

**Suspend the Rules and Pass the Bill, H. R. 340, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a complete new text)**

118TH CONGRESS  
1ST SESSION

# H. R. 340

To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.

---

## IN THE HOUSE OF REPRESENTATIVES

JANUARY 12, 2023

Mr. MAST (for himself and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To impose sanctions with respect to foreign support for terrorist organizations, including Hamas and the Palestinian Islamic Jihad.

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 “Hamas and Other Pal-  
5 estinian Terrorist Groups International Financing Preven-  
6 tion Act”.

1 **SEC. 2. STATEMENT OF POLICY.**

2 It shall be the policy of the United States—

3 (1) to prevent Hamas, Palestinian Islamic  
4 Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or  
5 any affiliate or successor thereof from accessing its  
6 international support networks; and

7 (2) to oppose Hamas, the Palestinian Islamic  
8 Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or  
9 any affiliate or successor thereof from using goods,  
10 including medicine and dual use items, to smuggle  
11 weapons and other materials to further acts of ter-  
12 rorism, including against Israel.

13 **SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOR-**  
14 **EIGN PERSONS SUPPORTING ACTS OF TER-**  
15 **RORISM OR ENGAGING IN SIGNIFICANT**  
16 **TRANSACTIONS WITH SENIOR MEMBERS OF**  
17 **HAMAS, PALESTINIAN ISLAMIC JIHAD AND**  
18 **OTHER PALESTINIAN TERRORIST ORGANIZA-**  
19 **TIONS.**

20 (a) IN GENERAL.—Not later than 180 days after the  
21 date of enactment of this Act, the President shall impose  
22 the sanctions described in subsection (c) with respect to  
23 each foreign person that the President determines, on or  
24 after the date of the enactment of this Act, engages in  
25 an activity described in subsection (b).

1 (b) ACTIVITIES DESCRIBED.—A foreign person en-  
2 gages in an activity described in this subsection if the for-  
3 eign person knowingly—

4 (1) assists in sponsoring or providing signifi-  
5 cant financial, material, or technological support for,  
6 or goods or other services to enable, acts of ter-  
7 rorism; or

8 (2) engages, directly or indirectly, in a signifi-  
9 cant transaction with—

10 (A) a senior member of Hamas, Pales-  
11 tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,  
12 the Lion's Den, or any affiliate or successor  
13 thereof; or

14 (B) a senior member of a foreign terrorist  
15 organization designated pursuant to section 219  
16 of the Immigration and Nationality Act (8  
17 U.S.C. 1189) that is responsible for providing,  
18 directly or indirectly, support to Hamas, Pales-  
19 tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,  
20 the Lion's Den, or any affiliate or successor  
21 thereof.

22 (c) SANCTIONS DESCRIBED.—The President shall ex-  
23 ercise all of the powers granted to the President under  
24 the International Emergency Economic Powers Act (50  
25 U.S.C. 1701 et seq.) to the extent necessary to block and

1 prohibit all transactions in property and interests in prop-  
2 erty of a foreign person described in subsection (a) if such  
3 property and interests in property are in the United  
4 States, come within the United States, or are or come  
5 within the possession or control of a United States person.

6 (d) PENALTIES.—The penalties provided for in sub-  
7 sections (b) and (c) of section 206 of the International  
8 Emergency Economic Powers Act (50 U.S.C. 1705) shall  
9 apply to a person that violates, attempts to violate, con-  
10 spires to violate, or causes a violation of this section or  
11 any regulations promulgated to carry out this section to  
12 the same extent that such penalties apply to a person that  
13 commits an unlawful act described in section 206(a) of  
14 that Act.

15 (e) IMPLEMENTATION; REGULATIONS.—

16 (1) IN GENERAL.—The President may exercise  
17 all authorities provided under sections 203 and 205  
18 of the International Emergency Economic Powers  
19 Act (50 U.S.C. 1702 and 1704) for purposes of car-  
20 rying out this section.

21 (2) REGULATIONS.—Not later than 60 days  
22 after the date of the enactment of this Act, the  
23 President shall issue regulations or other guidance  
24 as may be necessary for the implementation of this  
25 section.

