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## [H.R. 237, FTO Passport Revocation Act of 2015, as amended](#)

### FLOOR SITUATION

On Tuesday, July 21, 2015, the House will consider [H.R. 237](#), the *FTO Passport Revocation Act of 2015*, under suspension of the rules. The bill was introduced on January 9, 2015, by Rep. Ted Poe (R-TX) and referred to the Committee on Foreign Affairs, which ordered the bill to be reported, as amended, by unanimous consent, on April 23, 2015.

### SUMMARY

H.R. 237 amends the Passport Act of 1926 to provide the Secretary of State the authority to revoke or refuse to issue a passport to “any individual whom the Secretary has determined has aided, assisted, abetted, or otherwise helped” a foreign terrorist organization (FTO).

The bill directs the Secretary, within 30 days of such a passport revocation or denial, to issue a classified or unclassified report on such action to the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations.

### BACKGROUND

In recent years, there has been growing concern over the threat from the Islamic State in Iraq and Syria (ISIS). Nicholas Rasmussen, the Director of the National Counterterrorism Center, [testified](#) before the Committee on Homeland Security in February 2015, asserting that approximately 20,000 foreign fighters from 90 countries have traveled to Syria to join militant groups, including 3,400 from the West and over 150 from the United States.<sup>1</sup> U.S. authorities arrested at least 25 people in ISIS-related investigations from January to April of this year,<sup>2</sup> and more than 10 in the weeks leading up to the 4<sup>th</sup> of July holiday.<sup>3</sup>

Some “advocates of revoking a passport for a U.S. citizen outside the U.S. believe that this would not only prevent U.S. ‘foreign fighters’ from traveling freely outside the U.S., but would also prevent their

<sup>1</sup> See *ABC News*, [“ISIS Trail of Terror”](#).

<sup>2</sup> See *CNN* articles, [“How ISIS is luring so many Americans to join its ranks.”](#) & [“More Americans volunteering to help ISIS.”](#)

<sup>3</sup> See *ABC News* article, [“FBI Says ISIS Arrests Helped Prevent July 4<sup>th</sup> Attacks.”](#) July 9, 2015.

reentry into the U.S. to engage in terrorism in U.S. territory. Federal courts have, however, recognized a citizen's right to enter the U.S., even without a passport."<sup>4</sup>

"Contrary to a popular misconception, the denial or revocation of a passport is not equivalent to, nor does it result in the loss of, U.S. citizenship. A passport is a travel document that identifies a person as a U.S. citizen entitled to the protection of the United States; it does not *per se* change or affect a person's actual status as a U.S. citizen. The loss of U.S. nationality, however, would be grounds for denying or revoking a U.S. passport."<sup>5</sup>

According to Foreign Affairs Committee Chairman Ed Royce, the bill is "important legislation to help counter terrorist groups like ISIS. The Committee is taking action to stem the flow of foreign fighters, including U.S. passport holders, to ISIS."<sup>6</sup>

## **COST**

The Congressional Budget Office (CBO) [estimates](#) that implementing the bill would cost less than \$500,000 over the 2016 to 2020 period, assuming the availability of appropriated amounts. Citizens who have been denied a passport or had one revoked are entitled to an administrative hearing and the State Department bears the costs associated with such hearings. Those individuals may also choose to pursue legal action. Based on information from the department, CBO expects that under the bill the number of passports being denied or revoked would not increase significantly.

## **STAFF CONTACT**

For questions or further information please contact [John Huston](#) with the House Republican Policy Committee by email or at 6-5539.

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<sup>4</sup> See CRS Legal Sidebar, [“\(No\) Papers, Please: No Passports for U.S. ‘Foreign Fighters.’”](#) October 10, 2014.

<sup>5</sup> Id.

<sup>6</sup> See Press Release, [“Foreign Affairs Committee Passes Measures to Address ISIS Threat.”](#) April 23, 2015.