

## National Interest Exceptions to Travel Restrictions

### By Elizabeth M. Klarin

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National Interest Exceptions to Travel Limitations from the Schengen Area, UK or Ireland

U.S. presidential proclamations published in 2020 have significantly impacted travel to the U.S. from certain countries—including China, Iran, Schengen Area countries, the UK, Ireland, and Brazil. However, several national interest exceptions to these proclamations have recently been published, specifically impacting individuals traveling from the Schengen Area, UK or Ireland. Travelers impacted by these exceptions include certain:

- Business travelers
- Investors
- Treaty traders
- Academics
- Students

According to the U.S. Department of State, qualified business and student travelers who are applying for or have valid visas or ESTA authorization may travel to the United States even as presidential proclamations 9993 and 9996 remain in effect. 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. Business travelers, investors, academics, J-1 students, and treaty traders who have a valid visa or ESTA authorization that was issued prior to presidential proclamation 9993's or 9996's effective dates, or who are seeking to apply for a visa, and believe they may qualify for a national interest exception is approved, they may travel on either a valid visa or ESTA authorization, as appropriate.

The U.S. Department of State is also granting national interest exceptions for qualified travelers seeking to enter the United States for purposes related to humanitarian travel, the public health response, and national security.

#### National Interest Exemption for Certain Athletes, Team/League Staff, and Dependents

Live sporting events provide significant benefits to the U.S. national economy, and the need for these sporting events to have full access to their athletes, support staff, and team and league leadership has been deemed in the national interest of the United States. As such, aliens who compete in professional sporting events organized by certain professional sporting groups—as well as their professional staff, team and league leadership, spouses, and

dependents—may be exempt from entry limitations under the following presidential proclamations:

- Proclamation 9984 (suspending travel to the U.S. by foreign nationals who were physically present in the People's Republic of China (excluding the Special Administrative Regions of Hong Kong and Macau) within the 14 days preceding entry or attempted entry into the United States)
- Proclamation 9992 (suspending travel to the U.S. by foreign nationals who were physically present in Iran within the 14 days preceding entry or attempted entry into the United States)
- Proclamation 9993 (suspended travel to the U.S. by foreign nationals who were physically present in any Schengen Area country within the 14 days preceding entry or attempted entry into the United States)
- Proclamation 9996 (suspended travel to the U.S. by foreign nationals who were physically present in the UK or Republic of Ireland within the 14 days preceding entry or attempted entry into the United States)

Please contact an LMWF immigration team member with any specific questions, and check back regularly on this blog for updates on changing rules and policies.

# **Related Team**



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