

**AMENDMENT TO RULES COMM. PRINT 117–13**  
**OFFERED BY MR. SCHIFF OF CALIFORNIA**

At the appropriate place in title LX of division E,  
insert the following:

1 **SEC. \_\_\_\_ . JAMAL KHASHOGGI PRESS FREEDOM ACCOUNT-**  
2 **ABILITY ACT OF 2021.**

3 (a) EXPANDING SCOPE OF HUMAN RIGHTS REPORTS  
4 WITH RESPECT TO VIOLATIONS OF HUMAN RIGHTS OF  
5 JOURNALISTS.—The Foreign Assistance Act of 1961 (22  
6 U.S.C. 2151 et seq.) is amended as follows:

7 (1) In paragraph (12) of section 116(d)—

8 (A) in subparagraph (B)—

9 (i) by inserting “or online harass-  
10 ment” after “direct physical attacks”; and

11 (ii) by inserting “or surveillance”  
12 after “sources of pressure”;

13 (B) in subparagraph (C)(ii), by striking  
14 “ensure the prosecution” and all that follows to  
15 the end of the clause and inserting “ensure the  
16 investigation, prosecution, and conviction of  
17 government officials or private individuals who  
18 engage in or facilitate digital or physical at-  
19 tacks, including hacking, censorship, surveil-

1 lance, harassment, unlawful imprisonment, or  
2 bodily harm, against journalists and others who  
3 perform, or provide administrative support to,  
4 the dissemination of print, broadcast, internet-  
5 based, or social media intended to communicate  
6 facts or opinion.”;

7 (C) by redesignating subparagraphs (B)  
8 and (C) (as amended by subparagraph (A) of  
9 this section) as subparagraphs (C) and (D), re-  
10 spectively; and

11 (D) by inserting after subparagraph (A)  
12 the following new subparagraph:

13 “(B) an identification of countries in which  
14 there were gross violations of internationally  
15 recognized human rights (as such term is de-  
16 fined for purposes of section 502B) committed  
17 against journalists;”.

18 (2) By redesignating the second subsection (i)  
19 of section 502B as subsection (j).

20 (3) In the first subsection (i) of section 502B—  
21 (A) in paragraph (2)—

22 (i) by inserting “or online harass-  
23 ment” after “direct physical attacks”; and

24 (ii) by inserting “or surveillance”  
25 after “sources of pressure”;

1 (B) by redesignating paragraph (2) (as  
2 amended by subparagraph (A) of this section)  
3 and paragraph (3) as paragraphs (3) and (4),  
4 respectively; and

5 (C) by inserting after paragraph (1) the  
6 following new paragraph:

7 “(2) an identification of countries in which  
8 there were gross violations of internationally recog-  
9 nized human rights committed against journalists;”.

10 (b) IMPOSITION OF SANCTIONS ON PERSONS RE-  
11 SPONSIBLE FOR THE COMMISSION OF GROSS VIOLATIONS  
12 OF INTERNATIONALLY RECOGNIZED HUMAN RIGHTS  
13 AGAINST JOURNALISTS.—

14 (1) LISTING OF PERSONS WHO HAVE COM-  
15 MITTED GROSS VIOLATIONS OF INTERNATIONALLY  
16 RECOGNIZED HUMAN RIGHTS.—

17 (A) IN GENERAL.—On or after the date on  
18 which a person is listed pursuant to subpara-  
19 graph (B), the President shall impose the sanc-  
20 tions described in paragraph (2) on each for-  
21 eign person the President determines, based on  
22 credible information, has perpetrated, ordered,  
23 or otherwise directed the extrajudicial killing of  
24 or other gross violation of internationally recog-  
25 nized human rights committed against a jour-

1           nalist or other person who performs, or provides  
2           administrative support to, the dissemination of  
3           print, broadcast, internet-based, or social media  
4           intended to report newsworthy activities or in-  
5           formation, or communicate facts or fact-based  
6           opinions.

7           (B) PUBLICATION OF LIST.—The Sec-  
8           retary of State shall publish on a publicly avail-  
9           able website of the Department of State a list  
10          of the names of each foreign person determined  
11          pursuant to subparagraph (A) to have per-  
12          petrated, ordered, or directed an act described  
13          in such paragraph. Such list shall be updated at  
14          least annually.

