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113TH CONGRESS
2D SESSION

H. R. 5408

To amend section 349(a) of the Immigration and Nationality Act to add certain acts of allegiance to a foreign terrorist organization to the list of acts for which nationals of the United States lose nationality, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2014

Mrs. BACHMANN introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on 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

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A BILL

To amend section 349(a) of the Immigration and Nationality Act to add certain acts of allegiance to a foreign terrorist organization to the list of acts for which nationals of the United States lose nationality, and for other purposes.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Terrorist Denaturalization and Passport Revocation Act''.

SEC. 2. LOSS OF NATIONALITY.

Section 349(a) of the Immigration and Nationality Act (8 U.S.C. 1481(a)) is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2)—

(A) by inserting after ''thereof,'' the following: ''or an organization designated as a foreign terrorist organization pursuant to section 219,''; and

(B) by striking ''or'' at the end;

(3) in paragraph (3)—

(A) by striking ''States, or'' and inserting ''States;''; and

(B) by adding at the end the following: ''(C) such foreign state harbors an organization designated as a foreign terrorist organization pursuant to section 219;'';

(4) in paragraph (4)(A)—

(A) by inserting after ''thereof,'' the following: ''or for an organization designated as a foreign terrorist organization pursuant to section 219,'';

(B) by striking ''he has'' and inserting ''the person has''; and

(C) by striking ''or'' at the end;

(5) in paragraph (4)(B), by inserting after ''thereof,'' the following: ''or for an organization designated as a foreign terrorist organization pursuant to section 219,'';

(6) in paragraph (4), by adding at the end the following: ''(C) accepting, serving in, or performing the duties of any office, post, or employment for an organization designated as a foreign terrorist organization pursuant to section 219, after attaining the age of eighteen years, if the office, post, or employment requires knowing engagement in hostilities against United States military or civilian personnel;''; and

(7) in paragraph (5), by striking ''or'' at the end.

SEC. 3. REVOCATION OR DENIAL OF PASSPORTS AND PASSPORT CARDS TO INDIVIDUALS WHO ARE MEMBERS OF FOREIGN TERRORIST ORGANIZATIONS.

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

"SEC. 4. AUTHORITY TO DENY OR REVOKE PASSPORT AND PASSPORT CARD.

"(a) INELIGIBILITY.—

"(1) ISSUANCE.—Except as provided under subsection (b), the Secretary of State may not issue a passport or passport card to any individual whom the Secretary has determined is a member of an organization the Secretary has designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) that is engaging in hostilities against the United States or its allies.

"(2) REVOCATION.—The Secretary of State shall revoke a passport or passport card previously issued to any individual described in paragraph (1).

"(b) EXCEPTIONS.—

"(1) EMERGENCY AND HUMANITARIAN SITUATIONS.—Notwithstanding subsection (a), the Secretary of State may issue a passport or passport card, in emergency circumstances or for humanitarian reasons, to an individual described in paragraph (1) of such subsection.

"(2) LIMITATION FOR RETURN TO UNITED STATES.—Notwithstanding subsection (a)(2), the Secretary of State, before revocation, may—

"(A) limit a previously issued passport or passport card only for return travel to the United States; or

"(B) issue a limited passport or passport card that only permits return travel to the United States.".

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