

## **9 FAM 40.27**

# **SIGNIFICANT TRAFFICKERS IN PERSONS**

*(CT:VISA-1855; 08-10-2012)*  
*(Office of Origin: CA/VO/L/R)*

## **9 FAM 40.27 RELATED STATUTORY PROVISIONS**

*(CT:VISA-1855; 08-10-2012)*

See INA 212(a)(2)(H) (8 U.S.C. 1182(a)(2)(H)).

(2) **Criminal and *Related Grounds***

**[INA 212(a)(2)(H)]**

(H) **Significant Traffickers in Persons\***

(i) In General\*\*

Any alien who commits or conspires to commit human trafficking offenses in the United States or outside the United States, or who the consular officer, the Secretary of Homeland Security, the Secretary of State, or the Attorney General knows or has reason to believe is or has been a knowing aider, abettor, assister, conspirator, or colluder with such a trafficker in severe forms of trafficking in persons, as defined in the section 103 of such Act, is inadmissible.

(ii) Beneficiaries of Trafficking

Except as provided in clause (iii), any alien who the consular officer or the Attorney General knows or has reason to believe is the spouse, son, or daughter of an alien inadmissible under clause (i), has, within the previous 5 years, obtained any financial or other benefit from the illicit activity of that alien, and knew or reasonably should have known that the financial or other benefit was the product of such illicit activity, is inadmissible.

(iii) Exception for Certain Sons and Daughters

Clause (ii) shall not apply to a son or daughter who was a child at the time he or she received the benefit described in such clause.

*\*Part (H) added by Sec. 111(d), div. a [Trafficking Victims Protection Act of 2000], Public Law No. 106-386 [Victims of Trafficking and Violence Protection Act of 2000] Act of Oct. 28, 2000.*

*\*\*Part (i) amended by Secs. 222(f)(1) and 234, William Wilberforce Trafficking Victims Protection Reauth. Act of 2008, Act of Dec. 23, 2008, Public Law No. 110-457. Such Sec. 222(f) struck "who is listed in a report submitted pursuant to section 111(b) of the Trafficking Victims Protection Act of 2000", inserting "who commits or outside the United States". Sec. 234 struck "consular officer" inserting "consular officer, the Secretary of Homeland Security, the Secretary of State,".*

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## **9 FAM 40.27 RELATED REGULATORY PROVISIONS**

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22 CFR 40.27 (Reserved)