

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 3874

To impose sanctions with respect to foreign support for terrorist organizations in Gaza and the West Bank, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. RUBIO

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “ **Hamas and Palestinian Islamic Jihad International Ter-
6 rorism Support Prevention Act of 2024**”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Statement of policy.

Sec. 4. Imposition of sanctions with respect to foreign persons and agencies and
instrumentalities of foreign states supporting Hamas, the Pal-
estinian Islamic Jihad, or any affiliate or successor thereof.

- Sec. 5. Imposition of sanctions with respect to foreign governments that provide material support for the terrorist activities of Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof.
- Sec. 6. Report on activities of foreign countries to disrupt global fundraising, financing, and money laundering activities of Hamas, the Palestinian Islamic Jihad, or any affiliate or successor thereof.
- Sec. 7. Modification and extension of Sanctioning the Use of Civilians as Defenseless Shields Act.
- Sec. 8. Confronting asymmetric and malicious cyber activities.
- Sec. 9. Sanctions with respect to threats to current or former United States officials.
- Sec. 10. Resources for sanctions implementation at the Department of State.
- Sec. 11. Miscellaneous provisions.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMITTED; ALIEN; LAWFULLY ADMITTED
4 FOR PERMANENT RESIDENCE.—The terms “admit-
5 ted”, “alien”, and “lawfully admitted for permanent
6 residence” have the meanings given those terms in
7 section 101 of the Immigration and Nationality Act
8 (8 U.S.C. 1101).

9 (2) AGENCY OR INSTRUMENTALITY OF A FOR-
10 EIGN STATE.—The term “agency or instrumentality
11 of a foreign state” has the meaning given that term
12 in section 1603(b) of title 28, United States Code.

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

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

1 (A) an individual who is not a United
2 States person; or

3 (B) a corporation, partnership, or other
4 nongovernmental entity that is not a United
5 States person.

6 (5) HAMAS.—The term “Hammas” means—

7 (A) the entity known as Hamas and des-
8 igned by the Secretary of State as a foreign
9 terrorist organization pursuant to section 219
10 of the Immigration and Nationality Act (8
11 U.S.C. 1189); or

12 (B) any person identified as an agent or
13 instrumentality of Hamas on the list of spe-
14 cially designated nationals and blocked persons
15 maintained by the Office of Foreign Assets
16 Control of the Department of the Treasury, the
17 property or interests in property of which are
18 blocked pursuant to the International Emer-
19 gency Economic Powers Act (50 U.S.C. 1701 et
20 seq.).

21 (6) KNOWINGLY.—The term “knowingly”, with
22 respect to conduct, a circumstance, or a result,
23 means that a person has actual knowledge, or should
24 have known, of the conduct, the circumstance, or the
25 result.

1 (7) PALESTINE ISLAMIC JIHAD.—The term
2 “Palestine Islamic Jihad” means—

3 (A) the entity known as Palestine Islamic
4 Jihad and designated by the Secretary of State
5 as a foreign terrorist organization pursuant to
6 section 219 of the Immigration and Nationality
7 Act (8 U.S.C. 1189); or

8 (B) any person identified as an agent or
9 instrumentality of Palestine Islamic Jihad on
10 the list of specially designated nationals and
11 blocked persons maintained by the Office of
12 Foreign Asset Control of the Department of the
13 Treasury, the property or interests in property
14 of which are blocked pursuant to the Inter-
15 national Emergency Economic Powers Act (50
16 U.S.C. 1701 et seq.).

17 (8) PERSON.—The term “person” means an in-
18 dividual or entity.

19 (9) UNITED STATES PERSON.—The term
20 “United States person” means—

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

24 (B) an entity organized under the laws of
25 the United States or of any jurisdiction within

1 the United States, including a foreign branch of
2 such an entity; or

3 (C) a person in the United States.

4 **SEC. 3. STATEMENT OF POLICY.**

5 It is the policy of the United States—

6 (1) to prevent Hamas, the Palestinian Islamic
7 Jihad, or any affiliate or successor thereof from ac-
8 cessing its international support networks;

9 (2) to oppose Hamas, the Palestinian Islamic
10 Jihad, or any affiliate or successor thereof from at-
11 tempting to use the trade in and transport of goods,
12 including medicine and dual-use items, to smuggle
13 weapons and other materials to further acts of ter-
14 rorism; and

15 (3) to hold accountable Hamas, the Palestinian
16 Islamic Jihad, and their international support net-
17 works for their attack against Israel on October 7,
18 2023, and previous acts of international terrorism.

