

S. 1472

One Hundred Eleventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the sixth day of January, two thousand and nine*

An Act

To establish a section within the Criminal Division of the Department of Justice to enforce human rights laws, to make technical and conforming amendments to criminal and immigration laws pertaining to human rights violations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Human Rights Enforcement Act of 2009".

SEC. 2. SECTION TO ENFORCE HUMAN RIGHTS LAWS.

(a) **REPEAL.**—Section 103(h) of the Immigration and Nationality Act (8 U.S.C. 1103(h)) is repealed.

(b) **SECTION TO ENFORCE HUMAN RIGHTS LAWS.**—Chapter 31 of title 28, United States Code, is amended by inserting after section 509A the following:

"§ 509B. Section to enforce human rights laws

"(a) Not later than 90 days after the date of the enactment of the Human Rights Enforcement Act of 2009, the Attorney General shall establish a section within the Criminal Division of the Department of Justice with responsibility for the enforcement of laws against suspected participants in serious human rights offenses.

"(b) The section established under subsection (a) is authorized to—

"(1) take appropriate legal action against individuals suspected of participating in serious human rights offenses; and

"(2) coordinate any such legal action with the United States Attorney for the relevant jurisdiction.

"(c) The Attorney General shall, as appropriate, consult with the Secretary of Homeland Security and the Secretary of State.

"(d) In determining the appropriate legal action to take against individuals who are suspected of committing serious human rights offenses under Federal law, the section shall take into consideration the availability of criminal prosecution under the laws of the United States for such offenses or in a foreign jurisdiction that is prepared to undertake a prosecution for the conduct that forms the basis for such offenses.

"(e) The term 'serious human rights offenses' includes violations of Federal criminal laws relating to genocide, torture, war crimes, and the use or recruitment of child soldiers under sections 1091, 2340, 2340A, 2441, and 2442 of title 18, United States Code."

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(2) striking “, or 2340A” and inserting “, 2340A, or 2442”.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*