

114TH CONGRESS
1ST SESSION

H. R. 3892

To require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2015

Mr. DIAZ-BALART (for himself, Mr. GOHMERT, Mr. WEBER of Texas, Mrs. BLACK, and Mr. POMPEO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Secretary of State to submit a report to Congress on the designation of the Muslim Brotherhood as a foreign terrorist organization, 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 “Muslim Brotherhood
5 Terrorist Designation Act of 2015”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Multiple countries have declared the Society
2 of the Muslim Brothers (commonly known as the
3 “Muslim Brotherhood”) a terrorist organization or
4 proscribed the group from operating in their coun-
5 tries.

6 (2) In 1980, following a wave of assassinations
7 targeting government officials and the June 16,
8 1979, massacre of 83 military cadets in Aleppo, the
9 Government of Syria—

10 (A) banned the Muslim Brotherhood from
11 the country; and

12 (B) made membership in the organization
13 punishable by death.

14 (3) In a February 14, 2003, court decision, the
15 Russian Supreme Court—

16 (A) described the Muslim Brotherhood as
17 a terrorist organization; and

18 (B) banned the organization from oper-
19 ating in Russia.

20 (4) In 2013—

21 (A) an Egyptian court banned the Muslim
22 Brotherhood from Egypt; and

23 (B) the Government of Egypt officially de-
24 clared the Muslim Brotherhood a terrorist orga-
25 nization.

1 (5) The Kingdom of Saudi Arabia designated
2 the Muslim Brotherhood as a terrorist group on
3 March 7, 2014.

4 (6) The Cabinet of the United Arab Emirates
5 has published a list of terrorist organizations, which
6 includes the Muslim Brotherhood and its local affili-
7 ates.

8 (7) On March 21, 2014, the Foreign Minister
9 of Bahrain backed the terrorist designations of the
10 Muslim Brotherhood by the United Arab Emirates
11 and Saudi Arabia.

12 (8) The Muslim Brotherhood, which was found-
13 ed in Egypt in 1928 by Hassan al-Banna, remains
14 headquartered in Egypt but operates throughout the
15 world.

16 (9) The Muslim Brotherhood’s long-standing
17 motto includes the following: “Allah is our objective.
18 The Prophet is our leader. The Qur’an is our law.
19 Jihad is our way. Dying in the way of Allah is our
20 highest hope. [Allah is greater!]”.

21 (10) Hassan al-Banna, in a book entitled “The
22 Way of Jihad”, taught—

23 (A) “Jihad is an obligation from Allah on
24 every Muslim and cannot be ignored nor
25 evaded. Allah has ascribed great importance to

1 jihad and has made the reward of the martyrs
2 and fighters in His way a splendid one. Only
3 those who have acted similarly and who have
4 modeled themselves upon the martyrs in their
5 performance of jihad can join them in this re-
6 ward.”; and

7 (B) “Jihad [means] the fighting of the un-
8 believers, and involves all possible efforts that
9 are necessary to dismantle the power of the en-
10 emies of Islam including beating them, plun-
11 dering their wealth, destroying their places of
12 worship and smashing their idols.”.

13 (11) Hassan al-Banna also taught that “it is
14 the nature of Islam to dominate, not to be domi-
15 nated”, and thus that the mission of Islam, as inter-
16 preted and executed by the Muslim Brotherhood,
17 must be “to impose [Islamic] law on nations and to
18 extend its power to the entire planet”. While al-
19 Banna’s plan for accomplishing this mission was
20 multifaceted, it centrally incorporated training for
21 and the execution of violent jihad–terrorist oper-
22 ations.

23 (12) In Richard P. Mitchell’s 1969 book on the
24 history of the Muslim Brotherhood, entitled “The
25 Society of Muslim Brothers”, Professor Mitchell ex-

1 plained al-Banna’s teachings on violent jihad: The
2 certainty that jihad had this physical connotation is
3 evidenced by the relationship always implied between
4 it and the possibility, even the necessity, of death
5 and martyrdom. Death, as an important end of
6 jihad, was extolled by al-Banna in a phrase which
7 came to be a famous part of his legacy: “[T]he art
8 of death”. “Death is art”. The Koran has com-
9 manded people to love death more than life. Unless
10 “the philosophy of the Koran on death” replaces
11 “the love of life” which has consumed Muslims, then
12 they will reach naught. Victory can only come with
13 the mastery of “the art of death”. The movement
14 cannot succeed, al-Banna insists, without this dedi-
15 cated and unqualified kind of jihad.

