

Department of State Updated Guidance on National Interest Exceptions

1. Certain categories within the Schengen Area, United Kingdom, & Ireland have been rescinded.

On March 2, 2021, the Secretary of State rescinded four categories of individuals and their dependents previously eligible for a National Interest Exception (NIE) under the COVID-19 health-related ban for the Schengen Area, United Kingdom, and Ireland (Presidential Proclamation 10143).

The categories rescinded are as follows:

1. **Technical experts and specialists**
2. **Senior-level managers and executives**
3. **Treaty traders and investors**
4. **Professional athletes and dependents**

The Department of State confirmed that previously issued visas or NIEs will not be revoked, and these changes will only be effective on visa issuance moving forward. Those who are applying for visas, currently have visas, or ESTA authorization should follow the guidance included in State's announcement.

2. A new national interest determination for travelers providing vital support for critical infrastructure

The list of what is considered "critical infrastructure" was not defined by the Department of State's guidance. However, DHS's Cybersecurity & Infrastructure Security Agency (CISA) has provided a list and description of critical infrastructure sectors that may be useful in preparing for an NIE, absent additional guidance from DOS.

The following is a non-exhaustive list of critical sectors:

- Chemical Sector
- Commercial Facilities Sector
- Communications Sector
- Critical Manufacturing Sector
- Dams Sector
- Defense Industrial Base Sector
- Emergency Services Sector
- Energy Sector
- Financial Services Sector
- Food and Agriculture Sector
- Government Facilities Sector
- Healthcare & Public Health Sectors
- Information Technology Sector
- Nuclear Reactors, Materials, & Waste Sector
- Transportation Sector
- Water and Wastewater Systems Sector

3. Categories That Remain Eligible for NIEs: Students, Academics, Journalists, Public Health, National Security, & Humanitarian Categories

- Travelers in **academic, student, & journalist categories** remain eligible for an NIE.
- The Department of State also continues to offer NIEs for **public health, national security, and humanitarian categories**.
- **Students** with valid visas or those who will be applying for visas will continue to be automatically considered for an NIE.
- All other categories of persons will be required to apply for an NIE and should contact the respective consular post for more information.