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1ST SESSION

# S. 1904

To impose sanctions with respect to foreign support for Palestinian terrorism,  
and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 27, 2021

Mr. RUBIO (for himself, Mr. GRASSLEY, Ms. COLLINS, Mr. MORAN, Mr. YOUNG, Mr. HOEVEN, Ms. ERNST, Mr. BRAUN, Mr. BOOZMAN, Mr. SCOTT of Florida, Mrs. HYDE-SMITH, Mr. WICKER, Mr. LANKFORD, Mrs. BLACKBURN, Mr. HAGERTY, and Mr. HAWLEY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To impose sanctions with respect to foreign support for  
Palestinian terrorism, and for other purposes.

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 “Palestinian Inter-  
5 national Terrorism Support Prevention Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 Except as otherwise provided, in this Act:

1           (1) ADMITTED.—The term “admitted” has the  
2 meaning given that term in section 101(a)(13)(A) of  
3 the Immigration and Nationality Act (8 U.S.C.  
4 1101(a)(13)(A)).

5           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
6 TEES.—Except as otherwise provided, the term “ap-  
7 propriate congressional committees” means the  
8 Committee on Foreign Relations of the Senate and  
9 the Committee on Foreign Affairs of the House of  
10 Representatives.

11           (3) FOREIGN PERSON.—The term “foreign per-  
12 son” means—

13                   (A) an individual who is not a United  
14 States person; or

15                   (B) a corporation, partnership, or other  
16 nongovernmental entity that is not a United  
17 States person.

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

22           (5) PERSON.—The term “person” means an in-  
23 dividual or entity.

24           (6) UNITED STATES PERSON.—The term  
25 “United States person” means—

1 (A) a United States citizen or an alien law-  
2 fully admitted for permanent residence to the  
3 United States; or

4 (B) an entity organized under the laws of  
5 the United States or of any jurisdiction within  
6 the United States, including a foreign branch of  
7 such an entity.

8 **SEC. 3. STATEMENT OF POLICY.**

9 It is the policy of the United States—

10 (1) to prevent Hamas, the Palestinian Islamic  
11 Jihad, or any affiliate or successor thereof from ac-  
12 cessing its international support networks; and

13 (2) to oppose Hamas, the Palestinian Islamic  
14 Jihad, or any affiliate or successor thereof from at-  
15 tempting to use goods, including medicine and dual-  
16 use items, to smuggle weapons and other materials  
17 to further acts of terrorism.

18 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**  
19 **EIGN PERSONS AND AGENCIES AND INSTRU-**  
20 **MENTALITIES OF FOREIGN STATES SUP-**  
21 **PORTING HAMAS, THE PALESTINIAN ISLAMIC**  
22 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**  
23 **THEREOF.**

24 (a) IDENTIFICATION.—

1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act, and an-  
3 nually thereafter for the following 3 years, the Presi-  
4 dent shall submit to the appropriate congressional  
5 committees a report that identifies each foreign per-  
6 son or agency or instrumentality of a foreign state  
7 that the President determines—

8           (A) knowingly assists in, sponsors, or pro-  
9 vides significant financial or material support  
10 for, or financial or other services to or in sup-  
11 port of, the terrorist activities of any person de-  
12 scribed in paragraph (2); or

13           (B) directly or indirectly, knowingly and  
14 materially engages in a significant transaction  
15 with any person described in paragraph (2).

16           (2) PERSON DESCRIBED.—A person described  
17 in this paragraph is a foreign person that the Presi-  
18 dent determines—

19           (A) is a senior member of Hamas, the Pal-  
20 estinian Islamic Jihad, or any affiliate or suc-  
21 cessor thereof;

22           (B) is a senior member of a foreign ter-  
23 rorist organization designated pursuant to sec-  
24 tion 219 of the Immigration and Nationality  
25 Act (8 U.S.C. 1189) whose members directly or

1 indirectly support the terrorist activities of  
2 Hamas, the Palestinian Islamic Jihad, or any  
3 affiliate or successor thereof by knowingly en-  
4 gaging in a significant transaction with, or pro-  
5 viding financial or material support for Hamas,  
6 the Palestinian Islamic Jihad, or any affiliate  
7 or successor thereof, or any person described in  
8 subparagraph (A); or

9 (C) directly or indirectly supports the ter-  
10 rorist activities of Hamas, the Palestinian Is-  
11 lamic Jihad, or any affiliate or successor there-  
12 of by knowingly and materially assisting, spon-  
13 soring, or providing financial or material sup-  
14 port for, or goods or services to or in support  
15 of, Hamas, the Palestinian Islamic Jihad, or  
16 any affiliate or successor thereof, or any person  
17 described in subparagraph (A) or (B).

