

113TH CONGRESS
2D SESSION

H. R. 5194

To impose sanctions against persons who knowingly provide material support or resources to the Muslim Brotherhood or its affiliates, associated groups, or agents, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2014

Mrs. BACHMANN (for herself, Mr. ROSKAM, Mr. FRANKS of Arizona, Mrs. LUMMIS, Mr. BRADY of Texas, Mr. SOUTHERLAND, Mr. GOHMERT, and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs and Financial Services, 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 impose sanctions against persons who knowingly provide material support or resources to the Muslim Brotherhood or its affiliates, associated groups, or agents, 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 2014”.

1 **SEC. 2. SENSE OF CONGRESS ON DESIGNATION OF THE**
2 **MUSLIM BROTHERHOOD AS A FOREIGN TER-**
3 **RORIST ORGANIZATION.**

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

5 (1) The Muslim Brotherhood, Hizb al-Ikhwan
6 al-Muslimin, was founded in Egypt in 1928 by Has-
7 san al-Banna. The organization remains
8 headquartered in Egypt but operates throughout the
9 world. The Muslim Brotherhood’s motto remains to
10 this day what it has been for decades: “Allah is our
11 objective. The Prophet is our leader. The Koran is
12 our law. Jihad is our way. Dying in the way of Allah
13 is our highest hope. Allahu-Akbar! [Allah is great-
14 er!]”.

15 (2) Hassan al-Banna, in a book he called
16 “Jihad”, instructed members: “Jihad is an obliga-
17 tion from Allah on every Muslim and cannot be ig-
18 nored nor [sic] evaded. Allah has ascribed great im-
19 portance to jihad and has made the reward of the
20 martyrs and fighters in His way a splendid one.
21 Only those who have acted similarly and who have
22 modeled themselves upon the martyrs in their per-
23 formance of jihad can join them in this reward.”.

24 (3) Hassan al-Banna added that “fighting the
25 unbelievers involves all possible efforts that are nec-
26 essary to dismantle the power of the enemies of

1 Islam including beating them, plundering their
2 wealth, destroying their places of worship, and
3 smashing their idols”.

4 (4) Hassan al-Banna also taught that “it is the
5 nature of Islam to dominate, not to be dominated”,
6 and thus that the mission of Islam, as interpreted
7 and executed by the Muslim Brotherhood, must be
8 “to impose its [i.e., Islam’s] law on nations and to
9 extend its power to the entire planet”. While al-
10 Banna’s plan for accomplishing this mission was
11 multifaceted, it centrally incorporated training for
12 and the execution of violent jihad—terrorist oper-
13 ations.

14 (5) In the seminal 1969 book on the history of
15 the Muslim Brotherhood, “The Society of Muslim
16 Brothers”, University of Michigan Professor Richard
17 P. Mitchell explained al-Banna’s teachings on violent
18 jihad: The certainty that jihad had this physical con-
19 notation is evidenced by the relationship always im-
20 plied between it and the possibility, even the neces-
21 sity, of death and martyrdom. Death, as an impor-
22 tant end of jihad, was extolled by al-Banna in a
23 phrase which came to be a famous part of his leg-
24 acy: “[T]he art of death”. “Death is art”. The
25 Koran has commanded people to love death more

1 than life. Unless “the philosophy of the Koran on
2 death” replaces “the love of life” which has con-
3 sumed Muslims, then they will reach naught. Victory
4 can only come with the mastery of “the art of
5 death”. The movement cannot succeed, al-Banna in-
6 sists, without this dedicated and unqualified kind of
7 jihad.

8 (6) This philosophy pervaded the Muslim
9 Brotherhood’s prioritization of training for combat.
10 Professor Mitchell observed that it was “the tone of
11 the training which gave the Society [i.e., the Muslim
12 Brotherhood] its distinctive qualities”, adding: If the
13 Muslim Brothers were more effectively violent than
14 other groups on the Egyptian scene, it was because
15 militancy and martyrdom had been elevated to cen-
16 tral virtues in the Society’s ethos. Its literature and
17 speeches were permeated with references identifying
18 it and its purposes in military terms. Al-Banna told
19 members again and again that they were “the army
20 of liberation, carrying on your shoulders the message
21 of liberation; you are the battalions of salvation for
22 this nation afflicted by calamity”.

