

117TH CONGRESS  
1ST SESSION

# H. R. 3685

To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2021

Mr. GOTTHEIMER (for himself and Mr. MAST) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, 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

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## A BILL

To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.

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 “Hamas International  
5       Financing Prevention Act”.

6       **SEC. 2. STATEMENT OF POLICY.**

7       It shall be the policy of the United States—

(1) to prevent Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof from accessing its international support networks; and

(2) to oppose Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof from attempting to use goods, including medicine and dual use items, to smuggle weapons and other materials to further acts of terrorism.

**SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS AND AGENCIES AND INSTRUMENTALITIES OF FOREIGN STATES SUPPORTING HAMAS, THE PALESTINIAN ISLAMIC JIHAD, OR ANY AFFILIATE OR SUCCESSOR THEREOF.**

(a) IDENTIFICATION.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter for a period not to exceed 3 years, the President shall submit to the appropriate congressional committees a report that identifies each foreign person or agency or instrumentality of a foreign state that the President determines—

(A) knowingly assists in, sponsors, or provides significant financial or material support for, or financial or other services to or in sup-

port of, the terrorist activities of any person described in paragraph (2); or

(B) directly or indirectly, knowingly and materially engaged in a significant transaction with any person described in paragraph (2).

(2) PERSON DESCRIBED.—A person described in this paragraph is a foreign person that the President determines—

(A) is a senior member of Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof;

(B) is a senior member of a foreign terrorist organization designated pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) whose members directly or indirectly support the terrorist activities of Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof by knowingly engaging in a significant transaction with, or providing financial or material support for Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof, or any person described in subparagraph (A); or

(C) directly or indirectly, supports the terrorist activities of Hamas, the Palestinian Is-

1           lamic Jihad, or any affiliate or successor there-  
2           of by knowingly and materially assisting, spon-  
3           soring, or providing financial or material sup-  
4           port for, or goods or services to or in support  
5           of, Hamas, the Palestinian Islamic Jihad, or  
6           any affiliate or successor thereof, or any person  
7           described in subparagraph (A) or (B).

8           (3) FORM OF REPORT.—Each report required  
9           under paragraph (1) shall be submitted in unclassi-  
10          fied form, but may contain a classified annex.

11          (4) EXCEPTION.—

12                (A) IN GENERAL.—The President shall not  
13                be required to identify a foreign person or an  
14                agency or instrumentality of a foreign state in  
15                a report pursuant to paragraph (1)(B) if—

16                   (i) the foreign person or agency or in-  
17                   strumentality of a foreign state notifies the  
18                   United States Government in advance that  
19                   it proposes to engage in a significant  
20                   transaction as described in paragraph  
21                   (1)(B); and

22                   (ii) the President determines and noti-  
23                   fies the appropriate congressional commit-  
24                   tees in a classified form not less than 15  
25                   days prior to the foreign person or agency

1 or instrumentality of a foreign state engag-  
2 ing in the significant transaction that the  
3 significant transaction is in the national  
4 interests of the United States.

5 (B) NON-APPLICABILITY.—Subparagraph

6 (A) shall not apply with respect to—

7 (i) an agency or instrumentality of a  
8 foreign state which the Secretary of State  
9 determines has repeatedly provided support  
10 for acts of international terrorism pursu-  
11 ant to section 1754(c) of the Export Re-  
12 form Control Act of 2018, section 40 of  
13 the Arms Export Control Act, section  
14 620A of the Foreign Assistance Act of  
15 1961, or any other provision of law; or

16 (ii) any significant transaction de-  
17 scribed in paragraph (1)(B) that involves,  
18 directly or indirectly, a foreign state de-  
19 scribed in clause (i).

20 (b) IMPOSITION OF SANCTIONS.—

21 (1) IN GENERAL.—The President shall impose  
22 two or more of the sanctions described in paragraph  
23 (2) with respect to a foreign person or an agency or  
24 instrumentality of a foreign state identified pursuant  
25 to subsection (a).

1           (2) SANCTIONS DESCRIBED.—The sanctions re-  
2       ferred to in paragraph (1) are the following:

3           (A) The President may direct the Export-  
4       Import Bank of the United States not to give  
5       approval to the issuance of any guarantee, in-  
6       surance, extension of credit, or participation in  
7       the extension of credit in connection with the  
8       export of any goods or services to the foreign  
9       person or agency or instrumentality of the for-  
10      eign state, and the Export-Import Bank of the  
11      United States shall comply with any such direc-  
12      tion.

