

118TH CONGRESS
1ST SESSION

H. R. 340

AN ACT

To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “ *Hamas and Other Pal-*
3 *estinian Terrorist Groups International Financing Preven-*
4 *tion Act*”.

5 **SEC. 2. STATEMENT OF POLICY.**

6 It shall be the policy of the United States—

7 (1) to prevent Hamas, Palestinian Islamic
8 Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or
9 any affiliate or successor thereof from accessing its
10 international support networks; and

11 (2) to oppose Hamas, the Palestinian Islamic
12 Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or
13 any affiliate or successor thereof from using goods,
14 including medicine and dual use items, to smuggle
15 weapons and other materials to further acts of ter-
16 rorism, including against Israel.

17 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
18 **EIGN PERSONS SUPPORTING ACTS OF TER-**
19 **RORISM OR ENGAGING IN SIGNIFICANT**
20 **TRANSACTIONS WITH SENIOR MEMBERS OF**
21 **HAMAS, PALESTINIAN ISLAMIC JIHAD AND**
22 **OTHER PALESTINIAN TERRORIST ORGANIZA-**
23 **TIONS.**

24 (a) IN GENERAL.—Not later than 180 days after the
25 date of enactment of this Act, the President shall impose
26 the sanctions described in subsection (c) with respect to

1 each foreign person that the President determines, on or
2 after the date of the enactment of this Act, engages in
3 an activity described in subsection (b).

4 (b) ACTIVITIES DESCRIBED.—A foreign person en-
5 gages in an activity described in this subsection if the for-
6 eign person knowingly—

7 (1) assists in sponsoring or providing signifi-
8 cant financial, material, or technological support for,
9 or goods or other services to enable, acts of ter-
10 rorism; or

11 (2) engages, directly or indirectly, in a signifi-
12 cant transaction with—

13 (A) a senior member of Hamas, Pales-
14 tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,
15 the Lion’s Den, or any affiliate or successor
16 thereof; or

17 (B) a senior member of a foreign terrorist
18 organization designated pursuant to section 219
19 of the Immigration and Nationality Act (8
20 U.S.C. 1189) that is responsible for providing,
21 directly or indirectly, support to Hamas, Pales-
22 tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,
23 the Lion’s Den, or any affiliate or successor
24 thereof.

1 (c) SANCTIONS DESCRIBED.—The President shall ex-
2 ercise all of the powers granted to the President under
3 the International Emergency Economic Powers Act (50
4 U.S.C. 1701 et seq.) to the extent necessary to block and
5 prohibit all transactions in property and interests in prop-
6 erty of a foreign person described in subsection (a) if such
7 property and interests in property are in the United
8 States, come within the United States, or are or come
9 within the possession or control of a United States person.

10 (d) PENALTIES.—The penalties provided for in sub-
11 sections (b) and (c) of section 206 of the International
12 Emergency Economic Powers Act (50 U.S.C. 1705) shall
13 apply to a person that violates, attempts to violate, con-
14 spires to violate, or causes a violation of this section or
15 any regulations promulgated to carry out this section to
16 the same extent that such penalties apply to a person that
17 commits an unlawful act described in section 206(a) of
18 that Act.

19 (e) IMPLEMENTATION; REGULATIONS.—

20 (1) IN GENERAL.—The President may exercise
21 all authorities provided under sections 203 and 205
22 of the International Emergency Economic Powers
23 Act (50 U.S.C. 1702 and 1704) for purposes of car-
24 rying out this section.

1 (2) REGULATIONS.—Not later than 60 days
2 after the date of the enactment of this Act, the
3 President shall issue regulations or other guidance
4 as may be necessary for the implementation of this
5 section.

6 (f) WAIVER.—The President may waive, on a case-
7 by-case basis and for a period of not more than 180 days,
8 the application of sanctions under this section with respect
9 to a foreign person only if, not later than 15 days prior
10 to the date on which the waiver is to take effect, the Presi-
11 dent submits to the appropriate congressional committees
12 a written determination and justification that the waiver
13 is in the vital national security interests of the United
14 States.

