



**November 28, 2021**

### **Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Novel Coronavirus Disease 2019**

- On November 26, 2021, the President of the United States signed a Presidential Proclamation entitled: “*A Proclamation on Suspension of Entry as Immigrants and Nonimmigrants of Certain Additional Persons Who Pose a Risk of Transmitting Novel Coronavirus Disease 2019*” due to the emerging COVID-19 Omicron variant.
- Effective November 29, 2021, 12:01 AM EST, the Proclamation suspends the entry into the United States, as immigrants or nonimmigrants, of noncitizens who were physically present within South Africa, Botswana, Eswatini, Lesotho, Malawi, Mozambique, Namibia, or Zimbabwe during the 14-day period preceding their entry or attempted entry into the United States.
- This Proclamation does not apply to noncitizens who are passengers aboard aircraft scheduled to arrive in the United States that departed prior to 12:01 AM EST on November 29, 2021.
- This Proclamation supplements, and does not supersede, other recent public health travel requirements, including the recently issued Presidential Proclamation and Centers for Disease Control and Prevention (CDC) order requiring travelers arriving in the air environment to test negative for COVID-19 and/or be fully vaccinated prior to boarding a flight to the United States.
- Any National Interest Exception (NIE) granted under this proclamation will not exempt a traveler from testing and/or vaccination requirements under the CDC testing and vaccination orders or Title 19 non-essential travel restrictions.
- Any NIE granted to a noncitizen under previous proclamations are void with respect the Proclamation of November 26, 2021.
- This Proclamation only applies to noncitizens and does not apply to U.S. Citizens (USCs), including dual citizens. In addition, the Proclamation exempts the following noncitizens from its scope:
  - i. Any lawful permanent resident of the United States (LPR) (i.e., I-551 card holders).
  - ii. Any noncitizen national of the United States.
  - iii. Any noncitizen who is the spouse of a USC or LPR (i.e., IR1, F21 immigrant visa classifications, K-3 nonimmigrant visa classification).
  - iv. Any noncitizen who is the parent or legal guardian of a USC or LPR, provided that the USC or LPR is unmarried and under the age of 21.
  - v. Any noncitizen who is the sibling of a USC or LPR, provided that both are unmarried and under the age of 21.

- vi. Any noncitizen who is the child, stepchild, foster child, or ward of a USC or LPR, or who is a prospective adoptee seeking to enter the United States pursuant to the IR-4 or IH-4 visa classifications.
- vii. Any noncitizen traveling at the invitation of the United States Government for a purpose related to containment or mitigation of the virus.
- viii. Any non-citizen traveling as a nonimmigrant pursuant to a C-1, D, C-1/D, nonimmigrant visa as a crewmember or any non-citizen otherwise traveling to the United States as air or sea crew holding B, L or H nonimmigrant visas. Crew must be meeting a vessel in the U.S.
- ix. Any noncitizen
  - a. seeking entry into or transiting the United States pursuant to an A-1, A-2, C-2, C-3 (as a foreign government official or immediate family member of an official), E-1 (as an employee of TECRO or TECO or the employee's immediate family members), G-1, G-2, G-3, G-4, NATO-1 through NATO-4, or NATO-6 ( or seeking to enter as a nonimmigrant in one of those NATO categories;
  - b. whose travel falls within the scope of section 11 of the United Nations Headquarters Agreement.
- x. Any noncitizen who is a member of the U.S. Armed Forces or who is a spouse or child of a member of the U.S. Armed Forces.
- xi. Any noncitizen whose entry would further impact United States law enforcement objectives, as determined by the Secretary of State, the Secretary of Homeland Security, or their respective designees, based on a recommendation of the Attorney General or his designee; or
- xii. Any noncitizen or group of noncitizens whose entry would be in the national interest, as determined by the Secretary of State, the Secretary of Homeland Security, or their designees.

Carriers are advised to take measures to ensure compliance with the terms of this Proclamation and CDC Order. Any questions concerning the scope or implementation of the Proclamation, including the authorization for any noncitizen to board an aircraft or otherwise travel to the United States to seek admission, should be directed to the appropriate Regional Carrier Liaison Group or other designated CBP official for adjudication prior to aircraft departure.