Everest

RELEASE IN PART B3 INA,B6, B1, 1.4b, 1.4d

Cover Sheet

201606990: ~~(S)~~ ~~Inadmissibility~~ Determination for Venezuelan National [redacted]

B3 INA
B6
1.4(B)
1.4(D)
B1

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Final Action:	Approved
Principal Final Action Addressed To:	TS
Principal Final Action Taken On:	06/13/2016
Final Action Note:	Orig outletters/copy of attachments receipted to H, Orig actmem/copy of letters/attachments to IPS.

U.S. Department of State

RELEASE IN PART B1,B3
INA,B7(E),1.4(D),B6,1.4(C)

201606990

United States Department of State

Washington, D.C. 20520

~~SECRET/NOFORN~~
~~DECL: 05/23/2041~~

May 24, 2016

Seen by

JUN 13 2016

P

ACTION MEMO FOR UNDER SECRETARY SHANNON

FROM: WHA – Mari Carmen Aponte
H – Julia Frifield
DRL – Tom Malinowski
CA – David T. Donahue, Acting

1.4(D)
B1
B3 INA
B6

SUBJECT: ~~(SBU)~~ Inadmissibility Determination for Venezuelan National [redacted]

Recommendation

~~(S/NF)~~ That you determine the entry of Venezuelan national [redacted] to the United States would have potentially serious adverse foreign policy consequences for the United States, rendering him ineligible for a U.S. visa under Immigration and Nationality Act (INA) section 212(a)(3)(C). Such a decision would be consistent with the March 27, 2014, policy to impose visa restrictions on individuals involved in human rights abuses and acts of public corruption in Venezuela.

1.4(D)
B1
B3 INA
B6

Approve 6/13/2016 Disapprove _____

~~(S/NF)~~ That you authorize the transmission of the Congressional report, as required by Section 51 of the Department's Basic Authorities Act, 22 USC 2723, if the visa is denied.

Approve 6/13/2016 Disapprove _____

Background

~~(SBU)~~ On March 27, 2014, Secretary Kerry approved a policy under INA section 212(a)(3)(C)("3(C)") to deny visas to current or former Venezuelan government officials and other persons who are believed to be responsible for or complicit in human rights abuses in Venezuela, including but not limited to

~~SECRET/NOFORN~~
~~Classified by: WHA Assistant Secretary Roberta Jacobson~~
~~E.O. 13526, Reasons: 1.4 (c) and (e)~~

extrajudicial killings, arbitrary arrest and detention, disappearance of persons, torture, and other cruel, inhuman, or degrading treatment. This policy extends to current or former Venezuelan government officials and other persons considered responsible for undermining democratic governance, including through acts of censorship, public corruption, or supporting impunity for members of the security forces who have engaged in human rights abuses.

~~(S/NF)~~ 1.4(D) B1 1.4(C) 1.4(E)

~~(S/NF)~~ 1.4(D) B1 B3 INA B6 1.4(C) 1.4(E) applied for a new B1/B2 visa in June 2015.

~~(S/NF)~~ 1.4(D) B1 B6

~~(S/NF)~~ 1.4(C) 1.4(D) B1 B6

~~SECRET/NOFORN~~

[redacted] 1.4(C) 1.4(D) B1 B6 B7(E)

high-level government officials.

~~(S/NF)~~ [redacted] 1.4(D) B1 B3 INA B6 B7(E)

(SBU) Embassy Santo Domingo requested a security advisory opinion. You have delegated authority pursuant to Delegation No. 210 (January 5, 1995) to determine that the applicant's entry would have potentially serious foreign policy consequences.

~~(S/NF)~~ [redacted] 1.4(D) B1 B6

~~(S/NF)~~ [redacted] 1.4(D) B1 B6

~~(C)~~ [redacted] 1.4(D) B1 B6

~~SECRET/NOFORN~~

[redacted] 1.4(D) B1 B3 INA B6

~~(SBU)~~ The Department will not publicize this determination, and the confidentiality provisions of INA section 222(f) apply. However, visa refusals under INA section 212(a)(3)(C) must be reported to Congress along with the "factual basis" for the determination.

Attachments:

Tab 1 – Report to Congress
Tab 2 – Letters to Congress
Tab 3 – Previous Approved Memo
Tab 4 – INA Section 212(a)(3)(C)

Approved: WHA Acting Assistant Secretary Mari Carmen Aponte (ok)
DRL Assistant Secretary Tom Malinowski (ok)
H Assistant Secretary Julia Frifield
CA Acting Assistant Secretary David T. Donahue (ok)
L Deputy Legal Adviser Kathleen McManus (ok)

Drafted: WHA/AND – Sandra Zuniga Guzman, ext 7-3338
WHA/AND – Roxanna Vigil, ext 7-1720 and cell: [redacted] B6

Cleared:		
	D – Yvonne Gonzales	ok
	D-MR – Spencer Abott	ok
	S/P – Sumona Guha	ok
	P – Jen Davis-Paguada	ok
	CA/VO – Edward Ramotowski	ok
	INL/C – Marianne Toussaint	ok
	L/CA – Julianna Bentes	ok
	L/LEI –Elizabeth O'Connor	ok
	L/WHA – Violanda Botet	info
	H – Janelle Guest	ok
	INR – Carrie Callaghan	ok
	DRL – Rachel Waldstein	ok