

110TH CONGRESS  
1ST SESSION

# S. 1320

To prohibit the rewarding of suicide bombings, to prohibit terrorist kidnappings and sexual assaults, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 7, 2007

Mr. KYL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To prohibit the rewarding of suicide bombings, to prohibit terrorist kidnappings and sexual assaults, 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 “Terrorism Prevention  
5       and Deterrence Act of 2007”.

6       **SEC. 2. PREVENTION AND DETERRENCE OF TERRORIST**  
7       **SUICIDE BOMBINGS.**

8       (a) OFFENSE OF REWARDING OR FACILITATING  
9       INTERNATIONAL TERRORIST ACTS.—

1           (1) IN GENERAL.—Chapter 113B of title 18,  
 2           United States Code, is amended by adding at the  
 3           end the following:

4   **“§ 2339E. Providing material support to international**  
 5           **terrorism**

6           “(a) DEFINITIONS.—In this section:

7                   “(1) The term ‘facility of interstate or foreign  
 8           commerce’ has the same meaning as in section  
 9           1958(b)(2).

10                   “(2) The term ‘international terrorism’ has the  
 11           same meaning as in section 2331.

12                   “(3) The term ‘material support or resources’  
 13           has the same meaning as in section 2339A(b).

14                   “(4) The term ‘perpetrator of an act’ includes  
 15           any person who—

16                           “(A) commits the act;

17                           “(B) aids, abets, counsels, commands, in-  
 18           duces, or procures its commission; or

19                           “(C) attempts, plots, or conspires to com-  
 20           mit the act.

21                   “(5) The term ‘serious bodily injury’ has the  
 22           same meaning as in section 1365.

23           “(b) PROHIBITION.—Whoever, in a circumstance de-  
 24           scribed in subsection (c), provides, or attempts or con-  
 25           spires to provide, material support or resources to the per-

1 perpetrator of an act of international terrorism, or to a family  
 2 member or other person associated with such perpetrator,  
 3 with the intent to facilitate, reward, or encourage that act  
 4 or other acts of international terrorism, shall be fined  
 5 under this title, imprisoned not more than 25 years, or  
 6 both, and, if death results, shall be imprisoned for any  
 7 term of years or for life.

8 “(c) JURISDICTIONAL BASES.—A circumstance re-  
 9 ferred to in subsection (b) is that—

10 “(1) the offense occurs in or affects interstate  
 11 or foreign commerce;

12 “(2) the offense involves the use of the mails or  
 13 a facility of interstate or foreign commerce;

14 “(3) an offender intends to facilitate, reward, or  
 15 encourage an act of international terrorism that af-  
 16 fects interstate or foreign commerce or would have  
 17 affected interstate or foreign commerce had it been  
 18 consummated;

19 “(4) an offender intends to facilitate, reward, or  
 20 encourage an act of international terrorism that vio-  
 21 lates the criminal laws of the United States;

22 “(5) an offender intends to facilitate, reward, or  
 23 encourage an act of international terrorism that is  
 24 designed to influence the policy or affect the conduct  
 25 of the United States Government;

1           “(6) an offender intends to facilitate, reward, or  
2           encourage an act of international terrorism that oc-  
3           curs in part within the United States and is de-  
4           signed to influence the policy or affect the conduct  
5           of a foreign government;

6           “(7) an offender intends to facilitate, reward, or  
7           encourage an act of international terrorism that  
8           causes or is designed to cause death or serious bod-  
9           ily injury to a national of the United States while  
10          that national is outside the United States, or sub-  
11          stantial damage to the property of a legal entity or-  
12          ganized under the laws of the United States (includ-  
13          ing any of its States, districts, commonwealths, ter-  
14          ritories, or possessions) while that property is out-  
15          side of the United States;

16          “(8) the offense occurs in whole or in part with-  
17          in the United States, and an offender intends to fa-  
18          cilitate, reward or encourage an act of international  
19          terrorism that is designed to influence the policy or  
20          affect the conduct of a foreign government; or

21          “(9) the offense occurs in whole or in part out-  
22          side of the United States, and an offender is a na-  
23          tional of the United States, a stateless person whose  
24          habitual residence is in the United States, or a legal  
25          entity organized under the laws of the United States

(including any of its States, districts, commonwealths, territories, or possessions).”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The table of sections for chapter 113B of title 18, United States Code, is amended by adding at the end the following:

“2339D. Receiving military-type training from a foreign terrorist organization.  
“2339E. Providing material support to international terrorism.”.

