

115TH CONGRESS
1ST SESSION

H. R. 2712

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

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2017

Mr. MAST (for himself, Mr. GOTTHEIMER, Mr. ROYCE of California, Mr. ENGEL, Mr. SHERMAN, Mr. POE of Texas, Ms. ROS-LEHTINEN, Mr. TED LIEU of California, Mr. DEUTCH, and Mr. SUOZZI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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 2017”.

6 **SEC. 2. FINDINGS AND STATEMENT OF POLICY.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Hamas was designated a Foreign Terrorist
2 Organization (FTO) by the Department of State on
3 October 8, 1997, and was also named a Specially
4 Designated Global Terrorist (SDGT) by the Depart-
5 ment of the Treasury under Executive Order 13224
6 in 2001.

7 (2) Since 1993, Hamas has killed more than
8 400 Israelis and at least 25 United States citizens.

9 (3) Hamas has received significant financial
10 and military support from Qatar. Qatar has hosted
11 multiple senior Hamas officials, including Hamas
12 leader Khaled Mashal since 2012, who has had reg-
13 ular interviews carried on al-Jazeera, a news organi-
14 zation based in Qatar and which receives some fund-
15 ing from members of the country’s ruling family. In
16 March 2014, the Department of the Treasury’s
17 Under Secretary for Terrorism and Financial Intel-
18 ligence confirmed that “Qatar, a longtime US ally
19 has for many years openly financed Hamas.”.

20 (4) On May 1, 2017, Hamas held a press con-
21 ference at the Sheraton Doha in Qatar, where it in-
22 troduced a “Document of General Principles and
23 Policies”. While this document was meant to convey
24 a more moderate face to the world by referencing
25 the 1967 borders, Hamas’ document, which neither

1 abrogates nor replaces the founding charter, still
2 calls for a continuation of terrorism to destroy
3 Israel.

4 (5) In addition to receiving support from Iran,
5 Hamas receives a significant amount of aid from
6 other sources. In March 2011, Israeli authorities
7 boarded a cargo vessel and seized numerous weap-
8 ons, including anti-ship missiles, appearing to have
9 Iranian origin and to be destined for the Hamas-
10 controlled Gaza Strip. In 2012, Hamas fired Ira-
11 nian-engineered Fajr 5 missiles from Gaza into
12 Israel. In March 2014, the Israeli Defense Forces
13 intercepted a Panamanian cargo vessel reportedly
14 carrying Iranian M-302 rockets and other “ad-
15 vanced weaponry intended for terrorist organizations
16 operating in the Gaza Strip shipped by Iran”. In
17 2014, Hamas reportedly fired hundreds of Iranian
18 missiles into Israel.

19 (6) Despite tensions due to a divide on the Syr-
20 ian civil war, Hamas and Iran appear to be con-
21 tinuing their partnership. In 2015, Iran reportedly
22 transferred “tens of millions” of dollars to Hamas.
23 Hamas Deputy Political Director Mousa Abu
24 Marzook stated in a TV interview, “The support of-
25 fered by Iran to the Palestinian resistance

1 [Hamas]—be it in logistics, training or funds—is
2 unmatched and beyond the capabilities of other
3 countries.”.

4 (7) It is currently unclear exactly how much fi-
5 nancial support Hamas receives from Iran; however,
6 in a February 2017 interview, Khaled al-Qaddumi,
7 Hamas’ representative in Iran, stated, “[I]n terms
8 of financial and political support—and even military
9 support—Iran’s offerings have not stopped.”.

10 (8) Palestinian Islamic Jihad (PIJ) was des-
11 ignated an Foreign Terrorist Organization (FTO) by
12 the Department of State on October 8, 1997, and
13 was also named a Specially Designated Global Ter-
14 rorist (SDGT) by the Department of the Treasury
15 under Executive Order 13224 in 2005.

16 (9) Palestinian Islamic Jihad has claimed credit
17 for multiple terrorist attacks in Israel, including an
18 attack that killed New Jersey student, Alisa Flatow.

19 (10) Palestinian Islamic Jihad receives consid-
20 erable support from Iran, including training, weap-
21 ons, and cash. According to press reports, Iran pro-
22 vides approximately \$70,000,000 to Palestinian Is-
23 lamic Jihad as an annual budget. In 2012, Pales-
24 tinian Islamic Jihad fired Iranian-engineered Fajr 5
25 missiles from Gaza into Israel.

