

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO RULES COMM. PRINT 118-37
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Strike page 1, line 1, and all that follows and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Illegitimate Court
3 Counteraction Act of 2023”.

4 SEC. 2. SENSE OF CONGRESS.

5 It is the sense of Congress that the United States
6 is not a party to the Rome Statute and does not recognize
7 the jurisdiction of the International Criminal Court.

**8 SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO
9 INTERNATIONAL CRIMINAL COURT OFFI-
10 CIALS.**

11 (a) IN GENERAL.—As soon as practicable after the
12 date of enactment of this Act, the President shall impose
13 the sanctions described in subsection (d) with respect to
14 the individuals specified in subsection (b) and any indi-
15 vidual serving in any of the positions listed in subsection
16 (c).

17 (b) INDIVIDUALS SPECIFIED.—The individuals speci-
18 fied in this subsection are the following:

- 1 (1) Tomoko Akane, Judge.
- 2 (2) Rosario Salvatore Aitala, Judge.
- 3 (3) Reine Alapini-Gansou, Judge.
- 4 (4) Luz del Carmen Ibáñez Carranza, Judge.
- 5 (5) Solomy Balungi Bossa, Judge.
- 6 (6) Kimberly Prost, Judge.
- 7 (7) Joanna Korner, Judge.
- 8 (8) Gocha Lordkipanidze, Judge.
- 9 (9) Socorro Flores Liera, Judge.
- 10 (10) Sergio Gerardo Ugalde Godínez, Judge.
- 11 (11) Miatta Maria Samba, Judge.
- 12 (12) Althea Violet Alexis-Windsor, Judge.
- 13 (13) Keebong Paek, Judge.
- 14 (14) Erdenebalsuren Damdin, Judge.
- 15 (15) Iulia Motoc, Judge.
- 16 (16) Haykel Ben Mahfoudh, Judge.
- 17 (17) Nicolas Guillou, Judge.
- 18 (18) Beti Hohler, Judge.
- 19 (19) Antoine Kesia-Mbe Mindua, Judge.
- 20 (20) Bertram Schmitt, Judge.
- 21 (21) Péter Kovács, Judge.
- 22 (22) Chang-ho Chung, Judge.
- 23 (23) Karim A. A. Khan KC, Prosecutor.
- 24 (24) Mame Mandiaye Niang, Deputy Pros-
25 ector.

1 (25) Nazhat Shameem Khan, Deputy Pros-
2 ecutor.

3 (26) Osvaldo Zavala Giler, Registrar.

4 (27) Marc Dubuisson, Director of the Division
5 of Judicial Services.

6 (28) Christian Mahr, Director of the Division of
7 External Operations.

8 (29) Ivan Alippi, Director of the Division of
9 Management Services.

10 (c) POSITIONS.—The positions listed in this sub-
11 section are the following:

12 (1) As a judge elected to the International
13 Criminal Court.

14 (2) As a prosecutor elected to the International
15 Criminal Court.

16 (3) As a director employed by the International
17 Criminal Court.

18 (4) As a registrar employed by the Inter-
19 national Criminal Court.

20 (5) As a counsel employed by the International
21 Criminal Court.

22 (6) As an assistant to counsel employed by the
23 International Criminal Court.

24 (d) SANCTIONS DESCRIBED.—The sanctions de-
25 scribed in this subsection with respect to individuals speci-

1 fied in subsection (b) and individuals serving in the posi-
2 tions listed in subsection (c) are the following:

3 (1) PROPERTY BLOCKING.—The President shall
4 exercise all of the powers granted by the Inter-
5 national Emergency Economic Powers Act (50
6 U.S.C. 1701 et seq.) to the extent necessary to block
7 and prohibit all transactions in all property and in-
8 terests in property of the individual if such property
9 and interests in property are in the United States,
10 come within the United States, or are or come with-
11 in the possession or control of a United States per-
12 son.

13 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
14 SION, OR PAROLE.—

15 (A) VISAS, ADMISSION, OR PAROLE.—In
16 the case of an alien described in subsection (a),
17 the alien is—

18 (i) inadmissible to the United States;

19 (ii) ineligible to receive a visa or other
20 documentation to enter the United States;

21 and

22 (iii) otherwise ineligible admitted or
23 paroled into the United States or to receive
24 any other benefit under the Immigration

1 and Nationality Act (8 U.S.C. 1101 et
2 seq.).

