

9 FAM 40.33 FOREIGN POLICY

(CT:VISA-1272; 08-26-2009)
(Office of Origin: CA/VO/L/R)

9 FAM 40.33 RELATED STATUTORY PROVISIONS

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

(3) Security and related grounds.-

(C) Foreign *Policy*

(i) In *General*

An alien whose entry or proposed activities in the United States the Secretary of State has reasonable ground to believe would have potentially serious adverse foreign policy consequences for the United States is inadmissible.

(ii) *Exception* for *Officials*

An alien who is an official of a foreign government or purported government, or who is a candidate for election to a foreign government office during the period immediately preceding the election for that office, shall not be excludable or subject to restrictions or conditions on entry into the United States under clause (i) solely because of the alien's past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States.

(iii) Exception for *Other Aliens*

An alien, not described in clause (ii), shall not be excludable or subject to restrictions or conditions on entry into the United States under clause (i) because of the alien's past, current, or expected beliefs, statements, or associations, if such beliefs, statements, or associations would be lawful within the United States, unless the Secretary of State personally determines that the alien's admission would compromise a compelling United States foreign policy interest.

(iv) Notification of *Determinations*

If a determination is made under clause (iii) with respect to an alien, the Secretary of State must notify on a timely basis the chairmen of the Committees on the Judiciary and Foreign Affairs of the House of Representatives and of the Committees on the Judiciary and Foreign Relations of the Senate of the identity of the alien and the reasons for the determination.

9 FAM 40.33 RELATED REGULATORY PROVISIONS

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See 22 CFR 40.33 [*Reserved*].