

# 5 THINGS YOU MUST KNOW BEFORE STARTING YOUR VISA

START SMART.  
AVOID DELAYS, DENIALS.



**FRED WAHL**  
THE VISA COACH

# 5 Things you Must Know before starting your Visa.

## Table of Contents

<b>Preface</b>	<b>2</b>
<b>The Author</b>	<b>3</b>
<b>Disclaimer</b>	<b>4</b>
<b>Introduction</b>	<b>5</b>
<b>The Fiance Visa Process</b>	<b>6</b>
<b>1: Confirm you are eligible</b>	<b>9</b>
<b>2: Trouble ahead? Assess your red flags</b>	<b>11</b>
<b>3: Learn your consulate's secret approval standards.</b>	<b>13</b>
<b>4: Know where to get help.</b>	<b>15</b>
<b>5: Reconcile yourself, on how long the process takes</b>	<b>17</b>
<b>Useful Links</b>	<b>18</b>

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## Preface

This guide is written for those who are starting or considering bringing a foreign born fiance to the USA for marriage, and permanent residency in the United States. This process is called applying for a **K-1 fiancé visa**.

The actions you take EARLY in the process, even at the initial stages of dating and courtship, even before “talk of marriage” begins, will come in handy later, once your relationship reaches serious plans for marriage and a life together in the USA. Use this guide to plan your strategy and prepare for a successful immigration experience.

While this document has been written with the Fiance Visa process in mind, the concepts are also relevant for those embarking on Spouse visas..



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## The Author



**Fred Wahl**

Fred Wahl, is a Bonded Immigration Consultant known as the VisaCoach. He is active in helping couples navigate a complicated US immigration process to successfully bring foreign born fiancées and spouses to the United States for permanent residency. He provides clients with his signature three step Immigration Success Method, (ISM) that converts mundane Visa and green card “Applications” into persuasive PRESENTATIONS. The goal of these persuasive presentations is to anticipate and answer expected questions and concerns of consular and immigration officers by “front loading” the answers into the initial application.. By satisfactorily presenting clear and plausible answers (before they are asked), the reviewer is pre-disposed to approve before the interview begins. This results in potentially adversarial interviews being converted into cooperative, short and pleasant chats. Or in interviews being waived altogether.



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## Disclaimer

Fred Wahl is bonded as an active Immigration Consultant, able to assist in form preparation, document selection, and provide non-legal advice.

Fred Wahl, the staff at VisaCoach.com, Heart of Asia and FianceeVisaServices.com is not an Attorney, Immigration Law Firm, or employees of Home Land Security (I.N.S.) or (USCIS) and can not offer legal advice.

If legal advice is needed, the service of a professional person in this field should be sought.

Information provided here is NOT legal advice, but general information on marriage based immigration.



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## Introduction

Americans find it fairly easy to travel the world. For us to travel worldwide is typically not very difficult nor complicated. It sometimes comes as a shock to learn that the reverse is not true for those born outside the USA. In American's minds they feel that after finding a partner overseas, the only complication is buying a plane ticket to bring her back to the USA, together on the same flight. That's how it happens in movies. But sadly not so in real life.

In order to bring your foreign-born fiancé to the USA you need obtain permission from the United States government. The process is complicated and takes months, sometimes years. Our government wishes to control who is allowed to enter the United States.

This is done in the form of a visa called a K-1 Fiancé Visa. The visa allows her to enter the United States to visit for 90 days, and during that time, IF she marries you on time, she has permission to apply to remain in the USA, staying with you as a lawful permanent resident (Green Card holder).

The biggest mistake you can make is to be complacent and not take the process seriously. Fraud by others and resultant skepticism by immigration officers is rampant. It is not enough to HAVE a genuine case, you need to PROVE it too. Those who assume it is just a simple matter of filling in a few forms, and then it will be obvious to the consulate examiners to approve, is following a recipe for disaster.



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## The Fiance Visa Process

As a US citizen you may apply for permission to bring your fiancé to the USA. You submit to the United States Customs and Immigration Service, (USCIS) a thick package of forms and civil documents and evidences called the I-129F Application for a K1 Fiancé Visa.

USCIS reviews the petition, checking that all requirements have been met. The review includes a criminal background check by the FBI on the American sponsor.

Once USCIS is satisfied, the case is forwarded to the US State Department's processing center in New Hampshire called the National Visa Center (NVC).