3 (B) CURRENT VISAS REVOKED.—

4 (i) IN GENERAL.—The visa or other
5 entry documentation of an alien described
6 in subparagraph (A) shall be revoked, re-
7 gardless of when such visa or other entry
8 documentation was issued.

9 (ii) IMMEDIATE EFFECT.—A revoca-
10 tion under clause (i) shall—

11 (I) take effect immediately; and

12 (II) automatically cancel any
13 other valid visa or entry documenta-
14 tion that is in the alien's possession.

15 (e) IMPLEMENTATION; PENALTIES.—

16 (1) IMPLEMENTATION.—The President may ex-
17 ercise all authorities provided under sections 203
18 and 205 of the International Emergency Economic
19 Powers Act (50 U.S.C. 1702 and 1704) to carry out
20 this section.

21 (2) PENALTIES.—A person that violates, at-
22 tempts to violate, conspires to violate, or causes a
23 violation of this section or any regulation, license, or
24 order issued to carry out this section shall be subject
25 to the penalties set forth in subsections (b) and (c)

1 of section 206 of the International Emergency Eco-
2 nomic Powers Act (50 U.S.C. 1705) to the same ex-
3 tent as a person that commits an unlawful act de-
4 scribed in subsection (a) of that section.

5 (f) REVIEW.—Not later than 90 days after the impo-
6 sition of sanctions pursuant to subsection (a) and every
7 90 days thereafter, the President shall determine whether
8 additional individuals in the positions listed in subsection
9 (c) shall be subject to sanctions under this section.

10 (g) EXCEPTION RELATING TO IMPORTATION OF
11 GOODS.—

12 (1) IN GENERAL.—A requirement to block and
13 prohibit all transactions in all property and interests
14 in property under this section shall not include the
15 authority or a requirement to impose sanctions on
16 the importation of goods.

17 (2) GOOD DEFINED.—In this subsection, the
18 term “good” means any article, natural or manmade
19 substance, material, supply or manufactured prod-
20 uct, including inspection and test equipment, and ex-
21 cluding technical data.

22 (h) NOTIFICATION TO CONGRESS.—Not later than 10
23 days after any imposition of sanctions pursuant to sub-
24 section (a), the President shall brief and provide written

1 notification to the appropriate congressional committees
2 regarding the imposition of sanctions that shall include—

3 (1) a description of the foreign person or per-
4 sons subject to the imposition of such sanctions, in-
5 cluding the foreign person's role at or relation to the
6 International Criminal Court;

7 (2) the specific sanctions imposed on such for-
8 eign person or persons.

9 (i) PUBLIC NOTIFICATION.—The notification de-
10 scribed in subsection (h) shall be made available on a pub-
11 licly-accessible owned by the United States Government.

12 **SEC. 4. SANCTIONS WITH RESPECT TO THE INTER-**
13 **NATIONAL CRIMINAL COURT.**

14 (a) IN GENERAL.—The President shall impose the
15 sanctions described in subsection (b) with respect to a cov-
16 ered International Criminal Court employee or associate.

17 (b) SANCTIONS DESCRIBED.—The sanctions de-
18 scribed in this subsection with respect to a foreign person
19 described in subsection (a) are the following:

20 (1) PROPERTY BLOCKING.—The President shall
21 exercise all of the powers granted by the Inter-
22 national Emergency Economic Powers Act (50
23 U.S.C. 1701 et seq.) to the extent necessary to block
24 and prohibit all transactions in all property and in-
25 terests in property of the foreign person if such

1 property and interests in property are in the United
2 States, come within the United States, or are or
3 come within the possession or control of a United
4 States person.

5 (2) ALIENS INADMISSIBLE FOR VISAS, ADMIS-
6 SION, OR PAROLE.—

7 (A) VISAS, ADMISSION, OR PAROLE.—In
8 the case of an alien described in subsection (a),
9 the alien is—

10 (i) inadmissible to the United States;

11 (ii) ineligible to receive a visa or other
12 documentation to enter the United States;

13 and

14 (iii) otherwise ineligible admitted or
15 paroled into the United States or to receive
16 any other benefit under the Immigration
17 and Nationality Act (8 U.S.C. 1101 et
18 seq.).

