

108TH CONGRESS
1ST SESSION

H. R. 401

To create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorism overseas receive equal treatment by the United States government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2003

Mr. ANDREWS (for himself, Ms. ROS-LEHTINEN, Mr. WAXMAN, Mr. SOUDER, Mr. SCHROCK, Mr. SAXTON, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorism overseas receive equal treatment by the United States government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence.

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 “Koby Mandell Act of
5 2003”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) Numerous American citizens have been
9 murdered or maimed by terrorists around the world,
10 including more than one hundred murdered since
11 1968 in terrorist attacks occurring in Israel or in
12 territories administered by Israel or in territories ad-
13 ministered by the Palestinian Authority.

14 (2) Some American citizens who have been vic-
15 tims of terrorism overseas, especially those harmed
16 by terrorists operating from areas administered by
17 the Palestinian Authority, have not received from
18 the United States Government services equal to
19 those received by other such victims of overseas ter-
20 rorism.

21 (3) The United States Government has not de-
22 voted adequate efforts or resources to the apprehen-
23 sion of terrorists who have harmed American citi-
24 zens overseas, particularly in cases involving terror-
25 ists operating from areas administered by the Pales-

1 tinian Authority. Monetary rewards for information
2 leading to the capture of terrorists overseas, which
3 the government advertises in regions where the ter-
4 rorists are believed to be hiding, have not been ad-
5 vertised in areas administered by the Palestinian
6 Authority.

7 (4) This situation is especially grave in the
8 areas administered by the Palestinian Authority, be-
9 cause many terrorists involved in the murders of
10 Americans are walking free there; some of these ter-
11 rorists have been given positions in the Palestinian
12 Authority security forces or other official Palestinian
13 Authority agencies; and a number of schools, streets,
14 and other public sites have been named in honor of
15 terrorists who were involved in the murder of Ameri-
16 cans.

17 (5) To remedy these and related problems, an
18 office should be established within the Department
19 of Justice for the purpose of ensuring equally vig-
20 orous efforts to capture all terrorists who have
21 harmed American citizens overseas and equal treat-
22 ment for all American victims of overseas terrorism.

1 **SEC. 3. ESTABLISHMENT OF AN OFFICE IN THE DEPART-**
2 **MENT OF JUSTICE TO UNDERTAKE SPECIFIC**
3 **STEPS TO FACILITATE THE CAPTURE OF TER-**
4 **RORISTS WHO HAVE HARMED AMERICAN**
5 **CITIZENS OVERSEAS AND TO ENSURE THAT**
6 **ALL AMERICAN VICTIMS OF OVERSEAS TER-**
7 **RORISM ARE TREATED EQUALLY.**

8 The President shall establish within the Department
9 of Justice an office (hereafter the “Office”) to carry out
10 the following activities:

11 (1) The Office shall assume responsibility for
12 administration of the Rewards for Justice program
13 and its web site, www.rewardsforjustice.com, and in
14 so doing will ensure that—

15 (A) rewards are offered to capture all ter-
16 rorists involved in harming American citizens
17 overseas, regardless of the terrorists’ country of
18 origin or residence;

19 (B) such rewards are prominently adver-
20 tised in the mass media and public sites in all
21 countries or regions where such terrorists re-
22 side;

23 (C) the names and photographs and sus-
24 pects in all such cases are included on the web
25 site; and

1 (D) the names of the specific organizations
2 claiming responsibility for terrorist attacks
3 mentioned on the site are included in the de-
4 scriptions of those attacks.

5 (2) The Office shall establish and administer a
6 program which will provide notification for American
7 victims of overseas terrorism or their immediate
8 family to update them on the status of efforts to
9 capture the terrorists who harmed them.

10 (3) The Office shall assume responsibility for
11 providing twice-annual reports to Congress as de-
12 fined by section 805 of the Admiral James W.
13 Nance and Meg Donovan Foreign Relations Author-
14 ization Act, Fiscal Years 2000 and 2001.

15 (4) The Office shall work with the other United
16 States government agencies to expand legal restric-
17 tions on the ability of murderers to reap profits from
18 books or movies concerning their crimes—the “Son
19 of Sam” laws that currently exist in many States, so
20 as to ensure that terrorists who harm American citi-
21 zens overseas are unable to profit from book or
22 movie sales in the United States.

23 (5) The Office shall endeavor to determine if
24 terrorists who have harmed American citizens over-
25 seas are serving in their local police or security

1 forces. Whenever it is found that terrorists who have
2 harmed American citizens overseas are serving in
3 their local police or security forces, the Office shall
4 alert those United States Government agencies in-
5 volved in providing assistance, directly or indirectly,
6 to those forces, and shall request of those agencies
7 that all such assistance be halted until the aforemen-
8 tioned terrorists are removed from their positions.

9 (6) The Office shall undertake a comprehensive
10 assessment of the pattern of United States indict-
11 ments and prosecution of terrorists who have
12 harmed American citizens overseas, in order to de-
13 termine the reasons for the absence of indictments
14 of terrorists residing in some regions, such as the
15 territories controlled by the Palestinian Authority.
16 The Office's assessment shall then be provided to
17 the Attorney General, together with its recommenda-
18 tions.

19 (7) The Office shall endeavor to monitor public
20 actions by governments and regimes overseas per-
21 taining to terrorists who have harmed American citi-
22 zens, such as naming of schools, streets, or other
23 public institutions or sites after such terrorists. In
24 such instances, the Office shall encourage other
25 United States Government agencies to halt their

1 provision of assistance, directly or indirectly, to
2 those institutions.

3 (8) In instances in which specific organizations
4 that claimed responsibility for acts of terrorism
5 against Americans overseas subsequently became
6 part of a governing regime with which the United
7 States Government maintains diplomatic or other of-
8 ficial contacts, such as the Palestinian Authority,
9 the Office will initiate negotiations to secure appro-
10 priate financial compensation for American citizens,
11 or the families of such citizens, who were harmed by
12 those organizations' terrorism.

13 (9) In cases where terrorists who have harmed
14 Americans overseas, and are subsequently released
15 from incarceration abroad, are eligible for further
16 prosecution in the United States, the Office shall co-
17 ordinate with other government agencies to seek the
18 transfer of those terrorists to the United States for
19 further prosecution.

20 (10) The Office shall strive to ensure that all
21 terrorists who have harmed Americans overseas are
22 treated by the United States Government as persona
23 non grata, including, but not limited to, steps such
24 as denying those individuals visas for entry to the
25 United States; urging United States Government

1 agencies to refrain from political and diplomatic con-
2 tacts with those individuals; and instructing United
3 States embassies and consulates to urge American
4 visitors in those countries to refrain from patron-
5 izing businesses that are owned or operated by such
6 individuals.

7 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) **IN GENERAL.**—There are authorized to be appro-
9 priated for fiscal year 2003 and subsequent fiscal years
10 such sums as may be necessary to carry out this Act.

11 (b) **AVAILABILITY.**—Amounts appropriated under
12 subsection (a) are authorized to remain available until ex-
13 pended.

○