

Biometric Signature and Affirmation of DS-160 NIV Application

Reference Document: STATE 053483, 05/10

1. This cable contains an action request, para 3.
2. Consular officers sometimes encounter visa applicants who attempt to repudiate misstatements on their visa applications by claiming that someone else prepared their application and they (the applicants) are unaware of the contents. Applicants using the DS-160 may claim that their information has been changed between the time of submission and the time of the interview, even though we know that is not possible. While the DS-160 submission page clearly states applicants' responsibility for the content of the information they provide, we want to be absolutely sure that applicants are aware that they are responsible for the information in their visa application and for statements they make during the visa interview. Applicants must acknowledge that the information they have provided is true and complete to the best of their knowledge and that statements made on the application and during the interview are made under penalty of perjury to counter any future attempts of repudiation on the applicant's part, particularly in the context of immigration prosecutions. This is required by the agencies that represent us in court.
3. ACTION REQUEST: Effective immediately, DS-160 posts must A), take the applicant's fingerprints (either 10 prints or single print verification) immediately preceding the interview and not at the conclusion of the interview and, B), clearly post the statement below at either i) the point where an applicant's fingerprints are verified (LES/ODC collection, officer verification posts), or ii) the point at which the ten-digit fingerprint scan is collected (EFM collection posts). Text follows:

By submitting my fingerprint, I am certifying under penalty of perjury that I have read and understood the questions in my visa application and that all statements that appear in my visa application have been made by me and are true and complete to the best of my knowledge and belief.

Furthermore, I certify under penalty of perjury that I will tell the truth during my interview and that all statements made by me during my interview will be complete to the best of my ability.
4. Posts must place the statement in the window above the fingerprint scanner, or on the counter next to the scanner - whatever works best for post, as long as it is clearly visible to the applicant. Posts that have television monitors in their waiting areas may also wish to place the statement there, but must still display it in front of/above the fingerprint scanner as well. At posts where officers interview in a language other than English, posts should display this text in English and a translation in the appropriate local language(s). Officers must make sure that each applicant is aware what he/she is agreeing to by submitting his/her fingerprint for verification (or fingerprints in the case of posts with EFM collection workflows). We do not require you to repeat the posted text word for word.
5. To see what the set-up would look like at post, please see the example on the CAWeb "Visas" page.