

Testimony of

The Honorable Russ Feingold

April 18, 2002

Mr. Chairman, please add me as a cosponsor of this bill. I'd also like to make a brief comment.

Mr. Chairman, I commend you for your leadership on this important issue.

I have had a deep interest and involvement in the case of the four American churchwomen who were killed in El Salvador in 1980. I have urged our government to provide the families and the American people with a full explanation of what happened and the American role in aiding, supporting or protecting Salvadoran government officials who are responsible for their deaths.

I, of course, am not the first member who has worked on this important, yet horrific case. I know the Chairman and Senator Kennedy, as well as others in the Senate and House before me, have worked long and hard on this case.

I join the families of the victims in believing that two Salvadoran generals who are responsible for their deaths, Generals Garcia and Casanova, later arrived on our shores and are currently living a comfortable life in Florida. The families are currently seeking to hold the generals accountable for their role in the killings through a civil action in federal court. Aside from this civil suit, I think it might make a lot of sense to deport these two generals. But, unfortunately, under current law, the INS's hands are basically tied. They don't have adequate legal tools to consider deporting these two generals.

So, Mr. Chairman, I believe your bill is desperately needed. Congress must do all it can to ensure that our nation is not a refuge for Generals Garcia and Casanova and other scoundrels like them who engage in human rights atrocities abroad.

Mr. Chairman, finally, I'd like to underscore two things. First, it is my firm belief that in determining whether a suspected human rights violator should be denied admission or removed from the U.S., the Attorney General should interpret this bill to include those generals, commanders, and others who have "command and control" authority over the subordinates who carry out the torture or extrajudicial execution. Second, I am concerned that the U.S. has not prosecuted a single torturer, since the U.S. ratified the Torture Convention and adopted implementing legislation in 1994, even though we know there are unfortunately many of these torturers living among us today. I hope that once this bill becomes law, the Attorney General will make all efforts first to prosecute human rights violators, or extradite them for trial abroad, and then rely on denial of admission or deportation as a third option.

I do want to thank you, Mr. Chairman. This is a good step, but I also believe other steps should be taken. Thank you.