19 (B) CURRENT VISAS REVOKED.—

20 (i) IN GENERAL.—The visa or other
21 entry documentation of an alien described
22 in subparagraph (A) shall be revoked, re-
23 gardless of when such visa or other entry
24 documentation was issued.

1 (ii) IMMEDIATE EFFECT.—A revoca-
2 tion under clause (i) shall—

3 (I) take effect immediately; and

4 (II) automatically cancel any
5 other valid visa or entry documenta-
6 tion that is in the alien's possession.

7 (c) IMPLEMENTATION; PENALTIES.—

8 (1) IMPLEMENTATION.—The President may ex-
9 ercise all authorities provided under sections 203
10 and 205 of the International Emergency Economic
11 Powers Act (50 U.S.C. 1702 and 1704) to carry out
12 this section.

13 (2) PENALTIES.—A person that violates, at-
14 tempts to violate, conspires to violate, or causes a
15 violation of this section or any regulation, license, or
16 order issued to carry out this section shall be subject
17 to the penalties set forth in subsections (b) and (c)
18 of section 206 of the International Emergency Eco-
19 nomic Powers Act (50 U.S.C. 1705) to the same ex-
20 tent as a person that commits an unlawful act de-
21 scribed in subsection (a) of that section.

22 (d) NOTIFICATION TO CONGRESS.—Not later than 10
23 days after any imposition of sanctions pursuant to sub-
24 section (a), the President shall brief and provide written

1 notification to the appropriate congressional committees
2 regarding the imposition of sanctions that shall include—

3 (1) a description of the foreign person or per-
4 sons subject to the imposition of such sanctions, in-
5 cluding the foreign person’s role at or relation to the
6 International Criminal Court;

7 (2) the specific sanctions imposed on such for-
8 eign person or persons.

9 (e) PUBLIC NOTIFICATION.—The notification de-
10 scribed in subsection (d) shall be made available on a pub-
11 licly-accessible owned by the United States Government.

12 **SEC. 5. DEFINITIONS.**

13 In this Act:

14 (1) ADMITTED; ALIEN.—The terms “admitted”
15 and “alien” have the meanings given those terms in
16 section 101 of the Immigration and Nationality Act
17 (8 U.S.C. 1101).

18 (2) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Foreign Affairs, the
22 Committee on Financial Services, and the Com-
23 mittee on the Judiciary of the House of Rep-
24 resentatives; and

1 (B) the Committee on Foreign Relations,
2 the Committee on Banking, Housing, and
3 Urban Affairs, and the Committee on the Judi-
4 ciary of the Senate.

5 (3) COVERED INTERNATIONAL CRIMINAL COURT
6 EMPLOYEE OR ASSOCIATE.—The term “covered
7 International Criminal Court employee or associate”
8 means a foreign person that—

9 (A) is an employee of the International
10 Criminal Court;

11 (B) has directly or indirectly engaged in or
12 otherwise aided the International Criminal
13 Court;

14 (C) has materially assisted, sponsored or
15 provided financial, material, or technological
16 support for, or goods or services to or in sup-
17 port of the International Court;

18 (D) is owned or controlled by, or has acted
19 or purports to have acted, directly or indirectly,
20 for the International Criminal Court; or

21 (E) is an immediate family member of an
22 individual described in subparagraph (A), (B),
23 (C), or (D).

1 (4) FOREIGN PERSON.—The term “foreign per-
2 son” means a person that is not a United States
3 person.

4 (5) IMMEDIATE FAMILY MEMBER.—The term
5 “immediate family member”, with respect to a for-
6 eign person, means the spouse, parent, sibling, or
7 adult child of the person.

8 (6) INTERNATIONAL CRIMINAL COURT; ROME
9 STATUTE.—The terms “International Criminal
10 Court” and “Rome Statute” have meaning given
11 those terms in section 2013 of the American Service-
12 Members’ Protection Act (22 U.S.C. 7432).

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

15 (A) an individual who is a United States
16 citizen or an alien lawfully admitted for perma-
17 nent residence to the United States; or

18 (B) an entity organized under the laws of
19 the United States or any jurisdiction within the
20 United States, including a foreign branch of
21 such an entity.

