

AMENDMENT NO. 3882

(Purpose: To exclude groups assembled solely for non-violent political association from the definition of an armed force or group)

On page 4, line 7, insert after "state-sponsored" the following: ", excluding any group assembled solely for non-violent political association".

The committee amendment was agreed to.

The bill (S. 2135), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2135

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 "Child Soldiers Accountability Act of 2007".

SEC. 2. ACCOUNTABILITY FOR THE RECRUITMENT AND USE OF CHILD SOLDIERS.

(a) CRIME FOR RECRUITING OR USING CHILD SOLDIERS.—

(1) IN GENERAL.—Chapter 118 of title 18, United States Code, is amended by adding at the end the following:

"§ 2442. Recruitment or use of child soldiers

"(a) OFFENSE.—Any person who knowingly recruits, enlists, or conscripts a person under 15 years of age into an armed force or group or knowingly uses a person under 15 years of age to participate actively in hostilities—

"(1) shall be fined under this title, imprisoned not more than 20 years, or both; and

"(2) if the death of any person results, shall be fined under this title and imprisoned for any term of years or for life.

"(b) ATTEMPT AND CONSPIRACY.—Any person who attempts or conspires to commit an offense under this section shall be punished in the same manner as a person who completes the offense.

"(c) JURISDICTION.—There is jurisdiction over an offense described in subsection (a), and any attempt or conspiracy to commit such offense, if—

"(1) the alleged offender is a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22))) or an alien lawfully admitted for permanent residence in the United States (as defined in section 101(a)(20) of such Act (8 U.S.C. 1101(a)(20)));

"(2) the alleged offender is a stateless person whose habitual residence is in the United States;

"(3) the alleged offender is present in the United States, irrespective of the nationality of the alleged offender; or

"(4) the offense occurs in whole or in part within the United States.

"(d) DEFINITIONS.—In this section:

"(1) PARTICIPATE ACTIVELY IN HOSTILITIES.—The term 'participate actively in hostilities' means taking part in—

"(A) combat or military activities related to combat, including scouting, spying, sabotage, and serving as a decoy, a courier, or at a military checkpoint; or

"(B) direct support functions related to combat, including taking supplies to the

front line and other services at the front line.

"(2) ARMED FORCE OR GROUP.—The term 'armed force or group' means any army, militia, or other military organization, whether or not it is state-sponsored, excluding any group assembled solely for nonviolent political association."

(2) STATUTE OF LIMITATIONS.—Chapter 213 of title 18, United States Code is amended by adding at the end the following:

"§ 3300. Recruitment or use of child soldiers

"No person may be prosecuted, tried, or punished for a violation of section 2442 unless the indictment or the information is filed not later than 10 years after the commission of the offense."

(3) CLERICAL AMENDMENT.—Title 18, United States Code, is amended—

(A) in the table of sections for chapter 118, by adding at the end the following:

"2442. Recruitment or use of child soldiers."; and

(B) in the table of sections for chapter 213, by adding at the end the following:

"3300. Recruitment or use of child soldiers."

(b) GROUND OF INADMISSIBILITY FOR RECRUITING OR USING CHILD SOLDIERS.—Section 212(a)(3) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)) is amended by adding at the end the following:

"(G) RECRUITMENT OR USE OF CHILD SOLDIERS.—Any alien who has committed, ordered, incited, assisted, or otherwise participated in the commission of the recruitment or use of child soldiers in violation of section 2442 of title 18, United States Code, is inadmissible."

(c) GROUND OF REMOVABILITY FOR RECRUITING OR USING CHILD SOLDIERS.—Section 237(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(4)) is amended by adding at the end the following:

"(F) RECRUITMENT OR USE OF CHILD SOLDIERS.—Any alien described in section 212(a)(3)(G) is deportable."

(d) WITHHOLDING OF REMOVAL.—Section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)) is amended by adding at the end the following: "For purposes of clause (iii), an alien who is removable under section 237(a)(4)(F) or inadmissible under section 212(a)(3)(G) shall be considered an alien with respect to whom there are serious reasons to believe that the alien committed a serious nonpolitical crime."

(e) ASYLUM.—Section 208(b)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(B)) is amended by adding at the end the following:

"(iii) RECRUITMENT AND USE OF CHILD SOLDIERS.—For purposes of clause (iii) of subparagraph (A), an alien who is removable under section 237(a)(4)(F) or inadmissible under section 212(a)(3)(G) shall be considered an alien with respect to whom there are serious reasons to believe that the alien committed a serious nonpolitical crime."

**ORDERS FOR WEDNESDAY,
DECEMBER 19, 2007**

Mr. PRYOR. Mr. President, I ask unanimous consent that when the Sen-

ate completes its business today, it stand adjourned until 11:30 a.m. Wednesday, December 19, 2007; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders reserved for their use later in the day, and there then be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each; that during morning business, Senator REED of Rhode Island be recognized for up to 30 minutes; and that on Wednesday, the Senate stand in recess from 12:30 p.m. to 2:15 p.m. for a party conference meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

LETTER OF RESIGNATION

Mr. PRYOR. I understand the Chair has an announcement.

The PRESIDING OFFICER. The Chair lays before the Senate the letter of resignation of Senator TRENT LOTT of Mississippi.

Without objection, the letter is deemed read and spread upon the journal.

The letter is as follows:

DECEMBER 18, 2007.

Hon. RICHARD B. CHENEY,
*President of the United States Senate,
Washington, DC.*

DEAR MR. PRESIDENT: I hereby give notice of my retirement from the Office of United States Senator from the State of Mississippi. Therefore, I tender my resignation effective at 11:30 p.m., December 18, 2007.

Respectfully submitted,

TRENT LOTT,
United States Senate.

**ADJOURNMENT UNTIL 11:30 A.M.
TOMORROW**

Mr. PRYOR. Mr. President, if there is no further business today, I now ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 12:10 a.m., adjourned until Wednesday, December 19, 2007, at 11:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, December 18, 2007:

THE JUDICIARY

JOHN DANIEL TINDER, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.