

Filing Form I-130 & Immigrant Visa

The Immigrant Visa (IV) Unit accepts Form I-130, Petition for Alien Relative, filed by qualified U.S. military service members for any immediate relative, when active duty military service members are stationed at a military base in Korea. U.S. Embassy, Seoul also may accept Form I-130 for other individuals in exceptional circumstances. For more information, please visit our U.S. Embassy, Seoul website at <http://kr.usembassy.gov/>.

Visa Categories:

- IR-1 or CR-1:** Spouse of a U.S. citizen
- IR-2 or CR-2:** Unmarried Child Under 21 Years of Age
- IR-5:** Parents of a U.S. citizen

Below are steps for Form I-130 filing and Immigrant Visa processing.

Schedule I-130 petition interview appointment via <https://kr.usembassy.gov/visas/immigrant-visas>.

Receive I-130 appointment letter from IV office.
Petitioner prepares necessary documents.

Come in for I-130 petition interview and provide all docs and pay I-130 filing fee.

After I-130 petition is approved, IV unit sends I-130 approval notice with the instruction package.

Make IV appointment via Visa Information call center. Fill out online applicant form DS-260, have a medical examination, and prepare other IV documents.

Attend IV interview and pay IV fee at U.S. Embassy, Seoul.

Receive visa and enter the United States within the validity period of the visa.
(subject to the validity of the medical examination)

Document Preparation

For Filing Form I-130

- Form I-130 (online at <https://www.uscis.gov/i-130>)
- Form I-130A for CR1/IR1
- Photograph (2" x 2"): two for petitioner, two for beneficiary (taken within 30 days, white background, no glasses)
- Petitioner's proof of U.S. citizenship
- U.S. Military orders in Korea
- Proof of bona fida relationship (residence, photos, etc.)
- Proof of termination of prior marriage(s) for both petitioner and beneficiary (if applicable)
- Marriage certificate
- Birth certificate of beneficiary
- Consular Report of Birth Abroad (CRBA) of child(ren) if applicable
- USFK Form 163E (pre-Marital Certification Application)
- Petition filing fee (paid at U.S. Embassy, Seoul)
- English translation of all documents issued in another language

For Immigrant Visa Interview

- DS-260 confirmation page (online at <http://ceac.state.gov/iv>)
- Passport
- Photograph (2" x 2"): two for beneficiary (taken within 6 months, white background, no glasses)
- Medical examination
- Birth certificate
- Family Relations certificate
- Marriage certificate
- Divorce certificates if applicable
- Police certificates
- Court record of any arrests
- Affidavit of Support Form I-864/I-864A/I-864EZ
- Most recent Federal income tax return
- Proof of petitioner's domicile in the United States
- If a Joint Sponsor is required, provide the Joint sponsor's Form I-864/I-864A, tax return, proof of assets, proof of U.S. citizenship and domicile
- English translation of all documents issued in another language

FAQ

What is the difference between IR and CR visas?

An **Immediate Relative (IR) visa** is issued to foreign spouses, unmarried children under the age of 21 and parents of U.S. citizens. However, if the foreign spouse has been married less than two years to a U.S. citizen before entering the United States, then a **Conditional Resident (CR) visa** is issued. The spouse's permanent resident status is considered "conditional." This "conditional" status also applies to the children of a foreign citizen spouse.

To change your conditional status to permanent status, you must submit a Form I-751 to U.S. Citizenship and Immigration Services. Please visit the USCIS website at <http://www.uscis.gov> for further details.

Does my spouse/child need an Immigrant Visa?

U.S. law requires all alien spouses and children of American citizens relocating to the United States to reside for an indefinite period, including U.S. Forces Korea (USFK) family members, to enter the United States with an Immigrant Visa.

How long does it take to obtain an Immigrant Visa?