1 (11) Support for Palestinian terrorism is an im-
2 pediment to a two-state solution and reduces the
3 likelihood of a lasting, sustainable peace between
4 Israelis and Palestinians.

5 (b) STATEMENT OF POLICY.—It shall be the policy
6 of the United States to prevent Hamas, the Palestinian
7 Islamic Jihad, or any affiliate or successor thereof from
8 accessing its international support networks.

9 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
10 **EIGN PERSONS AND AGENCIES AND INSTRU-**
11 **MENTALITIES OF FOREIGN STATES SUP-**
12 **PORTING HAMAS, THE PALESTINIAN ISLAMIC**
13 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
14 **THEREOF.**

15 (a) IDENTIFICATION.—

16 (1) IN GENERAL.—Not later than 120 days
17 after the date of the enactment of this Act, and an-
18 nually thereafter for a period not to exceed 3 years,
19 the President shall submit to the appropriate con-
20 gressional committees a report that identifies each
21 foreign person or agency or instrumentality of a for-
22 eign state that the President determines—

23 (A) assists in, sponsors, or provides finan-
24 cial, material, or technological support for, or

1 financial or other services to or in support of,
2 any person described in paragraph (2); or

3 (B) has, directly or indirectly, knowingly
4 and materially engaged in a significant trans-
5 action with any person described in paragraph
6 (2).

7 (2) PERSON DESCRIBED.—A person described
8 in this paragraph is a foreign person that—

9 (A) is a senior member of Hamas, the Pal-
10 estinian Islamic Jihad, or any affiliate or suc-
11 cessor thereof;

12 (B) is a senior member of an entity that
13 has, or whose members have, directly or indi-
14 rectly supported the terrorist activities of
15 Hamas, the Palestinian Islamic Jihad, or any
16 affiliate or successor thereof by knowingly en-
17 gaging in a significant transaction with, or pro-
18 viding material support to Hamas, the Pales-
19 tinian Islamic Jihad, or any affiliate or suc-
20 cessor thereof, or any person described in sub-
21 paragraph (A); or

22 (C) has, directly or indirectly, supported
23 the terrorist activities of Hamas, the Pales-
24 tinian Islamic Jihad, or any affiliate or suc-
25 cessor thereof by knowingly materially assisting,

1 sponsoring, or providing significant financial,
2 material, or technological support for, or goods
3 or services to or in support of, Hamas, the Pal-
4 estinian Islamic Jihad, or any affiliate or suc-
5 cessor thereof, or any person described in sub-
6 paragraph (A) or (B).

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

10 (4) EXCEPTION.—

11 (A) IN GENERAL.—The President shall not
12 be required to identify a foreign person or an
13 agency or instrumentality of a foreign state in
14 a report pursuant to paragraph (1)(B) if—

15 (i) the foreign person or agency or in-
16 strumentality of a foreign state notifies the
17 United States Government in advance that
18 it proposes to engage in a significant
19 transaction as described in paragraph
20 (1)(B); and

21 (ii) the President determines and noti-
22 fies the appropriate congressional commit-
23 tees in a classified form not less than 15
24 days prior to the foreign person or agency
25 or instrumentality of a foreign state engag-

1 ing in the significant transaction that the
2 significant transaction is in the national
3 interests of the United States.

4 (B) NON-APPLICABILITY.—Subparagraph
5 (A) shall not apply with respect to—

6 (i) an agency or instrumentality of a
7 foreign state which the Secretary of State
8 determines has repeatedly provided support
9 for acts of international terrorism pursu-
10 ant to section 6(j) of the Export Adminis-
11 tration Act of 1979 (as continued in effect
12 pursuant to the International Emergency
13 Economic Powers Act), section 40 of the
14 Arms Export Control Act, section 620A of
15 the Foreign Assistance Act of 1961, or any
16 other provision of law; or

17 (ii) any significant transaction de-
18 scribed in paragraph (1)(B) that involves,
19 directly or indirectly, a foreign state de-
20 scribed in clause (i).

