

FTO PASSPORT REVOCATION ACT OF 2017

Mr. POE of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 425) to authorize the revocation or denial of passports to individuals affiliated with foreign terrorist organizations, and for other purposes, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 425

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “FTO Passport Revocation Act of 2017”.

SEC. 2. REVOCATION OR DENIAL OF PASSPORTS TO INDIVIDUALS AFFILIATED WITH FOREIGN TERRORIST ORGANIZATIONS.

The Act entitled “An Act to regulate the issue and validity of passports, and for other purposes”, approved July 3, 1926 (22 U.S.C. 211a et seq.), commonly known as the “Passport Act of 1926”, is amended by adding at the end the following new section:

“SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT.

“(a) INELIGIBILITY.—

“(1) ISSUANCE.—Except as provided under subsection (b), the Secretary of State may refuse to issue a passport to any individual whom the Secretary has determined has aided, assisted, abetted, or otherwise helped an organization the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

“(2) REVOCATION.—The Secretary of State may revoke a passport previously issued to any individual described in paragraph (1).

“(b) RIGHT OF REVIEW.—Any individual who, in accordance with this section, is denied issuance of a passport by the Secretary of State, or whose passport is revoked by the Secretary, may request a hearing before the Secretary not later than 60 days after receiving notice of such denial or revocation.

“(c) REPORT.—

“(1) IN GENERAL.—If the Secretary of State refuses to issue or revokes a passport pursuant to subsection (a), or if, subsequent to a hearing pursuant to subsection (b), the Secretary issues or cancels a revocation of a passport that was the subject of such a hearing, the Secretary shall, not later than 30 days after such refusal or revocation, or such issuance or cancellation, submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report on such refusal, revocation, issuance, or cancellation, as the case may be.

“(2) FORM.—The report submitted under paragraph (1) may be submitted in classified or unclassified form.

“(d) DEFINITION.—In this section, the term ‘passport’ includes a passport card.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from New York (Mr. ENGEL) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the terrorist attack last night in New York City comes as a devastating reminder that the enemies of liberty will not cease.

Eight people were killed and 11 more were injured in what law enforcement officials are now calling New York's deadliest terror attack since 9/11.

The perpetrator of this attack was radicalized domestically by ISIS, highlighting the grave threat posed by this terrorist propaganda.

Mr. Speaker, the terrorist last night was an immigrant from Uzbekistan, but we know that even within our midst, there are Americans who sympathize with those who seek to destroy our freedom.

□ 1830

As many as 250 American citizens have sought to travel to Syria, and more than 100 have joined ISIS' ranks. Many of these individuals have received terrorist training while overseas. Some are under the command and control of terrorist leaders who have instructed them to attack the United States whenever. Others are inspired by the perverted ideology of hate that the terrorists post on social media sites. Many of these are American social media sites.

These American citizens are a direct threat to our homeland. Unfortunately, our current safeguards are insufficient to protect us against such vulnerability.

In 2014, a 22-year-old Florida native became the first American to carry out a suicide bombing in Syria. He had battled hard and been trained by al-Qaida's Syrian affiliate for some time. This same American was waved through U.S. border inspections when he traveled home to Florida a year earlier.

After spending some time in Florida, the man made his way back to Syria to kill in the name of al-Qaida. When he ultimately blew himself up in May of 2014, al-Qaida released a video of his last will and testament. He said: “You think you are safe where you are in America. You are not safe.”

Mr. Speaker, today we are at a dangerous crossroad. As ISIS loses more territory in its so-called caliphate and it collapses, the threat to our homeland will really grow. Americans who have been fighting with ISIS will be looking for ways to come home to stage deadly attacks.

In recent weeks, a man from Alexandria, Virginia, was convicted on terrorism charges for joining ISIS. He was sentenced to 20 years in the penitentiary. This terrorist traitor to our Nation named four other Westerners who had joined ISIS and who left Syria with intentions to do harm in their home countries.

Law enforcement officials and terrorism experts have been warning of this foreign fighter threat for years. This is a serious threat, and we must address it before it becomes worse.

Having betrayed our Nation, we must revoke the privileges that come with an American passport. That is why my colleague, the gentleman from Massachusetts (Mr. KEATING), and I introduced H.R. 425, the Foreign Terrorist Organization Passport Revocation Act. It authorizes the Secretary of State to revoke passports of those who have joined foreign terrorist organizations.

I might add, Mr. Speaker, this is a legal term, what a foreign terrorist organization is. It is only those organizations.

These individuals are U.S. citizens, but they betray our country. They should clearly not be allowed the privilege of international travel with an American passport, and they should definitely not be able to come back into the United States when they travel overseas, such as in Syria. This bipartisan bill will also stop these Benedict Arnolds from using their passports to travel to other war zones or cross borders to attack any of our allies.