16 (13) This philosophy pervaded the Muslim
17 Brotherhood’s prioritization of training for combat.
18 Professor Mitchell observed that it was “the tone of
19 the training which gave [the Muslim Brotherhood]
20 its distinctive qualities”, adding: “If the Muslim
21 Brothers were more effectively violent than other
22 groups on the Egyptian scene, it was because mili-
23 tancy and martyrdom had been elevated to central
24 virtues in the Society’s ethos.”. Its literature and
25 speeches were permeated with references identifying

1 it and its purposes in military terms. Al-Banna told
2 members again and again that they were “the army
3 of liberation, carrying on your shoulders the message
4 of liberation; you are the battalions of salvation for
5 this nation afflicted by calamity”.

6 (14) Al-Banna’s blueprint for revolution antici-
7 pated a final stage of “execution” at which point the
8 battalions the Muslim Brotherhood had trained
9 would “conquer . . . every obstinate tyrant”. This
10 violent ideology continued to be part of the Brother-
11 hood’s indoctrination in standard membership texts,
12 such as Sayyid Qutb’s “Milestones” and Fathi
13 Yakan’s “To Be a Muslim”.

14 (15) In Muslim Brotherhood organizations and
15 chapters throughout the world, including in the
16 United States, al-Banna’s originating philosophy
17 continues to be taught.

18 (16) In its earliest days, the Egyptian Muslim
19 Brotherhood established a terrorist wing, referred to
20 as the “secret apparatus”, which conducted bomb-
21 ings and assassinations targeting foreigners and gov-
22 ernment officials. The assassinations by the Muslim
23 Brotherhood of Judge Ahmed Al-Khazinder Bey in
24 1947 and Prime Minister Mahmoud Al-Nuqrashi in

1 1948 prompted the first ban on the organization in
2 Egypt.

3 (17) The United States has previously des-
4 igned global elements of the Muslim Brotherhood
5 as foreign terrorist organizations, including—

6 (A) the terrorist group Hamas, which self-
7 identifies as “one of the wings of the Muslim
8 Brotherhood in Palestine”, which was des-
9 igned as a foreign terrorist organization by
10 President William J. Clinton on January 23,
11 1995, by Executive Order 12947, and by Sec-
12 retary of State Madeline Albright on October 7,
13 1997, under section 219(a) of the Immigration
14 and Nationality Act (8 U.S.C. 1189(a)); and

15 (B) the Kuwaiti Muslim Brotherhood’s
16 Lajnat al-Daawa al-Islamiya (“Islamic Call
17 Committee”), which was designated as a foreign
18 terrorist organization by President George W.
19 Bush on September 23, 2001, by Executive
20 Order 13224 and by Secretary of State Colin
21 Powell on January 9, 2003, under such section
22 219(a).

23 (18) Lajnat al-Daawa al-Islamiya was des-
24 igned as a foreign terrorist organization for—

1 (A) being a financial conduit for Osama
2 bin Laden and Al-Qaeda;

3 (B) funding terrorist groups in Chechnya
4 and Libya; and

5 (C) including Al-Qaeda operations chief
6 Khalid Sheikh Mohammed and World Trade
7 Center bomber Ramzi Yousef as leaders with
8 the organization.

9 (19) Militias of the Libyan Muslim Brotherhood
10 recently joined forces with United States designated
11 terrorist organizations, particularly Ansar al-Sharia,
12 as part of the Shura Council of Benghazi Revolu-
13 tionaries and Libya Dawn forces fighting against the
14 military forces of the internationally recognized Lib-
15 yan government.