1 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
2 **EIGN PERSONS AND AGENCIES AND INSTRU-**
3 **MENTALITIES OF FOREIGN STATES SUP-**
4 **PORTING HAMAS, THE PALESTINIAN ISLAMIC**
5 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
6 **THEREOF.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, the President shall im-
9 pose the sanctions described in subsection (c) with respect
10 to any foreign person and any agency or instrumentality
11 of a foreign state that the President determines know-
12 ingly—

13 (1) provides significant financial or material
14 support to any person described in subsection (b); or

15 (2) engages in a significant transaction with
16 any person described in subsection (b).

17 (b) PERSON DESCRIBED.—A person described in this
18 subsection is a foreign person that the President deter-
19 mines—

20 (1) is a senior member of Hamas, the Pales-
21 tinian Islamic Jihad, or any affiliate or successor
22 thereof;

23 (2) is a senior member of the Al-Aqsa Martyr's
24 Brigade or any affiliate or successor thereof;

25 (3) is a senior member of a foreign terrorist or-
26 ganization designated pursuant to section 219 of the

1 Immigration and Nationality Act (8 U.S.C. 1189)
2 whose members directly or indirectly support any of
3 the activities of, knowingly engage in a significant
4 transaction with, or provide financial or material
5 support for Hamas, the Palestinian Islamic Jihad,
6 any affiliate or successor thereof, or any person de-
7 scribed in paragraph (1) or (2); or

8 (4) knowingly provides assistance or financial
9 or material support that supports the terrorist ac-
10 tivities of any foreign person described in paragraph
11 (1), (2), or (3).

12 (c) SANCTIONS DESCRIBED.—

13 (1) FOREIGN PERSONS.—With respect to a for-
14 eign person subject to sanctions under subsection
15 (a), the President shall exercise all powers granted
16 to the President by the International Emergency
17 Economic Powers Act (50 U.S.C. 1701 et seq.) (ex-
18 cept that the requirements of section 202 of such
19 Act (50 U.S.C. 1701) shall not apply) to the extent
20 necessary to block and prohibit all transactions in all
21 property and interests in property of the foreign per-
22 son if such property and interests in property are in
23 the United States, come within the United States, or
24 are or come within the possession or control of a
25 United States person.

1 (2) AGENCIES OR INSTRUMENTALITIES OF A
2 FOREIGN STATE.—With respect to an agency or in-
3 strumentality of a foreign state subject to sanctions
4 under subsection (a), the President shall impose 2 or
5 more of the following:

6 (A) The President may direct the Export-
7 Import Bank of the United States not to give
8 approval to the issuance of any guarantee, in-
9 surance, extension of credit, or participation in
10 the extension of credit in connection with the
11 export of any goods or services to the agency or
12 instrumentality, and the Export-Import Bank
13 of the United States shall comply with any such
14 direction.

15 (B) The President may prohibit the sale of
16 any defense articles, defense services, or design
17 and construction services under the Arms Ex-
18 port Control Act (22 U.S.C. 2751 et seq.) to
19 the agency or instrumentality.

20 (C) The President may prohibit the
21 issuance of licenses for export of any item on
22 the United States Munitions List under section
23 38(a)(1) of the Arms Export Control Act (22
24 U.S.C. 2778(a)(1)) that include the agency or
25 instrumentality as a party to the license.

1 (D) The President may prohibit the export
2 of any goods or technologies controlled for na-
3 tional security reasons under the Export Ad-
4 ministration Regulations under subchapter C of
5 chapter VII of title 15, Code of Federal Regula-
6 tions, or successor regulations, to the agency or
7 instrumentality, except that such prohibition
8 shall not apply to any transaction subject to the
9 reporting requirements of title V of the Na-
10 tional Security Act of 1947 (50 U.S.C. 3091 et
11 seq.).

12 (E) The President may prohibit any
13 United States financial institution from making
14 loans or providing any credit or financing total-
15 ing more than \$10,000,000 to the agency or in-
16 strumentality, except that this subparagraph
17 shall not apply to—

18 (i) any transaction subject to the re-
19 porting requirements of title V of the Na-
20 tional Security Act of 1947 (50 U.S.C.
21 3091 et seq.);

22 (ii) the provision of medicines, medical
23 equipment, and humanitarian assistance;
24 or

1 (iii) any credit, credit guarantee, or fi-
2 nancial assistance provided by the Depart-
3 ment of Agriculture to support the pur-
4 chase of food or other agricultural com-
5 modities.