(B) OTHER AMENDMENT.—Section 2332b(g)(5)(B)(i) of title 18, United States Code, is amended by inserting “2339E (relating to providing material support to international terrorism),” before “or 2340A (relating to torture)”.

(b) INCREASED PENALTIES FOR PROVIDING MATERIAL SUPPORT TO TERRORISTS.—

(1) PROVIDING MATERIAL SUPPORT TO DESIGNATED FOREIGN TERRORIST ORGANIZATIONS.—Section 2339B(a) of title 18, United States Code, is amended by striking “15 years” and inserting “25 years”.

(2) PROVIDING MATERIAL SUPPORT OR RESOURCES IN AID OF A TERRORIST CRIME.—Section

1       2339A(a) of title 18, United States Code, is amend-  
 2       ed by striking “15 years” and inserting “40 years”.

3           (3) RECEIVING MILITARY-TYPE TRAINING FROM  
 4       A FOREIGN TERRORIST ORGANIZATION.—Section  
 5       2339D(a) of title 18, United States Code, is amend-  
 6       ed by striking “ten years” and inserting “15 years”.

7           (4) ADDITION OF ATTEMPTS AND CONSPIR-  
 8       ACIES TO AN OFFENSE RELATING TO MILITARY  
 9       TRAINING.—Section 2339D(a) of title 18, United  
 10      States Code, is amended by inserting “, or attempts  
 11      or conspires to receive,” after “receives”.

12 **SEC. 3. TERRORIST MURDERS, KIDNAPPINGS, AND AS-**  
 13 **SAULTS.**

14       (a) PENALTIES FOR TERRORIST MURDER AND MAN-  
 15      SLAUGHTER.—Section 2332(a) of title 18, United States  
 16      Code, is amended—

17           (1) in paragraph (1), by striking “fined under  
 18       this title” and all that follows and inserting “pun-  
 19       ished as provided under section 1111(b);”; and

20           (2) in paragraph (2), by striking “fined under  
 21       this title” and all that follows and inserting “pun-  
 22       ished as provided under section 1112(b); and”.

23       (b) ADDITION OF OFFENSE OF TERRORIST KIDNAP-  
 24      PING.—Section 2332 of title 18, United States Code, is  
 25      amended—

1           (1) by redesignating subsections (c) and (d) as  
2           subsections (d) and (e), respectively; and

3           (2) by inserting after subsection (b) the fol-  
4           lowing:

5           “(c) KIDNAPPING.—Whoever outside the United  
6 States unlawfully seizes, confines, inveigles, decoys, kid-  
7 naps, abducts, or carries away, or attempts or conspires  
8 to seize, confine, inveigle, decoy, kidnap, abduct or carry  
9 away, a national of the United States shall be punished  
10 as provided under section 1201(a).”.

11          (c) ADDITION OF SEXUAL ASSAULT TO DEFINITION  
12 OF OFFENSE OF TERRORIST ASSAULT.—Section 2332(d)  
13 of title 18, United States Code, as redesignated by sub-  
14 section (b) of this section, is amended—

15           (1) in paragraph (1), by inserting “(as defined  
16 in section 1365, including any conduct that, if the  
17 conduct occurred in the special maritime and terri-  
18 torial jurisdiction of the United States, would violate  
19 section 2241 or 2242)” after “injury”;

20           (2) in paragraph (2), by inserting “(as defined  
21 in section 1365, including any conduct that, if the  
22 conduct occurred in the special maritime and terri-  
23 torial jurisdiction of the United States, would violate  
24 section 2241 or 2242)” after “injury”; and

- 1           (3) by striking the matter following paragraph
- 2           (2) and inserting the following:
- 3   “shall be punished as provided under section 2242.”.