18 (3) FORM OF REPORT.—Each report required  
19 under paragraph (1) shall be submitted in unclassi-  
20 fied form, but may contain a classified annex.

21 (4) EXCEPTION.—

22 (A) IN GENERAL.—The President shall not  
23 be required to identify a foreign person or an  
24 agency or instrumentality of a foreign state in  
25 a report pursuant to paragraph (1)(B) if—

1 (i) the foreign person or agency or in-  
2 strumentality of a foreign state notifies the  
3 United States Government in advance that  
4 it proposes to engage in a significant  
5 transaction described in that paragraph;  
6 and

7 (ii) the President determines and noti-  
8 fies the appropriate congressional commit-  
9 tees in a classified form not less than 15  
10 days prior to the foreign person or agency  
11 or instrumentality of a foreign state engag-  
12 ing in the significant transaction that the  
13 significant transaction is in the national  
14 interests of the United States.

15 (B) NON-APPLICABILITY.—Subparagraph

16 (A) shall not apply with respect to—

17 (i) an agency or instrumentality of a  
18 foreign state that the Secretary of State  
19 determines has repeatedly provided support  
20 for acts of international terrorism pursu-  
21 ant to section 1754(c) of the Export Con-  
22 trols Act of 2018 (50 U.S.C. 4813(c)), sec-  
23 tion 40 of the Arms Export Control Act  
24 (22 U.S.C. 2780), section 620A of the

1 Foreign Assistance Act of 1961 (22 U.S.C.  
2 2371), or any other provision of law; or

3 (ii) any significant transaction de-  
4 scribed in paragraph (1)(B) that involves,  
5 directly or indirectly, a foreign state de-  
6 scribed in clause (i).

7 (b) IMPOSITION OF SANCTIONS.—

8 (1) IN GENERAL.—The President shall impose  
9 two or more of the sanctions described in paragraph  
10 (2) with respect to a foreign person or an agency or  
11 instrumentality of a foreign state identified pursuant  
12 to subsection (a).

13 (2) SANCTIONS DESCRIBED.—The sanctions de-  
14 scribed in this paragraph to be imposed with respect  
15 to a foreign person or an agency or instrumentality  
16 of a foreign state are the following:

17 (A) The President may direct the Export-  
18 Import Bank of the United States not to give  
19 approval to the issuance of any guarantee, in-  
20 surance, extension of credit, or participation in  
21 the extension of credit in connection with the  
22 export of any goods or services to the foreign  
23 person or agency or instrumentality of a foreign  
24 state, and the Export-Import Bank of the

1 United States shall comply with any such direc-  
2 tion.

3 (B) The President may prohibit the sale of  
4 any defense articles, defense services, or design  
5 and construction services under the Arms Ex-  
6 port Control Act (22 U.S.C. 2751 et seq.) to  
7 the foreign person or agency or instrumentality  
8 of a foreign state.

9 (C) The President may prohibit the  
10 issuance of licenses for export of any item on  
11 the United States Munitions List under section  
12 38(a)(1) of the Arms Export Control Act (22  
13 U.S.C. 2778(a)(1)) that include the foreign per-  
14 son or agency or instrumentality of a foreign  
15 state as a party.

16 (D) The President may prohibit the export  
17 of any goods or technologies controlled for na-  
18 tional security reasons under the Export Ad-  
19 ministration Regulations under subchapter C of  
20 chapter VII of title 15, Code of Federal Regula-  
21 tions, to the foreign person or agency or instru-  
22 mentality of a foreign state, except that such  
23 prohibition shall not apply to any transaction  
24 subject to the reporting requirements of title V



1 of the National Security Act of 1947 (50  
2 U.S.C. 3091 et seq.).

