

9 FAM 40.35(A) PARTICIPANTS IN NAZI PERSECUTIONS

*(CT:VISA-967; 06-11-2008)
(Office of Origin: CA/VO/L/R)*

9 FAM 40.35(a) RELATED STATUTORY PROVISIONS

(CT:VISA-967; 06-11-2008)

See INA 212(a)(3)(E) (8 U.S.C. 1182(a)(3)(E))

INA 212(a)(3)(E)

(3) Security and related grounds.-

(E) PARTICIPANTS IN NAZI PERSECUTION, GENOCIDE, OR THE COMMISSION OF ANY ACT OF TORTURE OR EXTRAJUDICIAL KILLING

- (i) Participation in nazi persecutions.-Any alien who, during the period beginning on March 23, 1933, and ending on May 8, 1945, under the direction of, or in association with-
 - (I) the Nazi government of Germany,
 - (II) any government in any area occupied by the military forces of the Nazi government of Germany,
 - (III) any government established with the assistance or cooperation of the Nazi government of Germany, or
 - (IV) any government which was an ally of the Nazi government of Germany, ordered, incited, assisted, or otherwise participated in the persecution of any person because of race, religion, national origin, or political opinion is inadmissible.
- (ii) Participation in genocide.-Any alien who ordered, incited, assisted, or otherwise participated in conduct outside the United States that would, if committed in the United States or by a United States national, be genocide, as defined in section 1091(a) of title 18, United States Code, is inadmissible.

- (iii) COMMISSION OF ACTS OF TORTURE OR EXTRAJUDICIAL KILLINGS- Any alien who, outside the United States, has committed, ordered, incited, assisted, or otherwise participated in the commission of—
 - (I) any act of torture, as defined in section 2340 of title 18, United States Code; or
 - (II) under color of law of any foreign nation, any extrajudicial killing, as defined in section 3(a) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note), is inadmissible.
- (F) ASSOCIATION WITH TERRORIST ORGANIZATIONS- Any alien who the Secretary of State, after consultation with the Attorney General, or the Attorney General, after consultation with the Secretary of State, determines has been associated with a terrorist organization and intends while in the United States to engage solely, principally, or incidentally in activities that could endanger the welfare, safety, or security of the United States is inadmissible.

9 FAM 40.35(a) RELATED REGULATORY PROVISIONS

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See 22 CFR 40.35(a).