

AMENDMENT TO RULES COMM. PRINT 118-36
OFFERED BY MR. SHERMAN OF CALIFORNIA

At the end of subtitle A of title XVII, add the following new section:

1 **SEC. 17 ____ . ACCOUNTABILITY FOR TERRORIST PERPETRA-**
2 **TORS OF THE OCTOBER 7TH ATTACK.**

3 (a) IN GENERAL.—On and after the date that is 90
4 days after the date of enactment of this Act, the President
5 shall impose the measures described in subsection (b) with
6 respect to—

7 (1) the Popular Resistance Committees;

8 (2) any foreign person that is an official, agent,
9 or affiliate of a foreign person described in para-
10 graph (1);

11 (3) any foreign person that is owned or con-
12 trolled by a foreign person described in paragraph
13 (1) or (2); and

14 (4) any current or future armed organization
15 the President determines is operating under the um-
16 brella of the Popular Resistance Committees or any
17 other person described in this subsection.

18 (b) SANCTIONS DESCRIBED.—

1 (1) IN GENERAL.—The sanctions described in
2 this subsection are the following:

3 (A) BLOCKING OF PROPERTY.—The Presi-
4 dent shall exercise all of the powers granted to
5 the President under the International Emer-
6 gency Economic Powers Act (50 U.S.C. 1701 et
7 seq.) to the extent necessary to block and pro-
8 hibit all transactions in property and interests
9 in property of a person described in subsection
10 (a) if such property and interests in property
11 are in the United States, come within the
12 United States, or are or come within the pos-
13 session or control of a United States person.

14 (B) ALIENS INADMISSABLE FOR VISAS, AD-
15 MISSION, OR PAROLE.—

16 (i) VISAS, ADMISSION, OR PAROLE.—
17 An alien who the Secretary of State or the
18 Secretary of Homeland Security (or a des-
19 ignee of one of such Secretaries) knows, or
20 has reason to believe, is described in sub-
21 section (a) is—

22 (I) inadmissible to the United
23 States;

1 (II) ineligible to receive a visa or
2 other documentation to enter the
3 United States; and

4 (III) otherwise ineligible to be
5 admitted or paroled into the United
6 States or to receive any other benefit
7 under the Immigration and Nation-
8 ality Act (8 U.S.C. 1101 et seq.).

9 (ii) CURRENT VISAS REVOKED.—

10 (I) IN GENERAL.—The issuing
11 consular officer, the Secretary of
12 State, or the Secretary of Homeland
13 Security (or a designee of one of such
14 Secretaries) shall, in accordance with
15 section 221(i) of the Immigration and
16 Nationality Act (8 U.S.C. 1201(i)),
17 revoke any visa or other entry docu-
18 mentation issued to an alien described
19 in clause (i) regardless of when the
20 visa or other entry documentation is
21 issued.

22 (II) EFFECT OF REVOCATION.—
23 A revocation under subclause (I) shall
24 take effect immediately and shall
25 automatically cancel any other valid

1 visa or entry documentation that is in
2 the alien's possession.

3 (2) EXCEPTIONS.—

4 (A) UNITED NATIONS HEADQUARTERS
5 AGREEMENT.—The sanctions described in para-
6 graph (1)(B) shall not apply with respect to an
7 alien if admitting or paroling the alien into the
8 United States is necessary to permit the United
9 States to comply with the Agreement regarding
10 the Headquarters of the United Nations, signed
11 at Lake Success June 26, 1947, and entered
12 into force November 21, 1947, between the
13 United Nations and the United States, or other
14 applicable international obligations.

15 (B) EXCEPTION FOR INTELLIGENCE, LAW
16 ENFORCEMENT, AND NATIONAL SECURITY AC-
17 TIVITIES.—Sanctions under paragraph (1) shall
18 not apply to any authorized intelligence, law en-
19 forcement, or national security activities of the
20 United States.

21 (3) PENALTIES.—The penalties provided for in
22 subsections (b) and (c) of section 206 of the Inter-
23 national Emergency Economic Powers Act (50
24 U.S.C. 1705) shall apply to a person that violates,
25 attempts to violate, conspires to violate, or causes a

1 violation of this section, regulations promulgated to
2 carry out this section, or the sanctions imposed pur-
3 suant to this section to the same extent that such
4 penalties apply to a person that commits an unlaw-
5 ful act described in section 206(a) of that Act.

6 (4) IMPLEMENTATION AUTHORITY.—The Presi-
7 dent may exercise all authorities provided to the
8 President under sections 203 and 205 of the Inter-
9 national Emergency Economic Powers Act (50
10 U.S.C. 1702 and 1704) for purposes of carrying out
11 this section.