13          (B) No sales of any defense articles, de-  
14      fense services, or design and construction serv-  
15      ices under the Arms Export Control Act (22  
16      U.S.C. 2751 et seq.) may be made to the for-  
17      eign person or agency or instrumentality of the  
18      foreign state.

19          (C) No licenses for export of any item on  
20      the United States Munitions List that include  
21      the foreign person or agency or instrumentality  
22      of the foreign state as a party to the license  
23      may be granted.

24          (D) No exports may be permitted to the  
25      foreign person or agency or instrumentality of

1 the foreign state of any goods or technologies  
2 controlled for national security reasons under  
3 the Export Administration Regulations, except  
4 that such prohibition shall not apply to any  
5 transaction subject to the reporting require-  
6 ments of title V of the National Security Act of  
7 1947 (50 U.S.C. 413 et seq.; relating to con-  
8 gressional oversight of intelligence activities).

9 (E) The President shall prohibit any  
10 United States financial institution from making  
11 loans or providing any credit or financing total-  
12 ing more than \$10,000,000 to the foreign per-  
13 son or agency or instrumentality of the foreign  
14 state, except that this subparagraph shall not  
15 apply—

16 (i) to any transaction subject to the  
17 reporting requirements of title V of the  
18 National Security Act of 1947 (50 U.S.C.  
19 413 et seq.; relating to congressional over-  
20 sight of intelligence activities);

21 (ii) to the provision of medicines,  
22 medical equipment, and humanitarian as-  
23 sistance; or

24 (iii) to any credit, credit guarantee, or  
25 financial assistance provided by the De-

1           partment of Agriculture to support the  
2           purchase of food or other agricultural com-  
3           modities.

4           (F)(i) The President may exercise all pow-  
5           ers granted to the President by the Inter-  
6           national Emergency Economic Powers Act (50  
7           U.S.C. 1701 et seq.) (except that the require-  
8           ments of section 202 of such Act (50 U.S.C.  
9           1701) shall not apply) to the extent necessary  
10          to block and prohibit all transactions in all  
11          property and interests in property of a foreign  
12          person or agency or instrumentality of the for-  
13          eign state if such property and interests in  
14          property are in the United States, come within  
15          the United States, or are or come within the  
16          possession or control of a United States person.

17          (ii) The penalties provided for in sub-  
18          sections (b) and (c) of section 206 of the Inter-  
19          national Emergency Economic Powers Act (50  
20          U.S.C. 1705) shall apply to a person that  
21          knowingly violates, attempts to violate, con-  
22          spires to violate, or causes a violation of regula-  
23          tions promulgated under section 6(b) to carry  
24          out clause (i) to the same extent that such pen-  
25          alties apply to a person that knowingly commits



1 an unlawful act described in section 206(a) of  
2 that Act.

3 (iii) The President may exercise all au-  
4 thorities provided to the President under sec-  
5 tions 203 and 205 of the International Emer-  
6 gency Economic Powers Act (50 U.S.C. 1702  
7 and 1704) for purposes of carrying out clause  
8 (i).

9 (3) EXCEPTION.—The President shall not be  
10 required to apply sanctions with respect to a foreign  
11 person or an agency or instrumentality of a foreign  
12 state identified pursuant to subsection (a) if the  
13 President certifies in writing to the appropriate con-  
14 gressional committees that—

15 (A) the foreign person or agency or instru-  
16 mentality of the foreign state—

17 (i) is no longer carrying out activities  
18 or transactions for which the sanctions  
19 were imposed pursuant to this subsection;  
20 or

21 (ii) has taken and is continuing to  
22 take significant verifiable steps toward ter-  
23 minating the activities or transactions for  
24 which the sanctions were imposed pursuant  
25 to this subsection; and

1 (B) the President has received reliable as-  
2 surances from the foreign person or agency or  
3 instrumentality of the foreign state that it will  
4 not carry out any activities or transactions for  
5 which sanctions may be imposed pursuant to  
6 this subsection in the future.

7 (c) WAIVER.—

8 (1) IN GENERAL.—The President may waive,  
9 on a case-by-case basis and for a period of not more  
10 than 180 days, a requirement under subsection (b)  
11 to impose or maintain sanctions with respect to a  
12 foreign person or agency or instrumentality of a for-  
13 eign state if the President—

14 (A) determines that the waiver is in the  
15 national security interest of the United States;  
16 and

17 (B) not less than 30 days before the waiv-  
18 er takes effect, submits to the appropriate con-  
19 gressional committees a report on the waiver  
20 and the justification for the waiver.

