

118TH CONGRESS
2D SESSION

S. 3874

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

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2024

Mr. RUBIO (for himself and Ms. ROSEN) 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 terrorist organizations in Gaza and the West Bank, 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; 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 Palestinian 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. Miscellaneous provisions.
- Sec. 8. Determination of budgetary effects.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMITTED.—The term “admitted” has the
4 meaning given that term in section 101(a)(13)(A) of
5 the Immigration and Nationality Act (8 U.S.C.
6 1101(a)(13)(A)).

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

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

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

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

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

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

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

10 (7) UNITED STATES PERSON.—The term
11 “United States person” means—

12 (A) a United States citizen or an alien law-
13 fully admitted for permanent residence to the
14 United States;

15 (B) an entity organized under the laws of
16 the United States or of any jurisdiction within
17 the United States, including a foreign branch of
18 such an entity; or

19 (C) a person in the United States.

20 **SEC. 3. STATEMENT OF POLICY.**

21 It is the policy of the United States—

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

1 (2) to oppose Hamas, the Palestinian Islamic
2 Jihad, or any affiliate or successor thereof from at-
3 tempting to use goods, including medicine and dual-
4 use items, to smuggle weapons and other materials
5 to further acts of terrorism; and

6 (3) to hold accountable Hamas, the Palestinian
7 Islamic Jihad, and their international support net-
8 works for their attack against Israel on October 7,
9 2023.

10 **SEC. 4. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**
11 **EIGN PERSONS AND AGENCIES AND INSTRU-**
12 **MENTALITIES OF FOREIGN STATES SUP-**
13 **PORTING HAMAS, THE PALESTINIAN ISLAMIC**
14 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
15 **THEREOF.**

16 (a) **IN GENERAL.**—Not later than 180 days after the
17 date of the enactment of this Act, the President shall im-
18 pose the sanctions required under subsection (c) with re-
19 spect to any foreign person and any agency or instrumen-
20 tality of a foreign state that the President determines
21 knowingly—

22 (1) assists in, sponsors, or provides significant
23 financial or material support for, or financial or
24 other services to or in support of any person de-
25 scribed in subsection (b); or

1 (2) directly or indirectly, materially engages in
2 a significant transaction with any person described
3 in subsection (b).

4 (b) PERSON DESCRIBED.—

5 (1) IN GENERAL.—A person described in this
6 subsection is a foreign person that the President de-
7 termines—

8 (A) is a senior member of Hamas, the Pal-
9 estinian Islamic Jihad, or any affiliate or suc-
10 cessor thereof;

11 (B) is a senior member of the Al-Aqsa
12 Martyr's Brigade, Lion's Den, or any other en-
13 tity that the President determines is part of the
14 terrorist infrastructure in the West Bank and
15 Gaza;

16 (C) is a senior member of a foreign ter-
17 rorist organization designated pursuant to sec-
18 tion 219 of the Immigration and Nationality
19 Act (8 U.S.C. 1189) whose members directly or
20 indirectly support any of the activities of, know-
21 ingly engage in a significant transaction with,
22 or provide financial or material support for
23 Hamas, the Palestinian Islamic Jihad, any affil-
24 iate or successor thereof, or any person de-
25 scribed in subparagraph (A) or (B); or

1 (D) knowingly provides or has provided
2 material assistance, financial or material sup-
3 port, or goods or services that directly or indi-
4 rectly supports the terrorist activities of any
5 foreign person described in subparagraph (A) or
6 (B).

7 (2) REQUIREMENT TO ISSUE GUIDANCE.—Not
8 later than 60 days after the date of the enactment
9 of this Act, and not later than 180 days thereafter,
10 the President shall issue regulations or other guid-
11 ance to identify the persons described in this sub-
12 section.

