

107TH CONGRESS
1ST SESSION

H. R. 1449

To amend the Immigration and Nationality Act to provide that aliens who commit acts of torture or war crimes abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in war crimes or acts of genocide or torture abroad.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2001

Mr. FOLEY (for himself and Mr. ACKERMAN) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to provide that aliens who commit acts of torture or war crimes abroad are inadmissible and removable and to establish within the Criminal Division of the Department of Justice an Office of Special Investigations having responsibilities under that Act with respect to all alien participants in war crimes or acts of genocide or torture abroad.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Anti-Atrocity Alien De-
3 portation Act”.

4 **SEC. 2. INADMISSIBILITY AND REMOVABILITY OF ALIENS**
5 **WHO HAVE COMMITTED ACTS OF TORTURE**
6 **OR WAR CRIMES ABROAD.**

7 (a) INADMISSIBILITY.—Section 212(a)(3)(E) of the
8 Immigration and Nationality Act (8 U.S.C.
9 1182(a)(3)(E)) is amended by adding at the end the fol-
10 lowing:

11 “(iii) COMMISSION OF ACTS OF TOR-
12 TURE OR WAR CRIMES.—Any alien who,
13 outside the United States, has
14 committed—

15 “(I) any act of torture, as de-
16 fined in section 2340 of title 18,
17 United States Code; or

18 “(II) any war crime, as defined
19 in section 2441(c) of title 18, United
20 States Code;

21 is inadmissible.”.

22 (b) REMOVABILITY.—Section 237(a)(4)(D) of such
23 Act (8 U.S.C. 1227(a)(4)(D)) is amended by striking
24 “clause (i) or (ii)” and inserting “clause (i), (ii), or (iii)”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to offenses committed before, on,
3 or after the date of the enactment of this Act.

4 **SEC. 3. ESTABLISHMENT OF THE OFFICE OF SPECIAL IN-**
5 **VESTIGATIONS.**

6 (a) AMENDMENT OF THE IMMIGRATION AND NA-
7 TIONALITY ACT.—Section 103 of the Immigration and
8 Nationality Act (8 U.S.C. 1103) is amended by adding
9 at the end the following:

10 “(g) The Attorney General shall establish within the
11 Criminal Division of the Department of Justice an Office
12 of Special Investigations with the authority of inves-
13 tigating, and, where appropriate, taking legal action to re-
14 move, denaturalize, or prosecute any alien found to be in
15 violation of clause (i), (ii), or (iii) of section
16 212(a)(3)(E).”.

17 (b) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) IN GENERAL.—There are authorized to be
19 appropriated to the Department of Justice for the
20 fiscal year 2002 such sums as may be necessary to
21 carry out the additional duties established under sec-
22 tion 103(g) of the Immigration and Nationality Act
23 (as added by this Act) in order to ensure that the
24 Office of Special Investigations fulfills its continuing
25 obligations regarding Nazi war criminals.

1 (2) AVAILABILITY OF FUNDS.—Amounts appro-
2 priated pursuant to paragraph (1) are authorized to
3 remain available until expended.

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