

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) knowingly and materially assisted,
8 sponsored, or provided financial, material, or
9 technological support for, or goods or services
10 in support of, an activity described in subpara-
11 graph (A); or

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

16 (b) FORM.—

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

20 (2) NAMES OF FOREIGN PERSONS LISTED.—

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

1 ligence sources and methods or threaten the national
2 security interests of the United States.

3 (c) DEFINED.—In this section:

4 (1) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—The term “appropriate congressional com-
6 mittees” means—

7 (A) the Committee on Foreign Affairs and
8 the Permanent Select Committee on Intelligence
9 of the House of Representatives; and

10 (B) the Committee on Foreign Relations
11 and the Select Committee on Intelligence of the
12 Senate.

13 (2) KNOWINGLY.—The term “knowingly”, with
14 respect to conduct, a circumstance, or a result,
15 means that a person has actual knowledge, or should
16 have known, of the conduct, the circumstance, or the
17 result.

18 **SEC. 1282. SANCTIONS WITH RESPECT TO FOREIGN PER-**
19 **SONS THAT ENGAGE IN ACTIVITIES DE-**
20 **SCRIBED IN SECTION 1281(a)(2).**

21 (a) IMPOSITION OF SANCTIONS.—On and after the
22 date that is 120 days after the date of the enactment of
23 this Act, the sanctions described in subsection (b) shall
24 be imposed with respect to each foreign person listed in
25 the report described in section 1281(a)(2).

1 (b) SANCTIONS DESCRIBED.—

2 (1) IN GENERAL.—The sanctions described in
3 this subsection are the following:

4 (A) INELIGIBILITY FOR VISAS AND ADMIS-
5 SION TO THE UNITED STATES.—

6 (i) Inadmissibility to the United
7 States.

8 (ii) Ineligibility to receive a visa or
9 other documentation to enter the United
10 States.

11 (iii) Ineligibility to otherwise be ad-
12 mitted or paroled into the United States or
13 to receive any other benefit under the Im-
14 migration and Nationality Act (8 U.S.C.
15 1101 et seq.).

16 (B) CURRENT VISAS REVOKED.—

17 (i) Revocation of any visa or other
18 entry documentation regardless of when
19 the visa or other entry documentation is or
20 was issued.

21 (ii) A revocation under clause (i)
22 shall—

23 (I) take effect immediately; and

24 (II) automatically cancel any
25 other valid visa or entry documenta-

1 tion that is in the foreign person's
2 possession.

3 (2) EXCEPTION TO COMPLY WITH INTER-
4 NATIONAL OBLIGATIONS.—Sanctions under para-
5 graph (1) shall not apply with respect to a foreign
6 person if admitting or paroling the person into the
7 United States is necessary to permit the United
8 States to comply with the Agreement regarding the
9 Headquarters of the United Nations, signed at Lake
10 Success June 26, 1947, and entered into force No-
11 vember 21, 1947, between the United Nations and
12 the United States, or other applicable international
13 obligations.

14 (3) WAIVER IN THE INTEREST OF NATIONAL
15 SECURITY.—The President may waive the applica-
16 tion of this section with respect to a foreign person
17 who is A-1 visa eligible and who is present in or
18 seeking admission into the United States for pur-
19 poses of official business if the President determines
20 and transmits to the appropriate congressional com-
21 mittees written notice and justification not later
22 than 15 days before the granting of such waiver,
23 that such a waiver is in the national security inter-
24 ests of the United States.

25 (c) SUSPENSION OF SANCTIONS.—

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

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

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

19 (C) The Government of Saudi Arabia is re-
20 fraining from the obstruction of the free expres-
21 sion of opinion and restriction of individuals
22 from engaging in public criticism of the political
23 sphere.

24 (D) The Government of Saudi Arabia has
25 made verifiable commitments to cease the prac-

1 tice of harming citizens of Saudi Arabia con-
2 ducting peaceful dissent, whether or not those
3 citizens reside in Saudi Arabia, including en-
4 forced repatriation, disappearance, arrest, im-
5 prisonment, or harassment.

