

117TH CONGRESS
2D SESSION

H. R. 9064

To enshrine the legacy of Jamal Khashoggi by protecting dissidents and journalists, codifying the Khashoggi Ban, and introducing the Khashoggi Amendment to the Foreign Sovereign Immunities Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2022

Ms. MCCOLLUM (for herself, Mr. SCHIFF, and Mr. CONNOLLY) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To enshrine the legacy of Jamal Khashoggi by protecting dissidents and journalists, codifying the Khashoggi Ban, and introducing the Khashoggi Amendment to the Foreign Sovereign Immunities Act, 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 “Jamal Khashoggi Pro-
5 tection for Dissidents and Journalists Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Jamal Khashoggi was a resident of the
2 United States living in the Commonwealth of Vir-
3 ginia, a Saudi journalist, a Washington Post col-
4 umnist, and critical of the Saudi regime.

5 (2) On October 2, 2018, Khashoggi was lured
6 to the Consulate of the Kingdom of Saudi Arabia in
7 Istanbul, Turkey under the false cover of needing to
8 address a consular matter.

9 (3) While inside the Saudi consulate, Khashoggi
10 was murdered, and his body was dismembered by in-
11 telligence officers of the Kingdom of Saudi Arabia.

12 (4) The Office of the Director of National Intel-
13 ligence determined in 2018 that Saudi Crown Prince
14 Mohammed Bin Salman approved the capture or
15 killing of Khashoggi in Istanbul.

16 (5) A highly credible inquiry by the United Na-
17 tions concluded that Khashoggi's killing was pre-
18 meditated and that the mission was endorsed,
19 planned, and overseen by senior Saudi officials.

20 **SEC. 3. KHASHOGGI AMENDMENT TO THE FOREIGN SOV-**
21 **EREIGN IMMUNITIES ACT.**

22 (a) GENERAL EXCEPTIONS TO THE JURISDICTIONAL
23 IMMUNITY OF A FOREIGN STATE.—Section 1605(a) of
24 title 28, United States Code, is amended—

1 (1) in paragraph (5)(B), by striking “or” at the
2 end;

3 (2) in paragraph (6), by striking the period and
4 insertin “; or”; and

5 (3) by adding at the end the following:

6 “(7) in which money damages are sought
7 against a foreign state for the personal injury or
8 death of a United States person or resident taking
9 place on or after October 2, 2017, anywhere other
10 than on the territory of that foreign state, where the
11 injury or death is a direct result of extraterritorial
12 counter-dissident activities conducted by the defend-
13 ant foreign state or its agents.

14 For purposes of this subsection, ‘counter-dissident activi-
15 ties’ includes activities that suppress, harass, surveil,
16 threaten, or harm journalists, activists, or other persons
17 perceived to be dissidents.”.

18 (b) EXCEPTIONS TO THE IMMUNITY FROM ATTACH-
19 MENT OR EXECUTION.—Section 1610 of title 28, United
20 States Code, is amended by striking “section 1605(a)(2),
21 (3), or (5)” and inserting “paragraph (2), (3), (5), or (7)
22 of section 1605(a)”.

1 **SEC. 4. KHASHOGGI BAN GROUND OF INADMISSIBILITY.**

2 Section 212(a)(3) of the Immigration and Nationality
3 Act (8 U.S.C. 1182(a)(3)) is amended by adding at the
4 end the following:

5 “(H) KHASHOGGI BAN.—

6 “(i) IN GENERAL.—An alien who is
7 determined by the Secretary of State or
8 the Secretary of Homeland Security to be
9 acting on behalf of a foreign government
10 and is believed to be directly engaged in
11 serious, extraterritorial counter-dissident
12 activities, including those that suppress,
13 harass, surveil, threaten, or harm—

14 “(I) journalists;

15 “(II) activists;

16 “(III) other persons perceived to
17 be dissidents for their work; or

18 “(IV) families or other close as-
19 sociates of the persons described in
20 clauses (i) through (iii),

21 is inadmissible.

22 “(ii) DISCRETIONARY BAN.—Any alien
23 who is a family member of an alien who is
24 inadmissible under clause (i) may be inad-
25 missible, as determined by the Secretary of

1 State or the Secretary of Homeland Secu-
2 rity.

3 “(iii) NOTIFICATION OF DETERMINA-
4 TIONS.—If an alien is determined to be in-
5 admissible under clause (i) or (ii), the Sec-
6 retary of State or the Secretary of Home-
7 land Security shall make a public state-
8 ment identifying the alien and the reasons
9 for the determination.

10 “(iv) NATIONAL SECURITY WAIVER.—
11 The Secretary of State or the Secretary of
12 Homeland Security may waive the require-
13 ments of this subparagraph, or any part
14 thereof, if such Secretary determines that
15 such requirements do not serve the na-
16 tional security interest of the United
17 States. Such waiver shall be made in writ-
18 ing to Congress and shall include a brief
19 description of the national security reason
20 for such waiver.

21 “(v) AUTHORIZATION OF APPROPRIA-
22 TIONS.—There is authorized to be appro-
23 priated \$1,000,000 for fiscal year 2023

1 and each fiscal year thereafter to carry out
2 this section.”.

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