21 (2) RENEWAL OF WAIVER.—The President  
22 may, on a case-by-case basis, renew a waiver under  
23 paragraph (1) for additional periods of not more  
24 than 180 days if the President—

1 (A) determines that the renewal of the  
2 waiver is in the national security interest of the  
3 United States; and

4 (B) not less than 15 days before the waiv-  
5 er expires, submits to the appropriate congres-  
6 sional committees a report on the renewal of  
7 the waiver and the justification for the renewal  
8 of the waiver.

9 (d) RULE OF CONSTRUCTION.—The authority to im-  
10 pose sanctions under subsection (b) with respect to a for-  
11 eign person or an agency or instrumentality of a foreign  
12 state identified pursuant to subsection (a) is in addition  
13 to the authority to impose sanctions under any other pro-  
14 vision of law with respect to foreign persons or agencies  
15 or instrumentalities of foreign states that directly or indi-  
16 rectly support international terrorism.

17 (e) DEFINITIONS.—In this section:

18 (1) FOREIGN STATE.—The term “foreign state”  
19 has the meaning given such term in section 1603(a)  
20 of title 28, United States Code.

21 (2) AGENCY OR INSTRUMENTALITY.—The term  
22 “agency or instrumentality” has the meaning given  
23 such term in section 1603(b) of title 28, United  
24 States Code.

1 (f) EFFECTIVE DATE.—This section shall take effect  
2 on the date of the enactment of this Act and apply with  
3 respect to activities and transactions described in sub-  
4 section (a) that are carried out on or after such date of  
5 enactment.

6 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**  
7 **EIGN GOVERNMENTS THAT PROVIDE MATE-**  
8 **RIAL SUPPORT FOR THE TERRORIST ACTIVI-**  
9 **TIES OF HAMAS, THE PALESTINIAN ISLAMIC**  
10 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**  
11 **THEREOF.**

12 (a) IDENTIFICATION.—

13 (1) IN GENERAL.—Not later than 180 days  
14 after the date of the enactment of this Act, and  
15 every 180 days thereafter, the President shall sub-  
16 mit to the appropriate congressional committees a  
17 report that identifies the following:

18 (A) Each government of a foreign coun-  
19 try—

20 (i) with respect to which the Secretary  
21 of State determines has repeatedly pro-  
22 vided support for acts of international ter-  
23 rorism pursuant to section 1754(c) of the  
24 Export Control Reform Act of 2018, sec-  
25 tion 40 of the Arms Export Control Act,

1 section 620A of the Foreign Assistance Act  
2 of 1961, or any other provision of law; and

3 (ii) with respect to which the Presi-  
4 dent determines has provided direct or in-  
5 direct material support for the terrorist ac-  
6 tivities of Hamas, the Palestinian Islamic  
7 Jihad, or any affiliate or successor thereof.

8 (B) Each government of a foreign country  
9 that—

10 (i) is not identified under subpara-  
11 graph (A); and

12 (ii) the President determines engaged  
13 in a significant transaction so as to con-  
14 tribute knowingly and materially to the ef-  
15 forts by the government of a foreign coun-  
16 try described in subparagraph (A)(i) to  
17 provide direct or indirect material support  
18 for the terrorist activities of Hamas, the  
19 Palestinian Islamic Jihad, or any affiliate  
20 or successor thereof.

21 (2) FORM OF REPORT.—Each report submitted  
22 under paragraph (1) shall be submitted in unclassi-  
23 fied form but may contain a classified annex.

24 (b) IMPOSITION OF SANCTIONS.—

1           (1) IN GENERAL.—The President shall impose  
2           the following sanctions with respect to each govern-  
3           ment of a foreign country identified pursuant to sub-  
4           paragraph (A) or (B) of subsection (a)(1):

5                   (A) The United States Government shall  
6                   suspend, for a period of 1 year, United States  
7                   assistance to the government of the foreign  
8                   country.

9                   (B) The Secretary of the Treasury shall  
10                  instruct the United States Executive Director  
11                  to each appropriate international financial insti-  
12                  tution to oppose, and vote against, for a period  
13                  of 1 year, the extension by such institution of  
14                  any loan or financial or technical assistance to  
15                  the government of the foreign country.

16                  (C) No item on the United States Muni-  
17                  tions List (established pursuant to section 38 of  
18                  the Arms Export Control Act (22 U.S.C.  
19                  2778)) or the Commerce Control List set forth  
20                  in Supplement No. 1 to part 774 of title 15,  
21                  Code of Federal Regulations, may be exported  
22                  to the government of the foreign country for a  
23                  period of 1 year.

