

117TH CONGRESS  
2D SESSION

# H. R. 8438

To specify that revoking a Foreign Terrorist Organization designation requires a joint certification from the Secretary of State and Secretary of Defense, to restrict waiver authority for allowing members and conscripts of Foreign Terrorist Organizations into the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 20, 2022

Mr. BACON introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To specify that revoking a Foreign Terrorist Organization designation requires a joint certification from the Secretary of State and Secretary of Defense, to restrict waiver authority for allowing members and conscripts of Foreign Terrorist Organizations into the United States, 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 “Foreign Terrorist Or-  
5       ganization Designation Act of 2022”.

1 **SEC. 2. TREATMENT OF FOREIGN TERRORIST ORGANIZA-**  
2 **TIONS.**

3 (a) ISLAMIC REVOLUTIONARY GUARD CORPS.—Sec-  
4 tion 212 of the Immigration and Nationality Act (8 U.S.C.  
5 1182) is amended—

6 (1) in subsection (a)(3)(B)(i), in the matter fol-  
7 lowing subclause (IX), by inserting after “the Pal-  
8 estine Liberation Organization” the following: “, or  
9 a member or conscript or a former member or con-  
10 script of the Islamic Revolutionary Guard Corps,”;  
11 and

12 (2) in subsection (d)(3)(B)(i), by inserting “,  
13 no such waiver may be extended to an alien who is  
14 a member or representative of, or has knowingly and  
15 voluntarily provided any level of support to an orga-  
16 nization described in subsection (a)(3)(B)(vi)(I)” be-  
17 fore “, and no such waiver may”.

18 (b) REVOCATION.—Section 219(a)(6) of the Immi-  
19 gration and Nationality Act (8 U.S.C. 1189(a)(6)) is  
20 amended—

21 (1) by amending subparagraph (A) to read as  
22 follows:

23 “(A) IN GENERAL.—The Secretary may re-  
24 voke a designation made under paragraph (1)  
25 at any time, and shall revoke a designation  
26 upon completion of a review conducted pursu-

ant to subparagraphs (B) and (C) of paragraph  
(4) if—

“(i) the Secretary finds that—

“(I) the organization no longer  
fits the criteria listed under subpara-  
graphs (B) and (C) of paragraph (1);  
or

“(II) the national security of the  
United States warrants a revocation;  
and

“(ii) the Secretary of State and the  
Secretary of Defense submit to the Speak-  
er and Minority Leader of the House of  
Representatives, the President pro tem-  
pore, Majority Leader, and Minority Lead-  
er of the Senate, and the members of the  
relevant committees of the House of Rep-  
resentatives and the Senate, together with  
the findings and the factual basis of the  
revocation, a joint certification, indicating  
that the organization has not engaged in  
terrorism or support of terrorism for 2  
years prior to the proposed revocation of  
the designation.”; and

(2) by adding at the end the following:

1                   “(C) CONGRESSIONAL AUTHORITY.—The  
2 Congress, by an Act of Congress, may block a  
3 revocation of a designation made under para-  
4 graph (1).”.

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