3 (E) The President may prohibit any  
4 United States financial institution from making  
5 loans or providing any credit or financing total-  
6 ing more than \$10,000,000 to the foreign per-  
7 son or agency or instrumentality of a foreign  
8 state, except that this subparagraph shall not  
9 apply to—

10 (i) any transaction subject to the re-  
11 porting requirements of title V of the Na-  
12 tional Security Act of 1947 (50 U.S.C.  
13 3091 et seq.);

14 (ii) the provision of medicines, medical  
15 equipment, and humanitarian assistance;  
16 or

17 (iii) any credit, credit guarantee, or fi-  
18 nancial assistance provided by the Depart-  
19 ment of Agriculture to support the pur-  
20 chase of food or other agricultural com-  
21 modities.

22 (F) The President may exercise all powers  
23 granted to the President by the International  
24 Emergency Economic Powers Act (50 U.S.C.  
25 1701 et seq.) (except that the requirements of

1 section 202 of such Act (50 U.S.C. 1701) shall  
2 not apply) to the extent necessary to block and  
3 prohibit all transactions in all property and in-  
4 terests in property of a foreign person or agen-  
5 cy or instrumentality of a foreign state if such  
6 property and interests in property are in the  
7 United States, come within the United States,  
8 or are or come within the possession or control  
9 of a United States person.

10 (3) EXCEPTION.—The President shall not be  
11 required to apply sanctions under this subsection  
12 with respect to a foreign person or an agency or in-  
13 strumentality of a foreign state identified pursuant  
14 to subsection (a) if the President certifies in writing  
15 to the appropriate congressional committees that—

16 (A) the foreign person or agency or instru-  
17 mentality—

18 (i) is no longer carrying out activities  
19 or transactions for which the sanctions  
20 were to be imposed; or

21 (ii) has taken and is continuing to  
22 take significant verifiable steps toward ter-  
23 minating the activities or transactions for  
24 which the sanctions were to be imposed;  
25 and

1 (B) the President has received reliable as-  
2 surances from the foreign person or agency or  
3 instrumentality that it will not carry out any  
4 activities or transactions for which sanctions  
5 may be imposed under this subsection in the fu-  
6 ture.

7 (c) PENALTIES.—

8 (1) IN GENERAL.—The penalties provided for in  
9 subsections (b) and (c) of section 206 of the Inter-  
10 national Emergency Economic Powers Act (50  
11 U.S.C. 1705) shall apply to a person that knowingly  
12 violates, attempts to violate, conspires to violate, or  
13 causes a violation of regulations prescribed under  
14 section 8(b) to carry out subsection (b)(2)(F) to the  
15 same extent that such penalties apply to a person  
16 that knowingly commits an unlawful act described in  
17 section 206(a) of that Act.

18 (2) AUTHORITIES.—The President may exercise  
19 all authorities provided to the President under sec-  
20 tions 203 and 205 of the International Emergency  
21 Economic Powers Act (50 U.S.C. 1702 and 1704)  
22 for purposes of carrying out subsection (b)(2)(F).

23 (d) WAIVER.—

24 (1) IN GENERAL.—The President may waive,  
25 on a case-by-case basis and for a period of not more

1 than 180 days, a requirement under subsection (b)  
2 to impose or maintain sanctions with respect to a  
3 foreign person or agency or instrumentality of a for-  
4 eign state if the President—

5 (A) determines that the waiver is in the  
6 national security interest of the United States;  
7 and

8 (B) not less than 30 days before the waiv-  
9 er takes effect, submits to the appropriate con-  
10 gressional committees a report on the waiver  
11 and the justification for the waiver.

12 (2) RENEWAL OF WAIVER.—The President  
13 may, on a case-by-case basis, renew a waiver under  
14 paragraph (1) for additional periods of not more  
15 than 180 days if the President—

16 (A) determines that the renewal of the  
17 waiver is in the national security interest of the  
18 United States; and

19 (B) not less than 15 days before the waiv-  
20 er expires, submits to the appropriate congres-  
21 sional committees a report on the renewal of  
22 the waiver and the justification for the renewal  
23 of the waiver.

