

114TH CONGRESS
2D SESSION

H. R. 5611

To prevent terrorists from launching attacks and obtaining passports, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2016

Mr. MCCARTHY introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Foreign Affairs, 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 prevent terrorists from launching attacks and obtaining
passports, 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 “Homeland Safety and
5 Security Act”.

6 **SEC. 2. AUTHORIZATION OF THE OFFICE FOR PARTNER-**
7 **SHIPS TO PREVENT TERRORISM OF THE DE-**
8 **PARTMENT OF HOMELAND SECURITY.**

9 (a) FINDINGS.—Congress finds the following:

1 (1) The preeminent terrorist threats to the
2 United States are radical Islamist terrorist networks
3 such as al Qaeda, the Islamic State of Iraq and
4 Syria, and their allies and affiliate networks, as well
5 as lone-wolf supporters and sympathizers in the
6 United States and around the world.

7 (2) Americans are actively being recruited by
8 radical Islamist terrorism propaganda to support the
9 establishment of a global caliphate in general and
10 the destruction of the United States in particular, as
11 well as to repudiate American values.

12 (3) The present Administration has repeatedly
13 ignored the threat posed by this ideology.

14 (4) In recent years 90 people have been killed
15 in radical Islamist terrorist attacks launched against
16 the United States homeland.

17 (b) AUTHORIZATION.—Title I of the Homeland Secu-
18 rity Act of 2002 (6 U.S.C. 101 et seq.) is amended by
19 adding at the end the following new section:

20 **“SEC. 104. THE OFFICE FOR PARTNERSHIPS TO PREVENT**
21 **TERRORISM.**

22 “(a) ESTABLISHMENT.—There is in the Department
23 the Office for Partnerships to Prevent Terrorism. The
24 head of the Office shall be the Assistant Secretary for
25 Partnerships to Prevent Terrorism, who shall be appointed

1 by the Secretary. The Secretary shall additionally appoint
2 a career Deputy Assistant Secretary of the Department
3 to serve as Deputy Assistant Secretary for Partnerships
4 to Prevent Terrorism.

5 “(b) ASSIGNMENT OF PERSONNEL.—The Secretary
6 shall assign or hire, as appropriate, permanent staff for
7 the Office for Partnerships to Prevent Terrorism. In car-
8 rying out this subsection, the Secretary shall, to the max-
9 imum extent practicable, seek to assign to or hire for the
10 Office an individual who has a demonstrated background
11 in technical matters, on and offline media, communica-
12 tions, or marketing.

13 “(c) SUPPORT.—The Secretary shall appoint within
14 each appropriate component and office of the Department,
15 including at a minimum, U.S. Customs and Border Pro-
16 tection, U.S. Immigration and Customs Enforcement,
17 United States Citizenship and Immigration Services, the
18 Office of Privacy, the National Protection and Programs
19 Directorate, the Office of Civil Rights and Civil Liberties,
20 the Secret Service, and the Science and Technology Direc-
21 torate, an individual to serve as liaison to the Office for
22 Partnerships to Prevent Terrorism.

23 “(d) RESPONSIBILITIES.—The Assistant Secretary
24 for Partnerships to Prevent Terrorism shall be responsible
25 for the following:

1 “(1) Prioritizing the Department’s efforts to
2 prevent violent extremist activities and radicalization
3 associated with the threat posed by radical Islamist
4 terrorist networks, and their recruiting, radicaliza-
5 tion, and propaganda.

6 “(2) Coordinating the Department’s activities
7 to counter radical Islamist terrorism across all the
8 components and offices of the Department that con-
9 duct strategic and supportive activities. Such activi-
10 ties shall include the following:

11 “(A) Identifying risk factors that con-
12 tribute to radical Islamist terrorism and poten-
13 tial remedies for use by Government and non-
14 government organizations.

15 “(B) Identifying populations targeted by
16 radical Islamist terrorism propaganda, mes-
17 saging, or recruitment.