16 (20) Individual Muslim Brotherhood leaders
17 have been designated by the United States as Spe-
18 cially Designated Terrorists, as authorized under the
19 International Emergency Economic Powers Act (50
20 U.S.C. 1701 et seq.) and initiated under Executive
21 Order 13224 (September 23, 2001), including
22 Shaykh Abd-al-Majid Al-Zindani, a leader of the
23 Yemeni Muslim Brotherhood's Al-Islah political
24 party, who was designated by the Secretary of the
25 Treasury as a specially designated terrorist on Feb-

1 ruary 2, 2004. The designation states that al-
2 Zindani has a “long history of working with Bin
3 Laden, serving as one of his spiritual leaders”, in
4 addition to his activities in support of Al-Qaeda, in-
5 cluding recruiting and procuring weapons. Al-
6 Zindani was also identified in a Federal lawsuit as
7 a coordinator of the October 2000 suicide attack
8 targeting the USS COLE in Aden, Yemen, that
9 killed 17 United States Navy sailors, including per-
10 sonally selecting the 2 suicide bombers. In Sep-
11 tember 2012, al-Zindani reportedly called for his
12 supporters to kill United States Marines stationed at
13 the United States Embassy in Sana’a, Yemen.

14 (21) Mohammad Jamal Khalifa, a veteran of
15 the Soviet-Afghan war, senior Muslim Brotherhood
16 leader, and brother-in-law and close confidant of
17 Osama bin Laden was arrested in California in De-
18 cember 1994 on charges related to the 1993 bomb-
19 ing of the World Trade Center. Evidence was found
20 at that time that linked Khalifa to the planned al-
21 Qaeda Operation Bojinka plot that included the
22 bombing of 11 airplanes between Asia and the
23 United States. He was deported to Jordan in May
24 1995. Prior to that time he operated an Islamic
25 charity in the Philippines that was accused of fun-

1 neling money to the Abu Sayyef terrorist group and
2 laundering money for Bin Laden. He was sought
3 again by United States authorities in 2007, and an
4 Interpol bulletin was issued to several United States
5 intelligence agencies. Khalifa was killed four days
6 later in Madagascar.

7 (22) Sami Al-Hajj, an Al-Qaeda member and
8 senior leader of the Muslim Brotherhood's Shura
9 Council, was imprisoned as a detainee at the De-
10 partment of Defense facility at Guantanamo Bay,
11 Cuba. He was captured by Pakistani forces near the
12 Afghanistan border in 2001 and transferred to
13 United States custody. He was detained for his work
14 as a money and weapons courier for Al-Qaeda. He
15 reportedly worked directly with Taliban commander
16 Mullah Mohammad Omar to procure weapons, and
17 met with senior Afghan Muslim Brotherhood offi-
18 cials in mid-2001 to discuss the transfer of Stinger
19 missiles from Afghanistan to Chechnya.

20 (23) According to a May 1995 report by the
21 United States House of Representatives Task Force
22 on Terrorism and Unconventional Warfare, a series
23 of conferences hosted by Sudanese Muslim Brother-
24 hood leader Hassan al-Turabi in Khartoum, Sudan,
25 during October 1994 and March to April 1995 fea-

1 tured representatives from virtually every Islamic
2 terrorist organization in the world. The conferences
3 included representatives from Iranian intelligence,
4 Hezbollah, Palestinian Islamic Jihad, Egyptian Is-
5 lamic Jihad, and the Armed Islamic Group of Alge-
6 ria, and leaders from the international Muslim
7 Brotherhood, the Muslim Brotherhood in the Gulf
8 Countries, Hamas (the Palestinian Muslim Brother-
9 hood), the Islamic Action Front (Jordanian Muslim
10 Brotherhood), and the Ennahda Movement (the Tu-
11 nisian Muslim Brotherhood). Osama bin Laden was
12 present at the conferences. The parties agreed to
13 launch a terrorism offensive beginning in 1995, with
14 targets including United States interests and per-
15 sonnel in the Middle East and attacks inside the
16 United States homeland.

