

Step-by-Step Guide on How to File for a K-1 Visa for your Foreign Fiance(e)

These are the basic steps required by the US Citizen. These steps should be followed as a guideline and not as specific requirements for any given case. Every case is unique and this does not address that uniqueness.

[Fiancee Visa Requirements](#)

Requirements for Fiancee, Spousal, and Marriage Visas.

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NOTE: For an overview of the entire K-1 Visa process, please see the [K-1 Flowchart](#).

What is a K-1 Visa?

A K-1 Visa (also known as a Fiance(e) Visa) is a nonimmigrant visa issued to the fiancé(e) of a United States citizen. The K-1 Visa allows the visa holder to enter the United States for up to 90 days during which time they may get married and file for Adjustment of Status (to become a Legal Permanent Resident of the US). After filing for Adjustment of Status they may reside in the US beyond the 90 day K-1 Visa validity while their [Adjustment of Status](#) application is processed. While the K-1 Visa is legally classified as a non-immigrant visa, it usually leads to important immigration benefits and is therefore often processed by the Immigrant Visa section of United States Embassies and Consulates worldwide. If the non US Citizen fiancé(e) has a child (under 21 and unmarried), a K-2 non-immigrant visa may be available to him or her. Be sure to include the names of the children on the I-129F petition.

Who is Eligible to File?

U.S. citizens who will be getting married to a foreign national in the United States may petition for a fiancé(e) classification (K-1) for their fiancé(e). You and your fiancé(e) must be free to marry. This means that both of you are unmarried, or that any previous marriages have ended through divorce, annulment or death. You must also have met with your fiancé(e) in person within the last two years prior beginning the K-1 Visa petition process (filing the I-129F). This requirement can be waived only if meeting the non US Citizen's fiancé(e) in person would violate long-established customs, or if it would create extreme hardship on the US Citizen.

Forms Needed to File for a K-1 Visa:

1. [I-129F](#)
2. [G-325a](#)
3. [G-1145](#) (optional)

The above forms can be filled out on your computer and printed. Make sure you sign and date them as required. Anything you cannot fit by typing, you can handwrite (very neatly) in black ink in the blank instead. You should always verify the current forms at www.uscis.gov.

Assembling the I-129F Package: Checklist [Frequent Questions](#)

Forms and Documents (follow [these](#) assembly instructions. All supporting documents must be in English or be **translated** as noted [here](#).):

1. Payment as required by USCIS. Use a personal check so you can track the payment. Money Orders are also accepted.
2. Cover Letter ([see example](#)). Should include a description of what you are petitioning for (I-129F), a table of contents (list everything in the packet). If you need additional room to explain your case, attach a separate sheet (list the attachment on the cover sheet). Make sure to sign and date the cover sheet.
3. Form I-129F: Petition for Alien Fiance(e) ([see example](#))

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4. Declaration of how you met in person in the last two years. This should be a single typed page attachment regarding question 18 of the I-129F. Make sure to sign and date it.
5. Original statements (from **both** the US Citizen and foreign fiance) certifying an intent to marry within 90 days of entering the US on a valid K-1. ([see example](#))
6. Proof of having met in past two years. (click [here](#) for examples)
7. G-325A filled out by the US Citizen signed and dated ([see example](#)).
8. One passport-type photo (see [specification](#)) of the US Citizen. Write the full name of the US citizen on the back. Place in a plastic bag and label the bag "Photo of <Insert US Citizen's Name>". Attach the bag to a sheet of paper and place behind the corresponding G-325a.
9. G-325A filled out by the foreign fiance(e) signed and dated ([see example](#)).
10. One passport-type photo (see [specification](#)) of the foreign fiance(e). Write the full name of the foreign fiance(e) on the back. Place in a plastic bag and label the bag "Photo of (insert foreign fiance(e) name)". Attach the bag to a sheet of paper and place behind the corresponding G-325a.
11. Copy of the Birth certificate (front and back) for the US Citizen **or** a copy of ALL pages of the US Citizen's passport issued with a validity of at least 5 years **or** a copy of the US Citizen's naturalization certificate (front and back). This is used to establish citizenship.
12. Copy of final Divorce Decree(s) or Certificate(s) for the US Citizen **and/or** foreign fiance(e) if either has been previously married. If the previous marriage of the US Citizen **and/or** foreign fiance(e) ended due to the death of their spouse then include a Copy of Death Certificate(s) documenting that fact.
13. Proof of Legal Name Change if either the US Citizen **and/or** foreign fiance(e) is using a name other than that shown on the relevant documents. You must give USCIS copies of the legal documents that made the change, such as a marriage certificate, adoption decree or court order.
14. In regards to Section C Question 2, *if applicable* provide certified copies of all court and police records showing the charges and dispositions for any specified conviction(s) (in accordance with the IMBRA). See section 9 of the I-129f instructions for more information.

Documentary Proof of Having Met in Person in the Past Two Years and an Ongoing Relationship:

Use as many of these items as possible. There is no minimum, but the more you can provide the less likely you are that you will receive an RFE. Additionally, please note that providing proof of your ongoing and genuine relationship in this package may benefit you by allowing the consulate to have access to this information prior to them formally contacting the non US Citizen fiance. Many high risk consulates approach cases with a skeptical eye and providing this information early on in the original I-129F package will help them in their preliminary review of your case.

1. Copies of all airline boarding passes, train passes, itineraries, hotel receipts, passport stamps (make sure you can read the dates on the stamps), and other documentary evidence that you have met within the last two years. You may want to highlight or place post-it notes indicating the dates and locations on the copies (to make the adjudication easier) for the person reviewing your file.