24 (e) RULE OF CONSTRUCTION.—The authority to im-  
25 pose sanctions under subsection (b) with respect to a for-

1 eign person or an agency or instrumentality of a foreign  
2 state identified pursuant to subsection (a) is in addition  
3 to the authority to impose sanctions under any other pro-  
4 vision of law with respect to foreign persons or agencies  
5 or instrumentalities of foreign states that directly or indi-  
6 rectly support international terrorism.

7 (f) AGENCY OR INSTRUMENTALITY OF A FOREIGN  
8 STATE DEFINED.—In this section, the term “agency or  
9 instrumentality of a foreign state” has the meaning given  
10 that term in section 1603(b) of title 28, United States  
11 Code.

12 (g) EFFECTIVE DATE.—This section shall take effect  
13 on the date of the enactment of this Act and apply with  
14 respect to activities and transactions described in sub-  
15 section (a) that are carried out on or after such date of  
16 enactment.

17 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**  
18 **EIGN GOVERNMENTS THAT PROVIDE MATE-**  
19 **RIAL SUPPORT FOR THE TERRORIST ACTIVI-**  
20 **TIES OF HAMAS, THE PALESTINIAN ISLAMIC**  
21 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**  
22 **THEREOF.**

23 (a) IDENTIFICATION.—

24 (1) IN GENERAL.—Not later than 180 days  
25 after the date of the enactment of this Act, and

1 every 180 days thereafter, the President shall sub-  
2 mit to the appropriate congressional committees a  
3 report that identifies the following:

4 (A) Each government of a foreign coun-  
5 try—

6 (i) with respect to which the Secretary  
7 of State determines has repeatedly pro-  
8 vided support for acts of international ter-  
9 rorism pursuant to section 1754(c) of the  
10 Export Controls Act of 2018 (50 U.S.C.  
11 4813(c)), section 40 of the Arms Export  
12 Control Act (22 U.S.C. 2780), section  
13 620A of the Foreign Assistance Act of  
14 1961 (22 U.S.C. 2371), or any other pro-  
15 vision of law; and

16 (ii) with respect to which the Presi-  
17 dent determines has provided direct or in-  
18 direct material support for the terrorist ac-  
19 tivities of Hamas, the Palestinian Islamic  
20 Jihad, or any affiliate or successor thereof.

21 (B) Each government of a foreign country  
22 that—

23 (i) is not identified under subpara-  
24 graph (A); and

1                   (ii) the President determines engaged  
2                   in a significant transaction so as to con-  
3                   tribute knowingly and materially to the ef-  
4                   forts by the government of a foreign coun-  
5                   try described in subparagraph (A)(i) to  
6                   provide direct or indirect material support  
7                   for the terrorist activities of Hamas, the  
8                   Palestinian Islamic Jihad, or any affiliate  
9                   or successor thereof.

10               (2) FORM OF REPORT.—Each report submitted  
11               under paragraph (1) shall be submitted in unclassi-  
12               fied form but may contain a classified annex.

13               (b) IMPOSITION OF SANCTIONS.—

14                   (1) IN GENERAL.—The President shall impose  
15                   the following sanctions with respect to each govern-  
16                   ment of a foreign country identified under sub-  
17                   section (a)(1):

18                           (A) The United States Government shall  
19                           suspend, for a period of one year, United States  
20                           assistance to the government of the foreign  
21                           country.

22                           (B) The Secretary of the Treasury shall  
23                           instruct the United States Executive Director  
24                           to each appropriate international financial insti-  
25                           tution to oppose, and vote against, for a period

1 of one year, the extension by that institution of  
2 any loan or financial or technical assistance to  
3 the government of the foreign country.

4 (C) No item on the United States Muni-  
5 tions List under section 38(a)(1) of the Arms  
6 Export Control Act (22 U.S.C. 2778(a)(1)) or  
7 the Commerce Control List set forth in Supple-  
8 ment No. 1 to part 774 of title 15, Code of  
9 Federal Regulations (or any successor list),  
10 may be exported to the government of the for-  
11 eign country for a period of one year.

