

116TH CONGRESS
1ST SESSION

S. 2680

To impose sanctions with respect to foreign support for Palestinian terrorism,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 23, 2019

Mr. RUBIO (for himself and Mr. BLUMENTHAL) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To impose sanctions with respect to foreign support for
Palestinian terrorism, 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 “Palestinian Inter-
5 national Terrorism Support Prevention Act of 2019”.

6 **SEC. 2. DEFINITIONS.**

7 Except as otherwise provided, in this Act:

8 (1) ADMITTED.—The term “admitted” has the
9 meaning given that term in section 101(a)(13)(A) of

1 the Immigration and Nationality Act (8 U.S.C.
2 1101(a)(13)(A)).

3 (2) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means the Committee on Foreign Relations
6 of the Senate and the Committee on Foreign Affairs
7 of the House of Representatives.

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

10 (A) an individual who is not a United
11 States person; or

12 (B) a corporation, partnership, or other
13 nongovernmental entity that is not a United
14 States person.

15 (4) MATERIAL SUPPORT.—The term “material
16 support” has the meaning given the term “material
17 support or resources” in section 2339A of title 18,
18 United States Code.

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

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

23 (A) a United States citizen or an alien law-
24 fully admitted for permanent residence to the
25 United States; or

1 (B) an entity organized under the laws of
2 the United States or of any jurisdiction within
3 the United States, including a foreign branch of
4 such an entity.

5 **SEC. 3. STATEMENT OF POLICY.**

6 It is the policy of the United States—

- 7 (1) to prevent Hamas, the Palestinian Islamic
8 Jihad, or any affiliate or successor thereof from ac-
9 cessing its international support networks; and
10 (2) to oppose Hamas, the Palestinian Islamic
11 Jihad, or any affiliate or successor thereof from at-
12 tempting to use goods, including medicine and dual-
13 use items, to smuggle weapons and other materials
14 to further acts of terrorism.

15 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
16 **EIGN PERSONS AND AGENCIES AND INSTRU-**
17 **MENTALITIES OF FOREIGN STATES SUP-**
18 **PORTING HAMAS, THE PALESTINIAN ISLAMIC**
19 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
20 **THEREOF.**

21 (a) IDENTIFICATION.—

- 22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, and an-
24 nually thereafter for the following 3 years, the Presi-
25 dent shall submit to the appropriate congressional

1 committees a report that identifies each foreign per-
2 son or agency or instrumentality of a foreign state
3 that the President determines—

4 (A) knowingly assists in, sponsors, or pro-
5 vides significant financial or material support
6 for, or financial or other services to or in sup-
7 port of, the terrorist activities of any person de-
8 scribed in paragraph (2); or

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

12 (2) PERSON DESCRIBED.—A person described
13 in this paragraph is a foreign person that the Presi-
14 dent determines—

15 (A) is a senior member of Hamas, the Pal-
16 estinian Islamic Jihad, or any affiliate or suc-
17 cessor thereof;

18 (B) is a senior member of a foreign ter-
19 rorist organization designated pursuant to sec-
20 tion 219 of the Immigration and Nationality
21 Act (8 U.S.C. 1189) whose members directly or
22 indirectly support the terrorist activities of
23 Hamas, the Palestinian Islamic Jihad, or any
24 affiliate or successor thereof by knowingly en-
25 gaging in a significant transaction with, or pro-

viding 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 ter-
rorist activities of Hamas, the Palestinian Is-
lamic Jihad, or any affiliate or successor there-
of by knowingly and materially assisting, spon-
soring, or providing financial or material sup-
port for, or goods or services to or in support
of, Hamas, the Palestinian Islamic Jihad, or
any affiliate or successor thereof, or any person
described in subparagraph (A) or (B).

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

(4) EXCEPTION.—

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

(i) the foreign person or agency or in-
strumentality of a foreign state notifies the
United States Government in advance that
it proposes to engage in a significant

1 transaction described in that paragraph;
2 and

3 (ii) the President determines and noti-
4 fies the appropriate congressional commit-
5 tees in a classified form not less than 15
6 days prior to the foreign person or agency
7 or instrumentality of a foreign state engag-
8 ing in the significant transaction that the
9 significant transaction is in the national
10 interests of the United States.