23 (7) Al-Banna’s blueprint for revolution antici-
24 pated a final stage of “execution” at which point the
25 “battalions” the Muslim Brotherhood had trained

1 would “conquer . . . every obstinate tyrant”. This
2 violent ideology continued to be part of the Brother-
3 hood’s indoctrination in standard membership texts,
4 such as Sayyid Qutb’s “Milestones” and Fathi
5 Yakan’s “To Be a Muslim”.

6 (8) In Muslim Brotherhood organizations and
7 chapters throughout the world, including in the
8 United States, al-Banna’s originating philosophy
9 continues to be taught.

10 (9) In its earliest days, the Egyptian Muslim
11 Brotherhood established a terrorist wing (the “secret
12 apparatus”) that conducted bombings and assassina-
13 tions targeting foreigners and government officials.
14 The assassinations by the Muslim Brotherhood of
15 Judge Ahmed Al-Khazinder Bey in 1947 and Prime
16 Minister Mahmoud Al-Nuqrashi in 1948 prompted
17 the first ban on the organization in Egypt.

18 (10) The United States has previously des-
19 ignated global elements of the Muslim Brotherhood.
20 The terrorist group Hamas, which self-identifies as
21 “one of the wings of the Muslim Brotherhood in Pal-
22 estine,” was designated as a foreign terrorist organi-
23 zation by President William J. Clinton on January
24 23, 1995, by Executive Order 12947, and later
25 under section 219(a) of the Immigration and Na-

1 tionality Act (8 U.S.C. 1189(a)) by Secretary of
2 State Madeline Albright on October 7, 1997.

3 (11) The Kuwaiti Muslim Brotherhood's Lajnat
4 al-Daawa al-Islamiya ("Islamic Call Committee")
5 was designated as a foreign terrorist organization by
6 President George W. Bush on September 23, 2001,
7 by Executive Order 13224 and later under section
8 219(a) of the Immigration and Nationality Act (8
9 U.S.C. 1189(a)) by Secretary of State Colin Powell
10 on January 9, 2003. Reasons cited for the designa-
11 tion included Lajnat al-Daawa al-Islamiya being
12 used as a financial conduit for Osama bin Laden
13 and Al-Qaeda, and its funding of terrorist groups in
14 Chechnya and Libya. Both Al-Qaeda operations
15 chief Khalid Sheikh Mohammed and World Trade
16 Center bomber Ramzi Yousef held positions with the
17 organization.

18 (12) Individual Muslim Brotherhood leaders
19 have also been designated on the list of Specially
20 Designated Global Terrorists, as established under
21 the International Emergency Economic Powers Act
22 (50 U.S.C. 1701 et seq.) and initiated under Execu-
23 tive Order 13224 (September 23, 2001), by the
24 United States. On February 2, 2004, the Depart-
25 ment of the Treasury designated Shaykh Abd-al-

1 Majid Al-Zindani, a leader of the Yemeni Muslim
2 Brotherhood's Al-Islah political party. The designa-
3 tion states that al-Zindani has a "long history of
4 working with Bin Laden, serving as one of his spir-
5 itual leaders," in addition to his activities in support
6 of Al-Qaeda, including recruiting and procuring
7 weapons. Al-Zindani was also identified in a Federal
8 lawsuit as a coordinator of the October 2000 suicide
9 attack targeting the U.S.S. Cole in Aden, Yemen,
10 that killed 17 United States Navy sailors, including
11 personally selecting the two suicide bombers. In Sep-
12 tember 2012, al-Zindani reportedly called for his
13 supporters to kill United States Marines stationed at
14 the United States Embassy in Sana'a, Yemen.

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

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

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

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

1 during October 1994 and March to April 1995 fea-
2 tured representatives from virtually every Islamic
3 terrorist organization in the world. The conferences
4 included representatives from Iranian intelligence,
5 Hezbollah, Palestinian Islamic Jihad, Egyptian Is-
6 lamic Jihad, the Algerian AIS and GIA, as well as
7 leaders from the international Muslim Brotherhood,
8 the Muslim Brotherhood in the Gulf Countries,
9 Hamas (the Palestinian Muslim Brotherhood), the
10 Islamic Action Front (Jordanian Muslim Brother-
11 hood), and Ennahdha (the Tunisian Muslim Broth-
12 erhood). Osama bin Laden was present at the con-
13 ferences. The parties agreed to launch a terrorism
14 offensive beginning in 1995, with targets including
15 United States interests and personnel in the Middle
16 East and attacks inside the United States homeland.