12 (2) EXCEPTIONS.—The President shall not be  
13 required to apply sanctions with respect to the gov-  
14 ernment of a foreign country pursuant to paragraph  
15 (1)—

16 (A) with respect to materials intended to  
17 be used by military or civilian personnel of the  
18 United States Armed Forces at military facili-  
19 ties in the country; or

20 (B) if the application of such sanctions  
21 would prevent the United States from meeting  
22 the terms of any status of forces agreement to  
23 which the United States is a party.

24 (c) ADDITIONAL SANCTIONS WITH RESPECT TO  
25 STATE SPONSORS OF TERRORISM.—The President shall



1 impose the following additional sanctions with respect to  
2 each government of a foreign country identified under sub-  
3 section (a)(1)(A):

4           (1) The President shall, pursuant to such regu-  
5 lations as the President may prescribe, prohibit any  
6 transactions in foreign exchange that are subject to  
7 the jurisdiction of the United States and in which  
8 the government of the foreign country has any inter-  
9 est.

10           (2) The President shall, pursuant to such regu-  
11 lations as the President may prescribe, prohibit any  
12 transfers of credit or payments between one or more  
13 financial institutions or by, through, or to any finan-  
14 cial institution, to the extent that such transfers or  
15 payments are subject to the jurisdiction of the  
16 United States and involve any interest of the govern-  
17 ment of the foreign country.

18 (d) WAIVER.—

19           (1) IN GENERAL.—The President may waive,  
20 on a case-by-case basis and for a period of not more  
21 than 180 days, a requirement under subsection (b)  
22 or (c) to impose or maintain sanctions with respect  
23 to a foreign government identified pursuant to sub-  
24 paragraph (A) or (B) of subsection (a)(1) if the  
25 President—

1 (A) determines that the waiver is in the  
2 national security interest of the United States;  
3 and

4 (B) not less than 30 days before the waiv-  
5 er takes effect, submits to the appropriate con-  
6 gressional committees a report on the waiver  
7 and the justification for the waiver.

8 (2) RENEWAL OF WAIVER.—The President  
9 may, on a case-by-case basis, renew a waiver under  
10 paragraph (1) for additional periods of not more  
11 than 180 days if the President—

12 (A) determines that the renewal of the  
13 waiver is in the national security interest of the  
14 United States; and

15 (B) not less than 15 days before the waiv-  
16 er expires, submits to the appropriate congres-  
17 sional committees a report on the renewal of  
18 the waiver and the justification for the renewal  
19 of the waiver.

20 (e) RULE OF CONSTRUCTION.—The authority to im-  
21 pose sanctions under subsection (b) or (c) with respect to  
22 each government of a foreign country identified pursuant  
23 to subparagraph (A) or (B) of subsection (a)(1) is in addi-  
24 tion to the authority to impose sanctions under any other  
25 provision of law with respect to governments of foreign

1 countries that provide material support to foreign terrorist  
2 organizations designated pursuant to section 219 of the  
3 Immigration and Nationality Act (8 U.S.C. 1189).

4 (f) TERMINATION.—The President may terminate  
5 any sanctions imposed with respect to the government of  
6 a foreign country under subsection (b) or (c) if the Presi-  
7 dent determines and notifies the appropriate congressional  
8 committees that the government of the foreign country—

9 (1) is no longer carrying out activities or trans-  
10 actions for which the sanctions were imposed; and

11 (2) has provided assurances to the United  
12 States Government that it will not carry out activi-  
13 ties or transactions for which sanctions may be im-  
14 posed under subsection (b) or (c) in the future.

15 (g) EFFECTIVE DATE.—This section shall take effect  
16 on the date of the enactment of this Act and apply with  
17 respect to activities and transactions described in subpara-  
18 graph (A) or (B) of subsection (a)(1) that are carried out  
19 on or after such date of enactment.

20 **SEC. 6. EXEMPTIONS RELATING TO PROVISION OF HUMANI-**  
21 **TARIAN ASSISTANCE.**

22 (a) SANCTIONS WITH RESPECT TO FOREIGN PER-  
23 SONS AND AGENCIES AND INSTRUMENTALITIES OF FOR-  
24 EIGN STATES.—The following activities shall be exempt  
25 from sanctions under section 4:

1           (1) The conduct or facilitation of a transaction  
2           for the sale of agricultural commodities, food, medi-  
3           cine, or medical devices to a foreign person described  
4           in section 4(a)(2).