11 (B) NON-APPLICABILITY.—Subparagraph
12 (A) shall not apply with respect to—

13 (i) an agency or instrumentality of a
14 foreign state that the Secretary of State
15 determines has repeatedly provided support
16 for acts of international terrorism pursu-
17 ant to section 1754(c) of the Export Con-
18 trols Act of 2018 (50 U.S.C. 4813(c)), sec-
19 tion 40 of the Arms Export Control Act
20 (22 U.S.C. 2780), section 620A of the
21 Foreign Assistance Act of 1961 (22 U.S.C.
22 2371), or any other provision of law; or

23 (ii) any significant transaction de-
24 scribed in paragraph (1)(B) that involves,

1 directly or indirectly, a foreign state de-
2 scribed in clause (i).

3 (b) IMPOSITION OF SANCTIONS.—

4 (1) IN GENERAL.—The President shall impose
5 two or more of the sanctions described in paragraph
6 (2) with respect to a foreign person or an agency or
7 instrumentality of a foreign state identified pursuant
8 to subsection (a).

9 (2) SANCTIONS DESCRIBED.—The sanctions de-
10 scribed in this paragraph to be imposed with respect
11 to a foreign person or an agency or instrumentality
12 of a foreign state are the following:

13 (A) The President may direct the Export-
14 Import Bank of the United States not to give
15 approval to the issuance of any guarantee, in-
16 surance, extension of credit, or participation in
17 the extension of credit in connection with the
18 export of any goods or services to the foreign
19 person or agency or instrumentality of a foreign
20 state, and the Export-Import Bank of the
21 United States shall comply with any such direc-
22 tion.

23 (B) The President may prohibit the sale of
24 any defense articles, defense services, or design
25 and construction services under the Arms Ex-

1 port Control Act (22 U.S.C. 2751 et seq.) to
2 the foreign person or agency or instrumentality
3 of a foreign state.

4 (C) The President may prohibit the
5 issuance of licenses for export of any item on
6 the United States Munitions List under section
7 38(a)(1) of the Arms Export Control Act (22
8 U.S.C. 2778(a)(1)) that include the foreign per-
9 son or agency or instrumentality of a foreign
10 state as a party.

11 (D) The President may prohibit the export
12 of any goods or technologies controlled for na-
13 tional security reasons under the Export Ad-
14 ministration Regulations under subchapter C of
15 chapter VII of title 15, Code of Federal Regula-
16 tions, to the foreign person or agency or instru-
17 mentality of a foreign state, except that such
18 prohibition shall not apply to any transaction
19 subject to the reporting requirements of title V
20 of the National Security Act of 1947 (50
21 U.S.C. 3091 et seq.).

22 (E) The President may prohibit any
23 United States financial institution from making
24 loans or providing any credit or financing total-
25 ing more than \$10,000,000 to the foreign per-

1 son or agency or instrumentality of a foreign
2 state, except that this subparagraph shall not
3 apply to—

4 (i) any transaction subject to the re-
5 porting requirements of title V of the Na-
6 tional Security Act of 1947 (50 U.S.C.
7 3091 et seq.);

8 (ii) the provision of medicines, medical
9 equipment, and humanitarian assistance;
10 or

11 (iii) any credit, credit guarantee, or fi-
12 nancial assistance provided by the Depart-
13 ment of Agriculture to support the pur-
14 chase of food or other agricultural com-
15 modities.

16 (F) The President may exercise all powers
17 granted to the President by the International
18 Emergency Economic Powers Act (50 U.S.C.
19 1701 et seq.) (except that the requirements of
20 section 202 of such Act (50 U.S.C. 1701) shall
21 not apply) to the extent necessary to block and
22 prohibit all transactions in all property and in-
23 terests in property of a foreign person or agen-
24 cy or instrumentality of a foreign state if such
25 property and interests in property are in the

1 United States, come within the United States,
2 or are or come within the possession or control
3 of a United States person.

