

IMPOSING CERTAIN SANCTIONS ON PERSONS UN-
DERMINING PEACE, SECURITY, AND STABILITY IN
THE WEST BANK

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

EXECUTIVE ORDER OF NATIONAL EMERGENCY WITH RESPECT TO
THE SITUATION IN THE WEST BANK, PURSUANT TO 50 U.S.C.
1703(b); PUBLIC LAW 95-223, SEC. 204(b); (91 STAT. 1627) AND 50
U.S.C. 1641(b); PUBLIC LAW 94-412, SEC. 401(b); (90 STAT. 1257)



FEBRUARY 1, 2024.—Message and accompanying papers referred to the
Committee on Foreign Affairs and ordered to be printed

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To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) and section 215(a) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f) and 8 U.S.C. 1185 (a)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat posed by the situation in the West Bank, including in particular high levels of extremist settler violence, forced displacement of people and villages, and property destruction. Such actions constitute a serious threat to the peace, security, and stability of the West Bank and Gaza, Israel, and the broader Middle East region and undermine the foreign policy and national security objectives of the United States. I find that these actions constitute an unusual and extraordinary threat to the national security and foreign policy of the United States, and I have declared a national emergency to deal with that threat.

The order authorizes the blocking of property and interests in property of any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, or the Secretary of the Treasury, in consultation with the Secretary of State:

- (i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, actions—including directing, enacting, implementing, enforcing, or failing to enforce policies—that threaten the peace, security, or stability of the West Bank;

- (ii) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, planning, ordering, otherwise directing, or participating in certain actions—including acts of violence or threats of violence targeting civilians, efforts to place civilians in reasonable fear of violence, property destruction, or seizure or dispossession of property by private actors—affecting the West Bank;

- (iii) to be or have been a leader or official of certain entities that have engaged in, or whose members have engaged in, such activities;

- (iv) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person blocked pursuant to the order; or

- (v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person blocked pursuant to the order.

The order also authorizes, the blocking of property and interests in property of any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, to have

committed or have attempted to commit, to pose a significant risk of committing, or to have participated in training to commit acts of terrorism affecting the West Bank. In addition, the order suspends the entry into the United States of any noncitizen determined to meet one or more of the above criteria.

The order authorizes the Secretary of the Treasury, in consultation with the Secretary of State, to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the order. It directs the Secretary of State, in consultation with the Secretary of Homeland Security, to implement the order as it applies to visas, and it directs the Secretary of Homeland Security, in consultation with the Secretary of State, to implement the order as it applies to the entry into the United States of noncitizens. All executive departments and agencies of the United States are directed to take all appropriate measures within their authority to implement the order.

I am enclosing a copy of the Executive Order I have issued.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *February 1, 2024.*

EXECUTIVE ORDER

IMPOSING CERTAIN SANCTIONS ON PERSONS UNDERMINING PEACE, SECURITY, AND STABILITY IN THE WEST BANK

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*) (NEA), section 212(f) and section 215(a) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f) and 8 U.S.C. 1185(a)), and section 301 of title 3, United States Code,

I, JOSEPH R. BIDEN JR., President of the United States of America, find that the situation in the West Bank—in particular high levels of extremist settler violence, forced displacement of people and villages, and property destruction—has reached intolerable levels and constitutes a serious threat to the peace, security, and stability of the West Bank and Gaza, Israel, and the broader Middle East region. These actions undermine the foreign policy objectives of the United States, including the viability of a two-state solution and ensuring Israelis and Palestinians can attain equal measures of security, prosperity, and freedom. They also undermine the security of Israel and have the potential to lead to broader regional destabilization across the Middle East, threatening United States personnel and interests. For these reasons, these actions constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. I hereby declare a national emergency to deal with that threat. Accordingly, I hereby order:

Section 1. All property and interests in property that are in the United States, that hereafter come within the United States, or that are or hereafter come within the possession or control of any United States person, including any foreign branch, of the following persons are blocked and may not be transferred, paid, exported, withdrawn, or otherwise dealt in:

(a) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury, or the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(A) actions—including directing, enacting, implementing, enforcing, or failing to enforce policies—that threaten the peace, security, or stability of the West Bank; or

(B) planning, ordering, otherwise directing, or participating in any of the following actions affecting the West Bank:

- (1) an act of violence or threat of violence targeting civilians;
- (2) efforts to place civilians in reasonable fear of violence with the purpose or effect of necessitating a change of residence to avoid such violence;
- (3) property destruction; or
- (4) seizure or dispossession of property by private actors;
- (ii) to be or have been a leader or official of:
 - (A) an entity, including any government entity, that has engaged in, or whose members have engaged in, any of the activities described in subsections (a) or (b) of this section related to the leader's or official's tenure; or
 - (B) an entity whose property and interests in property are blocked pursuant to this order as a result of activities relating to the leader's or official's tenure;
- (iii) to have materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, any person blocked pursuant to this order; or
- (iv) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person blocked pursuant to this order; or
- (b) any foreign person determined by the Secretary of State, in consultation with the Secretary of the Treasury:
 - (i) to have committed or have attempted to commit, to pose a significant risk of committing, or to have participated in training to commit acts of terrorism affecting the West Bank; or
 - (ii) to be a leader or official of an entity sanctioned pursuant to subsection (b)(i) of this section.

