

109TH CONGRESS
1ST SESSION

S. 1171

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, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2005

Mr. SPECTER (for himself, Mr. BAYH, Ms. COLLINS, Mr. JOHNSON, Mrs. MURRAY, Mr. FEINGOLD, and Mr. WYDEN) 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, and for other purposes.

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 2005”.

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) In a June 2004 report entitled “Update on
15 the Global Campaign Against Terrorist Financing”,
16 the Council on Foreign Relations reported that
17 “[w]e find it regrettable and unacceptable that since
18 September 11, 2001, we know of not a single Saudi
19 donor of funds to terrorist groups who has been
20 publicly punished”.

21 (4) According to the final report of the Na-
22 tional Commission on Terrorist Attacks Upon the
23 United States, when asked where terrorist leaders
24 would likely locate their bases, military officers and

1 government officials repeatedly listed Saudi Arabia
2 as a prime location.

3 (5) A report released on January 28, 2005 by
4 Freedom House's Center for Religious Freedom
5 found that Saudi Arabia is the state most respon-
6 sible for the propagation of material promoting ha-
7 tred, intolerance, and violence within United States
8 mosques and Islamic centers, and that these publica-
9 tions are often official publications of a Saudi min-
10 istry or distributed by the Embassy of Saudi Arabia
11 in Washington, D.C.

12 (6) During a July 2003 hearing on terrorism
13 before the Subcommittee on Terrorism, Technology
14 and Homeland Security of the Committee on the Ju-
15 diciary of the Senate, David Aufhauser, General
16 Counsel of the Treasury Department, stated that
17 Saudi Arabia is, in many cases, the "epicenter" of
18 financing for terrorism.

19 (7) The New York Times, citing United States
20 and Israeli sources, reported on September 17,
21 2003, that at least 50 percent of the current oper-
22 ating budget of Hamas comes from "people in Saudi
23 Arabia".

24 (8) The Middle East Media Research Institute
25 concluded in a July 3, 2003, report on Saudi sup-

1 port for Palestinian terrorists that “for decades, the
2 royal family of the Kingdom of Saudi Arabia has
3 been the main financial supporter of Palestinian
4 groups fighting Israel”. The report notes specifically
5 that Saudi-sponsored organizations have funneled
6 over \$4,000,000,000 to finance the Palestinian
7 intifada that began in September 2000.

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

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

24 (11) As recounted by counterterrorism officials
25 in a September 2003 issue of Time Magazine, Saudi

1 Arabia denied United States officials access to sev-
2 eral suspects in the custody of the Government of
3 Saudi Arabia, including a Saudi Arabian citizen in
4 detention for months who had knowledge of exten-
5 sive plans to inject poison gas in the New York City
6 subway system.

7 (12) The United States Commission on Inter-
8 national Religious Freedom has reported that Saudi
9 Arabian Government-funded textbooks used both in
10 Saudi Arabia and also in North American Islamic
11 schools and mosques have been found to encourage
12 incitement to violence against non-Muslims.

13 (13) Many religious institutions that receive
14 funding from Saudi Arabia, and the literature dis-
15 tributed by such institutions, teach a message of
16 hate and intolerance that provides an ideological
17 basis for anti-Western terrorism. The effects of such
18 teachings are evidenced by the fact that Osama bin
19 Laden and 15 of the 19 individuals who participated
20 in the terrorist attacks of September 11, 2001 were
21 citizens of Saudi Arabia.

22 (14) There are indications that, since the May
23 12, 2003, suicide bombings in Riyadh, the Govern-
24 ment of Saudi Arabia is making a more serious ef-
25 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—

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

7 (B) any item identified on the Commerce
8 Control List maintained under part 774 of title
9 15, Code of Federal Regulations.

10 (2) Restrict travel of Saudi diplomats assigned
11 to Washington, District of Columbia, New York,
12 New York, the Saudi Consulate General in Houston,
13 or the Saudi Consulate in Los Angeles to a 25-mile
14 radius of Washington, District of Columbia, New
15 York, New York, the Saudi Consulate General in
16 Houston, or the Saudi Consulate in Los Angeles, re-
17 spectively.

18 (b) WAIVER.—The President may waive the applica-
19 tion of subsection (a) if the President—

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

22 (2) submits to the appropriate congressional
23 committees a report that contains the reasons for
24 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. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
5 **FINED.**

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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