To impose sanctions with respect to the International Criminal Court engaged in any effort to investigate, arrest, detain, or prosecute any protected person of the United States and its allies.

IN THE HOUSE OF REPRESENTATIVES

Mr. Roy introduced the following bill; which was referred to the Committee on ____________________________

A BILL

To impose sanctions with respect to the International Criminal Court engaged in any effort to investigate, arrest, detain, or prosecute any protected person of the United States and its allies.

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

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Illegitimate Court Counteraction Act”.

(Original Signature of Member)
SEC. 2. SANCTIONS WITH RESPECT TO THE INTERNATIONAL CRIMINAL COURT.

(a) In general.—No later than 60 days after the enactment of this Act, if the International Criminal Court is engaging in any attempt to investigate, arrest, detain, or prosecute any protected person, the President shall impose—

(1) the sanctions described in subsection (b) with respect to any foreign person the President determines—

(A) has directly engaged in or otherwise aided any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person;

(B) has or materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person; or

(C) is owned or controlled by, or is currently acting or purports to have acted, directly or indirectly, for or on behalf of any person that directly engages in any effort by the International Criminal Court to investigate, arrest, detain, or prosecute a protected person; and
(2) the sanctions described in subsection (b)(2) with respect to the immediate family members of each foreign person who is subject to sanctions pursuant to paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person described in subsection (a) are the following:

(1) PROPERTY BLOCKING.—The President shall exercise all of the powers granted by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of any foreign person described in subsection (a)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(2) ALIENS INADMISSIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—In the case of an alien described in subsection (a), the alien is—

(i) inadmissible to the United States;
(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of an alien described in subparagraph (A) shall be revoked, regardless of when such visa or other entry documentation was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien’s possession.

(c) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic
Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **Penalties.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of this section or any regulation, license, or order issued to carry out this section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(d) **Notification to Congress.**—Not later than 10 days after any imposition of sanctions pursuant to subsection (a), the President shall brief and provide written notification to the appropriate congressional committees regarding the imposition of sanctions that shall include—

(1) a description of the foreign person or persons subject to the imposition of such sanctions, including the foreign person’s role at or relation to the International Criminal Court;

(2) a description of any activity undertaken by such foreign person or persons in support of efforts to investigate, arrest, detain, or prosecute any protected person; and
(3) the specific sanctions imposed on such for-
eign person or persons.

c) SPECIAL RULE.—The President may terminate
the sanctions with respect to the foreign persons described
in subsection (a) if the President certifies in writing to
the appropriate congressional committees that the Inter-
national Criminal Court—

(1) has ceased engaging in any effort to inves-
tigate, arrest, detain, or prosecute all protected per-
sons; and

(2) has permanently closed, withdrawn, ended,
and otherwise terminated any preliminary examina-
tion, investigation, or any other effort by the Inter-
national Criminal Court to investigate, arrest, de-
tain, or prosecute all protected persons.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMITTED ALIEN.—The terms “admitted”
and “alien” have the meanings given those terms in
section 101 of the Immigration and Nationality Act

(2) ALLY OF THE UNITED STATES.—The term
“ally of the United States” means—

(A) a government of a member country of
the North Atlantic Treaty Organization; or
(B) a government of a major non-NATO ally, as that term is defined by section 2013(7) of the American Service-Members’ Protection Act (22 U.S.C. 7432(7)).

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on the Judiciary of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on the Judiciary of the Senate.

(4) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(5) IMMEDIATE FAMILY MEMBER.—The term “immediate family member”, with respect to a foreign person, means the spouse, parent, sibling, or adult child of the person.

(6) INTERNATIONAL CRIMINAL COURT; ROME STATUTE.—The terms “International Criminal Court” and “Rome Statute” have the meaning given
those terms in section 2013 of the American Service-
Members’ Protection Act (22 U.S.C. 7432).

(7) PROTECTED PERSON.—The term “protected
person” means—

(A) any United States person, unless the
United States provides formal consent to Inter-
national Criminal Court jurisdiction and is a
state party to the Rome Statute of the Inter-
national Criminal Court, including—

(i) current or former members of the
Armed Forces of the United States;

(ii) current or former elected or ap-
pointed officials of the United States Gov-
ernment; and

(iii) any other person currently or for-
merly employed by or working on behalf of
the United States Government;

(B) any foreign person that is a citizen or
lawful resident of an ally of the United States
that has not consented to International Crimi-
nal Court jurisdiction or is not a state party to
the Rome Statute of the International Criminal
Court, including—
(i) current or former members of the
Armed Forces of such ally of the United
States;
(ii) current or former elected or ap-
pointed government officials of such ally of
the United States; and
(iii) any other person currently or for-
merly employed by or working on behalf of
such a government.

(8) UNITED STATES PERSON.—The term
“United States person” means—
(A) an individual who is a United States
citizen or an alien lawfully admitted for perma-
nent residence to the United States;
(B) an entity organized under the laws of
the United States or any jurisdiction within the
United States, including a foreign branch of
such an entity; or
(C) any person in the United States.