Mr. Speaker, there is absolutely nothing in current regulations specifically to support foreign terrorist organizations. The Secretary of State does not have the authority to revoke passports on a broad national security basis.

It is time our laws change and catch up with the modern world and the new and real threats to our Nation. Let me be clear, Mr. Speaker. This bill would not strip American of their citizenship. It would deny those Americans who have sided with foreign terrorist organizations the privilege of travel internationally.

The bill also would not impinge on any American's due process rights if they want to appeal the revocation of their passport. Anyone whose passport is revoked or denied is eligible for a due process hearing within 60 days. The bill would actually increase oversight on this process by requiring the State Department to report directly to Congress whenever the Secretary moves to revoke or deny an American's passport on these grounds.

Mr. Speaker, I want to thank my colleague from Massachusetts (Mr. KEATING) for working with me on this bill. We both sit on the Committee on Foreign Affairs' Subcommittee on Terrorism, Nonproliferation, and Trade as the chair and ranking member. We have both been working on this issue of foreign fighter threats for some time, and we believe this is a good first step to protect our homeland.

I also want to thank Chairman ROYCE for his help in getting this important bill passed in the committee, and also Ranking Member ENGEL from New York, where this unfortunate tragic event occurred last night.

Mr. Speaker, the point is this: the traitors among us who have chosen to

make their allegiance to a murderous ideology instead of the country that gave them life, liberty, and the pursuit of happiness must face the consequences. If you take up arms with our enemies, you deserve to be treated like one.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGEL. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this measure.

Mr. Speaker, as a New Yorker, my heart aches today. The appalling loss of life on the streets of Manhattan yesterday is a reminder that terrorism remains a threat that demands our focus.

Confronting violent extremism requires sound, reasoned policies; policies proportional to the threat, policies based on good intelligence, careful analysis, and a clear understanding of what we are up against, not policies based on hysterical reactions or biases against certain faiths or nationalities.

I support this bill because it will ensure that the State Department has the tools to prevent American terrorists from traveling abroad or returning to our country.

Under this legislation, the Secretary of State could refuse to issue a passport or revoke a passport for any American who has provided assistance to foreign terrorist organizations. Importantly, it also affords anyone affected the right to an appeals process, helping to ensure due process rights.

This bill is just common sense. It is also a vital aspect of the fight against terrorism. We don't want known threats crossing our borders or slipping from country to country anywhere in the world.

The bill we are considering today would not have, obviously, prevented yesterday's attack, but this is important. This is just a piece of a larger strategy.

The President yesterday called our judicial system, which would prosecute the perpetrator of yesterday's attack, a joke and a laughing stock. I beg to disagree. That is our judicial system, which successfully prosecuted shoe bomber Richard Reid; Ramzi Yousef, the 1993 World Trade Center bomber; Faisal Shahzad, the Times Square bomber; and Sulaiman Abu Ghaith, Osama Bin Laden's son-in-law, in March of 2014.

Mr. Speaker, the judicial branch has done quite a good job in prosecuting terrorists. Let's show them a little confidence and give credit where credit is due.

This is deadly serious. The man suspected in yesterday's attack was reportedly radicalized after he arrived in the United States. We have seen this before in San Bernardino and Orlando. ISIS inspires its adherents from thousands of miles away. That is a problem. And just as this bill gets at a narrow, specific potential vulnerability, policies to deal with homegrown extremists and terrorists should take a hard look at causes and take appropriate ac-

tion to prevent this sort of radicalization on American shores.

We won't solve this problem by slamming shut America's front door and clamping down on immigration. In fact, doing so just contributes to the terrorist's ideological ammunition and recruitment efforts. There are proven ways to combat terrorism, but demonizing a religion or chipping away at constitutional rights won't work. Those approaches play right into the tactics terrorists use to radicalize vulnerable Americans, making us less safe and less free.

I want to thank Representatives POE and KEATING, who lead our Committee on Foreign Affairs' Subcommittee on Terrorism, Nonproliferation, and Trade. Mr. Speaker, this bipartisan bill gets to the real concern in the fight against terrorism. I am pleased to support it.

With all due respect to Mr. POE, that is just the way it is.

Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. KEATING), the ranking member of the Terrorism, Nonproliferation, and Trade Subcommittee.

Mr. KEATING. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise in strong support of H.R. 425, the Foreign Terrorist Organization Passport Revocation Act.

Mr. Speaker, I can't speak to the subject of terrorism without condemning the senseless and heinous attack that took place yesterday in New York City. My prayers are with all the individuals and families that were affected. My utmost respect goes to the New York City community that, once again, stands strong, stands together, unintimidated.

