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  
2D 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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Anti-Terrorism Clari-
fication Act of 2018”.
SEC. 2. CLARIFICATION OF THE TERM “ACT OF WAR”.

(a) In General.—Section 2331 of title 18, United States Code, is amended—

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

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

(3) by adding at the end the following:

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

“(A) has been designated as a—

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

“(ii) specially designated global terrorist (as such term is defined in section 594.310 of title 31, Code of Federal Regulations) by the Secretary of State or the Secretary of the Treasury; or

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

(b) Applicability.—The amendments made by this section shall apply to any civil action pending on or commenced after the date of the enactment of this Act.
SEC. 3. SATISFACTION OF JUDGMENTS AGAINST TERRORISTS.

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

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

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

SEC. 4. CONSENT OF CERTAIN PARTIES TO PERSONAL JURISDICTION.

(a) IN GENERAL.—Section 2334 of title 18, United States Code, is amended by adding at the end the following:

“(e) CONSENT OF CERTAIN PARTIES TO PERSONAL JURISDICTION.—
“(1) IN GENERAL.—Except as provided in para-

graph (2), for purposes of any civil action under sec-

tion 2333 of this title, a defendant shall be deemed
to have consented to personal jurisdiction in such
civil action if, regardless of the date of the occur-

rence of the act of international terrorism upon

which such civil action was filed, the defendant—

“(A) after the date that is 120 days after

the date of enactment of this subsection, ac-

cepts—

“(i) any form of assistance, however

provided, under chapter 4 of part II of the

Foreign Assistance Act of 1961 (22 U.S.C.

2346 et seq.);

“(ii) any form of assistance, however

provided, under section 481 of the Foreign

Assistance Act of 1961 (22 U.S.C. 2291)

for international narcotics control and law

enforcement; or

“(iii) any form of assistance, however

provided, under chapter 9 of part II of the

Foreign Assistance Act of 1961 (22 U.S.C.

2349bb et seq.); or

“(B) in the case of a defendant benefiting

from a waiver or suspension of section 1003 of
the Anti-Terrorism Act of 1987 (22 U.S.C. 5202) after the date that is 120 days after the date of enactment of this subsection—

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

“(ii) establishes or procures any office, headquarters, premises, or other facilities or establishments within the jurisdiction of the United States.

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

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