

K-1 Information

Description

The K-1 visa is issued to a fiancé(e) of a United States citizen who is entering the United States planning to marry within 90 days.

Basic Requirements Summary

A K-1 visa application must meet 3 requirements:

1. The couple must have met **in person** within two years before filing the application for the K-1 visa, (a dated photograph of the couple holding a recent copy of Time magazine is the sort of evidence required) but this requirement can be waived if evidence of either of the following is submitted:
 - a. Compliance would result in extreme hardship to the U.S. citizen petitioner; or
 - b. Compliance would violate strict and long-established customs of the K-1 visa holder's foreign culture or practice. For example, compliance would violate the custom of marriage traditionally arranged by the parents, and the prospective bride and groom are prohibited from meeting prior to the wedding day;
2. The couple must have a bona fide intention to marry; and,
3. The couple must be legally able and willing to conclude a valid marriage in the United States within 90 days after the K-1 visa holder's arrival.

A dependent child of a K-1 visa holder is considered a K-2 non-immigrant when accompanying the K-1 visa holder into the U.S.

Validity Term

The K-1 visa is valid for 90 days from entry. Employment is authorized after issuance of an Employment Authorization Document (EAD). The K-1 visa holder must marry the U.S. citizen within 90 days of entry into the U.S. If the marriage does not take place within ninety days, the K-1 visa holder must depart the United States. After the K-1 visa holder and U.S. citizen marry, an application for legal permanent residence (Green Card) for the K-1 visa holder and any K-2 dependent children must be submitted to the USCIS.