4 (3) EXCEPTION.—The President shall not be
5 required to apply sanctions under this subsection
6 with respect to a foreign person or an agency or in-
7 strumentality of a foreign state identified pursuant
8 to subsection (a) if the President certifies in writing
9 to the appropriate congressional committees that—

10 (A) the foreign person or agency or instru-
11 mentality—

12 (i) is no longer carrying out activities
13 or transactions for which the sanctions
14 were to be imposed; or

15 (ii) has taken and is continuing to
16 take significant verifiable steps toward ter-
17 minating the activities or transactions for
18 which the sanctions were to be imposed;
19 and

20 (B) the President has received reliable as-
21 surances from the foreign person or agency or
22 instrumentality that it will not carry out any
23 activities or transactions for which sanctions
24 may be imposed under this subsection in the fu-
25 ture.

1 (c) PENALTIES.—

2 (1) IN GENERAL.—The penalties provided for in
3 subsections (b) and (c) of section 206 of the Inter-
4 national Emergency Economic Powers Act (50
5 U.S.C. 1705) shall apply to a person that knowingly
6 violates, attempts to violate, conspires to violate, or
7 causes a violation of regulations prescribed under
8 section 8(b) to carry out subsection (b)(2)(F) to the
9 same extent that such penalties apply to a person
10 that knowingly commits an unlawful act described in
11 section 206(a) of that Act.

12 (2) AUTHORITIES.—The President may exercise
13 all authorities provided to the President under sec-
14 tions 203 and 205 of the International Emergency
15 Economic Powers Act (50 U.S.C. 1702 and 1704)
16 for purposes of carrying out subsection (b)(2)(F).

17 (d) WAIVER.—

18 (1) IN GENERAL.—The President may waive,
19 on a case-by-case basis and for a period of not more
20 than 180 days, a requirement under subsection (b)
21 to impose or maintain sanctions with respect to a
22 foreign person or agency or instrumentality of a for-
23 eign state if the President—

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

4 (B) not less than 30 days before the waiv-
5 er takes effect, submits to the appropriate con-
6 gressional committees a report on the waiver
7 and the justification for the waiver.

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

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

15 (B) not less than 15 days before the waiv-
16 er expires, submits to the appropriate congres-
17 sional committees a report on the renewal of
18 the waiver and the justification for the renewal
19 of the waiver.

20 (e) RULE OF CONSTRUCTION.—The authority to im-
21 pose sanctions under subsection (b) with respect to a for-
22 eign person or an agency or instrumentality of a foreign
23 state identified pursuant to subsection (a) is in addition
24 to the authority to impose sanctions under any other pro-
25 vision of law with respect to foreign persons or agencies

1 or instrumentalities of foreign states that directly or indi-
2 rectly support international terrorism.

3 (f) AGENCY OR INSTRUMENTALITY OF A FOREIGN
4 STATE DEFINED.—In this section, the term “agency or
5 instrumentality of a foreign state” has the meaning given
6 that term in section 1603(b) of title 28, United States
7 Code.

8 (g) EFFECTIVE DATE.—This section shall take effect
9 on the date of the enactment of this Act and apply with
10 respect to activities and transactions described in sub-
11 section (a) that are carried out on or after such date of
12 enactment.

13 **SEC. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
14 **EIGN GOVERNMENTS THAT PROVIDE MATE-**
15 **RIAL SUPPORT FOR THE TERRORIST ACTIVI-**
16 **TIES OF HAMAS, THE PALESTINIAN ISLAMIC**
17 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
18 **THEREOF.**

19 (a) IDENTIFICATION.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of the enactment of this Act, and
22 every 180 days thereafter, the President shall sub-
23 mit to the appropriate congressional committees a
24 report that identifies the following:

1 (A) Each government of a foreign coun-
2 try—

3 (i) with respect to which the Secretary
4 of State determines has repeatedly pro-
5 vided support for acts of international ter-
6 rorism pursuant to section 1754(c) of the
7 Export Controls Act of 2018 (50 U.S.C.
8 4813(c)), section 40 of the Arms Export
9 Control Act (22 U.S.C. 2780), section
10 620A of the Foreign Assistance Act of
11 1961 (22 U.S.C. 2371), or any other pro-
12 vision of law; and

13 (ii) with respect to which the Presi-
14 dent determines has provided direct or in-
15 direct material support for the terrorist ac-
16 tivities of Hamas, the Palestinian Islamic
17 Jihad, or any affiliate or successor thereof.