5           (2) The provision of humanitarian assistance to  
6           a foreign person described in section 4(a)(2), includ-  
7           ing engaging in a financial transaction relating to  
8           humanitarian assistance or for humanitarian pur-  
9           poses or transporting goods or services that are nec-  
10          essary to carry out operations relating to humani-  
11          tarian assistance or humanitarian purposes.

12          (b) SANCTIONS WITH RESPECT TO FOREIGN GOV-  
13          ERNMENTS.—The following activities shall be exempt from  
14          sanctions under section 5:

15           (1) The conduct or facilitation of a transaction  
16           for the sale of agricultural commodities, food, medi-  
17           cine, or medical devices to Hamas, the Palestinian  
18           Islamic Jihad, or any affiliate or successor thereof  
19           described in section 5(a)(1).

20           (2) The provision of humanitarian assistance to  
21           Hamas, the Palestinian Islamic Jihad, or any affil-  
22           iate or successor thereof described in section 5(a)(1),  
23           including engaging in a financial transaction relating  
24           to humanitarian assistance or for humanitarian pur-  
25           poses or transporting goods or services that are nec-

1        essary to carry out operations relating to humani-  
2        tarian assistance or humanitarian purposes.

3 **SEC. 7. REPORT ON ACTIVITIES OF FOREIGN COUNTRIES**  
4               **TO DISRUPT GLOBAL FUNDRAISING, FINANC-**  
5               **ING, AND MONEY LAUNDERING ACTIVITIES**  
6               **OF HAMAS, THE PALESTINIAN ISLAMIC**  
7               **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**  
8               **THEREOF.**

9        (a) REPORT.—

10           (1) IN GENERAL.—Not later than 180 days  
11        after the date of the enactment of this Act, the  
12        President shall submit to the appropriate congres-  
13        sional committees a report that includes—

14           (A) a list of foreign countries that support  
15        Hamas, the Palestinian Islamic Jihad, or any  
16        affiliate or successor thereof, or in which  
17        Hamas maintains important portions of its fi-  
18        nancial networks;

19           (B) with respect to each foreign country on  
20        the list required by subparagraph (A)—

21           (i) an assessment of whether the gov-  
22        ernment of the country is taking adequate  
23        measures to freeze the assets of Hamas,  
24        the Palestinian Islamic Jihad, or any affil-

1           iate or successor thereof within the terri-  
2           tory of the country; and

3           (ii) in the case of a country the gov-  
4           ernment of which is not taking adequate  
5           measures to freeze the assets of Hamas—

6                   (I) an assessment of the reasons  
7                   that government is not taking ade-  
8                   quate measures to freeze those assets;  
9                   and

10                   (II) a description of measures  
11                   being taken by the United States Gov-  
12                   ernment to encourage that govern-  
13                   ment to freeze those assets;

14           (C) a list of foreign countries in which  
15           Hamas, the Palestinian Islamic Jihad, or any  
16           affiliate or successor thereof, conducts signifi-  
17           cant fundraising, financing, or money laun-  
18           dering activities;

19           (D) with respect to each foreign country  
20           on the list required by subparagraph (C)—

21                   (i) an assessment of whether the gov-  
22                   ernment of the country is taking adequate  
23                   measures to disrupt the fundraising, fi-  
24                   nancing, or money laundering activities of  
25                   Hamas, the Palestinian Islamic Jihad, or

1 any affiliate or successor thereof within the  
2 territory of the country; and

3 (ii) in the case of a country the gov-  
4 ernment of which is not taking adequate  
5 measures to disrupt those activities—

6 (I) an assessment of the reasons  
7 that government is not taking ade-  
8 quate measures to disrupt those ac-  
9 tivities; and

10 (II) a description of measures  
11 being taken by the United States Gov-  
12 ernment to encourage that govern-  
13 ment to improve measures to disrupt  
14 those activities; and

15 (E) a list of foreign countries from which  
16 Hamas, the Palestinian Islamic Jihad, or any  
17 affiliate or successor thereof, acquires surveil-  
18 lance equipment, electronic monitoring equip-  
19 ment, or other means to inhibit communication  
20 or political expression in Gaza.

