

## K Visa Processing Update

Last Updated: November 25, 2020

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 regional COVID-related Presidential Proclamations (P.P.s) 9984, 9992, 9993, 9996, and 10041. These COVID-related regional proclamations suspend entry into the United States of aliens who have 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. K-1 visa applicants who are named plaintiffs in *Milligan v. Pompeo* and subject to a regional 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 regional 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 regional 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 regional 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 regional proclamations will continue to have their applications prioritized and processed in accordance with existing [phased resumption of visa services](#) guidance.

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 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.