6 (F) The President may exercise all powers
7 granted to the President by the International
8 Emergency Economic Powers Act (50 U.S.C.
9 1701 et seq.) (except that the requirements of
10 section 202 of such Act (50 U.S.C. 1701) shall
11 not apply) to the extent necessary to block and
12 prohibit all transactions in all property and in-
13 terests in property of the agency or instrumen-
14 tality if such property and interests in property
15 are in the United States, come within the
16 United States, or are or come within the pos-
17 session or control of a United States person.

18 (d) CONGRESSIONAL REQUESTS WITH RESPECT TO
19 FOREIGN PERSONS SUBJECT TO SANCTIONS.—Not later
20 than 120 days after receiving a request from the chairman
21 and ranking member of one of the appropriate congres-
22 sional committees with respect to whether a foreign person
23 is subject to sanctions under subsection (a) pursuant to
24 the criteria set forth in that subsection, the President
25 shall—

1 (1) determine if the person meets those criteria;
2 and

3 (2) submit a classified or unclassified report to
4 such chairman and ranking member with respect to
5 the determination under paragraph (1) that includes
6 a statement of whether or not the President has im-
7 posed or intends to impose sanctions with respect to
8 that person.

9 (e) PENALTIES.—

10 (1) IN GENERAL.—The penalties provided for in
11 subsections (b) and (c) of section 206 of the Inter-
12 national Emergency Economic Powers Act (50
13 U.S.C. 1705) shall apply to a person that knowingly
14 violates, attempts to violate, conspires to violate, or
15 causes a violation of regulations prescribed under
16 section 13(b) to carry out paragraph (1) or (2)(F)
17 of subsection (c) to the same extent that such pen-
18 alties apply to a person that knowingly commits an
19 unlawful act described in section 206(a) of that Act.

20 (2) AUTHORITIES.—The President may exercise
21 all authorities provided to the President under sec-
22 tions 203 and 205 of the International Emergency
23 Economic Powers Act (50 U.S.C. 1702 and 1704)
24 for purposes of carrying out paragraphs (1) and
25 (2)(F) of subsection (c).

1 (f) EXCEPTION.—The President shall not be required
2 to impose sanctions under this section with respect to a
3 foreign person or an agency or instrumentality of a foreign
4 state if the President certifies in writing to the appropriate
5 congressional committees that—

6 (1) the foreign person or agency or instrumen-
7 tality (as the case may be)—

8 (A) is no longer carrying out activities or
9 transactions subject to sanctions under this sec-
10 tion; or

11 (B) has taken and is continuing to take
12 significant verifiable steps toward terminating
13 activities or transactions subject to sanctions
14 under this section; and

15 (2) the President has received reliable assur-
16 ances from the foreign person or agency or instru-
17 mentality (as the case may be) that it will not carry
18 out any activities or transactions subject to sanc-
19 tions under this section in the future.

20 (g) WAIVER.—The President may waive, on a case-
21 by-case basis and for renewable periods of not more than
22 180 days, a requirement under this section to impose or
23 maintain sanctions with respect to a foreign person or
24 agency or instrumentality of a foreign state if the Presi-
25 dent—

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

3 (2) not less than 15 days before granting the
4 waiver, submits to the appropriate congressional
5 committees a report on the waiver and the justifica-
6 tion for the waiver.

7 (h) EFFECTIVE DATE.—This section shall take effect
8 on the date that is 180 days after the date of enactment
9 of this Act and apply with respect to activities and trans-
10 actions described in subsection (a) that are carried out
11 on or after such date of enactment.

12 (i) SUNSET.—This section shall terminate on the ear-
13 lier 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. 5. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
15 **EIGN GOVERNMENTS THAT PROVIDE MATE-**
16 **RIAL SUPPORT FOR THE TERRORIST ACTIVI-**
17 **TIES OF HAMAS, THE PALESTINIAN ISLAMIC**
18 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
19 **THEREOF.**

20 (a) IDENTIFICATION.—

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

1 (A) Each government of a foreign country
2 that—

3 (i) the Secretary of State determines
4 has repeatedly provided support for acts of
5 international terrorism pursuant to section
6 1754(c) of the Export Control Reform Act
7 of 2018 (50 U.S.C. 4813(c)), section 40 of
8 the Arms Export Control Act (22 U.S.C.
9 2780), section 620A of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2371), or any
11 other provision of law; and

12 (ii) the President determines has pro-
13 vided direct or indirect material support
14 for the terrorist activities of Hamas, the
15 Palestinian Islamic Jihad, or any affiliate
16 or successor thereof.