21 (2) FORM.—The report required by paragraph  
22 (1) shall be submitted in unclassified form to the  
23 greatest extent possible and may contain a classified  
24 annex.

1 (b) BRIEFING.—Not later than 180 days after the  
2 date of the enactment of this Act, and every 180 days  
3 thereafter for the following 3 years, the Secretary of State,  
4 the Secretary of the Treasury, and the heads of other ap-  
5 plicable Federal departments and agencies (or their des-  
6 ignees) shall provide to the appropriate congressional com-  
7 mittees a briefing on the disposition of the assets and ac-  
8 tivities of Hamas, the Palestinian Islamic Jihad, or any  
9 successor or affiliate thereof related to fundraising, financ-  
10 ing, and money laundering worldwide.

11 (c) DEFINITION.—In this section, the term “appro-  
12 priate congressional committees” means—

13 (1) the Committee on Foreign Relations, the  
14 Committee on Banking, Housing, and Urban Af-  
15 fairs, and the Select Committee on Intelligence of  
16 the Senate; and

17 (2) the Committee on Foreign Affairs, the  
18 Committee on Financial Services, and the Perma-  
19 nent Select Committee on Intelligence of the House  
20 of Representatives.

21 **SEC. 8. MISCELLANEOUS PROVISIONS.**

22 (a) RULE OF CONSTRUCTION.—Nothing in this Act  
23 shall be construed to apply to the authorized intelligence  
24 activities of the United States.



1 (b) REGULATORY AUTHORITY.—The President shall,  
2 not later than 180 days after the date of the enactment  
3 of this Act, prescribe regulations as are necessary for the  
4 implementation of this Act.

5 (c) EXCEPTION RELATING TO IMPORTATION OF  
6 GOODS.—

7 (1) IN GENERAL.—The authorities and require-  
8 ments to impose sanctions authorized under this Act  
9 shall not include the authority or requirement to im-  
10 pose sanctions on the importation of goods.

11 (2) GOOD DEFINED.—In this subsection, the  
12 term “good” means any article, natural or man-  
13 made substance, material, supply or manufactured  
14 product, including inspection and test equipment,  
15 and excluding technical data.

16 (d) TERMINATION.—This Act shall terminate on the  
17 earlier of—

18 (1) 30 days after the date on which the Presi-  
19 dent certifies to the appropriate congressional com-  
20 mittees that Hamas and the Palestinian Islamic  
21 Jihad, or any successor or affiliate thereof—

22 (A) are no longer designated as a foreign  
23 terrorist organization pursuant to section 219  
24 of the Immigration and Nationality Act (8  
25 U.S.C. 1189);

1 (B) are no longer subject to sanctions pur-  
2 suant to—

3 (i) Executive Order 12947 (50 U.S.C.  
4 1701 note; relating to prohibiting trans-  
5 actions with terrorists who threaten to dis-  
6 rupt the Middle East peace process); and

7 (ii) Executive Order 13224 (50 U.S.C.  
8 1701 note; relating to blocking property  
9 and prohibiting transactions with persons  
10 who commit, threaten to commit, or sup-  
11 port terrorism); and

12 (C) meet the criteria described in para-  
13 graphs (1) through (4) of section 9 of the Pal-  
14 estinian Anti-Terrorism Act of 2006 (Public  
15 Law 109–446; 22 U.S.C. 2378b note); or

16 (2) 3 years after the date of the enactment of  
17 this Act.

18 **SEC. 9. DETERMINATION OF BUDGETARY EFFECTS.**

19 The budgetary effects of this Act, for the purpose of  
20 complying with the Statutory Pay-As-You-Go Act of 2010  
21 (2 U.S.C. 931 et seq.), shall be determined by reference  
22 to the latest statement titled “Budgetary Effects of  
23 PAYGO Legislation” for this Act, submitted for printing  
24 in the Congressional Record by the Chairman of the

- 1 House Budget Committee, provided that such statement
- 2 has been submitted prior to the vote on passage.

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