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# K Visa Processing Update

Last Updated: February 10, 2021

On November 19, 2020, the U.S. District Court for the District of Columbia enjoined the government from suspending K-1 fiancée visa adjudications for the named plaintiffs in *Milligan v. Pompeo* due to the geographic COVID-related Presidential Proclamations (P.P.s) 9984, 9992, 9993, 9996, and 10041. These COVID-related geographic proclamations suspended entry into the United States of foreign nationals who had been physically present in the People's Republic of China, Islamic Republic of Iran, Schengen Area, United Kingdom, Republic of Ireland, or Brazil in the 14-day period prior to their entry or attempted entry into the United States. On January 25, 2021 President Biden signed P.P. 10143 continuing the suspension of entry of certain travelers physically present in the Schengen Area, the United Kingdom, the Republic of Ireland, and Brazil, and expanding restrictions to include travelers present in South Africa. The restrictions on travelers physically present in the People's Republic of China and the Islamic Republic of Iran also remain in effect.

**K-1 visa applicants who are named plaintiffs in *Milligan v. Pompeo* and subject to a geographic proclamation should contact their nearest Embassy or Consulate for guidance on scheduling a visa interview.** While such applicants may, pursuant to the court order, be scheduled for a visa interview even though they are subject to a COVID-related geographic proclamation, the court order does not require that plaintiffs be given special priority ahead of other K visa applicants who have requested interviews or who already have been scheduled for interviews. Even if issued visas, K-1 plaintiff applicants remain subject to the geographic P.P.s and, unless able to meet the criteria for an exception, are barred from entering the United States if they have been present in a country covered by a geographic P.P. in the 14 days prior to entry.

**K visa applicants who are not plaintiffs in *Milligan v. Pompeo* and who are not subject to COVID-related geographic proclamations will continue to have their applications prioritized and processed in accordance with existing [phased resumption of visa services guidance](#).** Please check the website of the Embassy or Consulate where you wish to apply to see what categories of visas are currently being processed.

**K visa applicants who are not plaintiffs in Milligan v. Pompeo and who are physically present in a country covered by any of the COVID-related geographic proclamations (the People's Republic of China, Islamic Republic of Iran, Schengen Area, United Kingdom, Republic of Ireland, Brazil, or South Africa) will not have their K visa application processed unless the applicant is eligible for a National Interest Exception.** K visa applicants who are physically present in a country covered by any of the COVID related geographic proclamations, who are not plaintiffs in Milligan v. Pompeo, and who are not eligible for a National Interest Exception cannot be issued a K visa and thus will not be scheduled for a K visa interview while the geographic proclamations remain in effect. K fiancé visa applicants are not spouses of U.S. citizens and therefore are subject to the geographic proclamations.

The resumption of routine visa services, prioritized after services to U.S. citizens, is occurring on a post-by-post basis, consistent with the Department's guidance for safely returning our workforce to Department facilities. U.S. Embassies and Consulates have continued to provide emergency and mission-critical visa services since March 2020 and will continue to do so as they are able. As post-specific conditions improve, our missions will begin providing additional services, culminating eventually in a complete resumption of routine visa services. Applicants should check the website of their nearest U.S. Embassy or Consulate for updates on what services that post is currently able to offer.