18 “(C) Managing the outreach and engage-
19 ment activities of the Department directed to-
20 ward communities at risk for radicalization and
21 recruitment for radical Islamist terrorism ac-
22 tivities.

23 “(D) Ensuring relevant information, em-
24 pirically valid research, and products inform ac-
25 tivities to counter radical Islamist terrorism.

1 “(E) Identifying and recommending new
2 research and analysis requirements in consulta-
3 tion with the Under Secretary for Science and
4 Technology and the Under Secretary for Intel-
5 ligence and Analysis and ensuring the dissemi-
6 nation of information and methods to Federal,
7 State, local, tribal, and territorial countering
8 radical Islamist terrorism practitioners, offi-
9 cials, law enforcement, and non-governmental
10 partners to utilize such research and analysis
11 requirements.

12 “(F) Assessing the methods used by rad-
13 ical Islamist terrorist entities designated as for-
14 eign terrorist organizations pursuant to section
15 219 of the Immigration and Nationality Act (8
16 U.S.C. 1189) to disseminate propaganda and
17 messaging to communities at risk for radicaliza-
18 tion and recruitment.

19 “(3) Establishing a counter-messaging program
20 to craft strategic counter-messages to the propa-
21 ganda and messaging referred to in subparagraph
22 (F) of paragraph (2) which shall—

23 “(A) explore ways to utilize relevant Inter-
24 net and other technologies and social media
25 platforms; and

1 “(B) maximize other resources available to
2 the Department, including utilizing hiring au-
3 thorities available under law.

4 “(4) Serving as the primary representative of
5 the Department in coordinating countering radical
6 Islamist terrorism activities with other Federal de-
7 partments and agencies and non-governmental orga-
8 nizations.

9 “(5) Serving as the primary Department-level
10 representative in coordinating with the Secretary of
11 State on international countering radical Islamist
12 terrorism issues.

13 “(6) In coordination with the Administrator of
14 the Federal Emergency Management Agency and
15 the Officer for Civil Rights and Civil Liberties of the
16 Department, providing guidance regarding the use of
17 grants made to State, local, tribal, and territorial
18 governments under sections 2003 and 2004 under
19 the allowable uses guidelines related to countering
20 radical Islamist terrorism.

21 “(7) Coordinating with the Administrator of the
22 Federal Emergency Management Agency to admin-
23 ister the grant program under subsection (f).

24 “(e) MEMORANDUM OF UNDERSTANDING.—The As-
25 sistant Secretary for Partnerships to Prevent Terrorism

1 shall enter into a memorandum of understanding with the
2 Administrator of the Federal Emergency Management
3 Agency outlining the roles of the Assistant Secretary and
4 the Administrator with respect to the administration of
5 grants under sections 2003 and 2004 related to coun-
6 tering radical Islamist terrorism.

7 “(f) GRANT PROGRAM.—

8 “(1) ESTABLISHMENT.—The Assistant Sec-
9 retary for Partnerships to Prevent Terrorism, in co-
10 ordination with the Administrator of the Federal
11 Emergency Management Agency and the Officer for
12 Civil Rights and Civil Liberties of the Department,
13 shall establish a grant program for eligible commu-
14 nity groups and organizations to assist such groups
15 and organizations in establishing counter-messaging
16 campaigns targeting radical Islamist terrorism.

17 “(2) IMPLEMENTATION PLAN.—Not later than
18 90 days after the date of the enactment of this sec-
19 tion, the Assistant Secretary for Partnerships to
20 Prevent Terrorism, in coordination with the Admin-
21 istrator of the Federal Emergency Management
22 Agency and the Officer for Civil Rights and Civil
23 Liberties of the Department, shall provide to the
24 Committee on Homeland Security of the House of
25 Representatives and the Committee on Homeland

1 Security and Governmental Affairs of the Senate an
2 implementation plan for the grant program under
3 this subsection, including eligibility criteria, applica-
4 tion criteria, methodology for awarding grants, and
5 a plan for monitoring and evaluating grant applica-
6 tions and awards.