13 (c) SANCTIONS REQUIRED.—

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

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

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

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

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

22 (C) The President may prohibit the
23 issuance of licenses for export of any item on
24 the United States Munitions List under section
25 38(a)(1) of the Arms Export Control Act (22

1 U.S.C. 2778(a)(1)) that include the agency or
2 instrumentality as a party to the license.

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

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

20 (i) any transaction subject to the re-
21 porting requirements of title V of the Na-
22 tional Security Act of 1947 (50 U.S.C.
23 3091 et seq.);

1 (ii) the provision of medicines, medical
2 equipment, and humanitarian assistance;
3 or

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

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

21 (d) CONGRESSIONAL NOMINATION DETERMINATION
22 WITH RESPECT TO FOREIGN PERSONS SUBJECT TO
23 SANCTIONS.—Not later than 60 days after receiving a re-
24 quest from the chairman and ranking member of one of
25 the appropriate congressional committees with respect to

1 whether a foreign person is subject to sanctions under sub-
2 section (a) pursuant to the criteria set forth in that sub-
3 section, the President shall—

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

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

12 (e) PENALTIES.—

13 (1) IN GENERAL.—The penalties provided for in
14 subsections (b) and (c) of section 206 of the Inter-
15 national Emergency Economic Powers Act (50
16 U.S.C. 1705) shall apply to a person that knowingly
17 violates, attempts to violate, conspires to violate, or
18 causes a violation of regulations prescribed under
19 section 7(b) to carry out paragraph (1) or (2)(F) of
20 subsection (c) to the same extent that such penalties
21 apply to a person that knowingly commits an unlaw-
22 ful act described in section 206(a) of that Act.

23 (2) AUTHORITIES.—The President may exercise
24 all authorities provided to the President under sec-
25 tions 203 and 205 of the International Emergency

1 Economic Powers Act (50 U.S.C. 1702 and 1704)
2 for purposes of carrying out paragraphs (1) and
3 (2)(F) of subsection (c).

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

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

11 (A) is no longer carrying out activities or
12 transactions subject to sanctions under this sec-
13 tion; or

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

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

23 (g) WAIVER.—

24 (1) IN GENERAL.—The President may waive,
25 on a case-by-case basis and for a period of not more

1 than 180 days, a requirement under this section to
2 impose or maintain sanctions with respect to a for-
3 eign person or agency or instrumentality of a foreign
4 state if the President—

5 (A) determines that the waiver is in the
6 national security interest of the United States;
7 and

8 (B) not less than 30 days before the waiv-
9 er takes effect, submits to the appropriate con-
10 gressional committees a report on the waiver
11 and the justification for the waiver.

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

16 (A) determines that the renewal of the
17 waiver is in the national security interest of the
18 United States; and

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

24 (h) RULE OF CONSTRUCTION.—The authority to im-
25 pose sanctions under this section with respect to a foreign

1 person or an agency or instrumentality of a foreign state
2 is in addition to the authority to impose sanctions under
3 any other provision of law with respect to foreign persons
4 or agencies or instrumentalities of foreign states that di-
5 rectly or indirectly support international terrorism.

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

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

17 (a) **IDENTIFICATION.**—

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

23 (A) Each government of a foreign country
24 that—

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

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

15 (B) Each government of a foreign country
16 that—

17 (i) is not identified under subpara-
18 graph (A); and

19 (ii) the President determines know-
20 ingly engaged in a significant transaction
21 that contributes to the efforts by the gov-
22 ernment of a foreign country described in
23 subparagraph (A)(i) to provide direct or
24 indirect material support for the terrorist
25 activities of Hamas, the Palestinian Is-

1 lamic Jihad, or any affiliate or successor
2 thereof.

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

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

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

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

20 (3) No item on the United States Munitions
21 List under section 38(a)(1) of the Arms Export
22 Control Act (22 U.S.C. 2778(a)(1)) or the Com-
23 merce Control List set forth in Supplement No. 1 to
24 part 774 of title 15, Code of Federal Regulations (or

1 any successor list), may be exported to the govern-
2 ment of the foreign country for a period of one year.

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

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

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

22 (d) EXCEPTIONS.—

23 (1) MILITARY USE EXCEPTION.—The President
24 shall not be required to impose sanctions with re-

1 spect to the government of a foreign country pursu-
2 ant to subsection (b)—

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

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

11 (2) HUMANITARIAN EXCEPTION.—The following
12 activities shall be exempt from sanctions under this
13 section:

14 (A) The conduct or facilitation of a trans-
15 action for the sale of agricultural commodities,
16 food, medicine, or medical devices to a foreign
17 government described in subsection (a) that is
18 not otherwise subject to the export control laws
19 of the United States.