18 (B) Each government of a foreign country
19 that—

20 (i) is not identified under subpara-
21 graph (A); and

22 (ii) the President determines engaged
23 in a significant transaction so as to con-
24 tribute knowingly and materially to the ef-
25 forts by the government of a foreign coun-

try described in subparagraph (A)(i) to provide direct or indirect material support for the terrorist activities of Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof.

(2) FORM OF REPORT.—Each report submitted under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(b) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—The President shall impose the following sanctions with respect to each government of a foreign country identified under subsection (a)(1):

(A) The United States Government shall suspend, for a period of one year, United States assistance to the government of the foreign country.

(B) The Secretary of the Treasury shall instruct the United States Executive Director to each appropriate international financial institution to oppose, and vote against, for a period of one year, the extension by that institution of any loan or financial or technical assistance to the government of the foreign country.

1 (C) No item on the United States Muni-
 2 tions List under section 38(a)(1) of the Arms
 3 Export Control Act (22 U.S.C. 2778(a)(1)) or
 4 the Commerce Control List set forth in Supple-
 5 ment No. 1 to part 774 of title 15, Code of
 6 Federal Regulations (or any successor list),
 7 may be exported to the government of the for-
 8 eign country for a period of one year.

9 (2) EXCEPTIONS.—The President shall not be
 10 required to apply sanctions with respect to the gov-
 11 ernment of a foreign country pursuant to paragraph
 12 (1)—

13 (A) with respect to materials intended to
 14 be used by military or civilian personnel of the
 15 United States Armed Forces at military facili-
 16 ties in the country; or

17 (B) if the application of such sanctions
 18 would prevent the United States from meeting
 19 the terms of any status of forces agreement to
 20 which the United States is a party.

21 (c) ADDITIONAL SANCTIONS WITH RESPECT TO
 22 STATE SPONSORS OF TERRORISM.—The President shall
 23 impose the following additional sanctions with respect to
 24 each government of a foreign country identified under sub-
 25 section (a)(1)(A):

1 (1) The President shall, pursuant to such regu-
2 lations as the President may prescribe, prohibit any
3 transactions in foreign exchange that are subject to
4 the jurisdiction of the United States and in which
5 the government of the foreign country has any inter-
6 est.

7 (2) The President shall, pursuant to such regu-
8 lations as the President may prescribe, prohibit any
9 transfers of credit or payments between one or more
10 financial institutions or by, through, or to any finan-
11 cial institution, to the extent that such transfers or
12 payments are subject to the jurisdiction of the
13 United States and involve any interest of the govern-
14 ment of the foreign country.

15 (d) WAIVER.—

16 (1) IN GENERAL.—The President may waive,
17 on a case-by-case basis and for a period of not more
18 than 180 days, a requirement under subsection (b)
19 or (c) to impose or maintain sanctions with respect
20 to a foreign government identified pursuant to sub-
21 paragraph (A) or (B) of subsection (a)(1) if the
22 President—

23 (A) determines that the waiver is in the
24 national security interest of the United States;
25 and

1 (B) not less than 30 days before the waiver
2 er takes effect, submits to the appropriate congressional
3 committees a report on the waiver
4 and the justification for the waiver.

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

9 (A) determines that the renewal of the
10 waiver is in the national security interest of the
11 United States; and

12 (B) not less than 15 days before the waiver
13 er expires, submits to the appropriate congressional
14 committees a report on the renewal of
15 the waiver and the justification for the renewal
16 of the waiver.

17 (e) RULE OF CONSTRUCTION.—The authority to impose
18 sanctions under subsection (b) or (c) with respect to
19 each government of a foreign country identified pursuant
20 to subparagraph (A) or (B) of subsection (a)(1) is in addition
21 to the authority to impose sanctions under any other
22 provision of law with respect to governments of foreign
23 countries that provide material support to foreign terrorist
24 organizations designated pursuant to section 219 of the
25 Immigration and Nationality Act (8 U.S.C. 1189).