Fiance visa applications are held briefly at NVC, long enough for NVC to assign a new, consulate specific, case number then to forward the case via courier to the consulate assigned to your Fiancee. For most, the consulate assigned will be the consulate in the country where your Fiancee is currently living.

Once the case arrives at the destination consulate, your fiance is notified and told what to do next. She pays an application fee, books the consulate interview, and attends a medical exam.

Finally she attends her interview at the US consulate. She brings her civil documents, such as passport, birth certificate, and police clearances. She also brings proofs that her US Fiance is financially eligible to sponsor the visa. This is usually his recent tax return, letter from employer, pay stubs and signed sponsor's affidavit of support form.



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Once it has been confirmed that all the right documentation has been presented, the interview is conducted by a trained consular officer. There are only TWO remaining issues. The consular officer needs determine IF in his opinion the fiancée is of good moral character and the relationship is bone fide. This is the moment, and challenge that all effort has been leading up to. At this time the consular officer decides, approve or deny.

If approved, one to two weeks later she gets her visa, and can join you in the USA. The visa is good for 6 months from the date of her medical, and upon arrival to the USA, she has 90 days to marry or leave.

If marriage takes place the couple then applies for her to remain. This is called “Adjustment of Status” and the final evidence of approval is a drivers licence sized card confirming she can stay. This is the “Green Card”

For most couples the time it takes from start to visa is a painfully slow process. For most it is about 6 months on average, but could be faster or slower. The wheels of government move slowly. The couple should be prepared for this.

The major reason the process to bring your fiancé to the USA is so complicated, slow and the outcome never certain is due to the many fraudulent cases that are submitted along with the bona fide ones. For most visas issued by the US the decision to approve or deny is fairly simple. An investor has enough cash, and gets an investor visa. A student has been accepted to a US University, and gets a student visa. A worker has special skills and a US company sponsoring him, and gets a worker visa. But ANY couple can claim romance. Fraudulent couples planning a



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“sham marriage” in order to get the visa to the USA, have made the review process more difficult for all couples, including the honest ones.

The final decision to approve or deny falls on the intuition and judgement by the consular interviewer. The interviewer works to weed out the fraudulent from the honest. This is fairly difficult as every applicant couple, regardless sincere or false tells a similar story. The consular officer’s challenge is to use his intuition, cultural knowledge, and training during a brief but intense face to face interview with your fiancé, to decide, yes or no. In order to pass, your fiance must present an undeniably believable impression of her and your sincerity.

## Related Links

How to bring your foreign born Fiance to the USA

<http://www.visacoach.com/how-bring-fiancee-to-usa.html>

How to bring your Fiance from Philippines

<http://www.visacoach.com/how-bring-filipina-fiance-usa.html>

Fiance or Spouse Visa: Which is Better?

<https://www.visacoach.com/choosing-marriage-visas.html>



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# 1: Confirm you are eligible.

The following are reasons US will not allow your fiancée to enter the USA.

## IN-Admissibility Guidelines

- was or is on a J-1 or J-2 exchange visitor visa and subject to the two-year foreign residence requirement.
- has a communicable disease such as tuberculosis
- has a physical or mental disorder that making her harmful to others.
- is likely to become a public charge (dependent on welfare).
- is a drug abuser
- has committed or been convicted of a crime of "moral turpitude"
- has been convicted of multiple crimes.
- has been convicted of certain specified crimes, such as prostitution or drug trafficking.
- is the immediate family member of a drug trafficker and have knowingly benefited from their illicit money within the last 5 years.
- has committed espionage or sabotage.
- is a member of totalitarian party (such as the Communist Party)
- is a Nazi or has participated in genocide.
- has violated immigration laws or committed immigration fraud.
- has falsely claimed to be a U.S. citizen.
- is unlawfully present in the United States or haven't obtained proper documentation to enter the United States.
- was previously removed or deported from the United States.
- is a polygamist
- has committed international child abduction.



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The couple must meet the following eligibility requirements to be granted the fiancé visa.

## **Objective Requirements**

The US sponsor is a US Citizen

The couple must both be “free to marry”. That means each have either never been married, or currently are divorced, annulled or widowed.

The US sponsor earns enough income or has sufficient cash assets or home equity in excess of 100% of the Federal Poverty Level.

The couple must have had a face-to-face, in-person meeting, within the last two years.

## **Subjective Requirements**

The foreign-born fiancé must be of good moral character.

The couple intends to marry.

The couple must have a bona fide relationship. In practice, the couple's relationship, courtship and engagement should match the appearance of normalcy for their respective cultures and backgrounds.

