

104TH CONGRESS
2D SESSION

H. R. 3680

To amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1996

Mr. JONES (for himself, Mr. HOKE, Mr. STUMP, Mr. SOLOMON, Mr. McHALE, Mr. HUNTER, Mr. MONTGOMERY, Mr. LEWIS of Kentucky, Mr. TORKILDSEN, Mr. WATTS of Oklahoma, Mr. EVERETT, Mr. McHUGH, Mr. ORTIZ, Mr. HOSTETTLER, Mrs. FOWLER, Mr. LONGLEY, and Mr. KOLBE) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to carry out the international obligations of the United States under the Geneva Conventions to provide criminal penalties for certain war crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “War Crimes Act of
5 1996”.

1 **SEC. 2. CRIMINAL PENALTIES FOR CERTAIN WAR CRIMES.**

2 (a) IN GENERAL.—Title 18, United States Code, is
3 amended by inserting after chapter 117 the following:

4 **“CHAPTER 118—WAR CRIMES**

“Sec.
“2401. War crimes.

5 **“§ 2401. War crimes**

6 “(a) OFFENSE.—Whoever, whether inside or outside
7 the United States, commits a grave breach of the Geneva
8 Conventions, in any of the circumstances described in sub-
9 section (b), shall be fined under this title or imprisoned
10 for life or any term of years, or both, and if death results
11 to the victim, shall also be subject to the penalty of death.

12 “(b) CIRCUMSTANCES.—The circumstances referred
13 to in subsection (a) are that the person committing such
14 breach or the victim of such breach is a member of the
15 armed forces of the United States or a national of the
16 United States (as defined in section 101 of the Immigra-
17 tion and Nationality Act).

18 “(c) DEFINITIONS.—As used in this section, the term
19 ‘grave breach of the Geneva Conventions’ means conduct
20 defined as a grave breach in any of the international con-
21 ventions relating to the laws of warfare signed at Geneva
22 12 August 1949 or any protocol to any such convention,
23 to which the United States is a party.”

1 (b) CLERICAL AMENDMENT.—The table of chapters
2 for part I of title 18, United States Code, is amended by
3 inserting after the item relating to chapter 117 the follow-
4 ing new item:

“118. War crimes 2401”.