2. Color Photo's of you and your fiance(e) together. Make sure you write your names, date, and location on the back of every photo. Provide two to five photo's. If you only have a single copy of the photo, then make a color copy and send that. If it is a digital photo, have it printed at a company such as kodakgallery.com. You can also make duplicates of photo's at your local photo store (Walgreens, CVS, etc). Place photo's in a plastic bag or photo sheet and label the sheet. Note that you may not receive originals of photo's back.
3. The following items will not typically show proof of having met in the last two years however will show proof of an ongoing relationship: Copies of land line and cell phone bills, appropriate letters and emails, stamps on the letters (*to document the date they were sent*), and other written documentary proof. Provide a reasonable amount; two to four of each type. Pick a range of dates up to and including the present. You can also include a copy of engagement ring receipt (*this is something that is a big optional - do not worry if you do not have a ring yet!*)

Attach "E-Notification" Form (Optional)

Clip a completed G-1145, E-Notification of Application/Petition Acceptance, to the first page of your application (on top of the cover page). By completing this form and attaching it, USCIS will send you an email and/or text message to alert you when your application was received.

Mail the I-129F Package to the USCIS

You should mail the completed form(s) to the [USCIS Dallas Lockbox](#). Mail the package with return receipt requested / delivery confirmation. Send via USPS.

IMPORTANT!

Make **TWO** copies of the entire package before you send it in. This includes the money orders too. You want to have a perfect replica of the package you are sending in. All Forms that you submit must be originals with original signatures. Supporting Evidence that you submit may be photocopies. Retain **ALL** original supporting Evidence since the USCIS has the right to check them by issuing an RFE (*Request For Evidence*). If you receive an RFE, follow the direction exactly, and make two copies of what you sent back. During any future interviews the USCIS may also want to examine the original supporting evidence.

Create a VJ Timeline



Estimate processing time and approval date: [Creating a VJ Timeline](#) will allow you to track your case and will generate an estimated approval date for your petition. You can always gain access to many other tools to help you plan how long your Visa Journey will take!

What to send to your fiance(e) once the I-129F is approved (Receive NOA2):

1. A copy of the entire I-129f package (*that you made when you sent the petition in*) and a copy of information that you sent back due to an RFE (*if you received one*).

2. Send all originals of the documentary proof that you submitted for the I-129F to your fiance(e) for their interview at the embassy.
3. Send an original letter affirming your desire to marry your fiance(e) and your continued support of the K-1 Visa. Sign and date the form. This will be similar to the letter you provided with the I-129F, but dated much closer to the interview (*it will have most likely been several months since you submitted your I-129F*).
4. [I-134](#) Affidavit of Support form. Ensure it is signed, with all required supporting evidence. Begin collecting the required information ahead of time, as it can often take several weeks to collect it all.
5. You will likely need at a minimum (*for the above form*) two to three of your most recent pay stubs and a signed letter from your employer listing you job title, start date, your salary, and the status (full-time) of your position. Begin collecting these ASAP after your NOA2 arrives. You will also probably want to include other evidence such as your banking information and other assets as required by the I-134. Specifically you will need at least 2 of the 4 options mentioned in Section II-Supporting Evidence of the [I-134](#). See this [FAQ](#) for more tips and useful information on the Affidavit of Support Form.
6. A copy of the NOA2 that you received in the mail.
7. Proof of your ongoing relationship. This needs to be taken to the interview! Include photos, travel documents, emails, etc from between the time you filed and present (NOA1 date-now).

Examples: Copies of land line and cell phone bills, appropriate emails and letters you have sent including the stamps on envelopes (*to document the date they were sent*), and other written documentary proof. Provide a reasonable amount; two to four of each type. Pick a range of dates up to and including the present. You can also include a copy of engagement ring receipt (*this is something that is a big optional - do not worry if you do not have a ring yet!*)

NOTE: Tip Regarding Vaccination Records

The K-1/2 beneficiary will be required by the embassy to have a "medical" done prior to the visa interview. Part of this interview will require that previous vaccinations are documented and potentially [additional required vaccinations](#) performed. Once this is complete the doctor will note this on a DS-3025 form that will be sent to the embassy. During the medical appointment request an official copy of the vaccination records from the physician (or a copy of the completed DS-3025 if they will give it to you) as this will be helpful to have on hand in the future (specifically it can be helpful when filing for [Adjustment of Status](#) if your DS-3025 form is not available).

After the K-1 Visa is Approved:

Upon entering the US on a K-1 Visa, the visa holder must get married to the original I-129F sponsor (for the K-1 Visa) within 90 days. If the marriage does not take place within 90 days or the K-1 Visa holder marries someone other than the original US Citizen who petitioned for them, the K-1 Visa holder will be required to leave the United States. Until the marriage takes place, the K-1 visa holder is considered a non-immigrant. A non-immigrant is a foreign national seeking to temporarily enter the United States for a specific purpose. A K-1 Visa holder can not obtain an extension of the 90-day time limit.

If the K-1 Visa holder intends to live and work permanently in the United States they should [apply to become a permanent resident](#) after the marriage. Please note, K-1 Visa holder will receive conditional permanent residence status for two years. Conditional permanent residency is granted when the

marriage is less than two years old at the time the Adjustment of Status application is processed.

Note: A K-1 Visa holder can enter the United States only one time with this visa. Upon entry, the K-1 visa is cancelled, and the I-94 form issued upon entry becomes the controlling document. If the K-1 entrant leaves the U.S. before marriage to the original petitioner, re-entry into the U.S. might not be allowed without a new visa. Also, if the K-1 entrant has applied for and is waiting on approval of an Adjustment of Status petition, the K-1 entrant should not leave the U.S. without also having [applied for and received approved Advance Parole](#) -- doing so could result in the inability to re-enter the U.S., and it indicates abandonment of the petition for Adjustment of Status. (Note that even approved Advance Parole does not guarantee re-entry into the U.S.)

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