We cannot guarantee the processing time since each case is unique. Four months is a rough estimate of the minimum amount of time needed for a case that originates and is processed in Korea. We urge all applicants to start this process early. If an applicant fails to take timely steps or does not qualify for an IV, they may be left behind when the U.S. citizen family members depart Korea. You should be aware that a third country national may no longer hold legal status in Korea once his/her U.S. citizen family member departs Korea.

May I file for my stepchild?

Yes, if your stepchild was under the age of 18 when your marriage took place.

May I petition for my spouse and children on one petition?

No. You must file a separate petition for each person.

Where can I obtain the petition forms?

You may download the forms at this website:

<http://www.uscis.gov/forms>

Do I, as the petitioner, attend the interview?

- When filing a petition, the petitioner **must** attend the I-130 interview. The beneficiary's attendance is optional.

- For the visa interview, the beneficiary **must** attend the interview. The petitioner's attendance is **not necessary**.

How long is the I-130 petition valid?

After the I-130 petition is approved and an IV applicant receives an Instruction Package, he/she must apply for a visa within 2 years from the date on the Instruction Package letter. If, for some reason, you cannot complete the process, contact the Visa Information call center to request extension.

How do I schedule a medical examination?

Arrange for a medical examination directly with one of designated hospitals below:

- Gangnam Severance Hospital: gs.iseverance.com
- Saint Mary's Hospital: cmcsungmo.or.kr
- Yonsei Severance Hospital: sev.iseverance.com
- Seoul National Univ. Hospital: 02-2072-4918
- Haeundae Paik Hospital: 051-797-0369

Please take passport, visa interview appointment letter, DS-260 confirmation page, immunization records (if available), and one passport photograph taken within the last six months. The physician will give you a copy of the vaccination sheet and chest X-ray in a sealed envelope. The medical report is valid for 6 months. If a Class A or Class B TB condition exists, it is valid for 3 months from the completion date of the evaluation. Once the medical exam is completed, the hospital will electronically send the medical report to the Immigrant Visa Unit.

My DEROS date changed. How can I extend the Immigrant Visa Process?

Please contact the Visa Information call center to request an extension of the approved I-130 petition.

How can I expedite the IV interview appointment?

Please contact the Visa Information call center with an explanation of your situation. The IV unit may only accommodate expedited interview appointment requests based on availability, weighing the exigent circumstances as described.

Do I have to obtain a police certificate from everywhere I have ever been?

A police certificate must be obtained by the visa applicant from the following countries:

- his/her country of nationality

- from the country of current residence if his/her presence at the current residence began after age 16 and was for 6 months or more
- from other countries for stays of 12 months or more after age 16

If you have ever been arrested in any jurisdiction, you must bring arrest, court, and prison records.

For police certificate and other documentary requirements for various countries, please see :

<https://travel.state.gov/content/travel/en/us-visas/Visa-Reciprocity-and-Civil-Documents-by-Country.html>.

What is the validity of the Immigrant Visa?

The immigrant visa validity is based on the medical examination. Normally it is valid for 6 months from the exam date. For Class A or B cases, it is valid for 3 months from the completion date of the evaluation.

Is an Immigrant Visa a green card?

No. The alien must land in the United States within the valid period of the Immigrant Visa in order to apply for a "green card"/Legal Permanent Resident (LPR) card.

Contact Information

Petition Related Inquiries

Inquiry Form:

<https://kr.usembassy.gov/visas/immigrant-visas/inquiry-form/>

Schedule Appointment:

<https://kr.usembassy.gov/visas/immigrant-visas/family-based-immigration/filing-an-immigrant-petition/>

Visa Inquiries (Visa Information call center)

Email: support-korea@ustraveldocs.com

Phone: 02-6009-9170
070-4784-4054
703-520-2234 (in the U.S.)

Phone inquiry hours: Monday to Friday
9:00am-6:00pm



IMMIGRANT VISAS for IMMEDIATE FAMILY MEMBERS

U.S. Embassy, Seoul
Consular Section

188 Sejong-daero, Jongno-gu
Seoul, 03141
Republic of Korea

<https://kr.usembassy.gov>

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