15 (g) HUMANITARIAN EXEMPTION.—The President
16 may waive the application of any provision of this section
17 if the President certifies in writing to the appropriate con-
18 gressional committees that such a waiver is vital to facili-
19 tate the delivery of humanitarian aid and is consistent
20 with the national security interests of the United States
21 15 days prior to the waiver taking effect.

22 (h) RULE OF CONSTRUCTION.—The authority to im-
23 pose sanctions under this section with respect to a foreign
24 person is in addition to the authority to impose sanctions
25 under any other provision of law with respect to a foreign

1 person that directly or indirectly supports acts of inter-
2 national terrorism.

3 **SEC. 4. IMPOSITION OF MEASURES WITH RESPECT TO FOR-**
4 **EIGN STATES PROVIDING SUPPORT TO**
5 **HAMAS, PALESTINIAN ISLAMIC JIHAD AND**
6 **OTHER PALESTINIAN TERRORIST ORGANIZA-**
7 **TIONS.**

8 (a) IN GENERAL.—Not later than 180 days after the
9 date of enactment of this Act, the President shall impose
10 the measures described in subsection (c) with respect to
11 a foreign state if the President determines that the foreign
12 state, on or after the date of the enactment of this Act,
13 engages in an activity described in subsection (b).

14 (b) ACTIVITIES DESCRIBED.—A foreign state en-
15 gages in an activity described in this subsection if the for-
16 eign state knowingly—

17 (1) provides significant material or financial
18 support for acts of international terrorism, pursuant
19 to—

20 (A) section 1754(e) of the Export Control
21 Reform Act of 2018 (50 U.S.C. 4813(e)(1)(A));

22 (B) section 620A of the Foreign Assistance
23 Act of 1961 (22 U.S.C. 2371);

24 (C) section 40 of the Arms Export Control
25 Act (22 U.S.C. 2780); or

1 (D) any other provision of law;

2 (2) provides significant material support to
3 Hamas, the Palestinian Islamic Jihad, Al-Aqsa Mar-
4 tyrs Brigade, the Lion's Den, or any affiliate or suc-
5 cessor thereof; or

6 (3) engages in a significant transaction that
7 materially contributes, directly or indirectly, to the
8 terrorist activities of Hamas, the Palestinian Islamic
9 Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or
10 any affiliate or successor thereof.

11 (c) MEASURES DESCRIBED.—The measures de-
12 scribed in this subsection with respect to a foreign state
13 are the following:

14 (1) The President shall suspend, for a period of
15 at least 1 year, United States assistance to the for-
16 eign state.

17 (2) The Secretary of the Treasury shall instruct
18 the United States Executive Director to each appro-
19 priate international financial institution to oppose,
20 and vote against, for a period of 1 year, the exten-
21 sion by such institution of any loan or financial or
22 technical assistance to the government of the foreign
23 state.

24 (3) The President shall prohibit the export of
25 any item on the United States Munitions List (es-

1 tablished pursuant to section 38 of the Arms Export
2 Control Act (22 U.S.C. 2778)) or the Commerce
3 Control List set forth in Supplement No. 1 to part
4 774 of title 15, Code of Federal Regulations, to the
5 foreign state for a period of 1 year.

6 (d) PENALTIES.—The penalties provided for in sub-
7 sections (b) and (c) of section 206 of the International
8 Emergency Economic Powers Act (50 U.S.C. 1705) shall
9 apply to a person that violates, attempts to violate, con-
10 spires to violate, or causes a violation of this section or
11 any regulations promulgated to carry out this section to
12 the same extent that such penalties apply to a person that
13 commits an unlawful act described in section 206(a) of
14 that Act.

15 (e) WAIVER.—The President may waive, on a case-
16 by-case basis and for a period of not more than 180 days,
17 the application of measures under this section with respect
18 to a foreign state only if, not later than 15 days prior
19 to the date on which the waiver is to take effect, the Presi-
20 dent submits to the appropriate congressional committees
21 a written determination and justification that the waiver
22 is in the vital national security interests of the United
23 States.

24 (f) IMPLEMENTATION; REGULATIONS.—

1 (1) IN GENERAL.—The President may exercise
2 all authorities provided under sections 203 and 205
3 of the International Emergency Economic Powers
4 Act (50 U.S.C. 1702 and 1704) for purposes of car-
5 rying out this section.

