

Headquarters
United States Forces Korea
Unit #15237
APO AP 96205-5237

United States Forces Korea
Regulation 600-240

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Personnel-General

INTERNATIONAL MARRIAGES OF USFK PERSONNEL

***This regulation supersedes USFK Regulation 600-240, dated 20 July 2009.**

FOR THE COMMANDING GENERAL:

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Summary. Insufficient regulation of international marriages involving United States Forces, Korea (USFK) personnel has resulted in numerous void marriages and other problem situations in which the foreign national “spouse” is ineligible for marriage and/or immigration to the United States, creating a logistical burden and negative publicity for USFK. The intent of this regulation is to:

- a. Preclude void marriages.
- b. Reduce the number of military dependents ineligible for immigration.
- c. Ensure that Service members desiring to enter into an international marriage are fully informed of and follow the regulatory procedures necessary to ensure that the marriage will be valid and that the intended spouse and other dependent(s) will be eligible to accompany the Service member upon permanent change of station (PCS).

Summary of Change. This revision includes the following changes:

- On 1 Jan 11, the Republic of Korea (ROK) Government no longer recognizes the USFK Form 164 (Report and Certificate of Marriage) (source: United States (U.S.) Embassy). Therefore, this form has been rescinded.
- Added Para 2-2k listing non-Korean fiancé/fiancée required documentation and also listing the contact information for the Russian and Philippine Embassies as provided by the 8th Army Staff Judge Advocate.
- Para 2-3c: Provided information on U.S. Embassy consular outreach services to eligible USFK personnel.
- Para 2-3d(2): Updated the procedures for registering the marriage with the local Korean Ward Office.
- Para 2-3d(3): Explained that the “Verification of Registration of Marriage” document will be in Korean and explained the difference between notarizing a document and authenticating a document (the latter of which is provided by the U.S. Embassy and requires a fee).
- Deleted Para 2-5, USFK International Marriage Requirements 10 Step Process Chart, and replaced the information in appendix L.
- Updated appendix B - USFK Form 163E (Pre-Marital Certification Application).
- Updated appendix H - USFK Form 165 (Affidavit of Eligibility for Marriage with the Judge Advocate signature block) (instead of the Vice Consul of the United States of America at Seoul, Korea).
- Added appendix J - U.S. Embassy - Consular Outreach Services in Yongsan.
- Added appendix K - International Marriage Quarterly Report.
- Added appendix L - International Marriage Procedures in Korea (step-by-step guidance) (replacing Para 2-5, USFK International Marriage Requirements 10 Step Process Chart).
- Glossary, Section II, Terms: Added the definition of Immigrant Visa. Also added a table showing various visa categories.

Applicability. This regulation applies to all active duty U.S. military personnel assigned in the ROK. This regulation does not apply to marriages between:

- a. U.S. citizens.
- b. U.S. Service members, regardless of citizenship.
- c. U.S. Service member and a non-U.S. citizen who has a lawful U.S. permanent residence card.

Supplementation. Supplements to this regulation by subordinate commands are prohibited unless prior approval is obtained from USFK J1 (FKJ1-12), Unit #15237, APO AP 96205-5237, email: J11WorkFlow@korea.army.mil.

Forms. USFK forms are available at <http://www.usfk.mil/usfk/>. In addition, you can fill out forms

described in this regulation at the 8th Army Client Legal Services web page. Click [here](#) for more information.

Records Management. Records created as a result of processes prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2. Record titles and descriptions are available on the Army Records Information Management System (ARIMS) website at <http://www.arims.army.mil>.

Suggested Improvements. The proponent of this regulation is USFK J1 (FKJ1-12), Policy and Programs Branch. Users are invited to send comments and suggested improvements on [DA Form 2028](#) (Recommended Changes to Publications and Blank Forms) to USFK J1 (FKJ1-12), Unit #15237, APO AP 96205-5237, email: J11Workflow@korea.army.mil.

Distribution. Electronic Media Only (EMO).

CONTENTS

Chapter 1

Introduction, page 1

- 1-1. Purpose
- 1-2. References
- 1-3. Explanation of Abbreviations and Terms
- 1-4. Commander's Intent
- 1-5. Responsibilities

Chapter 2

Policy and Procedures, page 5

- 2-1. Policy
- 2-2. Pre-Marital Procedures
- 2-3. When The Marriage Will Actually Take Place in the Korea
- 2-4. Immigration Procedures

Appendixes, page 10

- A. References
- B. USFK Form 163E, Pre-Marital Certification Application
- C. USFK Form 41, Immigration Counseling Certificate
- D. Birth Certificate
- E. Parental Consent Information
- F. USFK Form 166, Affidavit of Acknowledgement
- G. Medical Examination Instructions
- H. USFK Form 165, Affidavit of Eligibility for Marriage
 - I. Commander's Guide to Pre-Marital Counseling
- J. US Embassy - Consular Outreach Services in Yongsan
- K. International Marriage Quarterly Report
- L. International Marriage Procedures in Korea (step-by-step guidance)

Glossary, page 32

Chapter 1

Introduction

1-1. Purpose

To establish policy and procedures for marriage of U.S. Service members assigned in the Republic of Korea to non-U.S. citizens, regardless of where the marriage will take place. The provisions of this regulation are intended to -

- a. Ensure that Service members have the necessary information to make an informed decision before entering into an international marriage.
- b. Ensure that Service members and intended spouses comply with both U.S. and ROK laws.
- c. Ensure that Service members and intended spouses are aware of applicable U.S. immigration laws.
- d. Assist Service members in preparing a non-U.S. citizen spouse's petition for a U.S. visa.
- e. Ensure appropriate chain of command leadership is supportive and oversees the international marriage process with their Service members.

1-2. References

Required and related publications and forms are listed in appendix A.

1-3. Explanation of Abbreviations and Terms

Abbreviations and terms used in this regulation are explained in the glossary.

1-4. Commander's Intent

a. While all Service members assigned in the ROK have the same right to marry as other U.S. citizens, compelling military interests require that Service members, and the chain of command, follow the procedures set forth in this regulation prior to a marriage involving a non-U.S. citizen (a non-U.S. citizen is referred to as an "alien" by the Immigration and Naturalization Service). There must be a positive engagement of the chain of command, counseling professionals, and medical authorities to ensure a deliberate, informal, and legally sufficient international marriage decision by USFK Service members. These interests include:

(1) Ensuring that before Service members marry a non-U.S. citizen, they are fully informed about obstacles to a valid or current marriage that may exist such as an intended spouse who is currently married to someone else or who is unlikely to qualify for entry into USFK installations. Marriages entered into in the absence of this information may result in spouses (and possibly children) being left behind in Korea when the Service member leaves, creating undue hardship on the family and creating a poor image for U.S. personnel serving in our host nation.

(2) Ensuring that there is sufficient time prior to a marriage for the chain of command to conduct appropriate background inquiries to obtain information on prospective spouses needed to meet force protection and installation access control requirements.

b. **This regulation is punitive.** Service members who violate the requirements of this regulation may be subject to punishment under the Uniform Code of Military Justice (UCMJ) and administrative or other adverse action.

1-5. Responsibilities

a. The Assistant Chief of Staff J1 establishes policy and procedures for U.S. Service member marriages to non-U.S. citizens.

b. The commanders listed below have verification authority for acknowledging Service member compliance with USFK Regulation (Reg) 600-240:

- (1) Commander, 8th Army (for all Army personnel).
- (2) Commander, 7th Air Force (for all Air Force personnel).
- (3) Commander, U.S. Naval Forces Korea (for all Navy personnel).
- (4) Commander, U.S. Marine Corps Forces, Korea (for all U.S. Marine Corps personnel).
- (5) Commander, Special Operations Command Korea (SOCKOR) (for all SOCKOR personnel).

c. Verification authority may be delegated in writing to a brigade, area, wing, or other appropriate 0-6 level commander. Delegation to lower levels must be approved in writing by the Commander, USFK, ATTN: FKJ1-12, Unit #15237, APO AP 96205-5237, email: J1Workflow@korea.army.mil. Verification authorities shall -

(1) Verify that proper procedures were followed by the Service member in accordance with this regulation prior to the marriage (see [appendix L](#) for step-by-step guidance). The verification authority will ensure that the applicant's packet includes the following complete items:

(a) USFK Form 163E - Pre-Marital Certification Application (including a complete legal sufficiency review).

(b) USFK Form 165 - Affidavit of Eligibility for Marriage (four copies).

(c) USFK Form 166 - Affidavit of Acknowledgement.

(d) USFK Form 41 - Immigration Counseling Certificate.