7 “(3) PROHIBITION.—A community group or or-
8 ganization is not eligible for a grant under this sub-
9 section if such group or organization has knowingly
10 funded radical Islamist terrorist activities or organi-
11 zations known to engage in such activities, as deter-
12 mined by the Assistant Secretary for Partnerships to
13 Prevent Terrorism in coordination with the heads of
14 other relevant Federal departments and agencies.

15 “(g) STRATEGY TO COUNTER RADICAL ISLAMIST
16 TERRORISM IN THE UNITED STATES.—

17 “(1) STRATEGY.—Not later than 90 days after
18 the date of the enactment of this section, the Sec-
19 retary shall submit to the Committee on Homeland
20 Security of the House of Representatives and the
21 Committee on Homeland Security and Governmental
22 Affairs of the Senate a comprehensive Department
23 strategy to counter radical Islamist terrorism in the
24 United States.

1 “(2) CONTENTS OF STRATEGY.—The strategy
2 required under paragraph (1) shall, at a minimum,
3 address each of the following:

4 “(A) The Department’s counter-messaging
5 program described in subsection (d)(3), includ-
6 ing a plan to leverage new and existing Inter-
7 net, digital, and other technologies and social
8 media platforms to counter radical Islamist ter-
9 rorism, as well as the best practices and lessons
10 learned from other Federal, State, local, tribal,
11 territorial, non-governmental, and foreign part-
12 ners engaged in similar counter-messaging ac-
13 tivities.

14 “(B) The Department’s countering radical
15 Islamist terrorism-related engagement and out-
16 reach activities.

17 “(C) The use of cooperative agreements
18 with State, local, tribal, territorial, and other
19 Federal departments and agencies responsible
20 for activities relating to countering radical
21 Islamist terrorism.

22 “(D) Ensuring all activities related to
23 countering radical Islamist terrorism adhere to
24 relevant Department and applicable Depart-
25 ment of Justice guidance regarding privacy,

1 civil rights, and civil liberties, including safe-
2 guards against discrimination.

3 “(E) The development of qualitative and
4 quantitative outcome-based metrics to evaluate
5 the Department’s programs and policies to
6 counter radical Islamist terrorism.

7 “(F) An analysis of the homeland security
8 risk posed by radical Islamist terrorism based
9 on the threat environment and empirical data
10 assessing terrorist activities and incidents, and
11 radical Islamist terrorist propaganda, mes-
12 saging, or recruitment.

13 “(G) Information on the Department’s
14 near-term, mid-term, and long-term risk-based
15 goals for countering radical Islamist terrorism,
16 reflecting the risk analysis conducted pursuant
17 to subparagraph (F).

18 “(3) STRATEGIC CONSIDERATIONS.—In draft-
19 ing the strategy required under paragraph (1), the
20 Secretary shall consider including the following:

21 “(A) The Department’s efforts to under-
22 take research to improve the Department’s un-
23 derstanding of the risk of radical Islamist ter-
24 rorism and to identify ways to improve coun-
25 tering radical Islamist terrorism activities and

1 programs, including outreach, training, and in-
2 formation sharing programs.

3 “(B) The opportunities and challenges as-
4 sociated with the establishment of the counter-
5 messaging program described in subsection
6 (d)(3) that leverages emerging and existing so-
7 cial media and Internet platforms to directly
8 and indirectly counter radical Islamist terrorist
9 propaganda.

10 “(C) The Department’s nondiscrimination
11 policies, as such policies relate to countering
12 radical Islamist terrorism.

13 “(D) The Department’s efforts to help pro-
14 mote community engagement and partnerships
15 to counter radical Islamist terrorism in further-
16 ance of such strategy.