12 (5) WAIVER.—The President may, for one or
13 more periods of not more than 180 days each, waive
14 the application of sanctions or restrictions imposed
15 with respect to a foreign person under this section
16 if the President certifies to the appropriate congres-
17 sional committees, not later than 15 days before
18 such waiver takes effect, that the waiver is vital to
19 the national security interests of the United States.

20 (6) TERMINATION.—Sanctions under this sec-
21 tion may be terminated with respect to any foreign
22 person if the President certifies to the appropriate
23 congressional committees that—

24 (A) such foreign person is no longer engag-
25 ing in acts of terrorism, as such term is defined

1 for purposes of Executive Order No. 13224 (re-
2 lating to blocking property and prohibiting
3 transactions with persons who commit, threaten
4 to commit, or support terrorism); or

5 (B) with respect to a foreign person that
6 is an entity, such entity has disbanded.

7 (7) EXCEPTION WITH RESPECT TO THE IMPOR-
8 TATION OF GOODS.—

9 (A) IN GENERAL.—The authorities and re-
10 quirements under this section shall not include
11 the authority or any requirement to impose
12 sanctions on the importation of goods.

13 (B) GOOD DEFINED.—In this section, the
14 term “good” means any article, natural or man-
15 made substance, material, supply, or manufac-
16 tured product, including inspection and test
17 equipment, and excluding technical data.

18 (c) REPORT ON THE DESIGNATION OF THE LION’S
19 DEN AND THE POPULAR RESISTANCE COMMITTEES AS
20 SPECIALLY DESIGNATED GLOBAL TERRORISTS.—

21 (1) INITIAL REPORT.—

22 (A) REPORT REQUIRED.—Not later than
23 90 days after the date of the enactment of this
24 Act, the Secretary of State shall submit to the
25 appropriate committees of Congress—

1 (i) a detailed report on whether—

2 (I) the Lion’s Den meets the cri-
3 teria for designation as a Specially
4 Designated Global Terrorist pursuant
5 to Executive Order No. 13224 (relat-
6 ing to blocking property and prohib-
7 iting transactions with persons who
8 commit, threaten to commit, or sup-
9 port terrorism) and the criteria for
10 designation as a foreign terrorist or-
11 ganization as set forth in section 219
12 of the Immigration and Nationality
13 Act (8 U.S.C. 1189); and

14 (II) the Popular Resistance Com-
15 mittees meet as a Specially Des-
16 igned Global Terrorist pursuant to
17 Executive Order No. 13224; and

18 (ii) if the Secretary reaches a negative
19 determination with respect to any of the
20 entities listed in clause (I), a detailed jus-
21 tification as to which criteria have not been
22 met.

23 (B) FORM.—The report required by sub-
24 paragraph (A) shall be submitted in unclassi-
25 fied form, but may include a classified annex.

1 (2) ONGOING DETERMINATIONS REQUIRED.—

2 Not later than 1 year after the date of the enact-
3 ment of this Act, and every 2 years thereafter, the
4 Secretary of State shall submit to the appropriate
5 committees of Congress a report that—

6 (A) identifies each new entity operating
7 under the umbrella of the Popular Resistance
8 Committees or any successor of the Popular Re-
9 sistance Committees;

10 (B) includes a determination whether each
11 such entity meets the criteria—

12 (i) for designation as a Specially Des-
13 igned Global Terrorist pursuant to Exec-
14 utive Order No. 13224 (relating to block-
15 ing property and prohibiting transactions
16 with persons who commit, threaten to com-
17 mit, or support terrorism);

18 (ii) for designation as a foreign ter-
19 rorist organization as set forth in section
20 219 of the Immigration and Nationality
21 Act (8 U.S.C. 1189); or

22 (iii) for the imposition of sanctions
23 under subsection (a) of this Act; and

24 (C) if the Secretary reaches a negative de-
25 termination pursuant to any clause of subpara-

1 graph (B) with respect to any of the entities
2 identified pursuant to subparagraph (A), a de-
3 tailed justification as to which criteria for such
4 designation or imposition have not been met.

5 (d) APPROPRIATE COMMITTEES OF CONGRESS DE-
6 FINED.—In this section, the term “appropriate commit-
7 tees of Congress” means—

- 8 (1) the Committee on Foreign Relations and
9 the Committee on the Judiciary of the Senate; and
10 (2) the Committee on Foreign Affairs and the
11 Committee on the Judiciary of the House of Rep-
12 resentatives.

