

108TH CONGRESS
1ST SESSION

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To halt Saudi support for institutions that fund, train, incite, encourage, or in any other way aid and abet terrorism, and to secure full Saudi cooperation in the investigation of terrorist incidents.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 2003

Mr. SPECTER (for himself, Mr. SCHUMER, Mr. GRAHAM of South Carolina, Mr. WYDEN, Ms. COLLINS, Mr. GRAHAM of Florida, and Mr. BAYH) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To halt Saudi support for institutions that fund, train, incite, encourage, or in any other way aid and abet terrorism, and to secure full Saudi cooperation in the investigation of terrorist incidents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Saudi Arabia Account-
5 ability Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) United Nations Security Council Resolution
2 1373 (2001) mandates that all states “refrain from
3 providing any form of support, active or passive, to
4 entities or persons involved in terrorist acts”, take
5 “the necessary steps to prevent the commission of
6 terrorist acts”, and “deny safe haven to those who
7 finance, plan, support, or commit terrorist acts”.

8 (2) The Council on Foreign Relations concluded
9 in an October 2002 report on terrorist financing
10 that “[f]or years, individuals and charities based in
11 Saudi Arabia have been the most important source
12 of funds for al-Qaeda, and for years, Saudi officials
13 have turned a blind eye to this problem”.

14 (3) The Middle East Media Research Institute
15 concluded in a July 3, 2003, report on Saudi sup-
16 port for Palestinian terrorists that “for decades, the
17 royal family of the Kingdom of Saudi Arabia has
18 been the main financial supporter of Palestinian
19 groups fighting Israel”. The report notes specifically
20 that Saudi-sponsored organizations have funneled
21 over \$4,000,000,000 to finance the Palestinian
22 intifada that began in September 2000.

23 (4) Much of this Saudi money has been directed
24 to Hamas and to the families of suicide bombers, di-
25 rectly funding and rewarding suicide bombers. In

1 December 2000, former Palestinian Prime Minister
2 Mahmoud Abbas wrote to the Saudis to complain
3 about their support for Hamas.

4 (5) The New York Times, citing United States
5 and Israeli sources, reported on September 17,
6 2003, that at least 50 percent of the current oper-
7 ating budget of Hamas comes from “people in Saudi
8 Arabia”.

9 (6) Many Saudi-funded religious institutions
10 and the literature they distribute teach a message of
11 hate and intolerance that provides an ideological
12 basis for anti-Western terrorism. The effects of
13 these teachings are evidenced by the fact that
14 Osama bin Laden himself and 15 of the 19 Sep-
15 tember 11th hijackers were Saudi citizens.

16 (7) After the 1996 bombing of the Khobar
17 Towers housing complex at Dahrn, Saudi Arabia,
18 which killed 19 United States Air Force personnel
19 and wounded approximately 400 people, the Govern-
20 ment of Saudi Arabia refused to allow United States
21 officials to question individuals held in detention by
22 the Saudis in connection with the attack.

23 (8) During an October 2002 hearing on financ-
24 ing of terrorism before the Committee on the Judici-
25 ary of the Senate, the Undersecretary for Enforce-

1 ment of the Department of the Treasury testified
2 that the Government of Saudi Arabia had taken only
3 “baby steps” toward stemming the financing of ter-
4 rorist activities.

5 (9) During a July 2003 hearing on terrorism
6 before the Subcommittee on Terrorism, Technology
7 and Homeland Security of the Committee on the Ju-
8 diciary of the Senate, David Aufhauser, General
9 Counsel of the Treasury Department, stated that
10 Saudi Arabia is, in many cases, the “epicenter” of
11 financing for terrorism.

12 (10) A joint committee of the Select Committee
13 on Intelligence of the Senate and the Permanent Se-
14 lect Committee on Intelligence of the House of Rep-
15 resentatives issued a report on July 24, 2003, that
16 quotes various United States Government personnel
17 who complained that the Saudis refused to cooperate
18 in the investigation of Osama bin Laden and his net-
19 work both before and after the September 11, 2001,
20 terrorist attacks.

