

AMENDMENT TO
RULES COMMITTEE PRINT 116–19
OFFERED BY MR. MALINOWSKI OF NEW JERSEY

At the end of title XII, insert the following new subtitle:

1 **Subtitle I—Saudi Arabia Human**
2 **Rights and Accountability**

3 **SEC. 1281. REPORT ON INTELLIGENCE COMMUNITY AS-**
4 **SESSMENT RELATING TO THE KILLING OF**
5 **WASHINGTON POST COLUMNIST JAMAL**
6 **KHASHOGGI.**

7 (a) IN GENERAL.—Not later than 30 days after the
8 date of the enactment of this Act, the Director of National
9 Intelligence shall submit to the appropriate congressional
10 committees a report consisting of—

11 (1) a determination and presentation of evi-
12 dence with respect to the advance knowledge and
13 role of any current or former official of the Govern-
14 ment of Saudi Arabia or any current or former sen-
15 ior Saudi political figure over the directing, ordering,
16 or tampering of evidence in the killing of Wash-
17 ington Post columnist Jamal Khashoggi; and

1 (2) a list of foreign persons that the Director
2 of National Intelligence has high confidence—

3 (A) were responsible for, or complicit in,
4 ordering, controlling, or otherwise directing an
5 act or acts contributing to or causing the death
6 of Jamal Khashoggi;

7 (B) materially assisted, sponsored, or pro-
8 vided financial, material, or technological sup-
9 port for, or goods or services in support of, an
10 activity described in subparagraph (A); or

11 (C) impeded the impartial investigation of
12 the killing of Jamal Khashoggi, including
13 through the tampering of evidence relating to
14 the investigation.

15 (b) FORM.—

16 (1) IN GENERAL.—The report required by sub-
17 section (a) shall be submitted in unclassified form,
18 but may include a classified annex.

19 (2) NAMES OF FOREIGN PERSONS LISTED.—
20 The name of each foreign person listed in the report
21 described in subsection (a)(2) shall be included in
22 the unclassified portion of the report unless the Di-
23 rector of National Intelligence determines that such
24 disclosure would undermine United States intel-

1 to believe, has knowingly engaged in any activ-
2 ity described in section 1281(a)(2) is—

3 (i) inadmissible to the United States;

4 (ii) ineligible to receive a visa or other
5 documentation to enter the United States;

6 and

7 (iii) otherwise ineligible to be admitted
8 or paroled into the United States or to re-
9 ceive any other benefit under the Immigra-
10 tion and Nationality Act (8 U.S.C. 1101 et
11 seq.).

12 (B) CURRENT VISAS REVOKED.—

13 (i) IN GENERAL.—The issuing con-
14 sular officer, the Secretary of State, or the
15 Secretary of Homeland Security (or a des-
16 ignee of one of such Secretaries) shall, in
17 accordance with section 221(i) of the Im-
18 migration and Nationality Act (8 U.S.C.
19 1201(i)), revoke any visa or other entry
20 documentation issued to an alien described
21 in subparagraph (A) regardless of when
22 the visa or other entry documentation is
23 issued.

24 (ii) EFFECT OF REVOCATION.—A rev-
25 ocation under clause (i)—

1 (I) shall take effect immediately;
2 and

3 (II) shall automatically cancel
4 any other valid visa or entry docu-
5 mentation that is in the alien's pos-
6 session.

7 (2) EXCEPTION TO COMPLY WITH UNITED NA-
8 TIONS HEADQUARTERS AGREEMENT.—Sanctions
9 under paragraph (1) shall not apply with respect to
10 an alien if admitting or paroling the alien into the
11 United States is necessary to permit the United
12 States to comply with the Agreement regarding the
13 Headquarters of the United Nations, signed at Lake
14 Success June 26, 1947, and entered into force No-
15 vember 21, 1947, between the United Nations and
16 the United States, or other applicable international
17 obligations.

18 (3) WAIVER IN THE INTEREST OF NATIONAL
19 SECURITY.—The President may waive the applica-
20 tion of this section with respect to a foreign person
21 who is A-1 visa eligible and who is present in or
22 seeking admission into the United States for pur-
23 poses of official business if the President determines
24 and transmits to the appropriate congressional com-
25 mittees written notice and justification not later

1 than 15 days before the granting of such waiver,
2 that such a waiver is in the national security inter-
3 ests of the United States.

4 (c) SUSPENSION OF SANCTIONS.—

5 (1) IN GENERAL.—The President may suspend
6 in whole or in part the imposition of sanctions other-
7 wise required under this section for periods not to
8 exceed 180 days if the President certifies to the ap-
9 propriate congressional committees that the fol-
10 lowing criteria have been met in Saudi Arabia:

11 (A) The Government of Saudi Arabia has
12 released any individual who is a journalist,
13 blogger, human rights defender, advocate for
14 religious liberty, or civil society activist detained
15 by the Government of Saudi Arabia.

16 (B) The Government of Saudi Arabia is
17 cooperating in outstanding criminal proceedings
18 in the United States in which a Saudi citizen or
19 national departed from the United States while
20 the citizen or national was awaiting trial or sen-
21 tencing for a criminal offense committed in the
22 United States.

23 (C) The Government of Saudi Arabia is re-
24 fraining from the obstruction of the free expres-
25 sion of opinion and restriction of individuals

1 from engaging in public criticism of the political
2 sphere.

