



FORT SILL LEGAL ASSISTANCE



K-1 VISA OVERSEAS FIANCE

How can I obtain a Marriage Visa for my Overseas Fiancé?

A K-1 Visa allows you as a U.S. citizen to bring your overseas fiancé into the United States in order to marry.

To be eligible, you **must** be able to show:

- You are a U.S. Citizen.
- You intend to marry within 90 days of your fiancé's entry into the U.S.
- You and your fiancé are free to marry each other.

Below are the three steps you will need to know for the K-1 Visa process.

STEP ONE: How Do I Apply?

The form required for your application is I-229F, Nonimmigrant Visa (K-1) for Alien Fiancé of a U.S. citizen; download and fill out Form I-229F at <https://www.uscis.gov/i-129f>. Please ensure that your form is up to date and has not expired.

Please refer to <https://www.uscis.gov/sites/default/files/document/forms/i-129finstr.pdf> if you are unsure how to fill in a particular entry on the form.

For USCIS Use Only		Fee Stamp		Action Block	
Case ID Number					
A-Number					
G-28 Number					
<input type="checkbox"/> The petition is approved for status under Section 101(a)(15)(K). It is valid for 4 months and expires on: _____		Extraordinary Circumstances Waiver <input type="checkbox"/> Approved Reason _____ <input type="checkbox"/> Denied Reason _____			
General Waiver <input type="checkbox"/> Approved Reason _____ <input type="checkbox"/> Denied Reason _____		Mandatory Waiver <input type="checkbox"/> Approved Reason _____ <input type="checkbox"/> Denied Reason _____		AMCON: <input type="checkbox"/> Personal Interview <input type="checkbox"/> Previously Forwarded <input type="checkbox"/> Document Check <input type="checkbox"/> Field Investigation	
Initial Receipt	Relocated	Completed	Remarks		
Resubmitted	Received	Approved			
	Sent	Returned	IMBRA disclosure to the beneficiary required? <input type="checkbox"/> Yes <input type="checkbox"/> No		

▶ **START HERE** - Type or print in black ink.

The following **will** be required:

1. Completed Form I-229F (Complete all sections by typing or black ink, use N/A for not applicable, and do not forget to sign it.)
2. Photographs (One-color passport-style photograph of yourself and one of your fiancé taken within 30 days of the filing of your petition with a white to white-off background.)

3. Application fees

Currently \$535, you will need to include a money order or personal check along with your I-229 Form. However, check <https://www.uscis.gov/i-129f> to ensure the correct, up-to-date application fee.

Make the check out to the U.S. Department of Homeland Security, not DHS.

4. Supporting documents

U.S. citizen's copy of their birth certificate, naturalization certificate, certificate of citizenship, evidence you or fiancé has legally terminated any and all previous marriages (divorce decrees), evidence you intend to marry within 90 days of your fiancé's entry into the U.S., and evidence that you met your fiancé in-person within the last two years of filing Form I-129F.

USCIS will NOT accept electronic CD-ROMS, DVDs, or Thumb Drives as supporting documents; however, they will accept photographs of these supporting materials.

Where Do I File My Petition?

You can file your application by mail at following addresses:

U.S. Postal Service (USPS):

USCIS
P.O. Box 660151
Dallas, TX 75266

FedEx, UPS, and DHL deliveries:

USCIS
Attn: I-129F
2501 South State Highway 121 Business
Suite 400
Lewisville, TX 75067

Please check <https://www.uscis.gov/i-129f> to verify the correct mailing address.

How Can I Get an Electronic Confirmation of My Petition?

You may also choose to receive an email or text message when USCIS accepts your form, complete [Form G-1145](#), E-Notification of Application/Petition Acceptance, and [clip it to the front of the petition](#).

You can find Form G-1145 at <https://www.uscis.gov/g-1145>.

STEP TWO: What Happens After Approval?

The National Visa Center (NVC) will mail you a letter when it sends your fiancé's case to the U.S. Embassy or Consulate. Once you receive this letter, inform your fiancé to take the following to her Visa interview:

1. Form DS-160
2. A valid passport
3. Birth certificate

4. Divorce or death certificates for previous marriages
5. Police certificates
6. Medical examination
7. Evidence of financial support
8. Two 2x2 photographs
9. Evidence of your relationship
10. Payment of the fees associated with this stage of the application.

After obtaining their K-1 Visa, your fiancé will have six months to travel into the U.S.

Please refer to the following website for additional information from the U.S. State Department.

<https://travel.state.gov/content/travel/en/us-visas/immigrate/family-immigration/nonimmigrant-visa-for-a-fiance-k-1.html>

STEP THREE: What Happens After Arrival?

After your fiancé's entry into the U.S., you will need to marry within 90 days, then your spouse can apply via Form I-485 for conditional resident status.

A conditional resident has the same rights and responsibilities as a permanent resident, including the right to live and work inside of the U.S. However, within 90 days of the expiration of the residency card, you and your spouse will need to file a Form I-751 jointly, Petition to Remove the Conditions of Residence.

- Do not file Form I-751 before the 90-day expiration period.
- Failure to timely file Form I-751 will result in loss of the spouse's lawful residency status and removal from the U.S.

What if I need help with my application?

Current members of the military and their families, as well as veterans, may call the USCIS toll-free military helpline at 877-CIS-4MIL (877-247-4645, TTY 800-877-8339) or by sending an email to **militaryinfo@uscis.dhs.gov**. Representatives can answer your questions Monday through Friday from 0800 AM - 1600 PM CST, excluding federal holidays.

You can also find guidance on how to fill out your forms at

<https://www.uscis.gov/forms/filing-guidance/form-filing-tips> and **<https://www.uscis.gov/forms/filing-guidance>**.

Updated November 2022

This Information Paper provides only basic information and is not intended to serve as a substitute for personal consultation with a Legal Assistance Attorney. To schedule an appointment with a Legal Assistance Attorney, please contact the Legal Assistance Office at (580) 442-5058. The Fort Sill Legal Assistance Office is located on the 4th Floor of Building 4700 (Welcome Center) at 4700 Mow-Way Road, Fort Sill, Oklahoma 73503.