveling. If a national interest exception is approved, they may travel on either a valid visa or ESTA authorization, as appropriate.

Students traveling from the Schengen Area, the UK, and Ireland with valid F-1 and M-1 visas do not need to contact an embassy or consulate to seek an individual national interest exception to travel. Students seeking to apply for new F-1 or M-1 visas should check the status of visa services at the nearest embassy or consulate; those applicants who are found to be otherwise qualified for an F-1 or M-1 visa will automatically be considered for a national interest exception to travel.

The Department of State also continues to grant national interest exceptions for qualified travelers seeking to enter the United States for purposes related to humanitarian travel, public health response, and national security. These travelers and any others who believe their travel to be in the United States national interest should also review the website of the nearest U.S. embassy or consulate for instruction on how to contact them.