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

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

21 (ii) the President determines know-
22 ingly engaged in a significant transaction
23 that contributes to the efforts by the gov-
24 ernment of a foreign country described in
25 subparagraph (A)(i) to provide direct or

1 indirect material support for the terrorist
2 activities of Hamas, the Palestinian Is-
3 lamic Jihad, or any affiliate or successor
4 thereof.

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

8 (b) IMPOSITION OF SANCTIONS.—The President shall
9 impose the following sanctions with respect to each gov-
10 ernment of a foreign country identified under subpara-
11 graph (A) or (B) of subsection (a)(1):

12 (1) The United States Government shall sus-
13 pend, for a period of one year, United States assist-
14 ance to the government of the foreign country.

15 (2) The Secretary of the Treasury shall instruct
16 the United States Executive Director to each appro-
17 priate international financial institution to oppose,
18 and vote against, for a period of one year, the exten-
19 sion by that institution of any loan or financial or
20 technical assistance to the government of the foreign
21 country.

22 (3) No item on the United States Munitions
23 List under section 38(a)(1) of the Arms Export
24 Control Act (22 U.S.C. 2778(a)(1)) or the Com-
25 merce Control List set forth in Supplement No. 1 to

1 part 774 of title 15, Code of Federal Regulations (or
2 any successor list), may be exported to the govern-
3 ment of the foreign country for a period of one year.

4 (c) IMPOSITION OF ADDITIONAL SANCTIONS WITH
5 RESPECT TO CERTAIN FOREIGN GOVERNMENTS.—The
6 President shall impose the following additional sanctions
7 with respect to each government of a foreign country iden-
8 tified under subsection (a)(1)(A):

9 (1) The President shall, pursuant to such regu-
10 lations as the President may prescribe, prohibit any
11 transactions in foreign exchange that are subject to
12 the jurisdiction of the United States and in which
13 the government of the foreign country has any inter-
14 est.

15 (2) The President shall, pursuant to such regu-
16 lations as the President may prescribe, prohibit any
17 transfers of credit or payments between one or more
18 financial institutions or by, through, or to any finan-
19 cial institution, to the extent that such transfers or
20 payments are subject to the jurisdiction of the
21 United States and involve any interest of the govern-
22 ment of the foreign country.

23 (d) MILITARY USE EXCEPTION.—The President shall
24 not be required to impose sanctions with respect to the

1 government of a foreign country pursuant to subsection
2 (b)—

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

7 (2) if the application of such sanctions would
8 prevent the United States from meeting the terms of
9 any status of forces agreement to which the United
10 States is a party or otherwise would not further the
11 national security interests of the United States.

12 (e) WAIVER.—The President may waive the applica-
13 tion of sanctions under this section on a case-by-case basis
14 and for renewable periods of not more than 180 days if
15 the President—

16 (1) determines that the waiver is in the national
17 security interests of the United States; and

18 (2) not less than 15 days before the granting
19 of the waiver, submits to the appropriate congress-
20 sional committees a report on the waiver and the
21 justification for the waiver.

22 (f) EFFECTIVE DATE.—This section shall take effect
23 180 days after the date of the enactment of this Act and
24 apply with respect to activities and transactions described

1 in subparagraph (A) or (B) of subsection (a)(1) that are
2 carried out on or after such date of enactment.

3 (g) TERMINATION AND SUNSET.—

4 (1) TERMINATION OF SANCTIONS.—The Presi-
5 dent may terminate any sanctions imposed with re-
6 spect to the government of a foreign country under
7 subsection (b) or (c) if the President determines and
8 notifies the appropriate congressional committees
9 that the government of the foreign country is no
10 longer carrying out activities or transactions for
11 which the sanctions were imposed and has provided
12 assurances to the United States Government that it
13 will not carry out those activities or transactions in
14 the future.

15 (2) SUNSET.—This section shall terminate on
16 the earlier of—

17 (A) 30 days after the date on which the
18 President certifies to the appropriate congres-
19 sional committees that Hamas and the Pales-
20 tinian Islamic Jihad, or any successor or affil-
21 iate thereof—

22 (i) are no longer designated as a for-
23 eign terrorist organization pursuant to sec-
24 tion 219 of the Immigration and Nation-
25 ality Act (8 U.S.C. 1189);

1 (ii) are no longer subject to sanctions
2 pursuant to—

3 (I) Executive Order 12947 (50
4 U.S.C. 1701 note; relating to prohib-
5 iting transactions with terrorists who
6 threaten to disrupt the Middle East
7 peace process); and

8 (II) Executive Order 13224 (50
9 U.S.C. 1701 note; relating to blocking
10 property and prohibiting transactions
11 with persons who commit, threaten to
12 commit, or support terrorism); and

13 (iii) meet the criteria described in
14 paragraphs (1) through (4) of section 9 of
15 the Palestinian Anti-Terrorism Act of
16 2006 (Public Law 109–446; 22 U.S.C.
17 2378b note); or

18 (B) 2 years after the date of the enact-
19 ment of this Act.

