

106TH CONGRESS  
1ST SESSION

# S. 1375

To amend the Immigration and Nationality Act to provide that aliens who commit acts of torture 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 acts of genocide and torture abroad.

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## IN THE SENATE OF THE UNITED STATES

JULY 15, 1999

Mr. LEAHY (for himself and Mr. KOHL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to provide that aliens who commit acts of torture 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 acts of genocide and 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 **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.—Any alien who, outside the United  
13                   States, has committed any act of torture,  
14                   as defined in section 2340 of title 18,  
15                   United States Code, is inadmissible.”.

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

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

22 **SEC. 3. ESTABLISHMENT OF THE OFFICE OF SPECIAL IN-**  
23 **VESTIGATIONS.**

24       (a) AMENDMENT OF THE IMMIGRATION AND NA-  
25 TIONALITY ACT.—Section 103 of the Immigration and

1 Nationality Act (8 U.S.C. 1103) is amended by adding  
2 at the end the following:

3 “(g) The Attorney General shall establish within the  
4 Criminal Division of the Department of Justice an Office  
5 of Special Investigations with the authority of inves-  
6 tigating, and, where appropriate, taking legal action to re-  
7 move, denaturalize, or prosecute any alien found to be in  
8 violation of clause (i), (ii), or (iii) of section  
9 212(a)(3)(E).”.

10 (b) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) IN GENERAL.—There are authorized to be  
12 appropriated to the Department of Justice for the  
13 fiscal year 2000 such sums as may be necessary to  
14 carry out the additional duties established under sec-  
15 tion 103(g) of the Immigration and Nationality Act  
16 (as added by this Act) in order to ensure that the  
17 Office of Special Investigations fulfills its continuing  
18 obligations regarding Nazi war criminals.

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

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