17 (24) In October 2003, Richard Clarke, former
18 National Coordinator for Security and Counterter-
19 rorism for Presidents William J. Clinton and George
20 W. Bush, testified before the Committee on Bank-
21 ing, Housing, and Urban Affairs of the Senate that
22 terrorist organizations continued to operate inside
23 the United States and their connection to the Mus-
24 lim Brotherhood networks, stating “Dating back to
25 the 1980’s, Islamist terrorist networks have devel-

1 oped a sophisticated and diversified financial infra-
2 structure in the United States. In the post Sep-
3 tember 11th environment, it is now widely known
4 that every major Islamist terrorist organization,
5 from Hamas to Islamic Jihad to al-Qaeda, has lever-
6 aged the financial resources and institutions of the
7 United States to build their capabilities. We face a
8 highly developed enemy in our mission to stop ter-
9 rorist financing. While the overseas operations of
10 Islamist terrorist organizations are generally seg-
11 regated and distinct, the opposite holds in the
12 United States. The issue of terrorist financing in the
13 United States is a fundamental example of the
14 shared infrastructure levered by Hamas, Islamic
15 Jihad and al-Qaeda, all of which enjoy a significant
16 degree of cooperation and coordination within our
17 borders. The common link here is the extremist
18 Muslim Brotherhood—all of these organizations are
19 descendants of the membership and ideology of the
20 Muslim Brothers.”.

21 (25) One of the examples cited by Richard
22 Clarke in his testimony before the Committee on
23 Banking, Housing, and Urban Affairs of the Senate
24 was the case of Soliman Biheiri, who ran an invest-
25 ment firm specializing in islamically permissible in-

1 vestments, the Secaucus, New Jersey-based Baitul
2 Mal, Incorporated, which offered a range of financial
3 services for the Muslim community, and invested in
4 businesses and real estate. According to Federal
5 prosecutors, the shareholders of Baitul Mal included
6 al-Qaeda financier Yassin al-Qadi and top Hamas
7 leader Mousa abu Marzook, both of whom are spe-
8 cially designated global terrorists and operated sepa-
9 rate businesses out of the offices of Baitul Mal, In-
10 corporated and also did business with Baitul Mal,
11 Incorporated. Other Baitul Mal, Incorporated inves-
12 tors included Abdullah bin Laden, nephew of Osama
13 bin laden, and Tarek Swaidan, a Kuwaiti Muslim
14 Brotherhood leader. In a September 2003 detention
15 hearing, Federal prosecutors described Biheiri as
16 “the United States banker for the Muslim Brother-
17 hood,” and stating that “the defendant came here as
18 the Muslim Brotherhood’s financial toehold in the
19 United States.”. Biheiri was convicted on Federal
20 immigration charges on October 9, 2003.

21 (26) The fact that the international Muslim
22 Brotherhood engages in terrorism financing inside
23 the United States was attested to in February 2011
24 by FBI Director Robert Mueller, who testified before
25 the Permanent Select Committee on Intelligence of

1 the House of Representatives about the Muslim
2 Brotherhood's networks and agenda in the United
3 States, stating: "I can say at the outset that ele-
4 ments of the Muslim Brotherhood both here and
5 overseas have supported terrorism. To the extent
6 that I can provide information, I would be happy to
7 do so in closed session. But it would be difficult to
8 do in open session."

9 (27) In the Holy Land Foundation prosecu-
10 tions—the largest terrorism financing trial in United
11 States history—Department of Justice officials suc-
12 cessfully argued in court that the international Mus-
13 lim Brotherhood and its United States affiliates had
14 engaged in a widespread conspiracy to raise money
15 and materially support the terrorist group Hamas.
16 HLF officials charged in the case were found guilty
17 on all counts in November 2008, primarily related to
18 millions of dollars that had been transferred to
19 Hamas. During the trial and in court documents,
20 Federal prosecutors implicated a number of promi-
21 nent United States-Islamic organizations in this con-
22 spiracy, including the Islamic Society of North
23 America, the North American Islamic Trust, and the
24 Council on American-Islamic Relations. These
25 groups and their leaders, among others, were named