20 (B) The provision of humanitarian assist-
21 ance to a foreign government described in sub-
22 section(a), including engaging in a financial
23 transaction relating to humanitarian assistance
24 or for humanitarian purposes or transporting
25 goods or services that are necessary to carry

1 out operations relating to humanitarian assist-
2 ance or humanitarian purposes.

3 (e) WAIVER.—

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

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

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

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

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

1 (B) not less than 15 days before the waiver
2 expires, submits to the appropriate congressional
3 committees a report on the renewal of
4 the waiver and the justification for the renewal
5 of the waiver.

6 (3) SUNSET.—The authority of the President
7 under this subsection shall terminate on the date
8 that is 2 years after the date of the enactment of
9 this Act.

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

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

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

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

8 **SEC. 6. REPORT ON ACTIVITIES OF FOREIGN COUNTRIES**
9 **TO DISRUPT GLOBAL FUNDRAISING, FINANC-**
10 **ING, AND MONEY LAUNDERING ACTIVITIES**
11 **OF HAMAS, THE PALESTINIAN ISLAMIC**
12 **JIHAD, OR ANY AFFILIATE OR SUCCESSOR**
13 **THEREOF.**

14 (a) REPORT.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the
17 President shall submit to the appropriate commit-
18 tees of Congress a report that includes—

19 (A) a list of foreign countries that support
20 Hamas, the Palestinian Islamic Jihad, or any
21 affiliate or successor thereof, or in which
22 Hamas maintains important portions of its fi-
23 nancial networks;

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

1 (i) an assessment of whether the gov-
2 ernment of the country is taking adequate
3 measures to freeze the assets of Hamas,
4 the Palestinian Islamic Jihad, or any affil-
5 iate or successor thereof within the terri-
6 tory of the country; and

7 (ii) in the case of a country the gov-
8 ernment of which is not taking adequate
9 measures to freeze the assets of Hamas—

10 (I) an assessment of the reasons
11 that government is not taking ade-
12 quate measures to freeze those assets;
13 and

14 (II) a description of measures
15 being taken by the United States Gov-
16 ernment to encourage that govern-
17 ment to freeze those assets;

18 (C) a list of foreign countries in which
19 Hamas, the Palestinian Islamic Jihad, or any
20 affiliate or successor thereof, conducts signifi-
21 cant fundraising, financing, or money laun-
22 dering activities;

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

1 (i) an assessment of whether the gov-
2 ernment of the country is taking adequate
3 measures to disrupt the fundraising, fi-
4 nancing, or money laundering activities of
5 Hamas, the Palestinian Islamic Jihad, or
6 any affiliate or successor thereof within the
7 territory of the country; and

8 (ii) in the case of a country the gov-
9 ernment of which is not taking adequate
10 measures to disrupt those activities—

11 (I) an assessment of the reasons
12 that government is not taking ade-
13 quate measures to disrupt those ac-
14 tivities; and

15 (II) a description of measures
16 being taken by the United States Gov-
17 ernment to encourage that govern-
18 ment to improve measures to disrupt
19 those activities; and

20 (E) a list of foreign countries from which
21 Hamas, the Palestinian Islamic Jihad, or any
22 affiliate or successor thereof, acquires surveil-
23 lance equipment, electronic monitoring equip-
24 ment, or other means to inhibit communication
25 or political expression in Gaza.

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

5 (b) BRIEFING.—Not later than 180 days after the
6 date of the enactment of this Act, and every 180 days
7 thereafter for the following 3 years, the Secretary of State,
8 the Secretary of the Treasury, and the heads of other ap-
9 plicable Federal departments and agencies (or their des-
10 ignees) shall provide to the appropriate committees of
11 Congress a briefing on the disposition of the assets and
12 activities of Hamas, the Palestinian Islamic Jihad, or any
13 successor or affiliate thereof related to fundraising, financ-
14 ing, and money laundering worldwide.