24           (2) EXCEPTIONS.—The President shall not be  
25           required to apply sanctions with respect to the gov-

1 ernment of a foreign country pursuant to paragraph  
2 (1)—

3 (A) with respect to materials intended to  
4 be used by United States military or civilian  
5 personnel at military facilities in the country; or

6 (B) if the application of such sanctions  
7 would prevent the United States from meeting  
8 the terms of any status of forces agreement to  
9 which the United States is a party.

10 (c) IMPOSITION OF ADDITIONAL SANCTIONS WITH  
11 RESPECT TO FOREIGN GOVERNMENTS IDENTIFIED  
12 UNDER SUBSECTION (a)(1)(A).—The President shall im-  
13 pose the following additional sanctions with respect to  
14 each government of a foreign country identified pursuant  
15 to subsection (a)(1)(A):

16 (1) The President shall, pursuant to such regu-  
17 lations as the President may prescribe, prohibit any  
18 transactions in foreign exchange that are subject to  
19 the jurisdiction of the United States and in which  
20 the government of the foreign country has any inter-  
21 est.

22 (2) The President shall, pursuant to such regu-  
23 lations as the President may prescribe, prohibit any  
24 transfers of credit or payments between one or more  
25 financial institutions or by, through, or to any finan-

1 cial institution, to the extent that such transfers or  
2 payments are subject to the jurisdiction of the  
3 United States and involve any interest of the govern-  
4 ment of the foreign country.

5 (d) WAIVER.—

6 (1) IN GENERAL.—The President may waive,  
7 on a case-by-case basis and for a period of not more  
8 than 180 days, a requirement under subsection (b)  
9 or (c) to impose or maintain sanctions with respect  
10 to a foreign government identified pursuant to sub-  
11 paragraph (A) or (B) of subsection (a)(1) if the  
12 President—

13 (A) determines that the waiver is in the  
14 national security interest of the United States;  
15 and

16 (B) not less than 30 days before the waiv-  
17 er takes effect, submits to the appropriate con-  
18 gressional committees a report on the waiver  
19 and the justification for the waiver.

20 (2) RENEWAL OF WAIVER.—The President  
21 may, on a case-by-case basis, renew a waiver under  
22 paragraph (1) for additional periods of not more  
23 than 180 days if the President—



1           (A) determines that the renewal of the  
2           waiver is in the national security interest of the  
3           United States; and

4           (B) not less than 15 days before the waiv-  
5           er expires, submits to the appropriate congres-  
6           sional committees a report on the renewal of  
7           the waiver and the justification for the renewal  
8           of the waiver.

9       (e) RULE OF CONSTRUCTION.—The authority to im-  
10      pose sanctions under subsection (b) or (c) with respect to  
11      each government of a foreign country identified pursuant  
12      to subparagraph (A) or (B) of subsection (a)(1) is in addi-  
13      tion to the authority to impose sanctions under any other  
14      provision of law with respect to governments of foreign  
15      countries that provide material support to foreign terrorist  
16      organizations designated pursuant to section 219 of the  
17      Immigration and Nationality Act (8 U.S.C. 1189).

18      (f) TERMINATION.—The President may terminate  
19      any sanctions imposed with respect to the government of  
20      a foreign country pursuant to subsection (b) or (c) if the  
21      President determines and notifies the appropriate congres-  
22      sional committees that the government of the foreign  
23      country is no longer carrying out activities or transactions  
24      for which the sanctions were imposed and has provided

1 assurances to the United States Government that it will  
2 not carry out the activities or transactions in the future.

3 (g) EFFECTIVE DATE.—This section shall take effect  
4 on the date of the enactment of this Act and apply with  
5 respect to activities and transactions described in subpara-  
6 graph (A) or (B) of subsection (a)(1) that are carried out  
7 on or after such date of enactment.

8 **SEC. 5. EXEMPTIONS FROM SANCTIONS UNDER SECTIONS 3**  
9 **AND 4 RELATING TO PROVISION OF HUMANI-**  
10 **TARIAN ASSISTANCE.**

11 (a) SANCTIONS UNDER SECTION 3.—The following  
12 activities shall be exempt from sanctions under section 3:

13 (1) The conduct or facilitation of a transaction  
14 for the sale of agricultural commodities, food, medi-  
15 cine, or medical devices to a foreign person described  
16 in section 3(a)(2).