For more details on K-1 Fiance Visa eligibility requirements and Financial Requirements <http://www.visacoach.com/fiancee-visa-eligibility.html>



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## **2: Trouble ahead? Assess your red flags.**

Assuming a couple has met the objective eligibility requirements, and not tripped one of the inadmissibility situations, what remains are the SUBJECTIVE eligibility requirements. This is what the consular officer will evaluate during the interview.

**Will he believe your fiance is of good moral character?**

**Will he believe the true intent is a bone fide marriage not visa fraud?**

A red flag is something that could trigger suspicion in the mind of the consular officer.

Red flags that might lead a consular officer to doubt your bona fide status

- shortness of relationship
- limited communications
- minimal time spent together
- significant age difference
- lack of a common language
- multiple marriages
- multiple visa applications.

A red flag that could indicate lack of moral character (of the foreign fiancé)

- courtship occurred while married (adultery)
- signs of past drug use
- negative police clearances
- tattoos



Red flags that might lead the consular officer to worry about the safety of the foreign fiancé (and deny the visa to protect her )

- history of domestic violence by US sponsor.
- history of drug abuse by US sponsor.

Red flags don't necessarily end in denial, but should be taken in account when planning your strategy for the most productive actions to take, best evidences to submit, what timing should be followed, what issues should be anticipated and explained in advance, and what issues should be downplayed.

## Related Links

Red Flags that lead to Fiance Visa Denial.

<http://www.visacoach.com/visaquestions/2014/06/05/red-flags-that-lead-to-fiance-visa-denial/>

Is your Fiance or Spouse Visa Case Hopeless?

<http://www.visacoach.com/visaquestions/2014/09/03/is-your-fiance-or-spouse-visa-case-hopeless/>

What to do if your Visa is Denied

<http://www.visacoach.com/what-to-do-if-visa-denied.html>



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### **3: Learn your consulate's secret approval standards.**

The ultimate, deciding interview occurs at the consulate handling your fiancé's case. The consular officials based in your fiancée's country have worked hard studying the local culture and traditions. The consular officer puts this understanding to use while interviewing your fiancé. He approves or denies based upon his knowledge and intuition, whether he FEELS the relationship appears to meet expectations consistent with your fiancé's culture, country, background and family,

While each consulate's mandate is to follow the State Department's official Foreign Affairs Manual, in practice many consulates have customized their standards of what is required to demonstrate a bone fide relationship based on local conditions and insights. What this means is that what may be perfectly acceptable and gain immediate approval at one consulate, may not be sufficient at another. The hurdles are set at different heights depending on the consulate. Unfortunately, these "sub rosa" criteria are not published, not publicly acknowledged, not listed on the consulates web pages.

What I do is study every denial I come across. Then look for common factors. What situations routinely cause denial? What situations bring on smooth approval. Studying the consulate to learn what caused other couples denials in the past will help you avoid making the same mistakes.

For example:

- Most consular officers expect a genuine petitioner to have met "the inlaws".
- Many consular officer expect a long courtship and sometimes a longer engagement.



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- The officers in Guangzhou expect a genuine petitioner to have made at least two trips to China.
- The officers in Ho Chi Minh City expect a genuine couple to have celebrated an elaborate and expensive Dinh Hon engagement party.
- The officers in Santo Domingo expect a genuine couple to attend the consular interview together.

Prior experience with a consulate and having (and sharing) insights into what they look for to approve is one of the most valuable benefits to be gained when hiring VisaCoach to help with your case.

The best way to find out about the consulates internal policies is to speak with other couples who have gone through the process. Try to determine what went wrong in their case then reverse engineer what the consulate officer was actually looking for.

Here is a short list of some of the criteria, that some consulates key in on, and which before proceeding you are well advised to determine what the Consulates expectations are.

- Age differences
- Prior marriages
- Courtship before divorce is final
- How long should the courtship be
- How many trips should be taken
- How long should trips be.
- How much time between trips
- When is “right” time for proposal
- Is engagement ring expected, How expensive?
- How long should engagement be
- When is “right” time for engagement
- Is engagement celebration necessary, How expensive?
- When is “right” time to submit Fiance Visa application?

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## USEFUL LINKS

What is a Fiance Visa Interview?

<http://www.visacoach.com/k1-fiancee-visa-interview.html>

Fiance Visa Interview in Manila Philippines

<http://www.visacoach.com/manila-visa-interview-video.html>

Why are So many Vietnamese K-1 Fiance or Spouse Visas Denied?