6 (2) REGULATIONS.—Not later than 60 days
7 after the date of the enactment of this Act, the
8 President shall issue regulations or other guidance
9 as may be necessary for the implementation of this
10 section.

11 (g) ADDITIONAL EXEMPTIONS.—

12 (1) STATUS OF FORCES AGREEMENTS.—The
13 President may exempt the application of measures
14 under this section with respect to a foreign state if
15 the application of such measures would prevent the
16 United States from meeting the terms of any status
17 of forces agreement to which the United States is a
18 party.

19 (2) AUTHORIZED INTELLIGENCE ACTIVITIES.—
20 Measures under this section shall not apply with re-
21 spect to any activity subject to the reporting require-
22 ments under title V of the National Security Act of
23 1947 (50 U.S.C. 3091 et seq.) or any authorized in-
24 telligence activities of the United States.

1 (3) HUMANITARIAN EXEMPTION.—The Presi-
2 dent may waive the application of any provision of
3 this section if the President certifies in writing to
4 the appropriate congressional committees that such
5 a waiver is vital to facilitate the delivery of humani-
6 tarian aid and is consistent with the national secu-
7 rity interests of the United States 15 days prior to
8 the waiver taking effect.

9 (h) RULE OF CONSTRUCTION.—The authority to im-
10 pose measures under this section with respect to a foreign
11 state is in addition to the authority to impose measures
12 under any other provision of law with respect to foreign
13 states that directly or indirectly support acts of inter-
14 national terrorism.

15 **SEC. 5. REPORTS ON ACTIVITIES TO DISRUPT GLOBAL**
16 **FUNDRAISING, FINANCING, AND MONEY**
17 **LAUNDERING ACTIVITIES OF HAMAS, PALES-**
18 **TINIAN ISLAMIC JIHAD, AL-AQSA MARTYRS**
19 **BRIGADE, THE LION'S DEN OR ANY AFFIL-**
20 **IATE OR SUCCESSOR THEREOF.**

21 (a) IN GENERAL.—Not later than 90 days after the
22 date of enactment of this Act, and every 180 days there-
23 after, the President shall submit to the appropriate con-
24 gressional committees a report that includes—

1 (1) an assessment of the disposition of the as-
2 sets and activities of Hamas, the Palestinian Islamic
3 Jihad, Al-Aqsa Martyrs Brigade, the Lion’s Den, or
4 any affiliate or successor thereof related to fund-
5 raising, financing, and money laundering worldwide;

6 (2) a list of foreign states that knowingly pro-
7 viding material, financial, or technical support for,
8 or goods or services to Hamas, the Palestinian Is-
9 lamic Jihad, Al-Aqsa Martyrs Brigade, the Lion’s
10 Den, or any affiliate or successor thereof;

11 (3) a list of foreign states in which Hamas, the
12 Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade,
13 the Lion’s Den, or any affiliate or successor thereof
14 conducts significant fundraising, financing, or money
15 laundering activities;

16 (4) a list of foreign states from which Hamas,
17 the Palestinian Islamic Jihad, Al-Aqsa Martyrs Bri-
18 gade, the Lion’s Den, or any affiliate or successor
19 thereof knowingly engaged in the transfer of surveil-
20 lance equipment, electronic monitoring equipment,
21 or other means to inhibit communication or the free
22 flow of information in Gaza; and

23 (5) with respect to each foreign state listed in
24 paragraph (2), (3), or (4)—

1 (A) a description of the steps the foreign
2 state identified is taking adequate measures to
3 restrict financial flows to Hamas, the Pales-
4 tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,
5 the Lion's Den, or any affiliates or successors
6 thereof; and

7 (B) in the case of a foreign state failing to
8 take adequate measures to restrict financial
9 flows to Hamas, Palestinian Islamic Jihad, Al-
10 Aqsa Martyrs Brigade, the Lion's Den or any
11 other designated entity engaged in significant
12 act of terrorism threatening the peace and secu-
13 rity of Israel—

14 (i) an assessment of the reasons that
15 government is not taking adequate meas-
16 ures to restrict financial flows to those en-
17 tities; and

18 (ii) a description of measures being
19 taken by the United States Government to
20 encourage the foreign state to restrict fi-
21 nancial flows to those entities; and

22 (b) FORM.—Each report required by subsection (a)
23 shall be submitted in unclassified form to the greatest ex-
24 tent possible, and may contain a classified annex.