1 (f) TERMINATION.—The President may terminate
 2 any sanctions imposed with respect to the government of
 3 a foreign country under subsection (b) or (c) if the Presi-
 4 dent determines and notifies the appropriate congressional
 5 committees that the government of the foreign country—

6 (1) is no longer carrying out activities or trans-
 7 actions for which the sanctions were imposed; and

8 (2) has provided assurances to the United
 9 States Government that it will not carry out activi-
 10 ties or transactions for which sanctions may be im-
 11 posed under subsection (b) or (c) in the future.

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

17 **SEC. 6. EXEMPTIONS RELATING TO PROVISION OF HUMANI-**
 18 **TARIAN ASSISTANCE.**

19 (a) SANCTIONS WITH RESPECT TO FOREIGN PER-
 20 SONS AND AGENCIES AND INSTRUMENTALITIES OF FOR-
 21 EIGN STATES.—The following activities shall be exempt
 22 from sanctions under section 4:

23 (1) The conduct or facilitation of a transaction
 24 for the sale of agricultural commodities, food, medi-

1 cine, or medical devices to a foreign person described
2 in section 4(a)(2).

3 (2) The provision of humanitarian assistance to
4 a foreign person described in section 4(a)(2), includ-
5 ing engaging in a financial transaction relating to
6 humanitarian assistance or for humanitarian pur-
7 poses or transporting goods or services that are nec-
8 essary to carry out operations relating to humani-
9 tarian assistance or humanitarian purposes.

10 (b) SANCTIONS WITH RESPECT TO FOREIGN GOV-
11 ERNMENTS.—The following activities shall be exempt from
12 sanctions under section 5:

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

18 (2) The provision of humanitarian assistance to
19 Hamas, the Palestinian Islamic Jihad, or any affil-
20 iate or successor thereof described in section 5(a)(1),
21 including engaging in a financial transaction relating
22 to humanitarian assistance or for humanitarian pur-
23 poses or transporting goods or services that are nec-
24 essary to carry out operations relating to humani-
25 tarian assistance or humanitarian purposes.

1 **SEC. 7. REPORT ON ACTIVITIES OF FOREIGN COUNTRIES**
2 **TO DISRUPT GLOBAL FUNDRAISING, FINANC-**
3 **ING, AND MONEY LAUNDERING ACTIVITIES**
4 **OF HAMAS, THE PALESTINIAN ISLAMIC**
5 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
6 **THEREOF.**

7 (a) REPORT.—

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

12 (A) a list of foreign countries that support
13 Hamas, the Palestinian Islamic Jihad, or any
14 affiliate or successor thereof, or in which
15 Hamas maintains important portions of its fi-
16 nancial networks;

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

19 (i) an assessment of whether the gov-
20 ernment of the country is taking adequate
21 measures to freeze the assets of Hamas,
22 the Palestinian Islamic Jihad, or any affil-
23 iate or successor thereof within the terri-
24 tory of the country; and

1 (ii) in the case of a country the gov-
2 ernment of which is not taking adequate
3 measures to freeze the assets of Hamas—

4 (I) an assessment of the reasons
5 that government is not taking ade-
6 quate measures to freeze those assets;
7 and

8 (II) a description of measures
9 being taken by the United States Gov-
10 ernment to encourage that govern-
11 ment to freeze those assets;

12 (C) a list of foreign countries in which
13 Hamas, the Palestinian Islamic Jihad, or any
14 affiliate or successor thereof, conducts signifi-
15 cant fundraising, financing, or money laun-
16 dering activities;

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

19 (i) an assessment of whether the gov-
20 ernment of the country is taking adequate
21 measures to disrupt the fundraising, fi-
22 nancing, or money laundering activities of
23 Hamas, the Palestinian Islamic Jihad, or
24 any affiliate or successor thereof within the
25 territory of the country; and

1 (ii) in the case of a country the gov-
2 ernment of which is not taking adequate
3 measures to disrupt those activities—

4 (I) an assessment of the reasons
5 that government is not taking ade-
6 quate measures to disrupt those ac-
7 tivities; and

8 (II) a description of measures
9 being taken by the United States Gov-
10 ernment to encourage that govern-
11 ment to improve measures to disrupt
12 those activities; and

13 (E) a list of foreign countries from which
14 Hamas, the Palestinian Islamic Jihad, or any
15 affiliate or successor thereof, acquires surveil-
16 lance equipment, electronic monitoring equip-
17 ment, or other means to inhibit communication
18 or political expression in Gaza.