(e) Proof of citizenship for both the Service member and intended spouse. Examples include a valid Passport, Birth Certificate, Consular Report of Birth Abroad, or Naturalization Certificate of citizenship.

(f) Parental consent form if either the Service member or the intended spouse is under 18 years of age. If the Korean spouse is under the age of 20, written permission to marry from both parents is required.

(g) Proof of termination of any prior marriage(s), including an original or certified copy of divorce decree, annulment or death certificate for the Service member and/or the intended spouse's previous spouse.

(h) Ensure the supporting legal office performs a final legal sufficiency review (must be done after all documents are completed).

(2) Verification authorities will provide a quarterly International Marriage Report, through the chain of command, to the Commander, USFK, ATTN: FKJ1-12, Unit #15237, APO AP 96205-5237, email: J11WorkFlow@korea.army.mil, of the number of applications received and the number of applications verified as complete. This report is due the second working day after the end of each quarter. See [appendix K](#) for the format.

d. The battalion / squadron or equivalent level commander in the Service member's chain of command shall -

(1) Counsel the Service member and intended spouse (if present) on the financial and moral support obligations of international marriage and on immigration fraud. This two-part counseling is explained in subparagraphs 2-2b and c. [Appendix I](#), Commander's Guide to Pre-Marital Counseling, provides additional information needed to conduct these mandatory sessions. Also see [appendix L](#) for step-by-step procedural guidance. This requirement does not apply to the intended spouse if the intended spouse is not, and will not be, physically present in the ROK prior to the marriage.

(2) Verify the Service member's financial stability and ability to afford the cost of the intended spouse's travel to the United States.

(3) Assist the Service member in processing his/her application.

(4) Ensure the Service member receives pre-marital advice and counsel from a military chaplain. Military chaplains are specially trained in marital counseling and cross cultural sensitivity. This advice and counsel shall not be religious in nature, unless requested by the Service member.

(5) Verify the Service member's marital status by reviewing his or her military personnel record and finance record. If the records reveal that a previous marriage existed, ensure that the marriage has been dissolved and that the records are updated.

(6) Ensure the Service member is counseled by a legal officer.

(7) Ensure the Service member is counseled by the unit's security officer on the possible effect marriage to a non-U.S. citizen would have on the following:

(a) Security clearance - marriage to the intended non-U.S. citizen spouse may result in reduction or loss of clearance.

(b) Eligibility to continue a career in the intelligence field.

(c) Career goals if reclassified to another series.

(d) Access to Sensitive Compartmented Information (SCI). Service members with such access should be thoroughly briefed on the need for requesting waivers to standards for maintaining access. The Service member must allow at least six months for the National Agency Check (NAC) equivalent on the intended spouse before the planned marriage date. Additional information may be obtained from local special security offices.

(8) Counsel the Service member on the importance of a medical examination for the intended spouse. This examination is to detect physical conditions that may bar the intended spouse from entry into the U.S.

(9) Ensure Service member receives a pre-marital medical examination.

e. Chaplains shall -

(1) Provide general pre-marital counseling. This counseling shall not be religious in nature unless requested by the Service member.

(2) Provide cross-cultural marriage counseling to the Service member and the intended spouse. Couples should know that differences in culture will be present in their relationship, and they should recognize the differences and show respect and understanding for each other's heritage. Strongly encourage the Service member and intended spouse to attend cross-cultural lectures if available at their location. This requirement does not apply to the intended spouse if the intended spouse is not, and will not be, physically present in the ROK prior to the marriage.

f. Legal offices shall -

(1) Brief the Service member that the marital legal briefing is not a confidential attorney-client communication, and that if the Service member desires legal assistance, an appointment with a separate legal assistance attorney, consistent with Service legal assistance regulations, will be arranged.

(2) Brief the Service member and intended spouse on the Immigration and Nationality Act (Title 8, United States Code § 1101 et seq.) and on the status of the intended spouse under the immigration and naturalization laws of the U.S. This requirement does not apply to the intended spouse if the intended spouse is not, and will not be, physically present in the ROK prior to the marriage. The legal officer will complete USFK Form 41, Immigration Counseling Certificate ([Appendix C](#)). Service components may use their own forms. In addition to procedural issues, the briefing will include:

(a) That under Title 8, United States Code § 1328, the importation into the United States of a non-U.S. citizen for an immoral purpose is a crime punishable by a fine and/or imprisonment for not more than ten years; and

(b) That under Title 8, United States Code § 1227(a)(1)(G), a marriage entered into less than two years prior to admission of a non-U.S. citizen into the United States which is judicially annulled or terminated within two years after admission into the United States is presumed to be a fraudulent marriage.

(3) Brief the Service member and intended spouse on legal eligibility to marry when either a divorce or annulment of a prior marriage by either party is involved. This requirement does not apply to the intended spouse if the intended spouse is not, and will not be, physically present in the ROK prior to the marriage.

(4) Brief the Service member and prepare a summary of opinion for attachment to the application if the validity or finality of the divorce or annulment decree is doubtful.

(5) Brief the Service member on the laws concerning the legal status of the intended spouse and family members and the requirements for U.S. citizenship.

(6) Brief the Service member on any circumstances in which waiver of residency requirements for naturalization may be authorized for the intended spouse and other family members.

(7) Brief the Service member on the possible punishments for violation of Article 92 of the UCMJ as it pertains to compliance with the requirements set forth in this Regulation.

g. The U.S. Forces Medical Officer will:

(1) Review the intended spouse's medical examination from the designated medical facility to assess probable qualification according to [U.S. Public Health guidelines](#) and immigration laws for entry into the United States.

(2) Endorse the Service member's application indicating the intended spouse has completed a visa medical examination at a designated medical facility sanctioned by the Embassy of the United States of the country where the intended spouse resides.

(3) Endorse the Service member's application indicating the Service Member has completed a pre-marital medical examination.

(4) Ensure all cases of detected communicable diseases are referred to a medical treatment facility for medical care and treatment, and followed by the appropriate military and/or civilian public health system for epidemiological contact investigation and management.

(5) Ensure patient privacy and confidentiality are safeguarded in accordance with (IAW) all applicable laws and policies.

NOTE: Additional medical examination evaluation instructions and guidance are provided in [appendix G](#).

Chapter 2 Policy and Procedures

2-1. Policy

a. Military personnel stationed in Korea have the same right to marry as any other U.S. citizen. Command verification of procedural marriage requirements will be granted in all instances where the provisions of this regulation have been met if -

(1) There is no evidence that the Service member and intended spouse are currently married.

(2) There are no indications that the intended spouse would be barred entry to the U.S. through inability to meet required physical, mental, or character standards.

(3) The Service member has shown financial ability, not limited to any particular form of financial security, to prevent the intended non-U.S. citizen spouse from becoming a public charge.

(4) The marriage is not solely for securing a visa for the intended spouse with no intention of living together as husband and wife.

b. Once the Service member has completed all applicable requirements in this regulation, and the verification authority has completed Section VIII of USFK Form 163E, Pre-Marital Certification Application, the parties may proceed with the marriage.

c. Marriage in Korea is a civil procedure, so a religious ceremony does not create a legal marriage. A common misunderstanding is that you will be married at the Embassy; in fact, you and your fiancé/fiancée will be married under the laws of Korea.

2-2. Pre-Marital Procedures

The Service member will initiate and complete the application process as follows (also see [appendix L](#) for step-by-step procedural guidance). Steps must be followed in the exact order set forth, or at a minimum, at least the steps as outlined in paragraph 2-2a through 2-2c:

a. Notify the Service member's chain of command of the intent to enter into an international marriage.

b. Schedule the first counseling interview with the battalion / squadron or equivalent level commander in the Service member's chain of command. Both the Service member and the intended spouse must be present (this requirement does not apply to the intended spouse if the intended spouse is not, and will not be, physically present in Korea prior to the marriage). [Appendix I](#), Commander's Guide to Pre-Marital Counseling, is provided as a tool to assist commanders in preparing for the interview. The commander will inform the Service member what constitutes visa fraud and the penalties for marriage with a foreign national solely to circumvent U.S. immigration law. The Service member will wait a minimum of 48 hours after the initial counseling to reflect on the topics discussed before scheduling a second counseling interview by the chain of command. The waiting period will not be waived.