1 as unindicted co-conspirators in the case. The De-
2 partment of Justice told the court that these United
3 States-Muslim Brotherhood affiliates acted at the di-
4 rection of the international Muslim Brotherhood to
5 support terrorism in a July 2008 court filing:
6 “ISNA and NAIT, in fact, shared more with HLF
7 than just a parent organization. They were inti-
8 mately connected with the [Holy Land Foundation]
9 and its assigned task of providing financial support
10 to HAMAS. Shortly after HAMAS was founded in
11 1987, as an outgrowth of the Muslim Brotherhood,
12 the International Muslim Brotherhood ordered the
13 Muslim Brotherhood chapters throughout the world
14 to create Palestine Committees, who supported
15 HAMAS with ‘media, money and men’. The U.S.-
16 Muslim Brotherhood created the U.S. Palestine
17 Committee, which document reflect was initially
18 comprised of 3 organizations: the Holy Land Foun-
19 dation, the Islamic Association for Palestine, and the
20 United Association for Studies and Research. CAIR
21 was later added to these organizations. The mandate
22 of these organizations, per the International Muslim
23 Brotherhood, was to support HAMAS, and the
24 HLF’s particular role was to raise money to support

1 HAMAS' organizations inside the Palestinian terri-
2 tories.”.

3 (28) In September 2010, the Supreme Guide of
4 the Muslim Brotherhood, Mohamed Badie, delivered
5 a weekly sermon mirroring the ideological themes of
6 Al-Qaeda's August 1996 declaration of war against
7 the United States. Calling on Arab and Muslim re-
8 gimes to confront not just Israel, but also the
9 United States, he declared that “Resistance is the
10 only solution against the Zio-American arrogance
11 and tyranny.”. This “resistance” can only come
12 from fighting and understanding “that the improve-
13 ment and change that the [Muslim] nation seeks can
14 only be attained through jihad and sacrifice and by
15 raising a jihadi generation that pursues death just
16 as the enemies pursue life”. He also predicted the
17 imminent downfall of the United States, saying
18 “The United States is now experiencing the begin-
19 ning of its end, and is heading towards its demise.”.

20 (29) Since August 2013, Muslim Brotherhood
21 members in Egypt have been killed in firefights dur-
22 ing attacks on police and military targets, and dur-
23 ing the manufacture and placement of explosives for
24 acts of terrorism.

1 (30) The August 14, 2013, clearing of Muslim
2 Brotherhood protests in Egypt resulted in attacks by
3 Muslim Brotherhood supporters targeting the Coptic
4 Christian community. Attacks included 70 churches
5 and more than 1,000 homes and businesses of Cop-
6 tic Christian families torched in the ensuing vio-
7 lence. During the Muslim Brotherhood protests,
8 there were repeated reports of direct incitement to-
9 wards the Copts from leading Muslim Brotherhood
10 figures, and since the protest dispersal this targeting
11 of the Christian community continues in official
12 statements on Muslim Brotherhood social media out-
13 lets and from its leadership. As the United States
14 Commission on International Religious Freedom has
15 previously noted, this terror campaign by the Mus-
16 lim Brotherhood is not a new development. Over the
17 past decade violence by the Muslim Brotherhood has
18 been directed at the Coptic community. As the
19 USCIRF observed in its 2003 Annual Report: “Copt-
20 tic Christians face ongoing violence from vigilante
21 Muslim extremists, including members of the Mus-
22 lim Brotherhood, many of whom act with impu-
23 nity.”.

24 (31) On January 27, 2015, the Muslim Broth-
25 erhood published on their official Ikhwanonline.com

1 website an announcement that the organization was
2 entering a “new phase” and calling its followers to
3 prepare for a “long, uncompromising jihad” against
4 the Egyptian government. The statement also posi-
5 tively recalled the Muslim Brotherhood’s terrorist
6 past, including the operations of the “secret appa-
7 ratus” terror wing active in the 1940s and 1950s,
8 and the group’s battalions organized by Brotherhood
9 founder Hassan al-Banna that fought against Israel
10 during its War of Independence in 1948.

