

Suspend the Rules and Pass the Bill, HR. 5954, With an Amendment

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

115TH CONGRESS
2^D SESSION

H. R. 5954

To amend title 18, United States Code, to clarify the meaning of the terms “act of war” and “blocked asset”, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2018

Mr. GOODLATTE (for himself, Mr. NADLER, Mr. POSEY, Miss RICE of New York, and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to clarify the meaning of the terms “act of war” and “blocked asset”, 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 “Anti-Terrorism Clari-
5 fication Act of 2018”.

1 **SEC. 2. CLARIFICATION OF THE TERM “ACT OF WAR”.**

2 (a) IN GENERAL.—Section 2331 of title 18, United
3 States Code, is amended—

4 (1) in paragraph (4), by striking “and” at the
5 end;

6 (2) in paragraph (5), by striking the period at
7 the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(6) the term ‘military force’ does not include
10 any person that—

11 “(A) has been designated as a—

12 “(i) foreign terrorist organization by
13 the Secretary of State under section 219 of
14 the Immigration and Nationality Act (8
15 U.S.C. 1189); or

16 “(ii) specially designated global ter-
17 rorist (as such term is defined in section
18 594.310 of title 31, Code of Federal Regu-
19 lations) by the Secretary of State or the
20 Secretary of the Treasury; or

21 “(B) has been determined by the court to
22 not be a ‘military force’.”.

23 (b) APPLICABILITY.—The amendments made by this
24 section shall apply to any civil action pending on or com-
25 menced after the date of the enactment of this Act.

1 **SEC. 3. SATISFACTION OF JUDGMENTS AGAINST TERROR-**
2 **ISTS.**

3 (a) IN GENERAL.—Section 2333 of title 18, United
4 States Code, is amended by inserting at the end following:

5 “(e) USE OF BLOCKED ASSETS TO SATISFY JUDG-
6 MENTS OF U.S. NATIONALS.—For purposes of section 201
7 of the Terrorism Risk Insurance Act of 2002 (28 U.S.C.
8 1610 note), in any action in which a national of the United
9 States has obtained a judgment against a terrorist party
10 pursuant to this section, the term ‘blocked asset’ shall in-
11 clude any asset of that terrorist party (including the
12 blocked assets of any agency or instrumentality of that
13 party) seized or frozen by the United States under section
14 805(b) of the Foreign Narcotics Kingpin Designation Act
15 (21 U.S.C. 1904(b)).”.

16 (b) APPLICABILITY.—The amendments made by this
17 section shall apply to any judgment entered before, on,
18 or after the date of enactment of this Act.

19 **SEC. 4. CONSENT OF CERTAIN PARTIES TO PERSONAL JU-**
20 **RISDICTION.**

21 (a) IN GENERAL.—Section 2334 of title 18, United
22 States Code, is amended by adding at the end the fol-
23 lowing:

24 “(e) CONSENT OF CERTAIN PARTIES TO PERSONAL
25 JURISDICTION.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), for purposes of any civil action under sec-
3 tion 2333 of this title, a defendant shall be deemed
4 to have consented to personal jurisdiction in such
5 civil action if, regardless of the date of the occur-
6 rence of the act of international terrorism upon
7 which such civil action was filed, the defendant—

8 “(A) after the date that is 120 days after
9 the date of enactment of this subsection, ac-
10 cepts—

11 “(i) any form of assistance, however
12 provided, under chapter 4 of part II of the
13 Foreign Assistance Act of 1961 (22 U.S.C.
14 2346 et seq.);

15 “(ii) any form of assistance, however
16 provided, under section 481 of the Foreign
17 Assistance Act of 1961 (22 U.S.C. 2291)
18 for international narcotics control and law
19 enforcement; or

20 “(iii) any form of assistance, however
21 provided, under chapter 9 of part II of the
22 Foreign Assistance Act of 1961 (22 U.S.C.
23 2349bb et seq.); or

24 “(B) in the case of a defendant benefiting
25 from a waiver or suspension of section 1003 of

1 the Anti-Terrorism Act of 1987 (22 U.S.C.
2 5202) after the date that is 120 days after the
3 date of enactment of this subsection—

4 “(i) continues to maintain any office,
5 headquarters, premises, or other facilities
6 or establishments within the jurisdiction of
7 the United States; or

8 “(ii) establishes or procures any of-
9 fice, headquarters, premises, or other fa-
10 cilities or establishments within the juris-
11 diction of the United States.

12 “(2) APPLICABILITY.—Paragraph (1) shall not
13 apply to any defendant who ceases to engage in the
14 conduct described in paragraphs (1)(A) and (1)(B)
15 for 5 consecutive calendar years.”.

16 (b) APPLICABILITY.—The amendments made by this
17 section shall take effect on the date of enactment of this
18 Act.