1 **SEC. 6. 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 commit-
11 tees of Congress a report that includes—

12 (A) a list of foreign countries that provide
13 significant financial support for Hamas, the
14 Palestinian Islamic Jihad, or any affiliate or
15 successor thereof, or in which Hamas maintains
16 significant portions of its financial 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 measures
21 to restrict or block access to the assets of
22 Hamas, the Palestinian Islamic Jihad, or
23 any affiliate or successor thereof within the
24 territory of the country; and

1 (ii) in the case of a country the gov-
2 ernment of which is not taking measures
3 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 measures
21 to disrupt known fundraising, financing, or
22 money laundering activities of Hamas, the
23 Palestinian Islamic Jihad, or any affiliate
24 or successor thereof within the territory of
25 the country; and

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

4 (I) an assessment of the reasons
5 that government is not taking meas-
6 ures to disrupt those activities; and

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

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

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

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

1 plicable Federal departments and agencies (or their des-
2 ignees) shall provide to the appropriate committees of
3 Congress a briefing on the disposition of the assets and
4 activities of Hamas, the Palestinian Islamic Jihad, or any
5 successor or affiliate thereof related to fundraising, financ-
6 ing, and money laundering worldwide.

7 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
8 FINED.—In this section, the term “appropriate commit-
9 tees of Congress” 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. 7. MODIFICATION AND EXTENSION OF SANCTIONING**
19 **THE USE OF CIVILIANS AS DEFENSELESS**
20 **SHIELDS ACT.**

21 (a) IN GENERAL.—Section 3 of the Sanctioning the
22 Use of Civilians as Defenseless Shields Act (Public Law
23 115–348; 50 U.S.C. 1701 note) is amended—

24 (1) in subsection (b)—

1 (A) by redesignating paragraph (3) as
2 paragraph (4); and

3 (B) by inserting after paragraph (2) the
4 following:

5 “(3) Each foreign person that the President de-
6 termines, on or after the date of the enactment of
7 the Hamas and Palestinian Islamic Jihad Inter-
8 national Terrorism Support Prevention Act of
9 2024—

10 “(A) is a member of Palestine Islamic
11 Jihad or is knowingly acting on behalf of Pal-
12 estine Islamic Jihad; and

13 “(B) knowingly orders, controls, or other-
14 wise directs the use of civilians protected as
15 such by the law of war to shield military objec-
16 tives from attack.”;

17 (2) by redesignating subsections (e), (f), (g),
18 (h), and (i) as subsections (f), (g), (h), (i), and (j),
19 respectively; and

20 (3) by inserting after subsection (d) the fol-
21 lowing:

22 “(e) CONGRESSIONAL REQUESTS.—Not later than
23 120 days after receiving a request from the chairman and
24 ranking member of one of the appropriate congressional
25 committees with respect to whether a foreign person meets

1 the criteria of a person described in subsection (b) or (c),
2 the President shall—

3 “(1) determine if the person meets such cri-
4 teria; and

5 “(2) submit a written justification to the chair-
6 man and ranking member detailing whether or not
7 the President imposed or intends to impose sanc-
8 tions described in subsection (b) or (c) with respect
9 to such person.”.

10 (b) DEFINITIONS.—Section 4 of the Sanctioning the
11 Use of Civilians as Defenseless Shields Act (Public Law
12 115–348; 50 U.S.C. 1701 note) is amended—

13 (1) by redesignating paragraph (7) as para-
14 graph (8); and

15 (2) by inserting after paragraph (6) the fol-
16 lowing:

17 “(7) PALESTINE ISLAMIC JIHAD.—The term
18 ‘Palestine Islamic Jihad’ means—

19 “(A) the entity known as Palestine Islamic
20 Jihad and designated by the Secretary of State
21 as a foreign terrorist organization pursuant to
22 section 219 of the Immigration and Nationality
23 Act (8 U.S.C. 1189); or

24 “(B) any person identified as an agent or
25 instrumentality of Palestine Islamic Jihad on

1 the list of specially designated nationals and
2 blocked persons maintained by the Office of
3 Foreign Asset Control of the Department of the
4 Treasury, the property or interests in property
5 of which are blocked pursuant to the Inter-
6 national Emergency Economic Powers Act (50
7 U.S.C. 1701 et seq.).”.

