Legal Briefs

From the Fort Knox Legal Assistance Office

Obtaining Green Card for Spouse

Listed below are the common ways to bring a non-US Citizen fiance or spouse to the US.

Fiancé K1 Visa and Adjustment of Status

A K1 Fiancé Visa allows the foreign fiancé of a U.S. Citizen to enter the United States with the intentions of getting married within 90 days of entry. To obtain a fiancé Visa, an I-129F fiancé Petition is filed with the USCIS service center. Once approved, the Embassy in the foreign fiancé's country will send your fiancé a letter informing them of additional steps to complete the Visa process. Your fiancé can then enter the United States for the purpose of getting married.

Direct Consular Processing

In this example, the U.S. citizen marries the foreign fiancé (either in the foreign fiancé's country, in the US, or in a third country...the location does not matter as long as it is a legal marriage) and applies DIRECTLY through the foreign U.S. Consulate. Not all foreign U.S. Consulates will do this for US citizens who are non-residents and some Consulates will NOT do this option at all. Contact your respective Consulate to determine if this option is valid.

K3 Visa

If you are a U.S. citizen and you are already married and want your spouse to enter the United States for purposes of immigration, a K3 Visa is what you want. Once you file Form I-130 and Form I-129, your spouse is eligible to receive a Nonimmigrant K-3 Visa. This will entitle your spouse to come to the U.S. to live and work while his or her application for lawful permanent residency is pending. A consular officer will interview the foreign spouse, and if eligible, a visa will be issued, valid for multiple entries during a period of 24 months. Once in the United States the alien spouse must apply to the USCIS for lawful permanent resident status, commonly known as a "Green Card." For marriages less than two years old, the applicant is initially granted conditional resident status. After two years, the applicant must apply to the USCIS for removal of the conditional status.

If you have any questions concerning these matters, please call the Legal Assistance Office for an appointment at (502) 624-2771 or visit our website at www.knox.army.mil/center/sja/. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Fort Knox Legal Assistance Office is located in Building 1310, Pike Hall at the corner of Knox and Third Street.