

Related Services

Immigration

Extension of Validity for NIEs for Travelers from China, Iran, Brazil, South Africa, the Schengen Area, the United Kingdom, Ireland and India

Legal Update

07.08.2021

By Immigration Group

This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

On June 29, 2021, the Department of State extended the validity of National Interest Exceptions (NIE) for travelers subject to restrictions under presidential proclamations related to the spread of COVID-19. Unless otherwise indicated, existing NIEs will be valid for 12 months from the date of approval and for multiple entries, as long as they are used for the purpose under which they were granted.

This extension applies to travelers subject to these proclamations due to their presence in China, Iran, Brazil, South Africa, the Schengen area, the United Kingdom, Ireland and India who currently have approved NIEs or who were granted NIEs in conjunction with a visa application.

Being qualified for an NIE includes traveling to the U.S.: 1) to provide vital support or executive direction to critical infrastructure; 2) to provide vital support or executive direction for significant economic activity in the United States; 3) to work as journalists; 4) due to extraordinary humanitarian circumstances; or 5) in support of national security or public health. Students holding F or M visas and travelers with immigrant or fiancé visas have been granted NIEs and do not need to obtain NIEs in advance from a consular section. NIE eligibility for students who have been present in Brazil, China, India, Iran or South Africa applies to programs that begin on or after August 1, 2021.

Travelers should contact the nearest U.S. embassy or consulate before traveling if they have not previously been approved for a NIE and have a valid visa in the appropriate class or have a valid ESTA authorization for travel under the Visa Waiver Program and seek to travel for purposes consistent with ESTA authorization. If an NIE is approved, they may travel on either a valid visa or ESTA authorization, as appropriate. Each approved NIE is valid for 12 months from the date of approval and may be used to travel to the United States multiple times for the purpose indicated in

Extension of Validity for NIEs for Travelers from China, Iran, Brazil, South Africa, the Schengen Area, the United Kingdom, Ireland and India



the approved NIE.