17 (16) In December 2002 a multiple vehicle borne
18 improvised explosive device (VBIED) suicide attack
19 targeting a four-story building in Grozny killed 57
20 people. Russian counterterrorism officials claimed
21 the attack was ordered and coordinated by Chechen
22 warlord Shamil Basayev and Abu Walid, an official
23 with the Muslim Brotherhood. They further claimed
24 that days before the bombing the pair met near
25 Grozny to plan this and other attacks. Russian offi-

1 cials also identified the international Muslim Broth-
2 erhood network as financing the Chechen rebels. In
3 2003, the Russian Supreme Court banned the Mus-
4 lim Brotherhood, describing it as a terrorist organi-
5 zation.

6 (17) Before the Committee on Banking, Hous-
7 ing, and Urban Affairs of the Senate in October
8 2003, Richard Clarke, former National Coordinator
9 for Security and Counterterrorism for Presidents
10 William J. Clinton and George W. Bush, testified to
11 the extent that terrorist organizations continued to
12 operate inside the United States and the connection
13 to the Muslim Brotherhood networks: “Dating back
14 to the 1980’s, Islamist terrorist networks have devel-
15 oped a sophisticated and diversified financial infra-
16 structure in the United States. In the post Sep-
17 tember 11th environment, it is now widely known
18 that every major Islamist terrorist organization,
19 from Hamas to Islamic Jihad to Al Qida, has lever-
20 aged the financial resources and institutions of the
21 United States to build their capabilities. We face a
22 highly developed enemy in our mission to stop ter-
23 rorist financing. While the overseas operations of
24 Islamist terrorist organizations are generally seg-
25 regated and distinct, the opposite holds in the

1 United States. The issue of terrorist financing in the
2 United States is a fundamental example of the
3 shared infrastructure levered by Hamas, Islamic
4 Jihad and Al Qida, all of which enjoy a significant
5 degree of cooperation and coordination within our
6 borders. The common link here is the extremist
7 Muslim Brotherhood—all of these organizations are
8 descendants of the membership and ideology of the
9 Muslim Brothers.”.

10 (18) One of the examples cited by Richard
11 Clarke in his testimony before the Committee on
12 Banking, Housing, and Urban Affairs of the Senate
13 was the case of Soliman Biheiri, who ran an invest-
14 ment firm specializing in Islamically-permissible in-
15 vestments, the Secaucus, New Jersey-based BMI In-
16 corporated. BMI Incorporated offered a range of fi-
17 nancial services for the Muslim community, and in-
18 vested in businesses and real estate. According to
19 Federal prosecutors, among the shareholders of BMI
20 Incorporated were Al-Qaeda financier Yassin Al-
21 Qadi and top Hamas leader Mousa Abu Marzook—
22 two Specially Designated Global Terrorists. Both
23 Qadi and Marzook operated separate businesses out
24 of the offices of BMI Incorporated that also did
25 business with BMI Incorporated. Other BMI Incor-

1 porated investors included Abdullah bin Laden,
2 nephew of Osama bin Laden, and Tarek Swaidan, a
3 Kuwaiti Muslim Brotherhood leader. In a September
4 2003 detention hearing, Federal prosecutors de-
5 scribed Biheiri as “the U.S. banker for the Muslim
6 Brotherhood,” and stating that “the defendant came
7 here as the Muslim Brotherhood’s financial toehold
8 in the U.S.”. Biheiri was convicted on Federal immi-
9 gration charges on October 9, 2003.

10 (19) The fact that the international Muslim
11 Brotherhood engages in terrorism financing inside
12 the United States was attested to by then-FBI Di-
13 rector Robert Mueller, who testified before the Per-
14 manent Select Committee on Intelligence of the
15 House of Representatives in February 2011, and re-
16 sponded to a question about the Muslim Brother-
17 hood’s networks and agenda in the United States: “I
18 can say at the outset that elements of the Muslim
19 Brotherhood both here and overseas have supported
20 terrorism. To the extent that I can provide informa-
21 tion, I would be happy to do so in closed session.
22 But it would be difficult to do in open session.”.