19 (2) FORM.—The report required by paragraph
20 (1) shall be submitted in unclassified form to the
21 greatest extent possible and may contain a classified
22 annex.

23 (b) BRIEFING.—Not later than 180 days after the
24 date of the enactment of this Act, and every 180 days
25 thereafter for the following 3 years, the Secretary of State,

1 the Secretary of the Treasury, and the heads of other ap-
2 plicable Federal departments and agencies (or their des-
3 ignees) shall provide to the appropriate congressional com-
4 mittees a briefing on the disposition of the assets and ac-
5 tivities of Hamas, the Palestinian Islamic Jihad, or any
6 successor or affiliate thereof related to fundraising, financ-
7 ing, and money laundering worldwide.

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

10 (1) the Committee on Foreign Relations, the
11 Committee on Banking, Housing, and Urban Af-
12 fairs, and the Select Committee on Intelligence of
13 the Senate; and

14 (2) the Committee on Foreign Affairs, the
15 Committee on Financial Services, and the Perma-
16 nent Select Committee on Intelligence of the House
17 of Representatives.

18 **SEC. 8. MISCELLANEOUS PROVISIONS.**

19 (a) RULE OF CONSTRUCTION.—Nothing in this Act
20 shall be construed to apply to the authorized intelligence
21 activities of the United States.

22 (b) REGULATORY AUTHORITY.—The President shall,
23 not later than 180 days after the date of the enactment
24 of this Act, prescribe regulations as are necessary for the
25 implementation of this Act.

1 (c) EXCEPTION RELATING TO IMPORTATION OF
2 GOODS.—

3 (1) IN GENERAL.—The authorities and require-
4 ments to impose sanctions authorized under this Act
5 shall not include the authority or requirement to im-
6 pose sanctions on the importation of goods.

7 (2) GOOD DEFINED.—In this subsection, the
8 term “good” means any article, natural or man-
9 made substance, material, supply or manufactured
10 product, including inspection and test equipment,
11 and excluding technical data.

12 (d) TERMINATION.—This Act shall terminate on the
13 earlier of—

14 (1) 30 days after the date on which the Presi-
15 dent certifies to the appropriate congressional com-
16 mittees that Hamas and the Palestinian Islamic
17 Jihad, or any successor or affiliate thereof—

18 (A) are no longer designated as a foreign
19 terrorist organization pursuant to section 219
20 of the Immigration and Nationality Act (8
21 U.S.C. 1189);

22 (B) are no longer subject to sanctions pur-
23 suant to—

24 (i) Executive Order 12947 (50 U.S.C.
25 1701 note; relating to prohibiting trans-

1 actions with terrorists who threaten to dis-
2 rupt the Middle East peace process); and
3 (ii) Executive Order 13224 (50 U.S.C.
4 1701 note; relating to blocking property
5 and prohibiting transactions with persons
6 who commit, threaten to commit, or sup-
7 port terrorism); and
8 (C) meet the criteria described in para-
9 graphs (1) through (4) of section 9 of the Pal-
10 estinian Anti-Terrorism Act of 2006 (Public
11 Law 109–446; 22 U.S.C. 2378b note); or
12 (2) 3 years after the date of the enactment of
13 this Act.

14 **SEC. 9. DETERMINATION OF BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go Act of 2010
17 (2 U.S.C. 931 et seq.), shall be determined by reference
18 to the latest statement titled “Budgetary Effects of
19 PAYGO Legislation” for this Act, submitted for printing
20 in the Congressional Record by the Chairman of the
21 House Budget Committee, provided that such statement
22 has been submitted prior to the vote on passage.

○