1 **SEC. 6. EXCEPTION RELATING TO IMPORTATION OF**
2 **GOODS.**

3 (a) **IN GENERAL.**—The authorities and requirements
4 to impose sanctions authorized under this Act shall not
5 include the authority or requirement to impose sanctions
6 on the importation of goods.

7 (b) **GOOD DEFINED.**—In this section, the term
8 “good” means any article, natural or man-made sub-
9 stance, material, supply or manufactured product, includ-
10 ing inspection and test equipment, and excluding technical
11 data.

12 **SEC. 7. TERMINATION.**

13 This Act shall terminate on the earlier of—

14 (1) the date that is 7 years after the date of the
15 enactment of this Act; or

16 (2) the date that is 30 days after the date on
17 which the President certifies to the appropriate con-
18 gressional committees that—

19 (A) Hamas or any successor or affiliate
20 thereof is no longer designated as a foreign ter-
21 rorist organization pursuant to section 219 of
22 the Immigration and Nationality Act (8 U.S.C.
23 1189);

24 (B) Hamas, the Palestinian Islamic Jihad,
25 Al-Aqsa Martyrs Brigade, the Lion’s Den, and

1 any successor or affiliate thereof are no longer
2 subject to sanctions pursuant to—

3 (i) Executive Order No. 12947 (Janu-
4 ary 23, 1995; relating to prohibiting trans-
5 actions with terrorists who threaten to dis-
6 rupt the Middle East peace process); and

7 (ii) Executive Order No. 13224 (Sep-
8 tember 23, 2001; relating to blocking prop-
9 erty and prohibiting transactions with per-
10 sons who commit, threaten to commit, or
11 support terrorism); and

12 (C) Hamas, the Palestinian Islamic Jihad,
13 Al-Aqsa Martyrs Brigade, the Lion’s Den, and
14 any successor or affiliate thereof meet the cri-
15 teria described in paragraphs (1) through (4) of
16 section 9 of the Palestinian Anti-Terrorism Act
17 of 2006 (22 U.S.C. 2378b note).

18 **SEC. 8. DEFINITIONS.**

19 In this Act:

20 (1) **ACT OF TERRORISM.**—The term “act of ter-
21 rorism” means an activity that—

22 (A) involves a violent act or an act dan-
23 gerous to human life, property, or infrastruc-
24 ture; and

25 (B) appears to be intended to—

- 1 (i) intimidate or coerce a civilian pop-
2 ulation;
- 3 (ii) influence the policy of a govern-
4 ment by intimidation or coercion; or
- 5 (iii) affect the conduct of a govern-
6 ment by mass destruction, assassination,
7 kidnapping, or hostage-taking.

8 (2) ADMITTED.—The term “admitted” has the
9 meaning given such term in section 101(a)(13)(A) of
10 the Immigration and Nationality Act (8 U.S.C.
11 1101(a)(13)(A)).

12 (3) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on Foreign Affairs and
16 the Committee on Financial Services of the
17 House of Representatives; and

18 (B) the Committee on Foreign Relations
19 and the Committee on Banking, Housing, and
20 Urban Affairs of the Senate.

21 (4) FOREIGN STATE.—The term “foreign state”
22 has the meaning given such term in section 1603 of
23 title 28, United States Code.

1 (5) HUMANITARIAN AID.—The term “humanitarian aid” means food, medicine, and medical supplies.
2
3

4 (6) MATERIAL SUPPORT.—The term “material support” has the meaning given the term “material support or resources” in section 2339A of title 18,
5
6 United States Code.
7

8 (7) UNITED STATES PERSON.—The term
9 “United States person” means—

10 (A) a United States citizen or an alien lawfully admitted for permanent residence to the
11 United States; or
12

13 (B) an entity organized under the laws of
14 the United States or of any jurisdiction within
15 the United States, including a foreign branch of
16 such an entity.

Passed the House of Representatives November 1,
2023.

Attest:

Clerk.

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To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.