c. Schedule a second counseling interview with the battalion / squadron or equivalent level commander. The intended spouse will not attend this session. During this interview, the commander will advise the Service member that he or she may be involuntarily extended in Korea to fulfill the administrative requirements of this regulation. A minimum of 6 months remaining before a Service member's DEROS is recommended for involuntarily extensions for the purpose of this regulatory guidance. The battalion / squadron or equivalent level commander will counsel the Service member alone and have the Service member sign USFK Form 166, Affidavit of Acknowledgment (see [appendix F](#)). USFK Service components may use their own forms. The affidavit must be sworn to before an officer authorized to administer oaths (such as an adjutant, legal officer, or the commander).

d. Prior to marrying a non-U.S. citizen, Service members are required to notify the local Special Security Officer and their security manager. For Service members with access to Sensitive Compartmented Information, a National Agency Check equivalent may be required on the intended non-U.S. citizen spouse before the anticipated marriage date. Service members should plan for the NAC equivalent to take at least 6 months. The NAC equivalent serves as the background investigation.

e. Schedule Chaplain pre-marital counseling IAW paragraph 1-5e.

f. Schedule legal pre-marital counseling IAW paragraph 1-5f.

g. Schedule and obtain a medical examination IAW paragraph 1-5g and the instructions in [appendix G](#).

h. The Service member will submit the following documents (as applicable) to his/her commander (USFK Service components may use their own forms). A copy of each of the following documents will be maintained by the member's commander for a minimum of 2 years after final

approval to support command inspection and reporting requirements. The documents may then be disposed of according to established disposition instructions for each of the various forms. The forms are to be maintained and protected in accordance with appropriate privacy instructions:

(1) USFK Form 163E, Pre-Marital Certification Application. This form documents the pre-marriage process each applicant must follow (see [appendix B](#)).

(2) USFK Form 41, Immigration Counseling Certificate (signed by a legal officer) (see [appendix C](#)).

(3) Proof of citizenship for both the Service member and the intended spouse (for example, certification of citizenship, valid passport, or birth certificate).

(4) The birth certificates of the intended non-US citizen spouse and of any additional dependents to be acquired by the marriage (for example, children of the intended spouse (see [appendix D](#))).

(5) If the marriage will take place in Korea, parental consent of the parents of any party (the Service member or the intended spouse) under 20 years of age. Twenty years of age is the legal age to marry in Korea without such consent (see [appendix E](#)).

(6) Evidence of termination of any previous marriage by either party. Divorce documents must bear the seal of the court or other agency granting the divorce.

(7) USFK Form 166, Affidavit of Acknowledgment regarding visa fraud penalties (see [appendix F](#)).

(8) A report of medical examination of the Service member signed by a U.S. Forces Medical Officer (see [appendix G](#)).

(9) An endorsement by a U.S. Forces Medical Officer indicating that the intended non-US citizen spouse has completed the appropriate health assessment according to U.S. Public Health guidelines, from a designated medical facility sanctioned by the Embassy of the United States of the country where the intended spouse resides.

i. The battalion/squadron or equivalent level commander conducts a final review to ensure pre-marital procedures as set forth in this regulation have been satisfied. If all required procedures have been satisfied, the commander signs Section V of USFK Form 163E, and then forwards it through command channels for the final medical/legal sufficiency reviews (Sections VI and VII) and then to the verification authority.

j. The verification authority reviews the application for completeness and signs Section VIII of USFK Form 163E, acknowledging the Service member has successfully completed USFK Reg 600-240 procedures. The original USFK Form 163E is returned to the Service member, a copy is maintained in the unit commander's local files per Para 2-2h of this regulation and a copy is forwarded to USFK J1.

k. For Non-Korean citizens, the following is a list of required documents with specific information for Russian and Filipino citizens:

(1) Certificate of No Impediment to Marriage (1 original), or Certificate of Legal Capacity to Contract Marriage, or Affidavit of Eligibility for Marriage.

(2) Russian Embassy in Seoul Phone: (02)318-2116/2117/2118 or (02)754-0460.
<http://seoul.rusembassy.org/> or email: rusemb@uriel.net.

- (a) International Passport (must be signed).
- (b) Russian Passport (or photo copy of entire passport).
- (c) Original Birth Certificate.
- (d) Cost: ~ ₩40,000 (cost subject to change without notice).

(3) Philippine Embassy in Seoul Phone: (02) 577-6147 or 574-6148, email:
seoulpe@kornet.net

- (a) Valid Passport.
- (b) Birth Certificate.
- (c) Parental Affidavit of Singleness.
- (d) Certificate from National Statistics Office of no Record of Marriage.
- (e) If under 25, Parent Advice.
- (f) Cost: ~ \$40.00 or ₩40,000 (cost subject to change without notice).

2-3. When The Marriage Will Actually Take Place In Korea (see [appendix L](#) for step-by-step procedural guidance)

a. If your Fiancé/Fiancée is not a Korean or American Citizen, she/he should contact his/her own Embassy for information on what is required to marry in Korea as the procedures followed by other embassies may differ. Please ensure you have fulfilled those requirements prior to going to the Korean Ward office. If the parties will marry in a country other than Korea and therefore have their marriage recorded in that other country, skip to paragraph 2-4 below.

b. In Korea, marriage in a church, by a chaplain, etc., does not finalize the marriage. The parties are recognized as married when certain clerical procedures are complete and the marriage is recorded in the Korean Family Relations Registration System.

c. The U.S. Embassy in Seoul has a number of resources related to marrying in Korea, available at [Getting Married](#). The US Embassy also provides consular outreach services on USAG Yongsan. See [appendix J](#) for more information. While consular officers at the Embassy are not authorized to perform marriages, they can assist U.S. citizens with the paperwork necessary for a legal marriage in Korea. A common misunderstanding is that you will be married at the Embassy; in fact, you and your fiancé/fiancée will be married under the laws of Korea. Marriage in Korea is a civil procedure, so a religious ceremony, while often more meaningful, does not create a legal marriage.

d. After USFK Form 163E is completed and signed by the verification authority, the Service member and intended spouse will proceed to:

(1) The supporting legal assistance office for reviewing the marriage documentation and notarization of USFK Form 165 (four copies). These forms can be found online at the USFK Home Internet Page under Publications / Forms or at the 8th Army Client Legal Services web site under the [Marriage Services](#) section.

NOTE: If the intended spouse is not Korean, then before coming to the supporting legal assistance office, the intended spouse must obtain from his or her embassy in Korea documentation showing the intended spouse is eligible to marry. Such documents are particular to each country's embassy and may be called by such titles as Certificate of Legal Capacity to Contract Marriage, Letter of Nonimpediment, etc. A copy of this document must be brought to the supporting legal assistance office. See the supporting legal assistance office for more information.

(2) The local Korean Ward Office to register the marriage. With your fiancé/fiancée, take your documents along with the notarized Affidavit of Eligibility for Marriage (USFK Form 165) to your local ward office (Gu Cheong; 구청) for approval by a Korean government official. The ward office will provide you with a "Verification of Registration of Marriage" (수리증명서, pronounced soo-ree jeung-myung-suh). When both of the marriage partners are U.S. citizens, they will receive this verification form right away. However, if one spouse is a Korean citizen, this process can take up to 3-5 days, and will be reflected on the Korean marriage certificate (혼인관계증명서, pronounced hone-in-gwan-gae jeung-myung-suh).

(3) The "Verification of Registration of Marriage" document will be in Korean. If you need to have the "Verification of Registration of Marriage" document translated into English and notarized, please note that the Embassy cannot provide this service. However, the Embassy can authenticate a document that has been translated and notarized by a local notary that is registered with the Embassy. Authentication means that the Embassy is confirming that the notarization was performed by a competent authority known to the Embassy. If you would like to have your translated and notarized document authenticated, please make an [appointment](#) or come by the Embassy during their walk-in hours (U.S. citizens only). You may have an unlimited number of copies of your translated and notarized "Verification of Registration of Marriage" document authenticated for a **fee of USD \$50** for each copy. (Notary services are provided free of charge to active duty service members of USFK by the Embassy, but authentications are NOT free, so the fee listed above will be charged for each document for which the Embassy authenticates the notary's signature.)

e. A Service member who desires a religious ceremony, in addition to the required civil procedures, may contact a military chaplain or civilian clergy person of his or her faith.

2-4. Immigration Procedures

After marriage, if the intent is for the spouse to become a legal permanent resident of the U.S., the Service member should immediately initiate the procedures required to obtain an immigrant visa for the spouse. The Service member will keep his or her battalion / squadron or equivalent level commander informed of the status of the application process, including the date the visa is approved. For specific instructions on how to apply for an immigrant visa here in Korea, click on the U.S. Embassy in Seoul web site at [Visa Categories](#). Visit your local legal assistance office for immigration forms and other assistance.

Appendix A References

Section I. Required publications

Air Force Instruction 36-2609, Marriage in Overseas Commands, 11 August 1998.

Commander Naval Forces, Korea Instruction 1752.1A, Marriage within the U.S. Naval Forces, Korea Area, 22 July 2004.

Marine Corps Order 1752.1C, Marriage in Overseas Commands, 1 June 1978.

Section II. Related publications

Immigration Marriage Fraud Amendments of 1986, Public Law 99-639, 10 Nov 86.

United States Embassy, Seoul, Korea website on International Marriage requirements (click [here](#) to review).

United States Embassy, Seoul, Korea website on obtaining an immigration visa to the United States (click [here](#) to review).

Section III. Referenced Forms

[DD Form 2808](#) (Report of Medical Examination)

USFK Form 41 (Immigration Counseling Certificate)

USFK Form 163E (Pre-Marital Certification Application)

USFK Form 165 (Affidavit of Eligibility for Marriage)

USFK Form 166 (Affidavit of Acknowledgement)

Appendix B
USFK Form 163E, Pre-Marital Certification Application

PRE-MARITAL CERTIFICATION APPLICATION			
For use of this form, see USFK Reg 600-240; the proponent agency is USFK J1			
DATA REQUIRED BY THE PRIVACY ACT OF 1974			
AUTHORITY	: Title 10, U.S.C. 3013, 5013, 8013		
PRINCIPAL PURPOSE	: To ensure that the Service member has the necessary information to make an informed decision before entering into an international marriage and comply with U.S. and host nation law.		
ROUTINE USES	: Information will be used for ensuring the Service member has all the information necessary to make an informed decision and is complying with U.S and host nation law.		
DISCLOSURE	: Disclosure of information is voluntary; failure to give this information may result in delay in satisfying the requirements of USFK REG 600-240 prior to marriage.		
INSTRUCTIONS			
<p>1. The following supporting documents, as applicable, must be obtained by the Service member and submitted with the application:</p> <p style="margin-left: 20px;">a. Notarized statement of consent of the parent or legal guardian responsible for the custody of an intended spouse who is below the legal age to marry without such consent in the nation or locality where the marriage is to take place.</p> <p style="margin-left: 20px;">b. Notarized statement of consent of the parent or legal guardian for the custody of the applicant if under legal age.</p> <p style="margin-left: 20px;">c. Final divorce decree, annulment or other satisfactory documentary evidence of the termination of any past marriage by divorce, annulment, or death. Copy submitted must be certified or true copy issued by the proper governmental agency or official having custody of such records.</p>		<p>d. Birth certificates of the Service member and intended spouse and their dependents. Copies submitted must be certified or true copies issued by the proper governmental agency or official having custody of such records.</p> <p style="margin-left: 20px;">e. Such other documents as may be required by the commander in order to verify compliance with USFK REG 600-240.</p> <p>2. When there is not enough space under any item to enter the needed information, reference Section III, "Remarks" and continue information there. Section III, "Remarks" will contain a cross reference to the item being continued. More sheets may be added as needed and should be properly named.</p>	
SECTION I - PERSONAL DATA OF APPLICANT			
1. APPLICANT (Last name, first name, middle name)		2. SOCIAL SECURITY NUMBER	
3. GRADE	4. ROTATION DATE	5. ETS	
6. COMPLETE MILITARY ADDRESS (Include ZIP code)		7. LEGAL RESIDENCE (Number, Street, City, State, ZIP code, Country)	
8. PLACE OF BIRTH (City, State, Country)		9. DATE OF BIRTH (YYYYMMDD)	
10. CITIZENSHIP		11. NUMBER OF DEPENDENTS	
12. PLACE WHERE MARRIAGE CEREMONIES WILL TAKE PLACE (City, Country)		13. APPROXIMATE DATE MARRIAGE WILL TAKE PLACE	
14. PAST MARRIAGES			
FORMER SPOUSE NAME	DATE TERMINATED	REASON	
15. DEPENDENTS OF APPLICANT			
NAME	DATE OF BIRTH	RELATIONSHIP	ADDRESS (Include ZIP Code)

(Complete item 16 if applicant is an E-4 or below with 2 years or less of service)					
16. I have enough funds and/or negotiable assets to pay, if necessary, for transportation to the United States, lodging, food, and other needs for my intended spouse and any other family members. I understand that this need must be met to make sure that my intended spouse and other family members will not become a public charge of the United States Government. I certify that the contents of this form are accurate and complete and understand that knowingly falsifying this document will result in punishment under applicable provisions of the UCMJ.					
SIGNATURE OF APPLICANT		ORGANIZATION		DATE (YYYYMMDD)	
SECTION II - PERSONAL DATA OF INTENDED SPOUSE					
17. INTENDED SPOUSE (Last name, first name, middle name, Maiden name)					
18. PRESENT ADDRESS (include ZIP Code)			19. LEGAL ADDRESS (Permanent address and ZIP Code)		
20. DATE OF BIRTH		21. PLACE OF BIRTH		22. CITIZENSHIP	
23. PAST MARRIAGES OF INTENDED SPOUSE					
FORMER SPOUSE NAME		DATE TERMINATED		REASON	
24. DEPENDENTS OF INTENDED SPOUSE					
NAME	DATE OF BIRTH	PLACE OF BIRTH	RELATIONSHIP	ADDRESS (include ZIP Code)	
(Complete items 25 thru 42 if intended spouse has not been lawfully admitted in the United States for permanent residence)					
25. NAME as it appears in passport or official documents, such as birth certificate or government-issued ID card					
26. NAME AND ADDRESS OF PRESENT EMPLOYER			27. PASSPORT NUMBER AND PLACE OF ISSUE		
			28. ID NUMBER AND PLACE OF ISSUE (if applicable)		
29. DATES AND PLACES OF RESIDENCE (Since 16 years of age with inclusive dates)					
FROM (YYYYMMDD)	TO (YYYYMMDD)	NUMBER AND STREET	CITY	STATE	COUNTRY
30. HAS INTENDED SPOUSE EVER BEEN CONVICTED OF ANY CRIMES OTHER THAN MINOR TRAFFIC VIOLATIONS: (if "YES" give full details)					

31. FATHER'S NAME (Last name, first name, middle name)		
32. PRESENT ADDRESS (Include ZIP Code)		33. LEGAL ADDRESS (Permanent address; include ZIP Code)
34. DATE OF BIRTH	35. PLACE OF BIRTH	36. CITIZENSHIP
37. MOTHER'S NAME (Last name, first name, middle name, Maiden name)		
38. PRESENT ADDRESS (Include ZIP Code)		39. LEGAL ADDRESS (Permanent address; include ZIP Code)
40. DATE OF BIRTH	41. PLACE OF BIRTH	42. CITIZENSHIP
43. REMARKS (This space is the continuation of information needed in other items where there is no enough space.)		
SECTION III. COMMAND OR STAFF CHAPLAIN COORDINATION		
I certify that counseling has been provided:		
Date:	Grade:	Signature of Chaplain <input type="text"/>
UNIT SECURITY OFFICER COORDINATION		
Date:	Grade:	Signature of Security Officer <input type="text"/>

SECTION IV - STATEMENT OF APPLICANT (Check pertinent paragraphs)

- 1. I have read and understand USFK REG 600-240.
- 2. I am am not related to my intended spouse by blood.
(If yes, show degree of relationship) _____
- 3. I have arranged to provide for my intended spouse's dependents to make sure they do not become public charges of the United States or governmental agencies of any other country within the foreseeable future.
- 4. I understand the United States is not obligated to transport my spouse and other dependents to the United States except as provided in current U.S. Armed Forces directives.
- 5. I understand travel in connection with leave to and from the country where the marriage is to take place is my responsibility. It will be at no expense to the U.S. Government.
- 6. I have investigated the conditions which must be met for my intended spouse and other dependents who are not lawful permanent residents of the United States, to gain entry into the United States for permanent residence. I am ready to request such entry for my intended spouse and family members. I understand it is my responsibility to apply for an immediate relative or preference category visa after the marriage. I have all documents needed for completing Immigration and Naturalization Service Form I-130 (Petition to Classify Status of Alien Relative for Issuance of Immigrant Visa).
- 7. I understand verification of this application will not result in my intended spouse and other dependents being granted an immigration visa. Also, I understand, even if a visa is granted, there is no certainty that admittance to the United States will be granted at the port of entry. Further, I understand the Commissioner of Immigration and Naturalization makes the final decision on entry.
- 8. My intended spouse and other dependents have a valid passport(s) or will have them in time for processing of visa application(s).
- 9. My intended spouse and other dependents have obtained any necessary exit permit(s). (If applicable).
- 10. I will comply with the local laws and requirements of the country in which the marriage will take place.
- 11. Entrance into the United States or its territory is not contemplated by my intended spouse and other dependents for the following reasons:

- 12. If my intended spouse or I decide not to marry, prior to receipt of application verification, I will inform my commander at once so that processing of this application may be stopped.
- 13. I understand that marriage to a non-U.S. citizen may result in reduction or loss of security clearance.
- 14. A list of attachments are contained in SECTION III – Remarks

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED HEREIN IS TRUE, CORRECT AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE (YYYYMMDD)	GRADE	SIGNATURE OF APPLICANT

NOTICE: THE LAW PROVIDES FOR SEVERE PENALTIES WHICH INCLUDE FINE AND IMPRISONMENT FOR THE WILLFUL SUBMISSION OF ANY STATEMENT OR EVIDENCE OF A MATERIAL FACT, KNOWING IT TO BE FALSE

SECTION V - ACTION OF APPLICANT'S BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER

1. THE APPLICANT HAS HAS NOT BEEN COUNSELED BY A MILITARY CHAPLAIN.
2. THE APPLICANT HAS HAS NOT BEEN BRIEFED BY A LEGAL OFFICER.
3. THE APPLICANT HAS HAS NOT BEEN EXAMINED AND COUNSELED BY A MEDICAL OFFICER.
4. THE INTENDED SPOUSE HAS HAS NOT BEEN EXAMINED BY A MEDICAL PROFESSIONAL.
5. I HAVE HAVE NOT VERIFIED FROM THE APPLICANT'S OFFICIAL MILITARY PERSONNEL RECORDS AND FINANCE RECORDS THAT HE OR SHE IS NOT PRESENTLY MARRIED.
6. I HAVE HAVE NOT DISCUSSED WITH THE APPLICANT HIS/HER FINANCIAL OBLIGATIONS IN CONNECTION WITH THE PROPOSED MARRIAGE. HE/SHE HAS SATISFIED ME THAT ADEQUATE ARRANGEMENTS HAVE OR CAN BE MADE FOR THE SUPPORT OF HIS/HER INTENDED SPOUSE.
7. I HAVE HAVE NOT VERIFIED THAT THE APPLICANT SATISFIED ALL THE PRE-MARITAL REQUIREMENTS AS SPECIFIED IN USFK REG 600-240.

DATE (YYYYMMDD)	NAME AND GRADE OF BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER	SIGNATURE

SECTION VI - FINAL MEDICAL SUFFICIENCY REVIEW

1. THE APPLICANT HAS HAS NOT COMPLETED A PRE-MARITAL EXAMINATION IN ACCORDANCE WITH APPENDIX F.
2. THE INTENDED SPOUSE HAS HAS NOT COMPLETED A PRE-MARITAL EXAMINATION IN ACCORDANCE WITH APPENDIX B AND F.
3. THE APPLICANT HAS HAS NOT BEEN COUNSELED ON THE RISK OF MARRYING AN INTENDED SPOUSE WHO HAS CERTAIN MEDICAL CONDITIONS AS OUTLINED IN APPENDIX B.

DATE (YYYYMMDD)	NAME AND GRADE OF MEDICAL OFFICER	SIGNATURE

SECTION VII - FINAL LEGAL SUFFICIENCY REVIEW

THIS APPLICATION IS IS NOT LEGALLY SUFFICIENT. REMARKS:

DATE (YYYYMMDD)	NAME AND GRADE OF LEGAL OFFICER	SIGNATURE

SECTION VIII - VERIFICATION AUTHORITY

I HAVE VERIFIED THAT THE APPLICANT HAS SATISFIED ALL THE PRE-MARITAL REQUIREMENTS SPECIFIED IN USFK REG 600-240.

DATE (YYYYMMDD)	NAME AND GRADE OF COMMANDER OR APPOINTED REPRESENTATIVE	SIGNATURE

Appendix C
USFK Form 41, Immigration Counseling Certificate

IMMIGRATION COUNSELING CERTIFICATE	DATE
STATEMENT OF APPLICANT AND INTENDED SPOUSE	
<p>In accordance with USFK Reg 600-240, the following has been explained to the undersigned:</p> <ol style="list-style-type: none"> 1. WARNING: The fact that a marriage takes place between an U.S. Service member and a non-U.S. citizen does not mean that the non-U.S. citizen spouse is automatically allowed to enter the United States. A visa, issued by the U.S., is required to enter the U.S. lawfully for residence. Other US agencies are responsible to determine whether a visa should be granted. 2. Entry of Non-U.S. citizens: A non-U.S. citizen is any person not a citizen or national of the United States. A valid unexpired immigrant visa is required for a non-U.S. citizen to be admitted to the U.S. A valid unexpired passport or other suitable travel document issued by the non-U.S. citizen's country of citizenship is also required (8 U.S.C. § 1101(a)(3) and § 1181(a)). 3. Criminal Penalties: The importation into the United States of any non-U.S. citizen for an immoral purpose is a crime punishable by a fine and imprisonment for not more than ten years (8 U.S.C. § 1328). 4. Legal Presumption That a Marriage of Short Duration is Fraudulent: A marriage entered into less than two years prior to admission of a non-U.S. citizen into the United States which is judicially annulled or terminated within two years after admission into the U.S. is presumed to be a fraudulent marriage (8 U.S.C. § 1227(a)(1)(G)). 5. Persons Not Allowed Visas: Unless otherwise provided by the United States Code, the following persons shall be ineligible to receive visas and shall be excluded from admission to the United States (8 U.S.C. § 1152): <ol style="list-style-type: none"> a. Non-U.S. citizens afflicted with mental illness, sexual deviation, or who are mentally retarded, insane, or have had attacks of insanity. b. Non-U.S. citizens who are narcotic addicts or alcoholics. c. Non-U.S. citizens who have tuberculosis, venereal disease, or any other dangerous contagious disease. d. Non-U.S. citizens who have any other disease or defect that may affect the person's ability to earn a living. e. Non-U.S. citizens who are paupers, vagrants, or professional beggars. f. Non-U.S. citizens convicted of a crime involving moral turpitude, such as theft, rape, assault and battery. g. Non-U.S. citizens convicted of two or more offenses. 	

USFK Form 41. March 2007

h. Non-U.S. citizens who are prostitutes, who have engaged in prostitution, or who have received in whole or in part the proceeds of prostitution.

i. Non-U.S. citizens who, in the opinion of the U.S. Consul Office or the U.S. Attorney General, are likely to become public charges.

j. Non-U.S. citizens who try to obtain or have obtained a visa by fraud or by willfully misrepresenting a material fact.

k. Non-U.S. citizens who have been convicted of a violation of narcotics or marijuana laws.

l. Non-U.S. citizens who are anarchists, opposed to organized government, advocates of violent overthrow of the government, or affiliated with the Communist Party.

6. Right to Appeal Exclusion: When the decision has been made by the U.S. Consulate not to allow a non-U.S. citizen to enter the United States, the non-U.S. citizen has the right to appeal to the U.S. Attorney General.

7. Privileges: The eligibility of dependents for military privileges is outlined in appropriate service regulations.

DATE	NAME AND GRADE OF APPLICANT	SIGNATURE

INTENDED NON-U.S. CITIZEN SPOUSE NAME, SIGNATURE, AND DATE

LEGAL OFFICER CERTIFICATION

I have interviewed _____ and _____ and briefed both regarding the requirements and restrictions concerning the Immigration and Nationality Act, together with the other information outlined above.

(Signature)

DATE	NAME AND GRADE OF LEGAL OFFICER	SIGNATURE

CF:
Intended Spouse
Applicant

Appendix D Birth Certificate

D-1. The birth certificate serves as the primary means of identification of the two parties to be married. It is taken as proof of U.S. citizenship of the Service member and in turn, allows him or her to petition for issue of a non-quota immigrant visa for the non-U.S. citizen spouse.

D-2. The Service member and intended spouse will each submit a copy of their respective birth certificates and those of any additional family members who will be acquired by the marriage. Birth certificates must be either original or certified copies issued by the county, state, country, territory, or other government instrumentality maintaining those records. Certification of a true copy will have a raised seal or original signature with the imprint of a rubber seal and proper certification of the issuing authority.

D-3. In exceptional cases where the Service member is unable to obtain his/her birth certificate, the verification authority will make a determination based on secondary evidence of citizenship about whether or not to verify the Pre-Marital Certification Application. Direct coordination between the verification authority and the American Embassy (American Citizen Service Section) is encouraged.