1 (f) WAIVER.—The President may waive, on a case-  
2 by-case basis and for a period of not more than 180 days,  
3 the application of sanctions under this section with respect  
4 to a foreign person only if, not later than 15 days prior  
5 to the date on which the waiver is to take effect, the Presi-  
6 dent submits to the appropriate congressional committees  
7 a written determination and justification that the waiver  
8 is in the vital national security interests of the United  
9 States.

10 (g) HUMANITARIAN EXEMPTION.—The President  
11 may waive the application of any provision of this section  
12 if the President certifies in writing to the appropriate con-  
13 gressional committees that such a waiver is vital to facili-  
14 tate the delivery of humanitarian aid and is consistent  
15 with the national security interests of the United States  
16 15 days prior to the waiver taking effect.

17 (h) RULE OF CONSTRUCTION.—The authority to im-  
18 pose sanctions under this section with respect to a foreign  
19 person is in addition to the authority to impose sanctions  
20 under any other provision of law with respect to a foreign  
21 person that directly or indirectly supports acts of inter-  
22 national terrorism.

1 **SEC. 4. IMPOSITION OF MEASURES WITH RESPECT TO FOR-**  
2 **EIGN STATES PROVIDING SUPPORT TO**  
3 **HAMAS, PALESTINIAN ISLAMIC JIHAD AND**  
4 **OTHER PALESTINIAN TERRORIST ORGANIZA-**  
5 **TIONS.**

6 (a) IN GENERAL.—Not later than 180 days after the  
7 date of enactment of this Act, the President shall impose  
8 the measures described in subsection (c) with respect to  
9 a foreign state if the President determines that the foreign  
10 state, on or after the date of the enactment of this Act,  
11 engages in an activity described in subsection (b).

12 (b) ACTIVITIES DESCRIBED.—A foreign state en-  
13 gages in an activity described in this subsection if the for-  
14 eign state knowingly—

15 (1) provides significant material or financial  
16 support for acts of international terrorism, pursuant  
17 to—

18 (A) section 1754(c) of the Export Control  
19 Reform Act of 2018 (50 U.S.C. 4813(c)(1)(A));

20 (B) section 620A of the Foreign Assistance  
21 Act of 1961 (22 U.S.C. 2371);

22 (C) section 40 of the Arms Export Control  
23 Act (22 U.S.C. 2780); or

24 (D) any other provision of law;

25 (2) provides significant material support to  
26 Hamas, the Palestinian Islamic Jihad, Al-Aqsa Mar-

1       tyrs Brigade, the Lion's Den, or any affiliate or suc-  
2       cessor thereof; or

3           (3) engages in a significant transaction that  
4       materially contributes, directly or indirectly, to the  
5       terrorist activities of Hamas, the Palestinian Islamic  
6       Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or  
7       any affiliate or successor thereof.

8       (c) MEASURES DESCRIBED.—The measures de-  
9       scribed in this subsection with respect to a foreign state  
10      are the following:

11           (1) The President shall suspend, for a period of  
12      at least 1 year, United States assistance to the for-  
13      eign state.

14           (2) The Secretary of the Treasury shall instruct  
15      the United States Executive Director to each appro-  
16      priate international financial institution to oppose,  
17      and vote against, for a period of 1 year, the exten-  
18      sion by such institution of any loan or financial or  
19      technical assistance to the government of the foreign  
20      state.

21           (3) The President shall prohibit the export of  
22      any item on the United States Munitions List (es-  
23      tablished pursuant to section 38 of the Arms Export  
24      Control Act (22 U.S.C. 2778)) or the Commerce  
25      Control List set forth in Supplement No. 1 to part

1       774 of title 15, Code of Federal Regulations, to the  
2       foreign state for a period of 1 year.

3       (d) PENALTIES.—The penalties provided for in sub-  
4       sections (b) and (c) of section 206 of the International  
5       Emergency Economic Powers Act (50 U.S.C. 1705) shall  
6       apply to a person that violates, attempts to violate, con-  
7       spires to violate, or causes a violation of this section or  
8       any regulations promulgated to carry out this section to  
9       the same extent that such penalties apply to a person that  
10      commits an unlawful act described in section 206(a) of  
11      that Act.

12      (e) WAIVER.—The President may waive, on a case-  
13      by-case basis and for a period of not more than 180 days,  
14      the application of measures under this section with respect  
15      to a foreign state only if, not later than 15 days prior  
16      to the date on which the waiver is to take effect, the Presi-  
17      dent submits to the appropriate congressional committees  
18      a written determination and justification that the waiver  
19      is in the vital national security interests of the United  
20      States.