21 (b) IMPOSITION OF SANCTIONS.—

22 (1) IN GENERAL.—The President shall impose
23 two or more of the sanctions described in paragraph
24 (2) with respect to a foreign person or an agency or

1 instrumentality of a foreign state identified pursuant
2 to subsection (a).

3 (2) SANCTIONS DESCRIBED.—The sanctions re-
4 ferred to in paragraph (1) are the following:

5 (A) The President may direct the Export-
6 Import Bank of the United States not to give
7 approval to the issuance of any guarantee, in-
8 surance, extension of credit, or participation in
9 the extension of credit in connection with the
10 export of any goods or services to the foreign
11 person or agency or instrumentality of the for-
12 eign state, and the Export-Import Bank of the
13 United States shall comply with any such direc-
14 tion.

15 (B) No sales of any defense articles, de-
16 fense services, or design and construction serv-
17 ices under the Arms Export Control Act (22
18 U.S.C. 2751 et seq.) may be made to the for-
19 eign person or agency or instrumentality of the
20 foreign state.

21 (C) No licenses for export of any item on
22 the United States Munitions List that include
23 the foreign person or agency or instrumentality
24 of the foreign state as a party to the license
25 may be granted.

1 (D) No exports may be permitted to the
2 foreign person or agency or instrumentality of
3 the foreign state of any goods or technologies
4 controlled for national security reasons under
5 the Export Administration Regulations, except
6 that such prohibition shall not apply to any
7 transaction subject to the reporting require-
8 ments of title V of the National Security Act of
9 1947 (50 U.S.C. 413 et seq.; relating to con-
10 gressional oversight of intelligence activities).

11 (E) The President shall prohibit any
12 United States financial institution from making
13 loans or providing any credit or financing total-
14 ing more than \$10,000,000 to the foreign per-
15 son or agency or instrumentality of the foreign
16 state, except that this subparagraph shall not
17 apply—

18 (i) to any transaction subject to the
19 reporting requirements of title V of the
20 National Security Act of 1947 (50 U.S.C.
21 413 et seq.; relating to congressional over-
22 sight of intelligence activities);

23 (ii) to the provision of medicines,
24 medical equipment, and humanitarian as-
25 sistance; or

1 (iii) to any credit, credit guarantee, or
2 financial assistance provided by the De-
3 partment of Agriculture to support the
4 purchase of food or other agricultural com-
5 modities.

6 (F)(i) The President may exercise of all
7 powers granted to the President by the Inter-
8 national Emergency Economic Powers Act (50
9 U.S.C. 1701 et seq.) (except that the require-
10 ments of section 202 of such Act (50 U.S.C.
11 1701) shall not apply) to the extent necessary
12 to block and prohibit all transactions in all
13 property and interests in property of a foreign
14 person or agency or instrumentality of the for-
15 eign state if such property and interests in
16 property are in the United States, come within
17 the United States, or are or come within the
18 possession or control of a United States person.

19 (ii) The penalties provided for in sub-
20 sections (b) and (c) of section 206 of the Inter-
21 national Emergency Economic Powers Act (50
22 U.S.C. 1705) shall apply to a person that
23 knowingly violates, attempts to violate, con-
24 spires to violate, or causes a violation of regula-
25 tions promulgated under section 501(a) to carry

1 out clause (i) to the same extent that such pen-
2 alties apply to a person that knowingly commits
3 an unlawful act described in section 206(a) of
4 that Act.

5 (iii) The President may exercise all au-
6 thorities provided to the President under sec-
7 tions 203 and 205 of the International Emer-
8 gency Economic Powers Act (50 U.S.C. 1702
9 and 1704) for purposes of carrying out clause
10 (i).

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

17 (A) the foreign person or agency or instru-
18 mentality of the foreign state—

19 (i) is no longer carrying out activities
20 or transactions for which the sanctions
21 were imposed pursuant to this subsection;
22 or

23 (ii) has taken and is continuing to
24 take significant verifiable steps toward ter-
25 minating the activities or transactions for

1 which the sanctions were imposed pursuant
2 to this subsection; and

3 (B) the President has received reliable as-
4 surances from the foreign person or agency or
5 instrumentality of the foreign state that it will
6 not carry out any activities or transactions for
7 which sanctions may be imposed pursuant to
8 this subsection in the future.