6 (E) The Government of Saudi Arabia has
7 taken verifiable steps to hold accountable Saudi
8 violators of human rights, whether or not those
9 violations took place in Saudi Arabia.

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

15 (G) The Government of Saudi Arabia—

16 (i) has made public the names of all
17 individuals under prosecution for the mur-
18 der of Jamal Khashoggi and associated
19 crimes and the details of the charges such
20 individuals face;

21 (ii) has made public the trial pro-
22 ceedings and all evidence against the ac-
23 cused;

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

1 (iv) has made public details of efforts
2 to establish the location of Mr.
3 Khashoggi's remains and associated find-
4 ings and returned his body to his family;
5 and

6 (v) has made public the rationale for
7 why ten of the individuals initially detained
8 were later released without charge.

9 (H) The Government of Saudi Arabia has
10 disbanded any units of its intelligence or secu-
11 rity apparatus dedicated to the forced repatri-
12 ation of dissidents in other countries.

13 (I) The Government of Saudi Arabia is co-
14 operating with efforts to investigate the murder
15 of Jamal Khashoggi being conducted by law en-
16 forcement authorities in the United States and
17 Turkey, or by the United Nations.

18 (2) REPORT.—Accompanying the certification
19 described in paragraph (1), the President shall sub-
20 mit to the appropriate congressional committees a
21 report that contains a detailed description of Saudi
22 Arabia's adherence to the criteria described in the
23 certification.

24 (d) DEFINITIONS.—In this section:

1 (1) ADMITTED; ALIEN.—The terms “admitted”
2 and “alien” have the meanings given those terms in
3 section 101 of the Immigration and Nationality Act
4 (8 U.S.C. 1101).

5 (2) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) the Committee on Foreign Affairs, the
9 Committee on the Judiciary, and the Perma-
10 nent Select Committee on Intelligence of the
11 House of Representatives; and

12 (B) the Committee on Foreign Relations,
13 the Committee on the Judiciary, and the Select
14 Committee on Intelligence of the Senate.

15 (3) FOREIGN PERSON.—The term “foreign per-
16 son” has the meaning given such term in section
17 595.304 of title 31, Code of Federal Regulations (as
18 in effect on the day before the date of the enactment
19 of this Act), except that such term does not include
20 an entity (as such term is described in such section).

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) UNITED STATES PERSON.—The term
2 “United States person” means—

3 (A) a United States citizen or an alien law-
4 fully admitted for permanent residence to the
5 United States; or

6 (B) an entity organized under the laws of
7 the United States or any jurisdiction within the
8 United States, including a foreign branch of
9 such an entity.

10 **SEC. 1283. REPORT ON SAUDI ARABIA’S HUMAN RIGHTS**
11 **RECORD.**

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

18 (1) includes the information required under
19 paragraph (1) of such section 502B(c) with respect
20 to Saudi Arabia;

21 (2) describes the extent to which officials of the
22 Government of Saudi Arabia, including members of
23 the military or security services, are responsible for
24 or complicit in gross violations of internationally rec-
25 ognized human rights, including violations of the

1 human rights of journalists, bloggers, human rights
2 defenders, and those who support women’s rights or
3 religious freedom;

4 (3) describes violations of human rights in
5 Saudi Arabia by officials of the Government of
6 Saudi Arabia, including against journalists, bloggers,
7 human rights defenders, and civil society activists;

8 (4) describes United States actions to address
9 Saudi violations of human rights, including against
10 journalists, bloggers, human rights defenders, and
11 civil society activists, including demands for clem-
12 ency review of these cases;

13 (5) describes any intolerant content in edu-
14 cational materials published by Saudi Arabia’s Min-
15 istry of Education that are used in schools both in-
16 side Saudi Arabia and at schools throughout the
17 world; and

18 (6) describes United States actions to encour-
19 age Saudi Arabia to retrieve and destroy materials
20 with intolerant material and revise teacher manuals
21 and retrain teachers to reflect changes in edu-
22 cational materials and promote tolerance.

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

1 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.—In the section, the term “appropriate congres-
3 sional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Permanent Select Committee on Intelligence of the
6 House of Representatives; and

7 (2) the Committee on Foreign Relations and
8 the Select Committee on Intelligence of the Senate.

