

9 FAM 40.35(c) COMMISSION OF ACTS OF TORTURE OR EXTRAJUDICIAL KILLINGS

*(CT:VISA-1525; 09-20-2010)
(Office of Origin: CA/VO/L/R)*

9 FAM 40.35(c) RELATED STATUTORY PROVISIONS

(CT:VISA-1525; 09-20-2010)

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

INA 212(a)(3)(E)(iii)

(3) Security and related grounds.-

- (E) Participants in Nazi Persecution, Genocide, or the Commission of Any Act of Torture or Extrajudicial Killing
 - (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.

Subsection (a)(3)(E)(iii) amended by Section 5501(a)(2), Intelligence Reform and Terrorism Prevention Act of 2004, Act of Dec. 17, 2004, Public Law 108-458, applicable under Section 5501(c) of such Act, see "Section 212, Note 16.3", this INA 212.

Section 212, Note 16.3 Application of amendment made by Sec. 5501 of Act Dec. 17, 2004.

Act Dec. 17, 2004, Public Law 108-458, provides: "The amendment made by

this section [amending 8 U.S.C. 1182(a)(3)(E) and 1227(a)(4)(D)] shall apply to offenses committed before, on, or after the date of enactment of this Act”.