Mr. Speaker, I introduced this important piece of legislation, H.R. 425, together with Chairman POE of the Foreign Affairs' Subcommittee on Terrorism, Nonproliferation, and Trade.

As we have discussed, this legislation works to strengthen the tools we have at our disposal for combating terrorism. Put simply, the Secretary of State can refuse to issue or revoke the passport to any individual the Secretary determines is affiliated with or has aided, assisted, or abetted a designated foreign terrorist organization.

The terrorist treats that we face today are complex. Our Federal, State, and local agencies are fighting terrorism at a time when ISIS and other terrorist organizations are able to use new technologies and means of communication to connect with individuals around the globe to fund, to direct, and inspire acts of terror.

Modes of international travel are more accessible and affordable than ever, and cross-border flows of people and goods have increased as we have become more connected in the global world. While these are very positive developments for exchange, competitiveness, and quality of life, we also have to be sure we are managing the risks that go along with this increased connectivity.

We have to make it harder for anyone supporting terrorism to benefit from the increased ease of global movement. That is why our legislation is important. We must ensure that the Secretary of State has the clear authority to refuse a passport to anyone affiliated with or supporting a designated foreign terrorist organization.

This legislation provides that specific statutory authority, as well as improved congressional oversight, are in place. It is also important that there are safeguards in place in order for any law to be successful. That is why I am pleased that H.R. 425 also includes a right of review for anyone whose passport has been refused or revoked.

It is absolutely possible to fight terrorism while still upholding protections for individuals' rights and the rule of law, and it is critical that we do both. In fighting to protect our communities and our democracy, we cannot compromise these very things we are fighting to protect.

Mr. Speaker, I would like to thank Chairman POE for joining me in introducing H.R. 425, the Foreign Terrorist Organization Passport Revocation Act. I would like to also thank Chairman ROYCE and Ranking Member ENGEL for their support with this bill as well within the Foreign Affairs Committee.

Mr. Speaker, in closing, I urge that all of our colleagues join together in support of this important legislation.

Mr. ENGEL. Mr. Speaker, let me thank Chairman ROYCE from California, as well as Representatives POE and KEATING for their remarks.

This is a good bill. It is a common-sense bill. It is a good example of how we need to legislate when it comes to terrorism. We are acting out of innovation, out of careful analysis, not out of fear.

We all feel the sting today of an attack on American soil yesterday. As lawmakers, one of our most important jobs is to help keep Americans safe, and there is no worse heartbreak than when we see innocent lives lost.

Mr. Speaker, I am glad we are moving this bipartisan measure today. I am pleased to support it. I urge all Members to do the same.

Mr. Speaker, I yield back the balance of my time.

□ 1845

Mr. POE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I want to emphasize again our prayers for the folks in New York City and for the appreciation of our first responders, who are always there, as you personally know, Mr. Speaker. And the New York tragedy is an example of how they respond and chase and go after terrorists rather than run from terror.

One other thing I want to mention is the Foreign Affairs Committee, we work primarily bipartisan, Mr. Speaker. That shocks a lot of folks here in Washington, D.C., and it sure shocks a lot of folks back home. But most of the

things that come before the House floor have been bipartisan pieces of legislation.

We spend a lot of time on legislation and almost always come to the House floor with unanimous votes, or mostly unanimous votes, on the committee level. We work very well on these issues because these are not partisan issues; these are American issues that we are talking about.

Mr. Speaker, there are about 61 designated foreign terrorist organizations that our State Department has said are foreign terrorist organizations and, to prevent individuals in America who side with these organizations, who support these organizations, who are part of these organizations from traveling around the world and coming back home, based upon their activities, this legislation by Mr. KEATING is introduced. Keep them from traveling, because we know who those people are, and keep them, especially, from coming back to the United States.

So what would happen if a passport is revoked and some American is in Syria and is radicalized and he tries to get on a plane? Well, he is not allowed to get on the plane. He is stopped, and then he is turned over, eventually, to Department of Homeland Security and our Justice Department and handled that way.

Now, there are only a few places under our law where a person's passport can be revoked. Not paying your child support, drug trafficking, sex tourism—those are three of the examples. So we are not talking about a lot of examples, but we are talking about this example.

I am a former judge, and I know Mr. KEATING is a former prosecutor. Due process for Americans is always important. The Supreme Court has already ruled on whether or not passports can be revoked under certain circumstances, and they have affirmed the authority of the State Department to revoke passports in specific cases based upon national security reasons.

This bill allows for due process of those people who have their passports revoked. This is a good step in protecting the United States. This is bipartisan legislation. I think it is very important that we take this step.

Once again, my prayers, our prayers, are for those folks in New York. But, Mr. Speaker, we are not going to allow terrorists to have their day. We are not going to allow them to have their way. And that is just the way it is.

