



United States Department of State

Washington, D.C. 20520

RELEASED IN FULL

JUL - 3 2012

Dear Mr. Walsh:

Thank you for your letter of June 13 regarding the nonimmigrant visa case of Mr. Narendra Modi, Chief Minister of the State of Gujarat in India.

As your letter notes, Mr. Modi had previously been found ineligible for a visa pursuant to section 212(a)(2)(G) of the Immigration and Nationality Act (INA), which relates to foreign government officials who have committed particularly severe violations of religious freedom. We note that Mr. Modi does not have a pending visa application, and his last application was made in 2005. If Mr. Modi should apply for a visa, his eligibility will be determined at the time of his interview, in accordance with U.S. immigration law.

Your letter states that Mr. Modi should not have been determined to be ineligible because he was not convicted of a crime, and because more than two years have elapsed since the alleged involvement in religious freedom violations. The two year limitation, however, was eliminated in Section 5502(a) of the Intelligence Reform and Terrorism Prevention Act of 2004, and this provision now makes persons found to have committed these acts permanently ineligible for a visa. No criminal conviction is required. The ineligibility applies if there is reason to believe that the alien was responsible for or directly carried out, at any time, violations of religious freedom as defined in the provision.

Should Mr. Modi submit a new application for a visa in the future, he will be given every possible consideration consistent with U.S. law and policy.

We trust that this information is helpful. Please do not hesitate to contact us further should you require additional information about this or any other matter.

Sincerely,

David S. Adams
Assistant Secretary
Legislative Affairs

The Honorable
Joe Walsh,

REVIEW AUTHORITY: Sharon Ahmad, Senior
Reviewer

House of Representatives.



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06-15-2012

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