17 (2) The provision of humanitarian assistance to  
18 a foreign person described in section 3(a)(2), includ-  
19 ing engaging in a financial transaction relating to  
20 humanitarian assistance or for humanitarian pur-  
21 poses or transporting goods or services that are nec-  
22 essary to carry out operations relating to humani-  
23 tarian assistance or humanitarian purposes.

24 (b) SANCTIONS UNDER SECTION 4.—The following  
25 activities shall be exempt from sanctions under section 4:

1           (1) The conduct or facilitation of a transaction  
 2           for the sale of agricultural commodities, food, medi-  
 3           cine, or medical devices to Hamas, the Palestinian  
 4           Islamic Jihad, or any affiliate or successor thereof  
 5           described in section 4(a)(1).

6           (2) The provision of humanitarian assistance to  
 7           Hamas, the Palestinian Islamic Jihad, or any affil-  
 8           iate or successor thereof described in section 4(a)(1),  
 9           including engaging in a financial transaction relating  
 10          to humanitarian assistance or for humanitarian pur-  
 11          poses or transporting goods or services that are nec-  
 12          essary to carry out operations relating to humani-  
 13          tarian assistance or humanitarian purposes.

14 **SEC. 6. REPORT ON ACTIVITIES OF FOREIGN COUNTRIES**  
 15 **TO DISRUPT GLOBAL FUNDRAISING, FINANC-**  
 16 **ING, AND MONEY LAUNDERING ACTIVITIES**  
 17 **OF HAMAS, THE PALESTINIAN ISLAMIC**  
 18 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**  
 19 **THEREOF.**

20           (a) REPORT.—

21           (1) IN GENERAL.—Not later than 180 days  
 22           after the date of the enactment of this Act, the  
 23           President shall submit to the appropriate congres-  
 24           sional committees a report that includes—

1 (A) a list of foreign countries that support  
2 Hamas, the Palestinian Islamic Jihad, or any  
3 affiliate or successor thereof, or in which  
4 Hamas maintains important portions of its fi-  
5 nancial networks;

6 (B) with respect to each foreign country on  
7 the list required by subparagraph (A)—

8 (i) an assessment of whether the gov-  
9 ernment of the country is taking adequate  
10 measures to freeze the assets of Hamas,  
11 the Palestinian Islamic Jihad, or any affil-  
12 iate or successor thereof within the terri-  
13 tory of the country; and

14 (ii) in the case of a country the gov-  
15 ernment of which is not taking adequate  
16 measures to freeze the assets of Hamas—

17 (I) an assessment of the reasons  
18 that government is not taking ade-  
19 quate measures to freeze those assets;  
20 and

21 (II) a description of measures  
22 being taken by the United States Gov-  
23 ernment to encourage that govern-  
24 ment to freeze those assets;

1 (C) a list of foreign countries in which  
2 Hamas, the Palestinian Islamic Jihad, or any  
3 affiliate or successor thereof, conducts signifi-  
4 cant fundraising, financing, or money laun-  
5 dering activities;

6 (D) with respect to each foreign country  
7 on the list required by subparagraph (C)—

8 (i) an assessment of whether the gov-  
9 ernment of the country is taking adequate  
10 measures to disrupt the fundraising, fi-  
11 nancing, or money laundering activities of  
12 Hamas, the Palestinian Islamic Jihad, or  
13 any affiliate or successor thereof within the  
14 territory of the country; and

15 (ii) in the case of a country the gov-  
16 ernment of which is not taking adequate  
17 measures to disrupt those activities—

18 (I) an assessment of the reasons  
19 that government is not taking ade-  
20 quate measures to disrupt those ac-  
21 tivities; and

22 (II) a description of measures  
23 being taken by the United States Gov-  
24 ernment to encourage that govern-

1                   ment to improve measures to disrupt  
2                   those activities; and

3                   (E) a list of foreign countries from which  
4             Hamas, the Palestinian Islamic Jihad, or any  
5             affiliate or successor thereof, acquires surveil-  
6             lance equipment, electronic monitoring equip-  
7             ment, or other means to inhibit communication  
8             or political expression in Gaza.

9            (2) FORM.—The report required by paragraph  
10       (1) shall be submitted in unclassified form to the  
11       greatest extent possible, and may contain a classified  
12       annex.