21      (f) IMPLEMENTATION; REGULATIONS.—

22           (1) IN GENERAL.—The President may exercise  
23      all authorities provided under sections 203 and 205  
24      of the International Emergency Economic Powers



1 Act (50 U.S.C. 1702 and 1704) for purposes of car-  
2 rying out this section.

3 (2) REGULATIONS.—Not later than 60 days  
4 after the date of the enactment of this Act, the  
5 President shall issue regulations or other guidance  
6 as may be necessary for the implementation of this  
7 section.

8 (g) ADDITIONAL EXEMPTIONS.—

9 (1) STATUS OF FORCES AGREEMENTS.—The  
10 President may exempt the application of measures  
11 under this section with respect to a foreign state if  
12 the application of such measures would prevent the  
13 United States from meeting the terms of any status  
14 of forces agreement to which the United States is a  
15 party.

16 (2) AUTHORIZED INTELLIGENCE ACTIVITIES.—  
17 Measures under this section shall not apply with re-  
18 spect to any activity subject to the reporting require-  
19 ments under title V of the National Security Act of  
20 1947 (50 U.S.C. 3091 et seq.) or any authorized in-  
21 telligence activities of the United States.

22 (3) HUMANITARIAN EXEMPTION.—The Presi-  
23 dent may waive the application of any provision of  
24 this section if the President certifies in writing to  
25 the appropriate congressional committees that such

1 a waiver is vital to facilitate the delivery of humani-  
2 tarian aid and is consistent with the national secu-  
3 rity interests of the United States 15 days prior to  
4 the waiver taking effect.

5 (h) **RULE OF CONSTRUCTION.**—The authority to im-  
6 pose measures under this section with respect to a foreign  
7 state is in addition to the authority to impose measures  
8 under any other provision of law with respect to foreign  
9 states that directly or indirectly support acts of inter-  
10 national terrorism.

11 **SEC. 5. REPORTS ON ACTIVITIES TO DISRUPT GLOBAL**  
12 **FUNDRAISING, FINANCING, AND MONEY**  
13 **LAUNDERING ACTIVITIES OF HAMAS, PALES-**  
14 **TINIAN ISLAMIC JIHAD, AL-AQSA MARTYRS**  
15 **BRIGADE, THE LION'S DEN OR ANY AFFIL-**  
16 **IATE OR SUCCESSOR THEREOF.**

17 (a) **IN GENERAL.**—Not later than 90 days after the  
18 date of enactment of this Act, and every 180 days there-  
19 after, the President shall submit to the appropriate con-  
20 gressional committees a report that includes—

21 (1) an assessment of the disposition of the as-  
22 sets and activities of Hamas, the Palestinian Islamic  
23 Jihad, Al-Aqsa Martyrs Brigade, the Lion's Den, or  
24 any affiliate or successor thereof related to fund-  
25 raising, financing, and money laundering worldwide;

1           (2) a list of foreign states that knowingly pro-  
2           viding material, financial, or technical support for,  
3           or goods or services to Hamas, the Palestinian Is-  
4           lamic Jihad, Al-Aqsa Martyrs Brigade, the Lion's  
5           Den, or any affiliate or successor thereof;

6           (3) a list of foreign states in which Hamas, the  
7           Palestinian Islamic Jihad, Al-Aqsa Martyrs Brigade,  
8           the Lion's Den, or any affiliate or successor thereof  
9           conducts significant fundraising, financing, or money  
10          laundering activities;

11          (4) a list of foreign states from which Hamas,  
12          the Palestinian Islamic Jihad, Al-Aqsa Martyrs Bri-  
13          gade, the Lion's Den, or any affiliate or successor  
14          thereof knowingly engaged in the transfer of surveil-  
15          lance equipment, electronic monitoring equipment,  
16          or other means to inhibit communication or the free  
17          flow of information in Gaza; and

18          (5) with respect to each foreign state listed in  
19          paragraph (2), (3), or (4)—

20                (A) a description of the steps the foreign  
21                state identified is taking adequate measures to  
22                restrict financial flows to Hamas, the Pales-  
23                tinian Islamic Jihad, Al-Aqsa Martyrs Brigade,  
24                the Lion's Den, or any affiliates or successors  
25                thereof; and