15          (C) EXCEPTION.—The President may  
16          waive the imposition of sanctions under sub-  
17          paragraph (A) (and omit a foreign person from  
18          the list published in accordance with subpara-  
19          graph (B)) or terminate such sanctions and re-  
20          move a foreign person from such list, if the  
21          President certifies to the Committee on Foreign  
22          Affairs of the House of Representatives and the  
23          Committee on Foreign Relations of the Sen-  
24          ate—

1 (i) that public identification of the in-  
2 dividual is not in the national interest of  
3 the United States, including an unclassi-  
4 fied description of the factual basis sup-  
5 porting such certification, which may con-  
6 tain a classified annex; or

7 (ii) that appropriate foreign govern-  
8 ment authorities have credibly—

9 (I) investigated the foreign per-  
10 son and, as appropriate, held such  
11 person accountable for perpetrating,  
12 ordering, or directing the acts de-  
13 scribed in subparagraph (A);

14 (II) publicly condemned viola-  
15 tions of the freedom of the press and  
16 the acts described in subparagraph  
17 (A);

18 (III) complied with any requests  
19 for information from international or  
20 regional human rights organizations  
21 with respect to the acts described in  
22 subparagraph (A); and

23 (IV) complied with any United  
24 States Government requests for infor-

1                   mation with respect to the acts de-  
2                   scribed in subparagraph (A).

3                   (2) SANCTIONS DESCRIBED.—The sanctions de-  
4                   scribed in this paragraph are the following:

5                   (A) ASSET BLOCKING.—The President  
6                   shall exercise all of the powers granted to the  
7                   President under the International Emergency  
8                   Economic Powers Act (50 U.S.C. 1701 et seq.)  
9                   to the extent necessary to block and prohibit all  
10                  transactions in property and interests in prop-  
11                  erty of a foreign person identified in the report  
12                  required under paragraph (1)(A) if such prop-  
13                  erty and interests in property are in the United  
14                  States, come within the United States, or come  
15                  within the possession or control of a United  
16                  States person.

17                  (B) INELIGIBILITY FOR VISAS, ADMISSION,  
18                  OR PAROLE.—

19                   (i) VISAS, ADMISSION, OR PAROLE.—  
20                   An alien described in paragraph (1)(A)  
21                   is—

22                                   (I) inadmissible to the United  
23                                   States;

1 (II) ineligible to receive a visa or  
2 other documentation to enter the  
3 United States; and

4 (III) otherwise ineligible to be  
5 admitted or paroled into the United  
6 States or to receive any other benefit  
7 under the Immigration and Nation-  
8 ality Act (8 U.S.C. 1101 et seq.).

9 (ii) CURRENT VISAS REVOKED.—

10 (I) IN GENERAL.—An alien de-  
11 scribed in paragraph (1)(A) is subject  
12 to revocation of any visa or other  
13 entry documentation regardless of  
14 when the visa or other entry docu-  
15 mentation is or was issued.

16 (II) IMMEDIATE EFFECT.—A rev-  
17 ocation under subclause (I) shall take  
18 effect immediately, and automatically  
19 cancel any other valid visa or entry  
20 documentation that is in the alien's  
21 possession.

22 (C) EXCEPTIONS.—

23 (i) EXCEPTION FOR INTELLIGENCE  
24 ACTIVITIES.—The sanctions described in  
25 this paragraph shall not apply to any activ-

1           ity subject to the reporting requirements  
2           under title V of the National Security Act  
3           of 1947 (50 U.S.C. 3091 et seq.) or any  
4           authorized intelligence activities of the  
5           United States.

6                   (ii) EXCEPTION TO COMPLY WITH  
7           INTERNATIONAL OBLIGATIONS.—The sanc-  
8           tions described in this paragraph shall not  
9           apply with respect to an alien if admitting  
10          or paroling the alien into the United States  
11          is necessary to permit the United States to  
12          comply with the Agreement regarding the  
13          Headquarters of the United Nations,  
14          signed at Lake Success June 26, 1947,  
15          and entered into force November 21, 1947,  
16          between the United Nations and the  
17          United States, or other applicable inter-  
18          national obligations.

19           (3) IMPLEMENTATION; PENALTIES.—

20                   (A) IMPLEMENTATION.—The President  
21          may exercise all authorities provided under sec-  
22          tions 203 and 205 of the International Emer-  
23          gency Economic Powers Act (50 U.S.C. 1702  
24          and 1704) to carry out this subsection.

1           (B) PENALTIES.—The penalties provided  
2           for in subsections (b) and (c) of section 206 of  
3           the International Emergency Economic Powers  
4           Act (50 U.S.C. 1705) shall apply to a foreign  
5           person that violates, attempts to violate, con-  
6           spires to violate, or causes a violation of this  
7           subsection to the same extent that such pen-  
8           alties apply to a person that commits an unlaw-  
9           ful act described in subsection (a) of such sec-  
10          tion 206.

11          (4) EXCEPTION RELATING TO THE IMPORTA-  
12          TION OF GOODS.—

13           (A) IN GENERAL.—The authorities and re-  
14           quirements to impose sanctions under this sec-  
15           tion shall not include any authority or require-  
16           ment to impose sanctions on the importation of  
17           goods.

18           (B) GOOD DEFINED.—For purposes of this  
19           section, the term “good” means any article,  
20           natural or man-made substance, material, sup-  
21           ply, or manufactured product, including inspec-  
22           tion and test equipment and excluding technical  
23           data.

24          (5) DEFINITIONS.—In this subsection:

1 (A) ADMITTED; ALIEN.—The terms “ad-  
2 mitted” and “alien” have the meanings given  
3 those terms in section 101 of the Immigration  
4 and Nationality Act (8 U.S.C. 1001).

