

Human Rights Violators Act of 2022

Section-by-Section Summary

Section 1: Short Title; Table of Contents

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Section 2: Human Rights Violators and War Crimes Center

The Human Rights Violators and War Crimes Center (HRVWCC) was initiated by ICE's Homeland Security Investigations (HSI) division in 2008. Former ICE Director John Morton established the HRVWCC as a permanent entity within ICE in 2009. This section officially authorizes the HRVWCC. The Center coordinates the efforts to identify, investigate, prosecute, and remove individuals who engage in the commission of war crimes, genocide, torture, and other forms of serious human rights abuses; and who are found within the jurisdiction of the United States. This section also officially authorizes the appointment of a Director for the Center who will, among other things, coordinate training with domestic and international law enforcement agencies to enhance investigative best practices to identify, investigate, and prosecute individuals who engage in mass atrocities, severe human rights violations, or otherwise provide material support to terrorists or organizations that engage in such acts. The Director will also coordinate the collection and dissemination of information regarding the infringement of human rights and war crimes with domestic and international law enforcement agencies as well as Federal and non-Federal sources, to the extent allowed by law or regulation.

Section 3: Inadmissibility and Deportability for Persecutors and War Criminals

This section amends the INA to add inadmissibility and deportability grounds for persecutors and war criminals. This section also clarifies what actions qualify as persecution under the "Color of Law." It also amends the INA to make persecutors and war criminals ineligible for immigration benefits such as Voluntary Departure and Adjustment of Status. Finally, it makes these changes to the INA retroactive.

Section 4: Inadmissibility and Deportability for Participation in Female Genital Mutilation

This section amends the Immigration and Nationality Act (INA) to make an alien who has ordered, incited, solicited, funded, assisted, or otherwise participated in female genital mutilation inadmissible to and deportable from the United States.

Section 5: Statute of Limitations for Visa, Naturalization, and Other Fraud Offenses Involving Human Rights Violations

This section extends the statute of limitations to 20 years for aliens who committed human rights violations and entered the United States by fraud, including conduct, misrepresentations, concealment, or fraudulent, fictitious, or false statements by the alien. In many instances, human rights violators are not identified until many years after the atrocities are committed.

Section 6: Visa Security and National Security Fee

This section authorizes a fee collection on nonimmigrant visa applications to fund the visa security and national security programs within DHS. These programs provide pre-issuance visa security screening in high risk countries and identify and remove national security threats from the U.S., including human rights violators and terrorists.

Section 7: USCIS Access to Criminal History Records

USCIS officers who adjudicate immigrant applications currently do not have full access to criminal history records. This is a critical gap in efforts to prevent aliens who have criminal histories from gaining lawful residence and citizenship. This section will provide the authority for USCIS officers to gain access to these criminal records.