17 “(E) The Department’s efforts to help in-
18 crease support for programs and initiatives to
19 counter radical Islamist terrorism of other Fed-
20 eral, State, local, tribal, territorial, non-govern-
21 mental, and foreign partners that are in fur-
22 therance of such strategy, and which adhere to
23 all relevant constitutional, legal, and privacy
24 protections.

1 “(F) The Department’s efforts to dissemi-
2 nate to local law enforcement and the general
3 public information on resources, such as train-
4 ing guidance, workshop reports, and the radical
5 Islamist terrorism threat, through multiple plat-
6 forms, including the development of a dedicated
7 Web page, and information regarding the effec-
8 tiveness of such efforts.

9 “(G) The Department’s efforts to use co-
10 operative agreements with State, local, tribal,
11 territorial, and other Federal departments and
12 agencies responsible for efforts relating to coun-
13 tering radical Islamist terrorism, and informa-
14 tion regarding the effectiveness of such efforts.

15 “(H) Information on oversight mechanisms
16 and protections to ensure that activities and
17 programs undertaken pursuant to such strategy
18 adhere to all relevant constitutional, legal, and
19 privacy protections.

20 “(I) The Department’s efforts to conduct
21 oversight of all countering radical Islamist ter-
22 rorism training and training materials and
23 other resources developed or funded by the De-
24 partment.

1 “(J) The Department’s efforts to foster
2 transparency by making, to the extent prac-
3 ticable, all regulations, guidance, documents,
4 policies, and training materials publicly avail-
5 able, including through any Web page developed
6 under subparagraph (F).

7 “(4) STRATEGIC IMPLEMENTATION PLAN.—Not
8 later than 90 days after the submission of the strat-
9 egy required under this subsection, the Secretary
10 shall submit to the Committee on Homeland Secu-
11 rity of the House of Representatives and the Com-
12 mittee on Homeland Security and Governmental Af-
13 fairs of the Senate an implementation plan for each
14 of the components and offices of the Department
15 with responsibilities under such strategy. Such im-
16 plementation plan shall, at a minimum, include an
17 integrated master schedule and cost estimate for ac-
18 tivities and programs contained in such implementa-
19 tion plan, with specificity on how each such activity
20 and program aligns with near-term, mid-term, and
21 long-term goals specified in such strategy.

22 “(h) ANNUAL REPORTS.—The Assistant Secretary
23 for Partnerships to Prevent Terrorism shall submit to
24 Congress an annual report for each of the next five fiscal
25 years (beginning in the fiscal year that begins after the

1 date of the enactment of this section) on the Office for
2 Partnerships to Prevent Terrorism. Each such report shall
3 include the following:

4 “(1) A description of the status of the pro-
5 grams and policies of the Department for countering
6 radical Islamist terrorism, including the budget of
7 the Department for countering radical Islamist ter-
8 rorism and the number of full-time employees of the
9 Department dedicated to countering radical Islamist
10 terrorism programs, as well as the number of part-
11 time employees of the Department supporting coun-
12 tering radical Islamist terrorism programs. Each
13 such budget shall include an accounting of all fund-
14 ing amounts for all departmental programs, initia-
15 tives, and personnel related to countering radical
16 Islamist terrorism.

17 “(2) A description of the activities of the Office
18 to cooperate with and provide assistance to other
19 Federal departments and agencies.

20 “(3) The qualitative and quantitative outcome-
21 based metrics under subparagraph (E) of subsection
22 (g)(2) used for evaluating the success of such pro-
23 grams and policies and the steps taken to evaluate
24 the success of such programs and policies.

1 “(4) A detailed summary of the organizations
2 with which the Department conducted outreach to
3 discuss countering radical Islamist terrorism, an ac-
4 counting of grants awarded by the Department to
5 counter radical Islamist terrorism, and an account-
6 ing of all training specifically aimed at countering
7 radical Islamist terrorism sponsored by the Depart-
8 ment.

9 “(5) Details of the optimal level of personnel
10 and funding for the Office for Partnerships to Pre-
11 vent Terrorism.

