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 SENATE OF THE UNITED STATES

Mr. Cruz introduced the following bill; which was read twice and referred to the Committee on __________

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 Representatives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Muslim Brotherhood Terrorist Designation Act of 2015".

6 SEC. 2. FINDINGS; SENSE OF CONGRESS.

7 (a) FINDINGS.—Congress finds the following:
(1) Multiple countries have declared the Society of the Muslim Brothers (commonly known as the "Muslim Brotherhood") a terrorist organization or proscribed the group from operating in their countries.

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

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

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

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

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

(B) banned the organization from operating in Russia.

(4) In 2013—

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

(B) the Government of Egypt officially declared the Muslim Brotherhood a terrorist organization.
(5) The Kingdom of Saudi Arabia designated the Muslim Brotherhood as a terrorist group on March 7, 2014.

(6) The Cabinet of the United Arab Emirates has published a list of terrorist organizations, which includes the Muslim Brotherhood and its local affiliates.

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

(8) The Muslim Brotherhood, which was founded in Egypt in 1928 by Hassan al-Banna, remains headquartered in Egypt but operates throughout the world.

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


(A) “Jihad is an obligation from Allah on every Muslim and cannot be ignored nor evaded. Allah has ascribed great importance to
jihad and has made the reward of the martyrs
and fighters in His way a splendid one. Only
those who have acted similarly and who have
modeled themselves upon the martyrs in their
performance of jihad can join them in this re-
ward.”; and

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

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

(12) In Richard P. Mitchell’s 1969 book on the
history of the Muslim Brotherhood, entitled “The
Society of Muslim Brothers”, Professor Mitchell ex-
plained al-Banna’s teachings on violent jihad: The
certainty that jihad had this physical connotation is
evidenced by the relationship always implied between
it and the possibility, even the necessity, of death
and martyrdom. Death, as an important end of
jihad, was extolled by al-Banna in a phrase which
came to be a famous part of his legacy: “[T]he art
of death”. “Death is art”. The Koran has com-
manded people to love death more than life. Unless
“the philosophy of the Koran on death” replaces
“the love of life” which has consumed Muslims, then
they will reach naught. Victory can only come with
the mastery of “the art of death”. The movement
cannot succeed, al-Banna insists, without this dedi-
cated and unqualified kind of jihad.

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

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

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

(16) In its earliest days, the Egyptian Muslim Brotherhood established a terrorist wing, referred to as the “secret apparatus”, which conducted bombings and assassinations targeting foreigners and government officials. The assassinations by the Muslim Brotherhood of Judge Ahmed Al-Khazinder Bey in 1947 and Prime Minister Mahmoud Al-Nuqrashi in
1948 prompted the first ban on the organization in Egypt.

(17) The United States has previously designated global elements of the Muslim Brotherhood as foreign terrorist organizations, including—

(A) the terrorist group Hamas, which self-identifies as “one of the wings of the Muslim Brotherhood in Palestine”, which was designated as a foreign terrorist organization by President William J. Clinton on January 23, 1995, by Executive Order 12947, and by Secretary of State Madeleine Albright on October 7, 1997, under section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a));

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

(18) Lajnat al-Daawa al-Islamiya was designated as a foreign terrorist organization for—
(A) being a financial conduit for Osama bin Laden and Al-Qaeda;

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

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

(19) Militias of the Libyan Muslim Brotherhood recently joined forces with United States designated terrorist organizations, particularly Ansar al-Sharia, as part of the Shura Council of Benghazi Revolutionaries and Libya Dawn forces fighting against the military forces of the internationally recognized Libyan government.

(20) Individual Muslim Brotherhood leaders have been designated by the United States as Specially Designated Terrorists, as authorized under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) and initiated under Executive Order 13224 (September 23, 2001), including Shaykh Abd-al-Majid Al-Zindani, a leader of the Yemeni Muslim Brotherhood’s Al-Islah political party, who was designated by the Secretary of the Treasury as a specially designated terrorist on Feb-
ruary 2, 2004. The designation states that al-
Zindani has a “long history of working with Bin
Laden, serving as one of his spiritual leaders,” in
addition to his activities in support of Al-Qaeda, in-
cluding recruiting and procuring weapons. Al-
Zindani was also identified in a Federal lawsuit as
a coordinator of the October 2000 suicide attack
targeting the U.S.S. Cole in Aden, Yemen, that
killed 17 United States Navy sailors, including per-
sonally selecting the 2 suicide bombers. In Sep-
tember 2012, al-Zindani reportedly called for his
supporters to kill United States Marines stationed at
the United States Embassy in Sana’a, Yemen.

(21) