

IMMIGRATION COUNSELING CERTIFICATE

DATE

STATEMENT OF APPLICANT AND INTENDED SPOUSE

In accordance with USFK Reg 600–240, the following has been explained to the undersigned:

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):
 - 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.
 - 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 _____
briefing 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