Appendix E
Parental Consent Information

The Service member or intended spouse will submit a notarized statement of consent of the parent(s) or legal guardian(s) if either the Service member or intended spouse is under the legal age to marry without such consent as prescribed by the laws of their respective domiciles. The notarized statement will include the full name, date of birth, relationship of the person(s) granting permission, and the date the permission is granted. Under Korean law, parental consent is required of persons under the legal age of 20 years (for purposes of calculating legal age, the age of a Korean is calculated the same as in the United States). A Certificate of Seal for the signatures of either parents or legal guardians, dated within 90 days of the completed application, is required if either intended spouse is not yet 20 years of age.

**Appendix F
USFK Form 166, Affidavit of Acknowledgement**

AFFIDAVIT OF ACKNOWLEDGEMENT

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, U.S.C. 3013, 5013, 8013

PRINCIPAL PURPOSE: To ensure that the Service member has the necessary information to make an informed decision before entering into an international marriage and comply with U.S. and host nation law.

ROUTINE USES: Information will be used for ensuring the Service member has all the information necessary to make an informed decision and is complying with U.S and host nation law.

DISCLOSURE: Disclosure of information is voluntary; failure to give this information may result in **delay in satisfying the requirements of USFK REG 600-240 prior to marriage.**

I, _____ DO HEREBY ACKNOWLEDGE THAT I AM AWARE THAT ENTRY INTO A MARRIAGE WITH A NON-U.S. CITIZEN FOR THE PURPOSE OF CONFERRING IMMIGRATION ELIGIBILITY AND CIRCUMVENTING THE LAWS OF THE UNITED STATES MAY SUBJECT ME TO PROSECUTION FOR VIOLATING TITLE 18 U.S.C. 1001 (FALSE STATEMENTS), 8 U.S.C. 1324 (BRINGING IN NON-U.S. CITIZENS), AND/OR 18 U.S.C. 1621 (PERJURY) AND MAY RESULT IN A FELONY CONVICTION WHICH IS PUNISHABLE BY FINE AND/OR IMPRISONMENT. I AM ALSO AWARE THAT IF I MARRY LESS THAN TWO YEARS BEFORE MY SPOUSE ENTERS THE U.S., AND THE MARRIAGE ENDS IN DIVORCE OR ANNULMENT WITHIN TWO YEARS AFTER THAT, I MAY BE PRESUMED TO HAVE COMMITTED IMMIGRATION FRAUD AND BE SUBJECTED TO CRIMINAL INVESTIGATION AND PROSECUTION. I AM ALSO AWARE THAT I MAY BE SUBJECTED TO CRIMINAL INVESTIGATION AND PROSECUTION BASED ON ANY OTHER EVIDENCE OF IMMIGRATION FRAUD, INCLUDING BUT NOT LIMITED TO, FAILURE TO COHABITATE AS HUSBAND AND WIFE. ALSO, I ACKNOWLEDGE I MAY OR MAY NOT BE VOLUNTARILY OR INVOLUNTARILY EXTENDED IN KOREA TO FULFILL THE ADMINISTRATIVE REQUIREMENTS OF USFK REGULATION 600-240.

NAME	RANK	SSN
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Sworn before me this _____ day of _____ in the year _____
at _____, Korea.

BATTALION / SQUADRON OR EQUIVALENT LEVEL COMMANDER NAME	TITLE
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Appendix G

Medical Examination Instructions

Medical Examination. A medical examination is required for the Service member and intended spouse. The primary purpose of the medical examination is to detect any medical conditions that would prohibit the intended spouse from entry into the United States. Procedures for obtaining the required examinations are as follows:

G-1. The Service member will undergo a pre-marriage medical examination to include serology testing for the Human Immunodeficiency Virus (HIV), Syphilis, Hepatitis B (HBsAg and HBcAb), and a tuberculin skin test. Results will be recorded on [DD Form 2808](#), Report of Medical Examination (this form is also available at a Military Medical Treatment Facility (MTF)).

a. If a Service member's serological test and/or tuberculin skin test is positive, the servicing MTF will ensure the Service member is placed on the appropriate treatment regimen to conclusively manage the communicable disease.

b. Upon satisfactory completion of the necessary tests or successful completion of the appropriate medical treatment regimen to address the disease of the affected Service member, the servicing MTF's medical officer will provide an endorsement statement indicating the Service member has completed the required pre-marital medical examination.

G-2. The intended spouse must also arrange for and take a visa medical examination at a designated medical facility sanctioned by the U.S. Embassy of the country where the intended spouse resides. It is the responsibility of the Service member and the intended spouse to schedule the visa medical examination directly with one of the designated medical facilities, and to authorize the release of the medical examination results to the appropriate USFK Military Medical Treatment Facility. A list of U.S. Embassy websites by countries is located at the U.S. Department of States website: <http://www.state.gov>.

a. For the current list of designated medical facilities sanctioned by the Embassy of the United States, Seoul, South Korea, click on [Immigration Visa Medical Examination](#).

b. As of the publishing date of this regulation, the following medical facilities in the Republic of Korea are sanctioned:

(1) Saint Mary's Hospital; telephone 02-3779-1521; 62 Yeouido-Dong, Youngdeungpo-Ku, Seoul.

(2) Seoul Adventist Hospital; telephone 02-2210-3511; 29-1 Hwikyoung-Dong, Dongdaemun-Ku, Seoul.

(3) Yonsei Severance Hospital; telephone 02-2228-5808/9; 134 Shinchon-Dong, Seodaemun-Ku, Seoul.

(4) Maryknoll Hospital; telephone 051-461-2290; 12, 4-Ga Daecheung-Dong, Jung-Ku, Pusan.

(5) Ajou University Hospital; phone 031-219-5644/4255; San5 Wonchon-Dong, Yeongtong-Ku, Suwon

(6) Wallace Memorial Baptist Hospital; telephone 051-580-1313; 374-75 Nansan-Dong, Keumjeong-Ku, Pusan.

G-3. The intended spouse must obtain two copies of the visa medical examination results, each copy in its own separate, sealed envelope. One sealed envelope will be delivered to a U.S. Forces Medical Officer at a USFK Military Medical Treatment Facility. The second sealed envelope will be delivered in accordance with the visa application procedures established by the U.S. Embassy of the country where the intended spouse resides.

G-4. Although the visa medical examination is given to determine the potential for suitability and later entry into the United States, it does not guarantee final medical acceptance or approval of a visa or entry into the United States.

G-5. The Service member will report to a USFK Military Medical Treatment Facility with the Pre-Marital Certification Application, [Appendix B](#), Immigration Counseling Certificate, [Appendix C](#); Medical Examination Instructions, [Appendix G](#); and the sealed envelope containing the copies of the visa medical examination results of the intended spouse for review by a U.S. Forces Medical Officer.

G-6. The U.S. Forces Medical Officer will:

a. Review the Service member's premarital medical exam and the intended spouse's visa medical examination.

b. Counsel the Service member on the risk of marrying someone who has medical conditions listed in the Immigration Counseling Certificate, [Appendix B](#); and on the fact that some medical conditions may require an appropriate stage of treatment and management according to U.S. Public Health guidelines and immigration laws before entry may be granted into the United States by immigration officials. Click on [Medical Examinations of Aliens](#) for more information.

c. Complete Section VI of USFK Form 163E.

d. Ensure all cases of detected communicable diseases are referred to a medical treatment facility for medical care and treatment, and are followed by the appropriate military and/or civilian public health system for epidemiological contact investigation and management.

e. Ensure patient privacy and confidentiality are safeguarded in accordance with all applicable laws and policies.

Appendix I Commander's Guide to Pre-Marital Counseling

I-1. Why Counseling?