I yield back the balance of my time. Mr. SMITH of New Jersey. Mr. Speaker, I rise in support of H.R. 425—the FTO Passport Revocation Act of 2017—by my friend and colleague Chairman TED POE. I cannot help but see this measure as a common sense tactic to prevent terrorists from entering or re-entering our country. However, more needs to be done to build on this useful foundation for security from terrorists originating in this country or foreign-based terrorists.

Just yesterday, the streets of New York were the scene of carnage caused by a man

from Uzbekistan who won a diversity visa lottery to enter this country in 2010. He has lived here for seven years before going on the murderous rampage that killed 8 people and injured 12 others. Clearly, we need to look closer at the background of those admitted through this lottery as they could eventually obtain a U.S. passport. That was the conclusion by the Government Accountability Office ten years ago—three years before New York terror suspect arrived in this country.

The GAO report in 2007 called the diversity visa program “an open door” for terrorists. According to the report 9,800 people from countries designated by the State Department as State Sponsors of Terrorism had used the program to enter the country. These people could eventually qualify for a U.S. passport.

We also must be more vigilant about people coming from countries not designated as State Sponsors of Terrorism. The 9/11 Commission reported back in 2004 that as many as six of the hijackers of the three planes—who were from Saudi Arabia, Egypt, United Arab Emirates and Lebanon—had used fraudulent or manipulated passports to enter the United States. In 2013, a Saudi citizen entering the United States through the Detroit airport was detained because he couldn't satisfactorily explain why he was carrying a pressure cooker like the one used in the Boston marathon bombing. However, upon inspection, his passport suspiciously had a missing page. Would that have been caught without the presence of the pressure cooker? We are told that even the slightest tweak to a passport will be caught, but one failure could result in a terrorist entering our country, and they could eventually become terrorist sleepers who acquire a U.S. passport.

Finally, in order for the FTO designation to be effectively used to stop terrorists from getting passports or having their passport revoked, our government must make that designation in the first place. I tried for two years to get the previous administration to designate Boko Haram as a terrorist organization. They finally did so in 2013, but how many potential terrorists may have gotten through before then and acquire sufficient status to receive a U.S. passport? We also need to use the FTO designation to identify those giving support to terrorist organizations, especially in cases of such support coming from those living in the United States who could be or potentially could be U.S. passport holders.

As I said earlier, I consider H.R. 425 a common sense measure on which to build, but we must take steps to make this bill as meaningful as it must be for our security. I ask my colleagues to approve this legislation.

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and pass the bill, H.R. 425, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

URGING ADHERENCE TO THE “ONE COUNTRY, TWO SYSTEMS” POLICY BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND THE PEOPLE'S REPUBLIC OF CHINA ON THE QUESTION OF HONG KONG

Mr. YOHO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 422) urging adherence to the “one country, two systems” policy as prescribed in the Joint Declaration between the Government of the United Kingdom of Great Britain and the Government of the People's Republic of China on the Question of the Hong Kong, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 422

Whereas the People's Republic of China assumed the exercise of sovereignty over the Hong Kong Special Administrative Region 20 years ago, on July 1, 1997;

Whereas the Joint Declaration between the Government of the United Kingdom of Great Britain and the Government of the People's Republic of China on the Question of the Hong Kong (in this resolution referred to as the “Joint Declaration”) required China's National People's Congress (NPC) to pass the “Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China” (in this resolution referred to as the “Basic Law”) consistent with the obligations contained in the Joint Declaration, which was approved by the NPC on April 4, 1990;

Whereas relations between the United States and Hong Kong are fundamentally based upon the continued maintenance of the “one country, two systems” policy stipulated in the United States-Hong Kong Policy Act of 1992 (Public Law 102-383; 22 U.S.C. 5701 et seq.) and established by the Joint Declaration;

Whereas under the “one country, two systems” policy established by the Joint Declaration, Hong Kong “will enjoy a high degree of autonomy except in foreign and defense affairs” and “will be vested with executive, legislative and independent judicial power including that of final adjudication”;

Whereas Hong Kong's autonomy under the “one country, two systems” policy, as demonstrated by its highly developed rule of law, independent judiciary, and respect for the rights of individuals, has continued to make Hong Kong the preferred residence for over 85,000 United States citizens, and at least 1,400 United States businesses operate in Hong Kong;

Whereas the Joint Declaration and the Basic Law declare that the lifestyle and social and economic systems in Hong Kong will remain unchanged for 50 years after the 1997 reversion;

Whereas the Basic Law guarantees Hong Kong residents the freedoms of speech, press, publication, association, assembly, demonstration, religious belief and activity, academic research, and the rights to form unions and to strike, among others;

Whereas the Basic Law also guarantees Hong Kong residents the right to vote and to stand for election;

Whereas although the Basic Law states that “the ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures”, the actual process