15 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
16 FINED.—In this section, the term “appropriate commit-
17 tees of Congress” means—

18 (1) the Committee on Foreign Relations, the
19 Committee on Banking, Housing, and Urban Af-
20 fairs, and the Select Committee on Intelligence of
21 the Senate; and

22 (2) the Committee on Foreign Affairs, the
23 Committee on Financial Services, and the Perma-
24 nent Select Committee on Intelligence of the House
25 of Representatives.

1 **SEC. 7. MISCELLANEOUS PROVISIONS.**

2 (a) RULES OF CONSTRUCTION.—

3 (1) INTELLIGENCE ACTIVITIES.—Nothing in
4 this Act shall be construed to apply to the author-
5 ized intelligence activities of the United States.

6 (2) ASSISTANCE TO PALESTINIANS.—Nothing
7 in this Act shall be construed to prohibit the Presi-
8 dent from providing assistance that benefits Pal-
9 estinians in the West Bank and Gaza if such assist-
10 ance is consistent with authorities and requirements
11 under other provisions of law, including section
12 1004(a) of the Taylor Force Act (22 U.S.C. 2378c-
13 1(a)) and sections 620K and 620L of the Foreign
14 Assistance Act of 1961 (22 U.S.C. 2378b and
15 2378c).

16 (b) REGULATORY AUTHORITY.—The President shall,
17 not later than 180 days after the date of the enactment
18 of this Act, prescribe regulations as are necessary for the
19 implementation of this Act.

20 (c) EXCEPTIONS.—

21 (1) EXCEPTION RELATING TO IMPORTATION OF
22 GOODS.—

23 (A) IN GENERAL.—The authorities and re-
24 quirements to impose sanctions authorized
25 under this Act shall not include the authority or

1 requirement to impose sanctions on the impor-
2 tation of goods.

3 (B) GOOD DEFINED.—In this paragraph,
4 the term “good” means any article, natural or
5 man-made substance, material, supply or manu-
6 factured product, including inspection and test
7 equipment, and excluding technical data.

8 (2) EXCEPTION FOR APPROVED HUMANITARIAN
9 ASSISTANCE.—No foreign person, agency or instru-
10 mentality of a foreign state, or government of a for-
11 eign country may be subject to sanctions under sec-
12 tion (4)(c) or 5(b) with respect to the provision of
13 humanitarian assistance to the West Bank and Gaza
14 that was approved by the Secretary of State with the
15 concurrence of the Secretary of the Treasury.

16 (d) TERMINATION.—This Act shall terminate on the
17 earlier of—

18 (1) 30 days after the date on which the Presi-
19 dent certifies to the appropriate congressional com-
20 mittees that Hamas and the Palestinian Islamic
21 Jihad, or any successor or affiliate thereof—

22 (A) are no longer designated as a foreign
23 terrorist organization pursuant to section 219
24 of the Immigration and Nationality Act (8
25 U.S.C. 1189);

1 (B) are no longer subject to sanctions pur-
2 suant to—

3 (i) Executive Order 12947 (50 U.S.C.
4 1701 note; relating to prohibiting trans-
5 actions with terrorists who threaten to dis-
6 rupt the Middle East peace process); and

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

12 (C) meet the criteria described in para-
13 graphs (1) through (4) of section 9 of the Pal-
14 estinian Anti-Terrorism Act of 2006 (Public
15 Law 109–446; 22 U.S.C. 2378b note); or

16 (2) 3 years after the date of the enactment of
17 this Act.

18 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

19 The budgetary effects of this Act, for the purpose of
20 complying with the Statutory Pay-As-You-Go-Act of 2010
21 (2 U.S.C. 931 et seq.), shall be determined by reference
22 to the latest statement titled “Budgetary Effects of
23 PAYGO Legislation” for this Act, submitted for printing
24 in the Congressional Record by the Chairman of the Sen-

- 1 ate Budget Committee, provided that such statement has
- 2 been submitted prior to the vote on passage.

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