9 (c) WAIVER.—The President may waive the applica-
10 tion of subsection (b) with respect to a foreign person or
11 agency or instrumentality of a foreign state for a period
12 of not more than 120 days, and may renew that waiver
13 for additional periods of not more than 120 days, if the
14 President—

15 (1) determines that the waiver is vital to the
16 national security of the United States; and

17 (2) not less than 7 days before the waiver or
18 the renewal of the waiver, as the case may be, takes
19 effect, briefs the appropriate congressional commit-
20 tees on the waiver and the reason for the waiver.

21 (d) RULE OF CONSTRUCTION.—The authority to im-
22 pose sanctions under subsection (b) with respect to a for-
23 eign person or an agency or instrumentality of a foreign
24 state identified pursuant to subsection (a) is in addition
25 to the authority to impose sanctions under any other pro-

1 vision of law with respect to foreign persons or agencies
2 or instrumentalities of foreign states that directly or indi-
3 rectly support international terrorism.

4 (e) DEFINITIONS.—In this section:

5 (1) FOREIGN STATE.—The term “foreign state”
6 has the meaning given such term in section 1603(a)
7 of title 28, United States Code.

8 (2) AGENCY OR INSTRUMENTALITY.—The term
9 “agency or instrumentality” has the meaning given
10 such term in section 1603(b) of title 28, United
11 States Code.

12 (f) 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. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
18 **EIGN GOVERNMENTS THAT PROVIDE MATE-**
19 **RIAL SUPPORT TO HAMAS, THE PALESTINIAN**
20 **ISLAMIC JIHAD, OR ANY AFFILIATE OR SUC-**
21 **CESSOR THEREOF.**

22 (a) IDENTIFICATION.—

23 (1) IN GENERAL.—Not later than 120 days
24 after the date of the enactment of this Act, and
25 every 180 days thereafter, the President shall sub-

1 mit to the appropriate congressional committees a
2 report that identifies the following:

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

5 (i) with respect to which the Secretary
6 of State determines has repeatedly pro-
7 vided support for acts of international ter-
8 rorism pursuant to section 6(j) of the Ex-
9 port Administration Act of 1979 (as con-
10 tinued in effect pursuant to the Inter-
11 national Emergency Economic Powers
12 Act), section 40 of the Arms Export Con-
13 trol Act, section 620A of the Foreign As-
14 sistance Act of 1961, or any other provi-
15 sion of law; and

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

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

12 (b) IMPOSITION OF SANCTIONS.—

13 (1) IN GENERAL.—The President shall impose
14 the following sanctions with respect to each govern-
15 ment of a foreign country identified pursuant to sub-
16 paragraph (A) or (B) of subsection (a)(1):

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

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

1 any loan or financial or technical assistance to
2 the government of the foreign country.

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

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

15 (A) with respect to materials intended to
16 be used by United States military or civilian
17 personnel at military facilities in the country; or

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

22 (c) IMPOSITION OF ADDITIONAL SANCTIONS WITH
23 RESPECT TO FOREIGN GOVERNMENTS IDENTIFIED
24 UNDER SUBSECTION (a)(1)(A).—The President shall im-
25 pose the following additional sanctions with respect to

1 each government of a foreign country identified pursuant
2 to subsection (a)(1)(A):

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

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

17 (d) WAIVER.—The President may waive, on a case-
18 by-case basis, the application of subsection (b) or (c) with
19 respect to the government of a foreign country for a period
20 of not more than 180 days, and may renew that waiver
21 for additional periods of not more than 180 days, if the
22 President—

23 (1) determines that the waiver is vital to the
24 national security of the United States; and

1 (2) not less than 7 days before the waiver or
2 the renewal of the waiver, as the case may be, takes
3 effect, submits a report to the appropriate congress-
4 sional committees on the waiver and the reason for
5 the waiver.

6 (e) **RULE OF CONSTRUCTION.**—The authority to im-
7 pose sanctions under subsection (b) or (c) with respect to
8 each government of a foreign country identified pursuant
9 to subparagraph (A) or (B) of subsection (a)(1) is in addi-
10 tion to the authority to impose sanctions under any other
11 provision of law with respect to governments of foreign
12 countries that provide material support to foreign terrorist
13 organizations.