"If I were a commander in the continental United States (CONUS), I would not usually counsel a Service member who plans to marry. Why do I have to in the ROK?" A fair question. It is because we are outside the CONUS that counseling is necessary. Past experiences reveal potential marriage pitfalls that may be avoided with cross-cultural awareness, education, and counseling. In addition, there are security concerns in an overseas environment when Service members have contact with individuals from other countries, especially those countries identified on the Designated Country Personnel (DCP) list and countries of counterintelligence concerns. Thus, Service members intending to marry a non-U.S. citizen must consider security implications that will impact USFK and potentially their security clearances.

a. Each month, a small number of U.S. Service members marry non-U.S. citizens. Service members who enjoy a compatible marriage will be productive and lose less time from duty due to personal problems. Personal problems often carry over to the job. A commander can be faced with absenteeism, inefficiency, absence without leave, and behavioral problems when dysfunction occurs in the individual's marriage. Additionally, unhappy marriages can lead to domestic violence, suicidal acts, financial problems, and psychological/sociological dysfunction. Each of these potential issues can interfere with the Service member's obligations to the military. In CONUS, individuals contemplating marriage may have an extensive courtship and discuss marriage plans with family and friends. Acceptance or rejection of the intended spouse by relatives and peers may influence whether or not the marriage occurs. This situation changes when support systems are limited or restricted by distance.

b. The commander in the ROK assumes the roles of family and friends "back home." Counseling is not a red light saying "stop", but is a process for looking and listening before determining whether or not to proceed with the final decision to marry. The commander should foster an awareness of the pros and cons of intercultural marriages.

c. Pre-marital counseling can be a sensitive subject for both the commander and the couple. The technique used by the commander is important. The following guidance should prove beneficial:

- (1) Arrange the office to provide an atmosphere of comfort, warmth, and informality.
- (2) Be friendly, personable, and relaxed. Get out from behind the desk.
- (3) Do something to put the couple at ease such as serving coffee or soft drinks.
- (4) Show a keen interest in the individuals. Each case is unique.
- (5) Guide the couple toward planning ahead and making objective decisions.
- (6) Find out what each person considers important. Discuss attitudes, feelings, and future plans.
- (7) Help the couple to objectively evaluate the situation and gain perspective.
- (8) Ask about the steps they have already taken to reduce potential marital problems. Help them understand the dynamics of a long-term commitment.

(9) Expect to meet situations that you may not personally condone. However, never assume the responsibilities of decision-making, moralizing, preaching, or judging.

(10) Mention sources of printed material that might be helpful.

(11) Provide names of people or agencies available to assist them, and arrange for referrals.

(12) Watch for signs of disappointment or discontent that may indicate problems in the couple's relationship or indicate that the counseling session is embarrassing them.

(13) Review the discussion and encourage the couple to summarize the session.

(14) Take time to make notes of the session for follow-up.

(15) Withhold information and opinions about the session.

d. Effective counseling can be accomplished only with good communication. In some cases, couples may be reluctant to discuss differences unless a third party mentions them. The couple should be allowed to fully evaluate their relationship and their future by recognizing the complexity of the intercultural marriage.

e. The counseling should be divided into a minimum of two sessions separated by at least 48 hours. The commander should fully explain what constitutes visa fraud during the first session. During the second session, the military member will be required to sign a statement that he or she understands what constitutes visa fraud and the penalties. The intended spouse should attend the first session unless he or she is not, and will not be, present in the ROK prior to the marriage. Only the military member should attend the second session.

I-2. Understanding and Accepting Cultural Differences

a. Gaining understanding of each other's culture can do much to improve a relationship between a USFK Service member and his or her intended spouse. Ignorance or disregard of cultural differences can cause friction.

b. Couples about to marry should know that differences in culture will always be present in their relationship and that they should recognize the differences and show respect and understanding of each other's heritage.

c. Religion is a primary dynamic in any relationship because it determines how an individual identifies himself or herself, assigns values to human life, views the world, interprets history, defines good and bad behavior, etc. Religion becomes an even greater force in marriage once the issue of how to properly raise children occurs. Service members and their intended spouses are encouraged to seek pre-marital counseling from their unit Chaplain to identify religious values, practices, and traditions that will either serve as a source of strength for the marriage or a source of conflict.

I-3. What Is Visa Fraud?

a. Love, security, and material gain may be on a list of reasons to marry. Unfortunately, some individuals marry for improper reasons. Marriage can offer a simple and convenient method of

securing certain privileges for non-U.S. citizens who marry U.S. Service members. For example, marriage can overcome U.S. immigration prohibitions. Entry into the U.S. is gained for the non-U.S. citizen spouse and the extended family who might find immigration difficult under normal circumstances. Although this type of marriage is infrequent, it still occurs.

b. Visa fraud is more than just a marriage of convenience for the purpose of evading U.S. immigration law; it can also involve prostitution, narcotics, contraband smuggling, bribery, and forgery. It is big business and contributes to organized criminal activities throughout the world. Visa fraud is not a victimless crime. Frequently, one of the partners in a marriage is defrauded of substantial amounts of money.

c. Most Service member and non-U.S. citizen spouse marriages are not based on visa fraud; however, reports received from the Department of Homeland Security, U.S. military, and civilian law enforcement agencies in the U.S., indicate that it is a known problem. The U.S. Embassy in Seoul has been able to identify several general types of visa fraud schemes now being perpetrated in the ROK. Although the roots of the schemes lie in the ROK, they do not stop here. The scheme continues in the U.S. where organized rings may arrange the fraudulent entry of large numbers of non-U.S. citizens into the U.S. These rings usually serve two distinct, although frequently overlapping functions; they supply prostitutes for clubs and massage parlors throughout the U.S. In addition, these prostitutes are reportedly used to smuggle narcotics and other contraband into the U.S. and arrange for entire families who would not otherwise be eligible to receive immigrant visas. These rings revolve around marriage agencies and visa assistants. Many have offices in the vicinity of U.S. military facilities in Korea; others are within walking distance of the U.S. Embassy in Seoul. The individuals running these agencies are extremely knowledgeable and sophisticated. Visa applicants are briefed prior to their interview and later debriefed. Personality profiles are developed on individual consular officers, and visa refusals are monitored for new trends. The agencies are quick to adapt to any new methods that are established to prevent fraud. A good example is the Embassy's traditional practice of requiring correspondence to indicate a continuing relationship between separated spouses. Marriage agencies now provide a full range of translation services for all correspondence in Korean and English. They may provide the same type of service if the citizen is not a Korean national but still is listed as a non-U.S. citizen. They are also capable of fabricating all types of correspondence. In cases where the applicant is illiterate, the agencies read and write all letters. In addition, these agencies are quite aware of the power of a congressional inquiry and are well versed in how to initiate one. In several dubious cases, the agents have advised American spouses to return to the ROK to convince the consular officer to issue the visa in question. These agencies have indiscriminately franchised their authority and official identity stamps to other organizations. The result has been a mixture of misleading stamps (for example, a Daegu stamp on documents prepared in Seoul) and a lack of accountability.

d. Several factors complicate the identification of specific cases of visa fraud and the exclusion of these individuals from the U.S. First, the most difficult cases are those where only one spouse is a party to the fraud and the other is a victim of the scheme. Those cases where the Service member is being victimized are particularly controversial as the Service member is usually unwilling or unable to accept the possibility of having been duped. Second, although in most cases involving the American military, the parties have lived together, this does not in itself indicate the intent to continue the marriage in the U.S. Many such marriages are business arrangements with financial benefits and special privileges accruing to both partners. Third, although prostitution is illegal in the ROK, it is unofficially condoned. There is no public licensing system for prostitutes and private records are not available. Not all prostitutes are employed by the clubs they frequently visit. The transient nature of the population around U.S. military bases also hinders investigations.

I-4. Dangers of Marrying DCP

Commanders can contact the Counterintelligence Staff Office (FKJ2-CIOC-CJ2X), APO AP 96204-3026, DSN 723-3076/5533, regarding any questions or updates concerning the list of Designated Country Personnel.

a. Service members should be advised that dating or marrying a DCP could result in his/her security clearance being temporarily suspended or worse, he/she could lose it permanently if the command determines there is a potential security risk.

b. Also, after the Service member marries a DCP, the spouse may not be granted access to base facilities. The Service member is required to submit a request for an exception to policy for full-time access for the spouse and dependents. Requesting the exception does not mean the exception will be granted.

I-5. Hidden Costs Associated With International Marriages

Service members have reported spending \$2,000 - \$5,000 (paperwork and processing fees alone may cost \$1,200 - \$1,500 per immigrant). Other cost considerations are non-command sponsorship, transportation to the United States, required documents for USFK Reg 600-240 procedures, the visa process, access to financial services and banking classes.

I-6. When the Honeymoon Is Over—What's Next?

Preparing for return to CONUS is highlighted by the realization that the non-U.S. citizen spouse faces possibly the two greatest adjustments a person can make -- adjusting to a new language and culture, as well as to a new marriage partner. Each couple should realize the challenges and start the adjustment process long before arrival in the CONUS.

Appendix J

US Embassy - Consular Outreach Services in Yongsan

The U.S. Embassy offers consular outreach services on USAG Yongsan to USFK personnel, family members and those with installation access. The US Embassy provides easier and more convenient access to consular services – passports, reports of birth, notary's services – to our military families serving throughout Korea.

Effective April 7, 2010, U.S. Embassy consular personnel will be available for all consular services every Wednesday from 0900 - 1400 (9:00 am - 2:00pm). Embassy personnel are available on either a walk-in or appointment basis. For appointment, please call: Yongsan Legal Office DSN: 738-8111 or COMM: 0505-738-8111.