23 (20) In the Holy Land Foundation (HLF)
24 prosecutions—the largest terrorism financing trial in
25 United States history—Department of Justice offi-

1 cials successfully argued in court that the inter-
2 national Muslim Brotherhood and its United States
3 affiliates had engaged in a wide-spread conspiracy to
4 raise money and materially support the terrorist
5 group Hamas. HLF officials charged in the case
6 were found guilty on all counts in November 2008,
7 primarily related to millions of dollars that had been
8 transferred to Hamas. During the trial and in court
9 documents, Federal prosecutors implicated a number
10 of prominent United States-Islamic organizations in
11 this conspiracy, including the Islamic Society of
12 North America (ISNA), the North American Islamic
13 Trust (NAIT), and the Council on American-Islamic
14 Relations (CAIR). These groups and their leaders,
15 among others, were named as unindicted co-con-
16 spirators in the case. The Department of Justice
17 told the court that these United States-Muslim
18 Brotherhood affiliates acted at the direction of the
19 international Muslim Brotherhood to support ter-
20 rorism in a July 2008 court filing: “ISNA and
21 NAIT, in fact, shared more with HLF than just a
22 parent organization. They were intimately connected
23 with the HLF and its assigned task of providing fi-
24 nancial support to HAMAS. Shortly after HAMAS
25 was founded in 1987, as an outgrowth of the Mus-

1 lim Brotherhood, Govt. Exh. 21-61, the Inter-
2 national Muslim Brotherhood ordered the Muslim
3 Brotherhood chapters throughout the world to create
4 Palestine Committees, whose job it was to support
5 HAMAS with ‘media, money and men’. Govt. Exh.
6 3-15. The U.S.-Muslim Brotherhood created the
7 U.S. Palestine Committee, which document reflect
8 was initially comprised of three organizations: the
9 OLF (HLF), the IAP, and the UASR. CAIR was
10 later added to these organizations. Govt. Exh. 3-78
11 (listing IAP, HLF, UASR and CAIR as part of the
12 Palestine Committee, and stating that there is ‘[n]o
13 doubt America is the ideal location to train the nec-
14 essary resources to support the Movement world-
15 wide...’). The mandate of these organizations, per
16 the International Muslim Brotherhood, was to sup-
17 port HAMAS, and the HLF’s particular role was to
18 raise money to support HAMAS’ organizations in-
19 side the Palestinian territories. Govt. Exh. 3-17 (ob-
20 jective of the Palestine Committee is to support
21 HAMAS).”.

22 (21) In September 2010 the Supreme Guide of
23 the Muslim Brotherhood, Mohamed Badie, delivered
24 a weekly sermon mirroring the ideological themes of
25 Al-Qaeda’s August 1996 declaration of war against

1 the United States. Calling on Arab and Muslim re-
2 gimes to confront not just Israel, but also the
3 United States, he declared that “Resistance is the
4 only solution against the Zio-American arrogance
5 and tyranny.” This “resistance” can only come from
6 fighting and understanding “that the improvement
7 and change that the [Muslim] nation seeks can only
8 be attained through jihad and sacrifice and by rais-
9 ing a jihadi generation that pursues death just as
10 the enemies pursue life”. He also predicted the im-
11 minent downfall of the United States, saying “The
12 U.S. is now experiencing the beginning of its end,
13 and is heading towards its demise.”.

14 (22) The August 14, 2013, clearing of Muslim
15 Brotherhood protests in Egypt resulted in attacks by
16 Muslim Brotherhood supporters targeting the Coptic
17 Christian community. Attacks included 70 churches
18 and more than 1,000 homes and businesses of Cop-
19 tic Christian families torched in the ensuing vio-
20 lence. During the Muslim Brotherhood protests,
21 there were repeated reports of direct incitement to-
22 wards the Copts from leading Muslim Brotherhood
23 figures, and since the protest dispersal this targeting
24 of the Christian community continues in official
25 statements on Muslim Brotherhood social media out-

1 lets and from its leadership. As the United States
2 Commission on International Religious Freedom
3 (USCIRF) has previously noted, this terror cam-
4 paign by the Muslim Brotherhood is not a new de-
5 velopment. Over the past decade violence by the
6 Muslim Brotherhood has been directed at the Coptic
7 community. As the USCIRF observed in its 2003
8 Annual Report: “Coptic Christians face ongoing vio-
9 lence from vigilante Muslim extremists, including
10 members of the Muslim Brotherhood, many of whom
11 act with impunity.”.

