

107TH CONGRESS
2D SESSION

H. R. 3627

To protect the United States and its allies by imposing sanctions on countries and entities that aid and abet individuals or entities engaged in terrorist activity or fail to cooperate in the war against terrorism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2002

Mr. GRAHAM (for himself and Mr. GOSS) introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committees on Ways and Means, and the Judiciary, 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 protect the United States and its allies by imposing sanctions on countries and entities that aid and abet individuals or entities engaged in terrorist activity or fail to cooperate in the war against 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 “No Safe Harbor Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) harboring, supporting, or providing aid or
4 protection to individuals or entities engaged in ter-
5 rorist activity against the United States, its citizens,
6 or its allies will be considered to be acts of aggres-
7 sion against the United States; and

8 (2) failing to assist the United States or its al-
9 lies in the identification, suppression, or prosecution
10 of individuals or entities engaged in terrorist activity
11 will be considered to be acts of aggression against
12 the United States.

13 **SEC. 2. IMPOSITION OF SANCTIONS.**

14 (a) SANCTIONS.—The President may impose the
15 sanctions under subsection (b) on—

16 (1) any country determined, for purposes of
17 section 6(j) of the Export Administration Act of
18 1979 (50 U.S.C. App. 2405(j)), section 620A of the
19 Foreign Assistance Act of 1961 (22 U.S.C. 2371),
20 or section 40(d) of the Arms Export Control Act (22
21 U.S.C. 2780(d)), to be a country the government of
22 which has repeatedly provided support for acts of
23 international terrorism;

24 (2) any country identified under section 40A of
25 the Arms Export Control Act (22 U.S.C. 2781) to

1 be a country not cooperating fully with United
2 States antiterrorism efforts; and

3 (3) any country or entity that the President
4 determines—

5 (A) fails to support antiterrorist investiga-
6 tions by the United States;

7 (B) provides sanctuary for individuals or
8 entities suspected of engaging in terrorist activ-
9 ity from prosecution in the United States or
10 any of its allies;

11 (C) fails to extradite to the United States
12 or any of its allies individuals or entities sus-
13 pected of engaging in terrorist activity;

14 (D) allows individuals or entities to seek
15 material support or resources (within the mean-
16 ing of section 2339A(b) of title 18, United
17 States Code), including raising funds, for
18 groups that engage in terrorist activity;

19 (E) allows the recruitment of individuals
20 for terrorist activity; or

21 (F) fails to assist in intelligence gathering
22 by the United States or any of its allies relating
23 to terrorist activity.

24 (b) SANCTIONS.—

1 (1) SANCTIONS ON COUNTRIES.—The sanctions
2 that may be imposed on a country referred to in
3 subsection (a) are the following:

4 (A) ECONOMIC EMBARGO.—The President
5 may exercise the authorities the President has
6 under the International Emergency Economic
7 Powers Act to impose an economic embargo on
8 such country, without regard to section 202 of
9 that Act, including—

10 (i) blocking all property and interests
11 in property of such country that are in the
12 United States or are in the possession or
13 control of United States persons;

14 (ii) prohibiting transactions in any
15 property in which any national of such
16 country has any interest; and

17 (iii) prohibiting imports from and ex-
18 ports to such country.

19 (B) PROHIBITION ON TRAVEL.—The Presi-
20 dent may prohibit travel to and from that coun-
21 try, notwithstanding section 203(b)(4) of the
22 International Emergency Economic Powers Act.

23 (C) DENIAL OF ENTRY INTO THE UNITED
24 STATES.—The President may direct the Attor-
25 ney General to deny admission into the United

1 States to any citizen or national of that country
2 (or, in the case of a person having no nation-
3 ality, a person habitually residing in such coun-
4 try) as an immigrant or nonimmigrant (except
5 in the case of admission as a refugee under sec-
6 tion 207 of the Immigration and Nationality
7 Act or similar provision of law).

8 (2) SANCTIONS ON ENTITIES.—The sanctions
9 that may be imposed on an entity referred to in sub-
10 section (a)(3) are that the President may exercise
11 the authorities the President has under the Inter-
12 national Emergency Economic Powers Act, without
13 regard to section 202 of that Act—

14 (A) to block all property and interests in
15 property of such entity that are in the United
16 States or are in the possession or control of
17 United States persons; and

18 (B) to prohibit imports from and exports
19 to such entity.

20 (c) REGULATORY AUTHORITY; PENALTIES.—The
21 President may issue such regulations, licenses, and orders
22 as are necessary to carry out this Act. The penalties set
23 forth in section 206 of the International Emergency Eco-
24 nomic Powers Act shall apply to violations under this Act

1 to the same extent as such penalties apply to violations
2 under that Act.

3 **SEC. 3. ASSISTANCE TO VICTIMS OF TERRORISM.**

4 The President may vest and liquidate as much of
5 property that is blocked pursuant to section paragraphs
6 (1)(A)(i) and (2)(A) of section 2(b) as may be necessary
7 to adequately compensate the victims of terrorist acts and
8 their families, in accordance with regulations that the
9 President may issue.

10 **SEC. 4. WAIVER.**

11 The President may waive any provision of section 2
12 with respect to any country or entity if the President—

13 (1) determines that vital national interests so
14 require; and

15 (2) submits that determination to the Congress,
16 together with the reasons therefor.

17 **SEC. 5. DEFINITIONS.**

18 In this Act:

19 (1) **TERRORIST ACTIVITY.**—The term “terrorist
20 activity” has the meaning given that term in section
21 212(a)(3)(B)(ii) of the Immigration and Nationality
22 Act (8 U.S.C. 1182(a)(3)(B)(ii)).

23 (2) **UNITED STATES PERSON.**—The term
24 “United States person” means—

25 (A) a United States citizen;

1 (B) a partnership, corporation, or other
2 legal entity that is organized under the laws of
3 the United States; or

4 (C) a partnership, corporation, or other
5 legal entity that is organized under the laws of
6 a foreign country and is controlled by entities
7 described in subparagraph (B) or United States
8 citizens, or both.

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