If you are not able to visit consular personnel in Yongsan during the consular outreach hours, please click [here](#) for information about Military Passport Acceptance Agencies. Using a Military Passport Acceptance Agency located on your base can also save you and your family a trip to the Embassy.

Please note that all visa applications must be made at the U.S. embassy. For visa information, please click [here](#).

The U.S. Embassy is only able to accept payment by money order in U.S. dollars for the exact amount of the service while providing consular services outside of the U.S. Embassy.

US Embassy Consular Outreach Services

ACS Building 4106, 2d Floor Lobby next to the Legal Office

Available every Wednesday from 0900 - 1400 hrs

By walk-in or appointment

For appointments, please call the Yongsan Legal Office DSN: 738-8111

For American Citizen Services inquiries please e-mail them at seoulinfo@state.gov.

**Appendix K
International Marriage Quarterly Report**

International Marriage Quarterly Report					
Submitted by: (Unit/Point of Contact/DSN/E-mail Address)					
Reporting period: (Quarter & Fiscal Year)					
Service	# Carried Over from Previous QTR	# Applications Received (This QTR)	# Packets Completed	# Packets returned (Incomplete)	# Pending at end of QTR
	(a)	(b)	(c)	(d)	(a+b-c-d)
Air Force	0	0	0	0	0
CNFK	0	0	0	0	0
8 th Army (includes IMCOM-K)	0	0	0	0	0
MARFORK	0	0	0	0	0
SOCKOR	0	0	0	0	0
USFK Total:	0	0	0	0	0

K-1. Each Service will provide a breakout the following categories for each International Marriage Quarterly Report:

a. **Number Carried Over from Previous Quarter.** This number will be the number from the “# Pending at end of QTR” column from your last quarterly report.

b. **# Applications Received this Quarter.** Self Explanatory.

c. **# of Packets Completed.** Fully completed packets verified by each Service Commander (or designated representative).

d. **# of Packets Returned as insufficient.** Packets not meeting the required documentation as prescribed in this regulation.

e. **# of Pending Packets at the end of the current Quarter.** Add the packets still pending from last quarter; add the number of received packets this quarter; minus the number of packets completed; and add the number of packets returned as insufficient will equal the number of pending at the end of this quarter.

K-2. International Marriage reports must be submitted by the second working day after each quarter to the USFK J1, Policy and Program Branch, at J11WorkFlow@korea.army.mil. If you need a blank copy of this report format, please send a request to the same address.

**Appendix L
International Marriage Procedures in Korea (step-by-step guidance)**

12 Step-By-Step Procedures for an International Marriage in Korea	
Step 1	Service member informs chain of command of intentions to get married to a foreign national
Step 2	First counseling with Battalion/Squadron or equivalent level Commander (with potential spouse). Topics will include but not limited to cultural differences, visa fraud, penalties, etc).
48 Hour Minimum Waiting Period	
Step 3	Second counseling with Battalion/Squadron or equivalent level Commander (without potential spouse). Service member will be informed about of the possibility of involuntary extension and sign a USFK Form 166 Affidavit of Acknowledgement.
Step 4	Service member notifies Local Special Security Officer and unit Security Manager (All potential spouses obtain a background check).
Step 5	Pre-marriage counseling with a Chaplain (cultural concerns, not religious in nature).
Step 6	Pre-marriage counseling with a Legal Client Services Officer (Counseled on immigration/nationality act, spouse's status as determined under immigration laws).
Step 7	Medical examination (for both the Service member and potential spouse). Detects medical conditions that may preclude spouse from gaining US entry. SF Form 88 and requisite Korean medical form.
Step 8	Submit marriage packet to battalion/squadron or equivalent level Commander for review.
Step 9	Battalion/squadron or equivalent level Commander review (to include legal & medical sufficiency reviews).
Step 10	Verification officer (O6 level commander) will verify on Section VII - Verification Authority (Page 5 of USFK Form 163) ensuring that all signatures are complete from the Chaplain, Security Officer, Service Member, Medical Officer, O5 level Commander, and a Legal Officer.
After The Marriage	
Step 11	Service member submits relative immigrant petition with the Department of Homeland Security.
Step 12	After petition approved, Service member submits immigrant visa application w/Department of State (takes 3~4 months). Visa good for 6 months. Service members begin visa process NLT 7 months prior to DEROS.
*Does not apply if the intended non-US citizen spouse is not, and will not be, present in the Republic of Korea prior to the marriage.	

L-1. Purpose of this procedural step-by-step guidance

- a. To ensure that there are valid marriages by US Service members to non-US citizens.
- b. That these spouses are eligible for immigration upon returning to the U.S.
- c. That Service members who wish to marry non-US citizens are fully informed of the procedures for a valid marriage.

L-2. Why this is important to you

- a. International marriage may impact your security clearance.
- b. Immigration issues make it harder to evacuate dependents in the event of noncombatant evacuation operations during times of hostilities.
- c. Once you PCS from Korea, any dependents left behind lose ration control cards and other benefits associated with SOFA status and it creates a poor image of the US.
- d. Failure to comply with this regulation subjects you to UCMJ action.

L-3. Practical Tips

- a. Inform your Chain of Command before you do anything! Keep them informed every step of the way.
- b. Start intended spouse's background check early! Need police checks from home country and Korea (if in Korea for more than 6 months). When in doubt, see your legal office!

Glossary

Section I. Abbreviations

CONUS	Continental United States
DCP	Designated Country Personnel
DEROS	Date Eligible for Return from Overseas
HIV	Human Immunodeficiency Virus
IAW	In Accordance With
MTF	Medical Treatment Facility
NAC	National Agency Check
PCS	Permanent Change of Station
ROK	Republic of Korea
SCI	Sensitive Compartmented Information
SOCKOR	Special Operations Command Korea
UCMJ	Uniform Code of Military Justice
U.S.	United States (of America)
USFK	United States Forces Korea

Section II. Terms

Alien/Non-U.S. citizen. Any person not a citizen or a national of the U.S. as defined by the Immigration and Naturalization Service.

Applicant. Any active duty member of the Armed Forces applying for pre-marital certification of compliance with this regulation.

Forms. All forms and instructions mentioned in this regulation can be found by clicking [here](#) and found at the Marriage Services section of the Eighth Army Client Legal Services.

Immigrant Visa. [Immigrant visas](#) (sometimes known as "green cards") are for persons who plan to live, work or study and remain permanently in the U.S. Immigrant visas (IV) are a responsibility of the U.S. Department of State, Consular Affairs (CA) Bureau. Most IVs require an underlying petition approved by the U.S. Department of Homeland Security (DHS), [U.S. Citizenship and Immigration Services \(CIS\)](#) before any IV processing starts. IV applicants are seen by appointment only at the U.S. Embassy in Seoul, Monday through Friday, 8:00 to 11:30. IV is closed to the public Wednesday afternoons and on both [U.S. and Korean holidays](#).

Intended Spouse. A person, of the opposite sex, whom the Service member plans to marry.

Supporting Legal Office. The legal office that provides legal support to the verification authority.

Visa Categories. The following is a classification table for visas categories as outlined on the US Embassy web site (each has a link to the specific visa category for more information). For Fiancé/Fiancée visas, see K-1/K-2.

IMMIGRANT VISAS NOT NUMERICALLY LIMITED	
IR-1/IR-2	Spouse and Children of U.S. Citizen
CR-1/CR-2	Conditional Spouse and Children of U.S. Citizen whose been married for less than 2 years
IR-3	Orphan adopted by U.S. Citizen
IR-4	Orphan to be adopted by U.S. Citizen
IR-5	Parents of a U.S. Citizen
IW	Widows of U.S. Citizen
K-1/K2	Fiancé/Fiancée of U.S. Citizen and his/her derivative child (nonimmigrant)
K-3/K4	Spouse and children of U.S. Citizen who are subject to long period of wait for IR-1/CR-1 visas. (nonimmigrant)
SB	Returning Residents
IMMIGRANT VISAS SUBJECT TO NUMERICAL LIMITATIONS (PREFERENCE CASES)	
FAMILY-BASED IMMIGRANTS	
F1	Unmarried Son/Daughter of U.S. Citizen
F21/F23	Spouse of Legal Permanent Resident and their derivative children
F22	Child of Legal Permanent Resident
F24/F25	Unmarried Son or Daughter of Legal Permanent Resident and their derivative Children
F3	Married Son or Daughter of U.S. Citizen
F4	Sibling of U.S. Citizen