8 (c) SUNSET.—Section 5 of the Sanctioning the Use
9 of Civilians as Defenseless Shields Act (Public Law 115–
10 348; 50 U.S.C. 1701 note) is amended by striking “De-
11 cember 31, 2023” and inserting “December 31, 2030”.

12 **SEC. 8. CONFRONTING ASYMMETRIC AND MALICIOUS**
13 **CYBER ACTIVITIES.**

14 (a) IN GENERAL.—On and after the date that is 180
15 days after the date of the enactment of this Act, the Presi-
16 dent may impose the sanctions described in subsection (b)
17 with respect to any foreign person that the President de-
18 termines, on or after such date of enactment—

19 (1) is responsible for or complicit in, or has en-
20 gaged knowingly in, significant cyber-enabled activi-
21 ties originating from, or directed by persons located,
22 in whole or in substantial part, outside the United
23 States that are reasonably likely to result in, or have
24 materially contributed to, a significant threat to the

1 national security, foreign policy, or economic health
2 or financial stability of the United States;

3 (2) materially assisted, sponsored, or provided
4 financial, material, or technological support for, or
5 goods or services to or in support of, any activity de-
6 scribed in this subsection or any person whose prop-
7 erty and interests in property are blocked pursuant
8 to this section;

9 (3) is owned or controlled by, or has acted or
10 purported to act for or on behalf of, directly or indi-
11 rectly, any person whose property and interests in
12 property are blocked pursuant to this section; or

13 (4) has attempted to engage in any of the ac-
14 tivities described in paragraph (1), (2), or (3).

15 (b) SANCTIONS DESCRIBED.—The sanctions de-
16 scribed in this subsection are the following:

17 (1) INADMISSIBILITY TO UNITED STATES.—In
18 the case of an alien—

19 (A) ineligibility to receive a visa to enter
20 the United States or to be admitted to the
21 United States; or

22 (B) if the individual has been issued a visa
23 or other documentation, revocation, in accord-
24 ance with section 221(i) of the Immigration and

1 Nationality Act (8 U.S.C. 1201(i)), of the visa
2 or other documentation.

3 (2) BLOCKING OF PROPERTY.—The blocking, in
4 accordance with the International Emergency Eco-
5 nomic Powers Act (50 U.S.C. 1701 et seq.), of all
6 transactions in all property and interests in property
7 of a foreign person if such property and interests in
8 property are in the United States, come within the
9 United States, or are or come within the possession
10 or control of a United States person.

11 (c) REQUESTS BY APPROPRIATE CONGRESSIONAL
12 COMMITTEES.—

13 (1) IN GENERAL.—Not later than 120 days
14 after receiving a request that meets the require-
15 ments of paragraph (2) with respect to whether a
16 foreign person has engaged in an activity described
17 in subsection (a), the President shall—

18 (A) determine if that person has engaged
19 in such an activity; and

20 (B) submit a classified or unclassified re-
21 port to the chairperson and ranking member of
22 the committee or committees that submitted the
23 request with respect to that determination that
24 includes—

1 (i) a statement of whether or not the
2 President imposed or intends to impose
3 sanctions with respect to the person;

4 (ii) if the President imposed or in-
5 tends to impose sanctions, a description of
6 those sanctions; and

7 (iii) if the President does not intend
8 to impose sanctions, a description of ac-
9 tions that meet the threshold for the Presi-
10 dent to impose sanctions.

11 (2) REQUIREMENTS.—A request under para-
12 graph (1) with respect to whether a foreign person
13 has engaged in an activity described in subsection
14 (a) shall be submitted to the President in writing
15 jointly by the chairperson and ranking member of
16 one of the appropriate congressional committees.

17 **SEC. 9. SANCTIONS WITH RESPECT TO THREATS TO CUR-**
18 **RENT OR FORMER UNITED STATES OFFI-**
19 **CIALS.**

20 (a) IN GENERAL.—On and after the date that is 180
21 days after the date of the enactment of this Act, the Presi-
22 dent shall impose the sanctions described in subsection (b)
23 with respect to any foreign person the President deter-
24 mines has, on or after such date of enactment, ordered,
25 directed, or taken material steps to carry out any use of

1 violence or has attempted or threatened to use violence
2 against any current or former official of the Government
3 of the United States.

