

BILL SUMMARY

October 2018

Sanctioning the Use of Civilians as Defenseless Shields Act (H.R 3342)

The Sanctioning the Use of Civilians as Defenseless Human Shields Act mandates sanctions against members of Hizballah and Hamas—and authorizes sanctions against members of other foreign terrorist organizations—responsible for the use of human shields. Terrorist groups—including Hizballah, Hamas and ISIS—are blatantly violating international law by placing their terrorist infrastructure amongst civilian populations and hiding behind innocent civilians as they carry out armed attacks. The legislation is authored by Sens. Ted Cruz (R-TX) and Joe Donnelly (D-IN) and Reps. Mike Gallagher (R-WI) and Tom Suozzi (D-NY).

Key Provisions:

- Declares it is the policy of the United States to “officially and publicly condemn the use of innocent civilians as human shields”—an abhorrent violation of the international law of armed conflict.
- Requires the president to impose sanctions on members of Hizballah and Hamas that knowingly order, control, or otherwise direct the use or attempted use of human shields.
- Requires the president to impose sanctions on any foreign state government agency or instrumentality that “knowingly and materially supports, orders, controls, directs, or otherwise engages in” the use of human shields by Hizballah and Hamas.
- Authorizes the president to impose sanctions on members of any other U.S. designated foreign terrorist organization found to have used human shields.
- Requires the president to freeze any assets and deny entry into the United States of anyone who violates the law.
- Provides a waiver to the imposition of sanctions if the president determines that such a waiver is in the national security interest of the United States.

In Oct. 2017, the House initially passed H.R.3342 as the Sanctioning Hizballah's Illicit Use of Civilians as Defenseless Shields Act. In Oct. 2018, the Senate revised the legislation to include Hamas and renamed the bill as the Sanctioning the Use of Civilians as Defenseless Shields Act.