
Consular National Interest Exceptions to the COVID-19 Travel Ban to Remain Valid for 12 Months and for Multiple Entries

On July 6, 2021, the Department of State announced new National Interest Exception guidance: National Interest Exceptions granted at Consular Posts abroad will now be valid for 12 months and for multiple entries to the United States. Significantly, this guidance also applies retroactively to individuals granted National Interest Exceptions within the last 12-months. If it has been more than 12 months since the last National Interest Exception was approved, it must be re-assessed by a Consular Officer.

By way of background, over the course of the COVID-19 pandemic, Presidents Trump and Biden have issued several Presidential Proclamations restricting travel from China, Iran, Brazil, South Africa, the Schengen Area, the United Kingdom, Ireland, and India. These “travel bans” include various exceptions, including situations where the travel is deemed to be in the national interest of the United States.

The Department of State has set forth several criteria for consular officers to consider when making determinations regarding eligibility for National Interest Exceptions under the Presidential Proclamations. Among the extensive list of those who may qualify for a National Interest Exception are those traveling to provide vital support or executive direction to critical infrastructure; those traveling to provide vital support or executive direction for significant economic activity in the United States; journalists; students; those travelling due to extraordinary humanitarian circumstances; or those traveling in support of national security or public health. National Interest Exceptions have been granted sparingly at most consulates and often take weeks to adjudicate.

Previously, individuals who met the criteria were granted National Interest Exceptions valid for 30 days and for only a single entry to the United States. Repeat travel required a new application, with the attendant lengthy wait times and unpredictable results. Thus, the new guidelines reflect a welcome change for those seeking to make several trips to the US for important business and projects.

Please contact the Pryor Cashman attorney with whom you work to discuss case-specific strategies.

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The above legal update was penned by Pryor Cashman’s Immigration Group partners [Avram Morell](#), [Colleen Caden](#), [Maria Gandarez Fernanda](#), and [Kimberly Grant](#), with assistance from [Meghan Lenahan](#).

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