1 (B) in the case of a foreign state failing to  
2 take adequate measures to restrict financial  
3 flows to Hamas, Palestinian Islamic Jihad, Al-  
4 Aqsa Martyrs Brigade, the Lion's Den or any  
5 other designated entity engaged in significant  
6 act of terrorism threatening the peace and secu-  
7 rity of Israel—

8 (i) an assessment of the reasons that  
9 government is not taking adequate meas-  
10 ures to restrict financial flows to those en-  
11 tities; and

12 (ii) a description of measures being  
13 taken by the United States Government to  
14 encourage the foreign state to restrict fi-  
15 nancial flows to those entities; and

16 (b) FORM.—Each report required by subsection (a)  
17 shall be submitted in unclassified form to the greatest ex-  
18 tent possible, and may contain a classified annex.

19 **SEC. 6. TERMINATION.**

20 This Act shall terminate on the earlier of—

21 (1) the date that is 7 years after the date of the  
22 enactment of this Act; or

23 (2) the date that is 30 days after the date on  
24 which the President certifies to the appropriate con-  
25 gressional committees that—

1 (A) Hamas or any successor or affiliate  
2 thereof is no longer designated as a foreign ter-  
3 rorist organization pursuant to section 219 of  
4 the Immigration and Nationality Act (8 U.S.C.  
5 1189);

6 (B) Hamas, the Palestinian Islamic Jihad,  
7 Al-Aqsa Martyrs Brigade, the Lion's Den, and  
8 any successor or affiliate thereof are no longer  
9 subject to sanctions pursuant to—

10 (i) Executive Order No. 12947 (Janu-  
11 ary 23, 1995; relating to prohibiting trans-  
12 actions with terrorists who threaten to dis-  
13 rupt the Middle East peace process); and

14 (ii) Executive Order No. 13224 (Sep-  
15 tember 23, 2001; relating to blocking prop-  
16 erty and prohibiting transactions with per-  
17 sons who commit, threaten to commit, or  
18 support terrorism); and

19 (C) Hamas, the Palestinian Islamic Jihad,  
20 Al-Aqsa Martyrs Brigade, the Lion's Den, and  
21 any successor or affiliate thereof meet the cri-  
22 teria described in paragraphs (1) through (4) of  
23 section 9 of the Palestinian Anti-Terrorism Act  
24 of 2006 (22 U.S.C. 2378b note).

1 **SEC. 7. DEFINITIONS.**

2 In this Act:

3 (1) ACT OF TERRORISM.—The term “act of ter-  
4 rorism” means an activity that—

5 (A) involves a violent act or an act dan-  
6 gerous to human life, property, or infrastruc-  
7 ture; and

8 (B) appears to be intended to—

9 (i) intimidate or coerce a civilian pop-  
10 ulation;

11 (ii) influence the policy of a govern-  
12 ment by intimidation or coercion; or

13 (iii) affect the conduct of a govern-  
14 ment by mass destruction, assassination,  
15 kidnapping, or hostage-taking.

16 (2) ADMITTED.—The term “admitted” has the  
17 meaning given such term in section 101(a)(13)(A) of  
18 the Immigration and Nationality Act (8 U.S.C.  
19 1101(a)(13)(A)).

20 (3) APPROPRIATE CONGRESSIONAL COMMIT-  
21 TEES.—The term “appropriate congressional com-  
22 mittees” means—

23 (A) the Committee on Foreign Affairs and  
24 the Committee on Financial Services of the  
25 House of Representatives; and

1 (B) the Committee on Foreign Relations  
2 and the Committee on Banking, Housing, and  
3 Urban Affairs of the Senate.

4 (4) FOREIGN STATE.—The term “foreign state”  
5 has the meaning given such term in section 1603 of  
6 title 28, United States Code.

7 (5) HUMANITARIAN AID.—The term “humani-  
8 tarian aid” means food, medicine, and medical sup-  
9 plies.

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

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

16 (A) a United States citizen or an alien law-  
17 fully admitted for permanent residence to the  
18 United States; or

19 (B) an entity organized under the laws of  
20 the United States or of any jurisdiction within  
21 the United States, including a foreign branch of  
22 such an entity.