3 (D) The Government of Saudi Arabia has
4 made verifiable commitments to cease the prac-
5 tice of harming citizens of Saudi Arabia con-
6 ducting peaceful dissent, whether or not those
7 citizens reside in Saudi Arabia, including en-
8 forced repatriation, disappearance, arrest, im-
9 prisonment, or harassment.

10 (E) The Government of Saudi Arabia has
11 taken verifiable steps to hold accountable Saudi
12 violators of human rights, whether or not those
13 violations took place in Saudi Arabia.

14 (F) The Government of Saudi Arabia has
15 taken verifiable steps to repeal any law or regu-
16 lation that requires Saudi women to obtain ap-
17 proval from a male guardian in order to leave
18 the country.

19 (G) The Government of Saudi Arabia—
20 (i) has made public the names of all
21 individuals under prosecution for the mur-
22 der of Jamal Khashoggi and associated
23 crimes and the details of the charges such
24 individuals face;

1 (ii) has made public the trial pro-
2 ceedings and all evidence against the ac-
3 cused;

4 (iii) has invited international, inde-
5 pendent experts to monitor the trials;

6 (iv) has made public details of efforts
7 to establish the location of Mr.
8 Khashoggi's remains and associated find-
9 ings and returned his body to his family;
10 and

11 (v) has made public the rationale for
12 why ten of the individuals initially detained
13 were later released without charge.

14 (H) The Government of Saudi Arabia has
15 disbanded any units of its intelligence or secu-
16 rity apparatus dedicated to the forced repatri-
17 ation of dissidents in other countries.

18 (I) The Government of Saudi Arabia is co-
19 operating with efforts to investigate the murder
20 of Jamal Khashoggi being conducted by law en-
21 forcement authorities in the United States and
22 Turkey, or by the United Nations.

23 (2) REPORT.—Accompanying the certification
24 described in paragraph (1), the President shall sub-
25 mit to the appropriate congressional committees a

1 report that contains a detailed description of Saudi
2 Arabia's adherence to the criteria described in the
3 certification.

4 (d) DEFINITIONS.—In this section:

5 (1) ADMITTED; ALIEN.—The terms “admitted”
6 and “alien” have the meanings given those terms in
7 section 101 of the Immigration and Nationality Act
8 (8 U.S.C. 1101).

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-
10 TEES.—The term “appropriate congressional com-
11 mittees” means—

12 (A) the Committee on Foreign Affairs and
13 the Committee on the Judiciary of the House of
14 Representatives; and

15 (B) the Committee on Foreign Relations
16 and the Committee on the Judiciary of the Sen-
17 ate.

18 (3) FOREIGN PERSON.—The term “foreign per-
19 son” means a person that is not a United States
20 person.

21 (4) FOREIGN PERSON WHO IS A-1 VISA ELIGI-
22 BLE.—The term “foreign person who is A-1 visa eli-
23 gible” means an alien described in section
24 101(a)(15)(A)(i) of the Immigration and Nationality
25 Act (8 U.S.C. 1101(a)(15)(A)(i)).

1 (5) KNOWINGLY.—The term “knowingly”, with
2 respect to conduct, a circumstance, or a result,
3 means that a person has actual knowledge, or should
4 have known, of the conduct, the circumstance, or the
5 result.

6 (6) UNITED STATES PERSON.—The term
7 “United States person” means—

8 (A) a United States citizen or an alien law-
9 fully admitted for permanent residence to the
10 United States; or

11 (B) an entity organized under the laws of
12 the United States or any jurisdiction within the
13 United States, including a foreign branch of
14 such an entity.

15 **SEC. 1283. REPORT ON SAUDI ARABIA’S HUMAN RIGHTS**
16 **RECORD.**

17 (a) IN GENERAL.—Not later than 30 days after the
18 date of the enactment of this Act, the Secretary of State,
19 in accordance with section 502B(c) of the Foreign Assist-
20 ance Act of 1961 (22 U.S.C. 2304(c)), shall submit to the
21 appropriate congressional committees a report in writing
22 that—

23 (1) includes the information required under
24 paragraph (1) of such section 502B(c) with respect
25 to Saudi Arabia;

1 (2) describes the extent to which officials of the
2 Government of Saudi Arabia, including members of
3 the military or security services, are responsible for
4 or complicit in gross violations of internationally rec-
5 ognized human rights, including violations of the
6 human rights of journalists, bloggers, human rights
7 defenders, and those who support women’s rights or
8 religious freedom;

9 (3) describes violations of human rights in
10 Saudi Arabia by officials of the Government of
11 Saudi Arabia, including against journalists, bloggers,
12 human rights defenders, and civil society activists;

13 (4) describes United States actions to address
14 Saudi violations of human rights, including against
15 journalists, bloggers, human rights defenders, and
16 civil society activists, including demands for clem-
17 ency review of these cases;

18 (5) describes any intolerant content in edu-
19 cational materials published by Saudi Arabia’s Min-
20 istry of Education that are used in schools both in-
21 side Saudi Arabia and at schools throughout the
22 world; and

23 (6) describes United States actions to encour-
24 age Saudi Arabia to retrieve and destroy materials
25 with intolerant material and revise teacher manuals

1 and retrain teachers to reflect changes in edu-
2 cational materials and promote tolerance.

3 (b) FORM.—The report required by subsection (a)
4 shall be submitted in unclassified form, but may include
5 a classified annex.

6 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
7 FINED.—In the section, the term “appropriate congres-
8 sional committees” means—

9 (1) the Committee on Foreign Affairs of the
10 House of Representatives; and

11 (2) the Committee on Foreign Relations of the
12 Senate.