<http://www.visacoach.com/denied-visa-vietnam.html>

Common Problems that Cause Visa Denial at Guangzhou China

<http://www.visacoach.com/guangzhou-problems.html>



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## 4: Know where to get help.

### **Paid Assistance:**

**FULL SUPPORT:** For only **\$695**, the VisaCoach personally guides you through the whole fiance visa process, from start to finish. This includes personal one-on-one sessions with Fred Wahl, preparation of all documentation, implementation of the “Immigration Success Method”, crafting for you a winning “Front Loaded Presentation”, and embassy support all the way through visa issuance.

**Call 1-800-806-3210 x 702 to Pay over Phone. Start Today.**

**PETITION REVIEW:** \$245. When VisaCoach can do everything for you for only \$695, it doesn't make much sense to go it alone. However, some try anyway. Even a broken clock is right twice a day. If you attempt DIY, VisaCoach can save you from “shooting yourself in the foot”. Send me your best shot after doing the petition paperwork yourself. I review your work, identify your mistakes, and tell you what you could do better.

**CONSULTATION:** \$ 0.0 No-Charge. You are welcome to call and speak with me directly for a no-charge 15-minute phone consultation. This is not for trivial questions, call the free USCIS hotline (see below) with those. Call me only for an in-depth conversation on your situation, your concerns, red flags you suspect you might have, your eligibility, and your goals. I will advise which visa is best matched to your case, and finally what if anything I can do to help. To take advantage of the free consultation just call 1-800-806-3210 x 702 (Monday to Friday, 8 to 8 PST) or use the online calendar to schedule an appointment to speak with me directly <https://www.timetrade.com/book/R1N12>.



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## **Free Assistance:**

### **USCIS**

The K1 fiancé visa application uses forms and instructions available at the USCIS website. USCIS receives your application package, and conducts initial processing.

Website: [USCIS.gov](http://uscis.gov)

Hotline: 1-800-375-5283

### **NVC**

Once USCIS has completed processing, your case is passed on to the Department of State's National Visa Center (NVC) for assignment to the consulate handling your fiancée's case

Email: [nvcinquiry@state.gov](mailto:nvcinquiry@state.gov)

Hotline: 1-603-334-0700

### **CONSULATE**

Final processing is conducted at the consulate where your fiancé will be interviewed. Each US consulate publishes information online at their websites, normally including email address and/or telephone numbers for inquiries.

US Embassies & Consulates: [usembassy.gov](http://usembassy.gov)



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## 5: Reconcile yourself, on how long the process takes

*“Longer than you like, but MUCH faster than ever before.”*

In 2015 the fiancée visa is taking on average around six months from the day USCIS receives your petition, till the day the visa is issued to your fiancé. The wheels of the US government move slowly. They cannot be forced nor influenced. There is no magic wand. The way to ensure the fastest processing time is to AVOID MISTAKES. Mistakes cause delays. Do your homework, set a winning strategy, complete all steps, then carefully check and double check there are no mistakes. A well planned, well prepared, well documented application proceeds to the visa issuance stage as quickly as is possible.

### Recipe For Success

The Sooner you start, the Sooner she arrives in the USA. Plan your strategy early, document your courtship. Study your limitations, red flags, consulate booby traps. Call me, hire me to guide you. We answer their possible objections FIRST, then submit. This is my recipe for success. It has allowed me to have ALL cases I worked on approved and got their visas (except one, which was too far out of norm).

### Spouse Visa Process

The process to apply for a spouse visa is similar to that of the fiancée visa. Just like the fiancé, the foreign-born spouse needs permission to come to the USA. The eligibility requirements are primarily the same except that the couple is married, the financial eligibility requirements are 25% higher, the process takes about 12 months, and no adjustment of status application is needed to get her Green Card after arrival in USA.



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## USEFUL LINKS

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<https://www.timetrade.com/book/R1N12>

How to bring your Fiance from Philippines

<http://www.visacoach.com/how-bring-filipina-fiance-usa.html>

How to bring your foreign born Fiance to the USA

<http://www.visacoach.com/how-bring-fiancee-to-usa.html>

Fiance or Spouse Visa: Which is Better?

<https://www.visacoach.com/choosing-marriage-visas.html>

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What is a Front Loaded Petition. Immigration Success Method

<http://www.visacoach.com/front-loaded-petition.html>

K-1 Fiance Visa eligibility + Financial requirements

<http://www.visacoach.com/fiancee-visa-eligibility.html>



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