

9 FAM 42.22 Exhibit II

(TL:VISA-350; 01-25-2002)

TEXT OF DSL-1074, STATEMENT OF CONDITIONAL RESIDENT ALIEN PRIOR TO GRANTING A VISA

The consular officer shall not issue a transportation letter to a conditional resident alien unless the applicant reads and signs the statement below. The consular officer shall provide a local language version of this statement to be signed by aliens who do not understand English. (See Section 9 FAM 42.22 N1.7.)

I, _____ the undersigned, have read, understand and fully accept the risks involved that are listed below:

(1) The decision to grant or deny the request to excuse the late filing of Form I-751, *Petition to Remove the Conditions on Residence* rests with the adjudicating officer of the Immigration and Naturalization Service.

(2) Even if the tardiness is excused, the petition for removal of the conditional status (Form I-751) may still be denied for other reasons.

(3) If the tardiness is not excused and the petition/application approved, I will be required to depart from the United States or appear before an immigration judge in exclusion proceedings.

(4) If I am excluded and departed from the United States, I will not be allowed to return to the United States for one year, unless permission to return is granted.

(5) I realize that it is possible to apply for a new immigrant visa rather than accept the risks inherent in filing a tardy petition/application while in a deferred inspection status. I may also seek a new immigrant visa if I depart voluntarily following a denial of the petition/application or if excluded and deported once the excludability under INA 212(a)(6)(A) has been resolved.

(Applicant's Signature)

Letter

5-89 Form DSL 1074, Statement of Conditions for Resident Alien Prior to Granting Visa

A reproducible version of this form will be printed in the Forms Facsimile Handbook.