12 “(6) An analysis of how the Department’s ac-
13 tivities to counter radical Islamist terrorism cor-
14 respond and adapt to the threat environment.

15 “(7) A summary of how civil rights and civil
16 liberties are protected in the Department’s activities
17 to counter radical Islamist terrorism.

18 “(8) An evaluation of the grant program under
19 subsection (f), including information on the effective-
20 ness of such grants in countering radical Islamist
21 terrorism.

22 “(9) A description of how the Office incor-
23 porated lessons learned from the countering radical
24 Islamist terrorism programs and policies of other
25 Foreign departments and agencies, as well as for-

1 eign, State, local, tribal, and territorial governments
2 and stakeholder communities.

3 “(i) VIOLENT EXTREMIST ACTIVITIES DEFINED.—In
4 this section, the term ‘violent extremist activities’ means
5 ideologically motivated international terrorism or domestic
6 terrorism, as such terms are defined in section 2331 of
7 title 18, United States Code.

8 “(j) AUTHORIZATION OF FUNDING.—

9 “(1) THE OFFICE FOR PARTNERSHIPS TO PRE-
10 VENT TERRORISM.—Out of funds made available to
11 the Office of the Secretary, \$4,000,000 is authorized
12 to be used for an the Office for Partnerships to Pre-
13 vent Terrorism for each of fiscal years 2017 through
14 2021.

15 “(2) GRANT PROGRAM.—Out of funds made
16 available for emergent threats from radical Islamist
17 terrorism and from complex, coordinated terrorist
18 attacks, \$10,000,000 is authorized until September
19 30, 2017, to carry out the grant program under sub-
20 section (f).

21 “(k) SUNSET.—This section shall terminate on Sep-
22 tember 30, 2021.

23 “(l) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that nothing in this section should be construed to

1 limit or abridge any rights or civil liberties under the Con-
 2 stitution of any person.”.

3 (c) **STUDY RELATING TO RADICALIZATION AND RAD-**
 4 **ICAL ISLAMIST TERRORISM.**—Not later than 120 days
 5 after the date of the enactment of this Act, the Secretary
 6 of Homeland Security shall issue a request for a proposal
 7 for a two year peer-reviewed longitudinal study applying
 8 generally accepted social science research methods to aid
 9 the Department of Homeland Security in developing a bet-
 10 ter understanding of radicalization that results in radical
 11 Islamist terrorism and advancing evidence-based strate-
 12 gies for effective intervention and prevention.

13 (d) **CLERICAL AMENDMENT.**—The table of contents
 14 in section 1(b) of such Act is amended by inserting after
 15 the item relating to section 103 the following new item:
 “Sec. 104. Office for an the Office for Partnerships to Prevent Terrorism.”.

16 **SEC. 3. EXERCISE ON TERRORIST AND FOREIGN FIGHTER**
 17 **TRAVEL.**

18 (a) **IN GENERAL.**—In addition to, or as part of exer-
 19 cise programs currently carried out by the Department of
 20 Homeland Security, to enhance domestic preparedness for
 21 and collective response to terrorism, promote the dissemi-
 22 nation of homeland security information, and test the se-
 23 curity posture of the United States, the Secretary of
 24 Homeland Security, through appropriate offices and com-
 25 ponents of the Department and in coordination with the

1 relevant Federal departments and agencies, shall, not later
2 than one year after the date of the enactment of this Act,
3 develop and conduct an exercise related to the terrorist
4 and foreign fighter threat.

5 (b) EXERCISE REQUIREMENTS.—The exercise re-
6 quired under subsection (a) shall include—

7 (1) a scenario involving—

8 (A) persons traveling from the United
9 States to join or provide material support or re-
10 sources to a terrorist organization abroad; and

11 (B) terrorist infiltration into the United
12 States, including United States citizens and for-
13 eign nationals; and

14 (2) coordination with appropriate Federal de-
15 partments and agencies, foreign governments, and
16 State, local, tribal, territorial, and private sector
17 stakeholders.