Sec. 2. The prohibitions in section 1 of this order apply except to the extent provided by statutes, or in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted before the date of this order.

Sec. 3. The prohibitions in section 1 of this order include:

- (a) the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order; and
- (b) the receipt of any contribution or provision of funds, goods, or services from any such person.

Sec. 4. (a) The unrestricted immigrant and nonimmigrant entry into the United States of noncitizens determined to meet one or more of the criteria in section 1 of this order would be detrimental to the interests of the United States, and the entry of such persons into the United States, as immigrants or nonimmigrants, is hereby suspended, except when the Secretary of State or the Secretary of Homeland Security, as appropriate, determines that the person's entry would not be contrary to the interests of the United States, including when the Secretary of State or the Secretary of Homeland Security, as appropriate, so determines, based on a recommendation of the Attorney General, that the person's entry would further important United States law enforcement objectives.

(b) The Secretary of State shall implement this order as it applies to visas pursuant to such procedures as the Secretary of State, in consultation with the Secretary of Homeland Security, may establish.

(c) The Secretary of Homeland Security shall implement this order as it applies to the entry of noncitizens pursuant to such procedures as the Secretary of Homeland Security, in consultation with the Secretary of State, may establish.

(d) Such persons shall be treated by this section in the same manner as persons covered by section 1 of Proclamation 8693 of July 24, 2011 (Suspension of Entry of Aliens Subject to United Nations Security Council Travel Bans and International Emergency Economic Powers Act Sanctions).

Sec. 5. (a) Any transaction that evades or avoids, has the purpose of evading or avoiding, causes a violation of, or attempts to violate any of the prohibitions set forth in this order is prohibited.

(b) Any conspiracy formed to violate any of the prohibitions set forth in this order is prohibited.

Sec. 6. I hereby determine that the making of donations of the types of articles specified in section 203(b)(2) of IEEPA (50 U.S.C. 1702(b)) by, to, or for the benefit of any person whose property and interests in property are blocked pursuant to this order would seriously impair my ability to deal with the national emergency declared in this order, and I hereby prohibit such donations as provided by section 1 of this order.

Sec. 7. For the purposes of this order:

(a) the term “entity” means a partnership, association, trust, joint venture, corporation, group, subgroup, or other organization;

(b) the term “noncitizen” means any person who is not a citizen or noncitizen national of the United States;

(c) the term “person” means an individual or entity;

(d) the term “United States person” means any United States citizen, lawful permanent resident, entity organized under the laws of the United States or any jurisdiction within the United States (including foreign branches), or any person in the United States; and

(e) the term “terrorism” means an activity that:

(i) involves a violent act or an act dangerous to human life, property, or infrastructure; and

(ii) appears to be intended:

(A) to intimidate or coerce a civilian population;

(B) to influence the policy of a government by intimidation or coercion; or

(C) to affect the conduct of a government by mass destruction, assassination, kidnapping, or hostage-taking.

Sec. 8. For those persons whose property and interests in property are blocked or affected by this order who might have a constitutional presence in the United States, I find that because of the ability to transfer funds and other assets instantaneously, prior notice to such persons of measures to be taken pursuant to this order would render those measures ineffectual. I therefore determine that for these measures to be effective in addressing the national emergency declared in this order, there need be no prior notice of a listing or determination made pursuant to this order.

Sec. 9. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may, consistent with applicable law, redelegate any of these functions within the Department of the Treasury. All executive departments and agencies of the United States shall take all appropriate measures within their authority to implement this order.

Sec. 10. Nothing in this order shall prohibit transactions for the conduct of the official business of the Federal Government or the United Nations (including its specialized agencies, programs, funds, and related organizations) by employees, grantees, and contractors thereof.

Sec. 11. The Secretary of the Treasury, in consultation with the Secretary of State, is authorized to submit recurring and final reports to the Congress on the national emergency declared in this order, consistent with section 401(c) of the NEA (50 U.S.C. 1641(c)) and section 204(c) of IEEPA (50 U.S.C. 1703(c)).

Sec. 12. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, *February 1, 2024.*