21 (11) There are indications that, since the May
22 12, 2003, suicide bombings in Riyadh, the Govern-
23 ment of Saudi Arabia is making a more serious ef-
24 fort to combat terrorism.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) it is imperative that the Government of
4 Saudi Arabia immediately and unconditionally—

5 (A) provide complete, unrestricted, and un-
6 obstructed cooperation to the United States, in-
7 cluding the unsolicited sharing of relevant intel-
8 ligence in a consistent and timely fashion, in
9 the investigation of groups and individuals that
10 are suspected of financing, supporting, plotting,
11 or committing an act of terror against United
12 States citizens anywhere in the world, including
13 within the Kingdom of Saudi Arabia;

14 (B) permanently close all charities, schools,
15 or other organizations or institutions in the
16 Kingdom of Saudi Arabia that fund, train, in-
17 cite, encourage, or in any other way aid and
18 abet terrorism anywhere in the world (hereafter
19 in this Act referred to as “Saudi-based terror
20 organizations”), including by means of pro-
21 viding support for the families of individuals
22 who have committed acts of terrorism;

23 (C) end funding or other support by the
24 Government of Saudi Arabia for charities,
25 schools, and any other organizations or institu-
26 tions outside the Kingdom of Saudi Arabia that

1 train, incite, encourage, or in any other way aid
2 and abet terrorism anywhere in the world (here-
3 after in this Act referred to as “offshore terror
4 organizations”), including by means of pro-
5 viding support for the families of individuals
6 who have committed acts of terrorism; and

7 (D) block all funding from private Saudi
8 citizens and entities to any Saudi-based terror
9 organization or offshore terrorism organization;
10 and

11 (2) the President, in deciding whether to make
12 the certification under section 4, should judge
13 whether the Government of Saudi Arabia has contin-
14 ued and sufficiently expanded the efforts to combat
15 terrorism that it redoubled after the May 12, 2003,
16 bombing in Riyadh.

17 **SEC. 4. SANCTIONS.**

18 (a) RESTRICTIONS ON EXPORTS AND DIPLOMATIC
19 TRAVEL.—Unless the President makes the certification
20 described in subsection (c), the President shall take the
21 following actions:

22 (1) Prohibit the export to the Kingdom of
23 Saudi Arabia, and prohibit the issuance of a license
24 for the export to the Kingdom of Saudi Arabia, of—

(A) any defense articles or defense services on the United States Munitions List under section 38 of the Arms Export Control Act (22 U.S.C. 2778) for which special export controls are warranted under such Act (22 U.S.C. 2751 et seq.); and

(B) any item identified on the Commerce Control List maintained under part 774 of title 15, Code of Federal Regulations.

(2) Restrict travel of Saudi diplomats assigned to Washington, District of Columbia, New York, New York, the Saudi Consulate General in Houston, or the Saudi Consulate in Los Angeles to a 25-mile radius of Washington, District of Columbia, New York, New York, the Saudi Consulate General in Houston, or the Saudi Consulate in Los Angeles, respectively.

(b) WAIVER.—The President may waive the application of subsection (a) if the President—

(1) determines that it is in the national security interest of the United States to do so; and

(2) submits to the appropriate congressional committees a report that contains the reasons for such determination.

1 (c) CERTIFICATION.—The President shall transmit to
2 the appropriate congressional committees a certification of
3 any determination made by the President after the date
4 of the enactment of this Act that the Government of Saudi
5 Arabia—

6 (1) is fully cooperating with the United States
7 in investigating and preventing terrorist attacks;

8 (2) has permanently closed all Saudi-based ter-
9 ror organizations;

10 (3) has ended any funding or other support by
11 the Government of Saudi Arabia for any offshore
12 terror organization; and

13 (4) has exercised maximum efforts to block all
14 funding from private Saudi citizens and entities to
15 offshore terrorist organizations.

16 **SEC. 5. REPORT.**

17 (a) REQUIREMENT FOR REPORT.—Not later than 6
18 months after the date of the enactment of this Act, and
19 every 12 months thereafter until the President makes the
20 certification described in section 4(c), the Secretary of
21 State shall submit to the appropriate congressional com-
22 mittees a report on the progress made by the Government
23 of Saudi Arabia toward meeting the conditions described
24 in paragraphs (1) through (4) of section 4(c).

1 (b) FORM.—The report submitted under subsection
2 (a) shall be in unclassified form but may include a classi-
3 fied annex.

4 **SEC. 6. DEFINITION OF APPROPRIATE CONGRESSIONAL**
5 **COMMITTEES.**

6 In this Act, the term “appropriate congressional com-
7 mittees” means the Committee on Foreign Relations of
8 the Senate and the Committee on International Relations
9 of the House of Representatives.

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