18 (c) REPORT.—Not later than 60 days after the com-
19 pletion of the exercise required under subsection (a), the
20 Secretary of Homeland Security shall, consistent with the
21 protection of classified information, submit an after-action
22 report to the Committee on Homeland Security of the
23 House of Representatives and the Committee on Home-
24 land Security and Governmental Affairs of the Senate pre-
25 senting the initial findings of such exercise, including any

1 identified or potential vulnerabilities in United States de-
2 fenses and any legislative changes requested in light of
3 the findings. The report shall be submitted in unclassified
4 form, but may include a classified annex.

5 (d) PROHIBITION ON ADDITIONAL FUNDING.—No
6 additional funds are authorized to be appropriated to
7 carry out this section.

8 (e) DEFINITION.—In this section, the term “material
9 support or resources” has the meaning given such term
10 in section 2339A of title 18, United States Code.

11 **SEC. 4. EMERGING THREATS IN THE NATIONAL EXERCISE**
12 **PROGRAM.**

13 Subparagraph (A) of section 648(b)(2) of the Post-
14 Katrina Emergency Management Reform Act of 2006 (6
15 U.S.C. 748(b)(2)) is amended—

16 (1) in clause (v), by striking “and” at the end;
17 and

18 (2) by adding after clause (vi) the following new
19 clause:

20 “(vii) designed, to the extent prac-
21 ticable, to include exercises addressing
22 emerging terrorist threats, such as sce-
23 narios involving United States citizens de-
24 parting the United States to enlist with or
25 provide material support or resources to

1 terrorist organizations abroad or terrorist
2 infiltration into the United States, includ-
3 ing United States citizens and foreign na-
4 tionals; and”.

5 **SEC. 5. GRANTING THE ATTORNEY GENERAL THE AUTHOR-**
6 **ITY TO DENY THE SALE, DELIVERY, OR**
7 **TRANSFER OF FIREARMS OR EXPLOSIVES TO**
8 **KNOWN OR SUSPECTED TERRORISTS.**

9 (a) IN GENERAL.—Section 922(t) of title 18, United
10 States Code, is amended by adding at the end the fol-
11 lowing:

12 “(7)(A) When the Attorney General is notified of a
13 request to transfer a firearm or an explosive to a person
14 who is being, or has been investigated during the previous
15 5 years, as a known or suspected terrorist, the Attorney
16 General shall, as appropriate, notify relevant Federal,
17 State, or local law enforcement agencies or intelligence
18 agencies concerning the identity of the prospective trans-
19 feree.

20 “(B) Upon being notified of a prospective transfer of
21 a firearm or an explosive to a person who is being inves-
22 tigated as a known or suspected terrorist, the Attorney
23 General or the United States attorney for the district in
24 which the licensee is located may—

1 “(i) delay the transfer of the firearm or explo-
2 sive for a period not to exceed 3 business days; and

3 “(ii) file an emergency petition in a court of
4 competent jurisdiction to prohibit the transfer of the
5 firearm or explosive, which petition shall receive the
6 highest priority on the docket of that court.

7 “(C)(i) An emergency petition filed under subpara-
8 graph (B) shall be granted upon a showing of probable
9 cause to believe that the prospective transferee will commit
10 an act of terrorism, or is prohibited from possessing or
11 receiving a firearm under subsection (g) or (n).

12 “(ii) An emergency petition filed under subparagraph
13 (B) to prohibit the transfer of a firearm or explosive may
14 be granted only after a hearing—

15 “(I) of which the prospective transferee receives
16 actual notice; and

17 “(II) at which the prospective transferee has an
18 opportunity to participate with counsel.

19 “(iii) In the case of an emergency petition filed under
20 subparagraph (B) which is denied, the court shall require
21 that the United States pay the costs and attorney fees
22 of the prospective transferee.”.