4 (b) SANCTIONS DESCRIBED.—The sanctions de-
5 scribed in this subsection are the following:

6 (1) INADMISSIBILITY TO UNITED STATES.—In
7 the case of a foreign person who is an individual—

8 (A) ineligibility to receive a visa to enter
9 the United States or to be admitted to the
10 United States; or

11 (B) if the individual has been issued a visa
12 or other documentation, revocation, in accord-
13 ance with section 221(i) of the Immigration and
14 Nationality Act (8 U.S.C. 1201(i)), of the visa
15 or other documentation.

16 (2) BLOCKING OF PROPERTY.—The blocking, in
17 accordance with the International Emergency Eco-
18 nomic Powers Act (50 U.S.C. 1701 et seq.), of all
19 transactions in all property and interests in property
20 of a foreign person if such property and interests in
21 property are in the United States, come within the
22 United States, or are or come within the possession
23 or control of a United States person.

24 (c) ENFORCEMENT OF BLOCKING OF PROPERTY.—

25 A person that violates, attempts to violate, conspires to

1 violate, or causes a violation of a sanction described in
2 subsection (b)(2) that is imposed by the President or any
3 regulation, license, or order issued to carry out such a
4 sanction shall be subject to the penalties set forth in sub-
5 sections (b) and (c) of section 206 of the International
6 Emergency Economic Powers Act (50 U.S.C. 1705) to the
7 same extent as a person that commits an unlawful act de-
8 scribed in subsection (a) of that section.

9 (d) WAIVER.—

10 (1) IN GENERAL.—The President may waive
11 the application of sanctions under this section for re-
12 newable periods not to exceed 180 days if the Presi-
13 dent—

14 (A) determines that such a waiver is in the
15 vital national security interests of the United
16 States; and

17 (B) not less than 15 days before the grant-
18 ing of the waiver, submits to the appropriate
19 congressional committees a notice of and jus-
20 tification for the waiver.

21 (e) TERMINATION AND SUNSET.—

22 (1) TERMINATION OF SANCTIONS.—The Presi-
23 dent may terminate the application of sanctions
24 under this section with respect to a person if the
25 President determines and reports to the appropriate

1 congressional committees not later than 15 days be-
2 fore the termination of the sanctions that—

3 (A) credible information exists that the
4 person did not engage in the activity for which
5 sanctions were imposed;

6 (B) the person has credibly demonstrated
7 a significant change in behavior, has paid an
8 appropriate consequence for the activity for
9 which sanctions were imposed, and has credibly
10 committed to not engage in an activity de-
11 scribed in subsection (a) in the future; or

12 (C) the termination of the sanctions is in
13 the vital national security interests of the
14 United States.

15 (2) SUNSET.—The requirement to impose sanc-
16 tions under this section shall terminate on the date
17 that is 4 years after the date of the enactment of
18 this Act.

19 **SEC. 10. RESOURCES FOR SANCTIONS IMPLEMENTATION**
20 **AT THE DEPARTMENT OF STATE.**

21 (a) SENSE OF CONGRESS.—It is the sense of Con-
22 gress that sanctions are a vital foreign policy and national
23 security tool, and as such, it is critical that the Depart-
24 ment of State and other agencies with responsibilities re-
25 lating to sanctions across the executive branch—

1 (1) are fully staffed, including through the
2 prompt confirmation by the Senate of a qualified
3 head of the Office of Sanctions Coordination of the
4 Department of State; and

5 (2) have the resources and infrastructure nec-
6 essary for the successful development and implemen-
7 tation of sanctions.

8 (b) INCREASING RESOURCES AND IMPROVING MOD-
9 ERNIZATION FOR SANCTIONS IMPLEMENTATION.—The
10 Secretary of State shall take steps to modernize the sanc-
11 tions infrastructure and increase resources dedicated to
12 implementing sanctions, including by—

13 (1) ensuring the Department of State has nec-
14 essary subscriptions and access to open-source data-
15 bases for purposes of making determinations to sup-
16 port the designation of persons for the imposition of
17 sanctions;

18 (2) equipping bureaus involved in drafting and
19 reviewing evidentiary packages to support such des-
20 ignations with sufficient technical resources to do so,
21 including an adequate number of workstations that
22 can be used to review classified information; and

23 (3) increasing the number of personnel dedi-
24 cated to making and reviewing such designations.