14 (f) **TERMINATION.**—The President may terminate
15 any sanctions imposed with respect to the government of
16 a foreign country pursuant to subsection (b) or (c) if the
17 President determines and notifies the appropriate congress-
18 sional committees that the government of the foreign
19 country is no longer carrying out activities or transactions
20 for which the sanctions were imposed and has provided
21 assurances to the United States Government that it will
22 not carry out the activities or transactions in the future.

23 (g) **EFFECTIVE DATE.**—This section shall take effect
24 on the date of the enactment of this Act and apply with
25 respect to activities and transactions described in subpara-

1 graph (A) or (B) of subsection (a)(1) that are carried out
2 on or after such date of enactment.

3 **SEC. 5. 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 congress-
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 90 days after the date
2 of the enactment of this Act, and every 180 days there-
3 after for a period not to exceed 3 years, the Secretary of
4 State, the Secretary of the Treasury, and the heads of
5 other applicable Federal departments and agencies (or
6 their designees) shall provide to the appropriate congres-
7 sional committees a briefing on the disposition of the as-
8 sets and activities of Hamas, the Palestinian Islamic
9 Jihad, or any successor or affiliate thereof related to fund-
10 raising, financing, and money laundering worldwide.

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

13 (1) the Committee on Foreign Affairs, the
14 Committee on Financial Services, and the Perma-
15 nent Select Committee on Intelligence of the House
16 of Representatives; and

17 (2) the Committee on Foreign Relations, the
18 Committee on Banking, Housing, and Urban Af-
19 fairs, and the Select Committee on Intelligence of
20 the Senate.

21 **SEC. 6. 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.

25 (b) REGULATORY AUTHORITY.—

1 (1) IN GENERAL.—The President shall, not
2 later than 90 days after the date of the enactment
3 of this Act, promulgate regulations as are necessary
4 for the implementation of this Act.

5 (2) NOTIFICATION OF CONGRESS.—Not less
6 than 10 days prior to the promulgation of regula-
7 tions under paragraph (1), the President shall notify
8 the appropriate congressional committees of the pro-
9 posed regulations and the provisions of this Act that
10 the regulations are implementing.

11 (c) TERMINATION.—This Act shall terminate begin-
12 ning—

13 (1) 30 days after the date on which the Presi-
14 dent certifies to the appropriate congressional com-
15 mittees that Hamas and the Palestinian Islamic
16 Jihad (or any successor or affiliate thereof)—

17 (A) is no longer designated as a foreign
18 terrorist organization pursuant to section 219
19 of the Immigration and Nationality Act (8
20 U.S.C. 1189);

21 (B) is no longer listed in the Annex to Ex-
22 ecutive Order No. 13224 (September 23, 2001;
23 relating to blocking property and prohibiting
24 transactions with persons who commit, threaten
25 to commit, or support terrorism); and

1 (C) meets the criteria described in para-
2 graphs (1) through (4) of section 9 of the Pal-
3 estinian Anti-Terrorism Act of 2006 (22 U.S.C.
4 2378b note); or

5 (2) 5 years after the date of the enactment of
6 this Act,

7 whichever occurs earlier.

8 **SEC. 7. DEFINITIONS.**

9 Except as otherwise provided, in this Act:

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

14 (2) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means the Committee on Foreign Affairs of
17 the House of Representatives and the Committee on
18 Foreign Relations of the Senate.

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

21 (A) an individual who is not a United
22 States person; or

23 (B) a corporation, partnership, or other
24 nongovernmental entity which is not a United
25 States person.

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

5 (5) PERSON.—The term “person” means—

6 (A) a natural person;

7 (B) a corporation, business association,
8 partnership, society, trust, financial institution,
9 insurer, underwriter, guarantor, and any other
10 business organization, any other nongovern-
11 mental entity, organization, or group, and any
12 governmental entity operating as a business en-
13 terprise; and

14 (C) any successor to any entity described
15 in subparagraph (B).

16 (6) SIGNIFICANT TRANSACTION.—The term
17 “significant transaction” has the meaning given
18 such term in section 566.404 of title 31, Code of
19 Federal Regulations.

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

22 (A) a United States citizen or an alien law-
23 fully admitted for permanent residence to the
24 United States; or

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

○