23 (b) RULE OF CONSTRUCTION.—The amendments
24 made by this section do not preclude the Attorney General
25 from arresting and detaining a person, including a person

1 described in section 922(t)(7) of title 18, United States
2 Code, with regard to whom an emergency petition has
3 been filed under such paragraph, if the Attorney General
4 has probable cause to believe that the person has com-
5 mitted, conspired to commit, or attempted to commit an
6 act of terrorism.

7 **SEC. 6. ANNUAL REVIEW OF TERRORIST SCREENING DATA-**
8 **BASE.**

9 The Director of the Federal Bureau of Investigation
10 shall, on an annual basis, review the individuals identified
11 in the terrorist screening database (as such term is de-
12 fined in section 2101(10) of the Homeland Security Act
13 of 2002 (6 U.S.C. 621(10))), and determine whether each
14 such identification is appropriate.

15 **SEC. 7. DENIAL, LIMITATION, AND REVOCATION OF PASS-**
16 **PORTS AND PASSPORT CARDS TO INDIVID-**
17 **UALS AFFILIATED WITH FOREIGN TER-**
18 **RORIST ORGANIZATIONS.**

19 The Act entitled “An Act to regulate the issue and
20 validity of passports, and for other purposes”, approved
21 July 3, 1926 (22 U.S.C. 211a et seq.), commonly known
22 as the “Passport Act of 1926”, is amended by adding at
23 the end the following new section:

1 **“SEC. 4. AUTHORITY TO DENY, LIMIT, OR REVOKE PASS-**
2 **PORTS AND PASSPORT CARDS TO INDIVID-**
3 **UALS AFFILIATED WITH FOREIGN TER-**
4 **RORIST ORGANIZATIONS.**

5 “(a) INELIGIBILITY.—

6 “(1) ISSUANCE.—Except as provided in sub-
7 section (b), the Secretary of State may not issue a
8 passport or passport card to any individual whom
9 the Secretary has determined—

10 “(A) is a member of or is otherwise affili-
11 ated with an organization the Secretary has
12 designated as a foreign terrorist organization
13 pursuant to section 219 of the Immigration and
14 Nationality Act (8 U.S.C. 1189); or

15 “(B) has aided, abetted, or provided mate-
16 rial support to such an organization.

17 “(2) REVOCATION.—Except as provided in sub-
18 section (b), the Secretary of State shall revoke a
19 passport or passport card previously issued to any
20 individual described in paragraph (1).

21 “(b) EXCEPTIONS.—

22 “(1) EMERGENCY CIRCUMSTANCES, HUMANI-
23 TARIAN REASONS, AND LAW ENFORCEMENT PUR-
24 POSES.—Notwithstanding paragraphs (1) and (2) of
25 subsection (a), the Secretary of State may issue or
26 decline to revoke a passport or passport card, in

1 emergency circumstances, for humanitarian reasons,
2 or for law enforcement purposes, to an individual de-
3 scribed in paragraph (1) of such subsection.

4 “(2) LIMITATION FOR RETURN TO UNITED
5 STATES.—Notwithstanding subsection (a)(2), the
6 Secretary of State, before revocation, shall—

7 “(A) limit a previously issued passport or
8 passport card only for return travel to the
9 United States; or

10 “(B) issue a limited passport or passport
11 card that only permits return travel to the
12 United States.

13 “(c) RIGHT OF REVIEW.—Any person who, in accord-
14 ance with this section, is denied issuance of a passport
15 or passport card by the Secretary of State, or whose pass-
16 port or passport card is revoked or otherwise limited by
17 the Secretary of State, may request a hearing before the
18 Secretary not later than 60 days after receiving notice of
19 such denial, revocation, or limitation.

20 “(d) REPORT.—If the Secretary of State issues, lim-
21 its, or declines to revoke a passport or passport card in
22 accordance with subsection (b), the Secretary shall, not
23 later than 30 days after any such action, submit to Con-
24 gress a report on such action.”.

○