5 (B) FOREIGN PERSON.—The term “foreign  
6 person” means an individual who is not—

7 (i) a United States citizen or national;

8 or

9 (ii) an alien lawfully admitted for per-  
10 manent residence to the United States.

11 (C) UNITED STATES PERSON.—The term  
12 “United States person” means—

13 (i) a United States citizen, an alien  
14 lawfully admitted for permanent residence  
15 to the United States, or any other indi-  
16 vidual subject to the jurisdiction of the  
17 United States;

18 (ii) an entity organized under the laws  
19 of the United States or of any jurisdiction  
20 within the United States, including a for-  
21 eign branch of such entity; or

22 (iii) any person in the United States.

23 (c) PROHIBITION ON FOREIGN ASSISTANCE.—

24 (1) PROHIBITION.—Assistance authorized  
25 under the Foreign Assistance Act of 1961 (22

1 U.S.C. 2151 et seq.) or the Arms Export Control  
2 Act (22 U.S.C. 2751 et seq.) may not be made avail-  
3 able to any governmental entity of a country if the  
4 Secretary of State or the Director of National Intel-  
5 ligence has credible information that one or more of-  
6 ficials associated with, leading, or otherwise acting  
7 under the authority of such entity has committed a  
8 gross violation of internationally recognized human  
9 rights against a journalist or other person who per-  
10 forms, or provides administrative support to, the dis-  
11 semination of print, broadcast, internet-based, or so-  
12 cial media intended to report newsworthy activities  
13 or information, or communicate facts or fact-based  
14 opinions. To the maximum extent practicable, a list  
15 of such governmental entities shall be published on  
16 publicly available websites of the Department of  
17 State and of the Office of the Director of National  
18 Intelligence and shall be updated on a regular basis.

19 (2) PROMPT INFORMATION.—The Secretary of  
20 State shall promptly inform appropriate officials of  
21 the government of a country from which assistance  
22 is withheld in accordance with the prohibition under  
23 paragraph (1).

1           (3) EXCEPTION.—The prohibition under para-  
2           graph (1) shall not apply with respect to the fol-  
3           lowing:

4                   (A) Humanitarian assistance or disaster  
5                   relief assistance authorized under the Foreign  
6                   Assistance Act of 1961.

7                   (B) Assistance the Secretary determines to  
8                   be essential to assist the government of a coun-  
9                   try to bring the responsible members of the rel-  
10                  evant governmental entity to justice for the acts  
11                  described in paragraph (1).

12           (4) WAIVER.—

13                   (A) IN GENERAL.—The Secretary of State,  
14                   may waive the prohibition under paragraph (1)  
15                   with respect to a governmental entity of a coun-  
16                   try if—

17                           (i) the President, acting through the  
18                           Secretary of State and the Director of Na-  
19                           tional Intelligence, determines that such a  
20                           waiver is in the national security interest  
21                           of the United States; or

22                           (ii) the Secretary of State has re-  
23                           ceived credible information that the gov-  
24                           ernment of that country has—

1 (I) performed a thorough inves-  
2 tigation of the acts described in para-  
3 graph (1) and is taking effective steps  
4 to bring responsible members of the  
5 relevant governmental entity to jus-  
6 tice;

7 (II) condemned violations of the  
8 freedom of the press and the acts de-  
9 scribed in paragraph (1);

10 (III) complied with any requests  
11 for information from international or  
12 regional human rights organizations  
13 with respect to the acts described in  
14 paragraph (1), in accordance with  
15 international legal obligations to pro-  
16 tect the freedom of expression; and

17 (IV) complied with United States  
18 Government requests for information  
19 with respect to the acts described in  
20 paragraph (1).

21 (B) CERTIFICATION.—A waiver described  
22 in subparagraph (A) may only take effect if—

23 (i) the Secretary of State certifies, not  
24 later than 30 days before the effective date  
25 of the waiver, to the Committee on Foreign

1 Affairs and the Committee on Appropria-  
2 tions of the House of Representatives and  
3 the Committee on Foreign Relations and  
4 the Committee on Appropriations of the  
5 Senate that such waiver is warranted and  
6 includes an unclassified description of the  
7 factual basis supporting the certification,  
8 which may contain a classified annex; and  
9 (ii) the Director of National Intel-  
10 ligence, not later than 30 days before the  
11 effective date of the waiver, submits to the  
12 Permanent Select Committee on Intel-  
13 ligence of the House of Representatives  
14 and the Select Committee on Intelligence  
15 of the Senate a report detailing any under-  
16 lying information that the intelligence com-  
17 munity (as such term is defined in section  
18 3 of the National Security Act of 1947 (50  
19 U.S.C. 3003)) has regarding the perpetra-  
20 tors of the acts described in paragraph (1),  
21 which shall be submitted in unclassified  
22 form but may contain a classified annex.