1 (c) REPORT ON MODERNIZATIONS EFFORTS.—Not
2 later than 180 days after the date of the enactment of
3 this Act, the Secretary of State shall submit to the appro-
4 priate congressional committees a report describing steps
5 the Department of State is taking to address challenges
6 in the ability of the Department to support the designation
7 of persons for the imposition of sanctions.

8 (d) AUTHORIZATION OF APPROPRIATION.—There is
9 authorized to be appropriated to the Secretary of State
10 for fiscal year 2025 \$15,000,000 to carry out this section.

11 **SEC. 11. MISCELLANEOUS PROVISIONS.**

12 (a) RULES OF CONSTRUCTION.—

13 (1) RULE OF CONSTRUCTION ON ASSISTANCE
14 TO PALESTINIANS.—Nothing in this Act shall be
15 construed to prohibit the President from providing
16 assistance that benefits Palestinians in the West
17 Bank and Gaza in a manner consistent with United
18 States law, including section 1004(a) of the Taylor
19 Force Act (22 U.S.C. 2378c-1(a)) and sections
20 620K and 620L of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2378b and 2378c).

22 (2) RULE OF CONSTRUCTION ON AVAILABILITY
23 OF EXISTING AUTHORITIES.—Nothing in this Act
24 shall be construed to affect the availability of any

1 existing authorities to issue waivers, exceptions, ex-
2 emptions, licenses, or other authorization.

3 (b) REGULATORY AUTHORITY.—The President may,
4 not later than 180 days after the date of the enactment
5 of this Act, prescribe regulations as are necessary for the
6 implementation of this Act.

7 (c) EXCEPTIONS.—

8 (1) EXCEPTION RELATING TO INTELLIGENCE
9 ACTIVITIES.—Sanctions under this Act shall not
10 apply to any activity subject to the reporting re-
11 quirements under title V of the National Security
12 Act of 1947 (50 U.S.C. 3091 et seq.) or any author-
13 ized intelligence activities of the United States.

14 (2) EXCEPTION TO COMPLY WITH INTER-
15 NATIONAL OBLIGATIONS AND LAW ENFORCEMENT
16 ACTIVITIES.—Sanctions under this Act shall not
17 apply with respect to an alien if admitting or parol-
18 ing the alien into the United States is necessary—

19 (A) to permit the United States to comply
20 with the Agreement regarding the Head-
21 quarters of the United Nations, signed at Lake
22 Success June 26, 1947, and entered into force
23 November 21, 1947, between the United Na-
24 tions and the United States, or other applicable

1 international obligations of the United States;
2 or

3 (B) to carry out or assist authorized law
4 enforcement activity in the United States.

5 (3) EXCEPTION RELATING TO IMPORTATION OF
6 GOODS.—

7 (A) IN GENERAL.—The requirement to
8 block and prohibit all transactions in all prop-
9 erty and interests in property under this Act
10 shall not include the authority or a requirement
11 to impose sanctions on the importation of
12 goods.

13 (B) GOOD DEFINED.—In this paragraph,
14 the term “good” means any article, natural or
15 man-made substance, material, supply or manu-
16 factured product, including inspection and test
17 equipment, and excluding technical data.

18 (4) HUMANITARIAN ASSISTANCE.—

19 (A) IN GENERAL.—Sanctions under this
20 Act shall not apply to—

21 (i) the conduct or facilitation of a
22 transaction for the provision of agricultural
23 commodities, food, medicine, medical de-
24 vices, or humanitarian assistance, or for
25 humanitarian purposes; or

1 (ii) transactions that are necessary for
2 or related to the activities described in
3 clause (i).

4 (B) DEFINITIONS.—In this paragraph:

5 (i) AGRICULTURAL COMMODITY.—The
6 term “agricultural commodity” has the
7 meaning given that term in section 102 of
8 the Agricultural Trade Act of 1978 (7
9 U.S.C. 5602).

10 (ii) MEDICAL DEVICE.—The term
11 “medical device” has the meaning given
12 the term “device” in section 201 of the
13 Federal Food, Drug, and Cosmetic Act (21
14 U.S.C. 321).

15 (iii) MEDICINE.—The term “medi-
16 cine” has the meaning given the term
17 “drug” in section 201 of the Federal Food,
18 Drug, and Cosmetic Act (21 U.S.C. 321).

19 (5) REPORT ON EXCEPTIONS.—Not later than
20 one year after the date of the enactment of this Act,
21 and annually thereafter, the President shall submit
22 to the appropriate congressional committees a report
23 that describes each activity that would be subject to
24 sanctions under this Act if not excepted pursuant to
25 paragraph (1) or (2).