12 (b) CRITERIA.—Section 219(a)(1) of the Immigration
13 and Nationality Act (8 U.S.C. 1189(a)(1)) provides the
14 3 criteria for the designation of an organization as a For-
15 eign Terrorist Organization:

16 (1) The organization must be a foreign organi-
17 zation.

18 (2) The organization must engage in terrorist
19 activity, as defined in section 212(a)(3)(B) of the
20 Immigration and Nationality Act (8 U.S.C.
21 1182(a)(3)(B)), or terrorism, as defined in section
22 140(d)(2) of the Foreign Relations Authorization
23 Act, Fiscal Years 1988 and 1989 (22 U.S.C.
24 2656f(d)(2)), or retain the capability and intent to
25 engage in terrorist activity or terrorism.

1 (3) The organization's terrorist activity or ter-
2 rorism must threaten the security of United States
3 nationals or the national security (national defense,
4 foreign relations, or the economic interests) of the
5 United States.

6 (c) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that—

8 (1) The Muslim Brotherhood has met the cri-
9 teria for designation as a foreign terrorist organiza-
10 tion under section 219 of the Immigration and Na-
11 tionality Act (as described in subsection (b)); and

12 (2) the Secretary of State, in consultation with
13 the Attorney General and the Secretary of the
14 Treasury, should exercise the Secretary of State's
15 statutory authority and designate the Muslim Broth-
16 erhood as a foreign terrorist organization.

17 (d) REPORT.—If the Secretary of State does not des-
18 ignate the Muslim Brotherhood as a foreign terrorist orga-
19 nization under section 219 of the Immigration and Na-
20 tionality Act within 60 days after the date of the enact-
21 ment of this Act, the Secretary of State shall submit to
22 Congress a report that contains the reasons therefor.

1 **SEC. 3. SANCTIONS AGAINST PERSONS WHO KNOWINGLY**
2 **PROVIDE MATERIAL SUPPORT OR RE-**
3 **SOURCES TO THE MUSLIM BROTHERHOOD**
4 **OR ITS AFFILIATES, ASSOCIATED GROUPS,**
5 **OR AGENTS.**

6 (a) SANCTIONS.—

7 (1) IN GENERAL.—The President shall subject
8 to all available sanctions any person in the United
9 States or subject to the jurisdiction of the United
10 States who knowingly provides material support or
11 resources to the Muslim Brotherhood or its affili-
12 ates, associated groups, or agents.

13 (2) DEFINITION.—In this paragraph, the term
14 “material support or resources” has the meaning
15 given such term in section 2339A(b)(1) of title 18,
16 United States Code.

17 (b) INADMISSIBILITY AND REMOVAL.—

18 (1) INADMISSABILITY.—Notwithstanding any
19 other provision of law, the Secretary of State may
20 not issue any visa to, and the Secretary of Home-
21 land Security shall deny entry to the United States
22 of, any member or representative of the Muslim
23 Brotherhood or its affiliates, associated groups, or
24 agents.

25 (2) REMOVAL.—Any alien who is a member or
26 representative of the Muslim Brotherhood or its af-

1 affiliates, associated groups, or agents may be re-
2 moved from the United States in the same manner
3 as an alien who is inadmissible under sections
4 212(a)(3)(B)(i)(IV) or (V).

5 (c) FUNDS.—Any United States financial institution
6 (as defined under section 5312 of title 31, United States
7 Code) that knowingly has possession of or control over
8 funds in which the Muslim Brotherhood or its affiliates,
9 associated groups, or agents have an interest shall retain
10 possession of or control over the funds and report the
11 funds to the Office of Foreign Assets Control of the De-
12 partment of the Treasury.

○