

# K1-VISA

**(Fiancee or Fiancee of U.S. Citizens)**

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**The K1 visa enables the fiancee of U.S. citizen to enter the country in order to marry the citizen.**

**The Fiancee K-1 visa** is a one way, one time, 90 day visa, issued to a foreigner for the sole purpose of marrying a U.S. citizen. It is NOT issued for the purpose of getting to know someone better, during the 90 days your fiancee must either marry you or return to his/her home country.

1. If the Fiancee marries someone other than the Petitioner, the Fiancee must leave the United States after 90 days.

If an applicant enters the United States on a K1 visa , he/she is ineligible for an extension of stay or change of status.

The fiancee has 120 days to enter the USA. If he/she doesn't enter within the first 120-day period, that person can apply for a 120-day extension.

Remember, the **K1 Fiancee visa is for marrying in the US.**  
To marry outside the US, see about the K3 visa.

**The advantages of a fiancee K-1 visa:**

1. It's the easiest visa to get , it has a shorter waiting period compared to marriage-based immigration visa petitions.
2. Unmarried children under 21 can be included on the same petition as a K-2 derivative.
3. You can apply for a work permit by filing Form I-765 and engage in employment.

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## **Fiancee K1 Visa Requirements:**

- You must be a USA citizen
- Both you and your fiancée must be free to marry.
- You must have met your fiancée in person within the previous two years, at least once.
- You and your fiancée both have a serious intention to marry within 90 days of your fiancée's arrival in America
- There is a minimum income requirement for the fiancée visa petitioner.
- You must have sufficient income to qualify for the Affidavit of Support.

The government requires the petitioner to prove he has sufficient regular gross income to support the visa recipient so that she does not become a public charge (welfare recipient)

## **Two steps to obtain a K1 Visa:**

**1.Filing the K1 Petition** (filing of a Petition for the Alien Fiancee by the U.S. Citizen). You and the fiancée file the K1 fiancee visa petition to get a Permanent Residence Status for her and the children.

## **Forms and documents:**

- USCIS Form I-129F, Petition for Alien Fiancee Evidence of U.S. Citizenship
- Two Form G-325A Biographic Data Sheets (one for you and one for your fiancée)
- One color photo of you and one of your fiancée taken within 30 days of filing
- Copies of any divorce decrees, death certificates, or annulment decrees if either you or your fiancée have been previously married
- Proof of permission to marry if you or your fiancée are subject to any age restrictions

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**2. The filing of the fiancée's application:**(Once the Petition has been approved by the USCIS)

Once USCIS approves the petition, the application is sent to the National Visa Center to perform security checks. The National Visa Center will forward it to the American Consulate . The consular officer will notify you when the approved petition is received and provide you the necessary forms and instructions to apply for a K1 visa.

**You may have to submit the following documents as a part of your K1 fiancée visa application at the American Consulate:**

- Valid passport
- Copy of your birth certificate
- Copies of any divorce decrees, death certificates, or annulment decrees if either of you have been previously married
- Police certificate from all places where you have lived since age 16
- Medical examination
- Evidence that your fiancée will support you
- Evidence of valid relationship with your fiancée
- Two photographs 1 and 1/2 inches square (37x37mm), showing full face, against a light background

**FAQ For The K1 visa**

**1. Do I have to marry my fiancée once she come to the United States?**

There is no requirement to marry if things don't work out according to your expectations. If you do not marry your fiancée, you can apply for another K-1 Visa with another fiancée. (although a second fiancée petition will be a more challenging proposition).

Your fiancée similarly will not be precluded from receiving another visa in the future. She may return home and another US citizen may apply for a new K-1 visa for her.

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## **2. How my fiancée can get Work Authorization?**

The fiancée must marry the U.S. citizen within ninety (90) days of entry. Apply for adjustment of status to obtain permanent residency (green card).

With the adjustment of status application, the fiancée may also apply for employment authorization and permission to travel while the adjustment of status is pending.

## **3. Can the Fiancée extend or renew the Visa and remain in the U.S. after 90 days if there is no marriage?**

No. The Fiancée (e) must leave the country if he/she does not marry after the 90 day period.

She may not re-enter the U.S. again under the same Visa.

She may, however, re-enter the U.S. after approval of a completely new K1 Visa by starting the entire process again with the same Petitioner or a new Petitioner.

## **4. How long does the fiancée visa process take?**

The normal length of time from the filing of the fiancée visa petition with the INS, until the issuance of the visa by the US Consulate, is six months to one year.

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