To encourage accountability for the murder of Washington Post columnist Jamal Khashoggi.

IN THE HOUSE OF REPRESENTATIVES
APRIL 2, 2019

Mr. MALINOWSKI introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL
To encourage accountability for the murder of Washington Post columnist Jamal Khashoggi.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 SECTION 1. SHORT TITLE.

3 This Act may be cited as the “Saudi Arabia Human Rights and Accountability Act of 2019”.

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SEC. 2. REPORT ON INTELLIGENCE COMMUNITY ASSESSMENT RELATING TO THE KILLING OF WASHINGTON POST COLUMNIST JAMAL KHASHOGGI.

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

(1) a determination and presentation of evidence with respect to the advance knowledge and role of any current or former official of the Government of Saudi Arabia or any current or former senior Saudi political figure over the directing, ordering, or tampering of evidence in the killing of Washington Post columnist Jamal Khashoggi; and

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

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

(B) materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an activity described in subparagraph (A); or
(C) impeded the impartial investigation of
the killing of Jamal Khashoggi, including
through the tampering of evidence relating to
the investigation.

(b) FORM.—

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

(2) NAMES OF FOREIGN PERSONS LISTED.—
The name of each foreign person listed in the report
described in subsection (a)(2) shall be included in
the unclassified portion of the report unless the Di-
rector of National Intelligence determines that such
disclosure would undermine United States intel-
ligence sources and methods or threaten the national
security interests of the United States.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
FINED.—In this section, the term “appropriate congress-
ional committees” means—

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

(2) the Committee on Foreign Relations and
the Select Committee on Intelligence of the Senate.
SEC. 3. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ENGAGE IN ACTIVITIES DESCRIBED IN SECTION 2(a)(2).

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

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, has knowingly engaged in any activity described in section 2(a)(2) is—

(i) inadmissible to the United States;

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

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—
(i) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in subparagraph (A) regardless of when the visa or other entry documentation is issued.

(ii) EFFECT OF REVOCATION.—A revocation under clause (i)—

(I) shall take effect immediately; and

(II) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(2) EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT.—Sanctions under paragraph (1) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the

(c) Suspension of Sanctions.—

(1) In general.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this section for periods not to exceed 180 days if the President certifies to the appropriate congressional committees that the following criteria have been met in Saudi Arabia:

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

(B) The Government of Saudi Arabia is cooperating in outstanding criminal proceedings in the United States in which a Saudi citizen or national departed from the United States while the citizen or national was awaiting trial or sentencing for a criminal offense committed in the United States.
(C) The Government of Saudi Arabia is refraining from the obstruction of the free expression of opinion and restriction of individuals from engaging in public criticism of the political sphere.

(D) The Government of Saudi Arabia has made verifiable commitments to cease the practice of harming citizens of Saudi Arabia conducting peaceful dissent, whether or not those citizens reside in Saudi Arabia, including enforced repatriation, disappearance, arrest, imprisonment, or harassment.

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

(F) The Government of Saudi Arabia has taken verifiable steps to repeal any law or regulation that requires Saudi women to obtain approval from a male guardian in order to leave the country.

(G) The Government of Saudi Arabia—

(i) has made public the names of all individuals under prosecution for the murder of Jamal Khashoggi and associated
criminals and the details of the charges such individuals face;

(ii) has made public the trial proceedings and all evidence against the accused;

(iii) has invited international, independent experts to monitor the trials;

(iv) has made public details of efforts to establish the location of Mr. Khashoggi’s remains and associated findings and returned his body to his family; and

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

(H) The Government of Saudi Arabia has disbanded any units of its intelligence or security apparatus dedicated to the forced repatriation of dissidents in other countries.

(I) The Government of Saudi Arabia is cooperating with efforts to investigate the murder of Jamal Khashoggi being conducted by law enforcement authorities in the United States and Turkey, or by the United Nations.
(2) REPORT.—Accompanying the certification described in paragraph (1), the President shall submit to the appropriate congressional committees a report that contains a detailed description of Saudi Arabia’s adherence to the criteria described in the certification.

(d) DEFINITIONS.—In this section:

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

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

(B) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate.

(3) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

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

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

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

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

SEC. 4. REPORT ON SAUDI ARABIA’S HUMAN RIGHTS RECORD.

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

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

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

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

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

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

(6) describes United States actions to encour-
age Saudi Arabia to retrieve and destroy materials
with intolerant material and revise teacher manuals
and retrain teachers to reflect changes in edu-
cational materials and promote tolerance.
(b) Form.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) Appropriate Congressional Committees Defined.—In the section, the term “appropriate congressional committees” means—

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

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