11 (32) On May 27, 2015, a group of 159 Muslim
12 Brotherhood-associated scholars from 35 nations an-
13 nounced the publication of a document endorsing vi-
14 olence in Egypt in response to a “war against Is-
15 lam’s principles.”. Specifically, Article 4 of the “Call
16 to Egypt” calls for “retribution punishment” against
17 government officials, judges, police, soldiers, reli-
18 gious officials, and media personalities backing the
19 government. The document was affirmed by the
20 Muslim Brotherhood in an English-language state-
21 ment published on their official website.

22 (33) A July 1, 2015, statement published on
23 the Muslim Brotherhood’s official English-language
24 website called for “rebellion” against the Egyptian
25 government after a group of senior Muslim Brother-

1 hood leaders were killed in a shootout after opening
2 fire on Egyptian anti-terror police who were raiding
3 the secret meeting in 6 of October City. Documents
4 reportedly recovered at the scene showed that the
5 leadership were planning acts of sabotage and at-
6 tacks on police stations during the second anniver-
7 sary of the removal of Mohamed Morsi on July 3rd.

8 (34) A senior Egyptian Muslim Brotherhood
9 leader, Ashraf Abdel Ghaffar, gave a July 3, 2015,
10 interview in which he defended the sabotage of
11 power stations and high voltage pylons targeting
12 Egyptian citizens by the Muslim Brotherhood as
13 punishment for support of the Egyptian government.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the Muslim Brotherhood meets the criteria
17 for designation as a foreign terrorist organization
18 under section 219 of the Immigration and Nation-
19 ality Act (8 U.S.C. 1189); and

20 (2) the Secretary of State, in consultation with
21 the Attorney General and the Secretary of the
22 Treasury, should exercise the Secretary of State's
23 statutory authority by designating the Muslim
24 Brotherhood as a foreign terrorist organization.

1 **SEC. 3. REPORT ON DESIGNATION OF THE MUSLIM BROTH-**
2 **ERHOOD AS A FOREIGN TERRORIST ORGANI-**
3 **ZATION.**

4 (a) DEFINITIONS.—In this section:

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

8 (A) the Committee on Homeland Security
9 and Governmental Affairs of the Senate;

10 (B) the Committee on Armed Services of
11 the Senate;

12 (C) the Committee on Foreign Relations of
13 the Senate;

14 (D) the Select Committee on Intelligence
15 of the Senate;

16 (E) the Committee on the Judiciary of the
17 Senate;

18 (F) the Committee on Banking, Housing,
19 and Urban Affairs of the Senate;

20 (G) the Committee on Homeland Security
21 of the House of Representatives;

22 (H) the Committee on Armed Services of
23 the House of Representatives;

24 (I) the Committee on Foreign Affairs of
25 the House of Representatives;

1 (J) the Permanent Select Committee on
2 Intelligence of the House of Representatives;

3 (K) the Committee on the Judiciary of the
4 House of Representatives; and

5 (L) the Committee on Financial Services
6 of the House of Representatives.

7 (2) INTELLIGENCE COMMUNITY.—The term
8 “intelligence community” has the meaning given
9 that term in section 3(4) of the National Security
10 Act of 1947 (50 U.S.C. 3003(4)).

11 (b) REPORT.—Not later than 60 days after the date
12 of the enactment of this Act, the Secretary of State, in
13 consultation with the intelligence community, shall submit
14 a detailed report to the appropriate congressional commit-
15 tees that—

16 (1) indicates whether the Muslim Brotherhood
17 meets the criteria for designation as a foreign ter-
18 rorist organization under section 219 of the Immi-
19 gration and Nationality Act (8 U.S.C. 1189); and

20 (2) if the Secretary of State determines that
21 Muslim Brotherhood does not meet the criteria re-
22 ferred to in paragraph (1), includes a detailed jus-
23 tification as to which criteria have not been met.

- 1 (c) FORM.—The report required under subsection (b)
- 2 shall be submitted in unclassified form, but may include
- 3 a classified annex, if appropriate.

○