13       (b) BRIEFING.—Not later than 180 days after the  
14       date of the enactment of this Act, and every 180 days  
15       thereafter for a period not to exceed 3 years, the Secretary  
16       of State, the Secretary of the Treasury, and the heads of  
17       other applicable Federal departments and agencies (or  
18       their designees) shall provide to the appropriate congres-  
19       sional committees a briefing on the disposition of the as-  
20       sets and activities of Hamas, the Palestinian Islamic  
21       Jihad, or any successor or affiliate thereof related to fund-  
22       raising, financing, and money laundering worldwide.

23       (c) DEFINITION.—In this section, the term “appro-  
24       priate congressional committees” means—

1           (1) the Committee on Foreign Affairs, the  
2           Committee on Financial Services, and the Perma-  
3           nent Select Committee on Intelligence of the House  
4           of Representatives; and

5           (2) the Committee on Foreign Relations, the  
6           Committee on Banking, Housing, and Urban Af-  
7           fairs, and the Select Committee on Intelligence of  
8           the Senate.

9   **SEC. 7. MISCELLANEOUS PROVISIONS.**

10          (a) **RULE OF CONSTRUCTION.**—Nothing in this Act  
11          shall be construed to apply to the authorized intelligence  
12          activities of the United States.

13          (b) **REGULATORY AUTHORITY.**—The President shall,  
14          not later than 180 days after the date of the enactment  
15          of this Act, promulgate regulations as are necessary for  
16          the implementation of this Act.

17          (c) **EXCEPTION RELATING TO IMPORTATION OF**  
18          **GOODS.**—

19                (1) **IN GENERAL.**—The authorities and require-  
20          ments to impose sanctions authorized under this Act  
21          shall not include the authority or requirement to im-  
22          pose sanctions on the importation of goods.

23                (2) **GOOD DEFINED.**—In this subsection, the  
24          term “good” means any article, natural or man-  
25          made substance, material, supply or manufactured

1 product, including inspection and test equipment,  
2 and excluding technical data.

3 (d) TERMINATION.—This Act shall terminate begin-  
4 ning—

5 (1) 30 days after the date on which the Presi-  
6 dent certifies to the appropriate congressional com-  
7 mittees that Hamas and the Palestinian Islamic  
8 Jihad, or any successor or affiliate thereof—

9 (A) are no longer designated as a foreign  
10 terrorist organization pursuant to section 219  
11 of the Immigration and Nationality Act (8  
12 U.S.C. 1189);

13 (B) are no longer subject to sanctions pur-  
14 suant to—

15 (i) Executive Order No. 12947 (Janu-  
16 ary 23, 1995; relating to prohibiting trans-  
17 actions with terrorists who threaten to dis-  
18 rupt the Middle East peace process); and

19 (ii) Executive Order No. 13224 (Sep-  
20 tember 23, 2001; relating to blocking prop-  
21 erty and prohibiting transactions with per-  
22 sons who commit, threaten to commit, or  
23 support terrorism); and

24 (C) meet the criteria described in para-  
25 graphs (1) through (4) of section 9 of the Pal-



1           estinian Anti-Terrorism Act of 2006 (22 U.S.C.  
2           2378b note); or  
3           (2) 3 years after the date of the enactment of  
4           this Act,  
5           whichever occurs earlier.

6   **SEC. 8. DEFINITIONS.**

7           Except as otherwise provided, in this Act:

8           (1) ADMITTED.—The term “admitted” has the  
9           meaning given such term in section 101(a)(13)(A) of  
10          the Immigration and Nationality Act (8 U.S.C.  
11          1101(a)(13)(A)).

12          (2) APPROPRIATE CONGRESSIONAL COMMIT-  
13          TEES.—The term “appropriate congressional com-  
14          mittees” means the Committee on Foreign Affairs of  
15          the House of Representatives and the Committee on  
16          Foreign Relations of the Senate.

17          (3) FOREIGN PERSON.—The term “foreign per-  
18          son” means—

19                  (A) an individual who is not a United  
20                  States person; or

21                  (B) a corporation, partnership, or other  
22                  nongovernmental entity which is not a United  
23                  States person.

24          (4) MATERIAL SUPPORT.—The term “material  
25          support” has the meaning given the term “material

1 support or resources” in section 2339A of title 18,  
2 United States Code.

3 (5) PERSON.—The term “person” means an in-  
4 dividual or entity.

5 (6) UNITED STATES PERSON.—The term  
6 “United States person” means—

7 (A) a United States citizen or an alien law-  
8 fully admitted for permanent residence to the  
9 United States; or

10 (B) an entity organized under the laws of  
11 the United States or of any jurisdiction within  
12 the United States, including a foreign branch of  
13 such an entity.

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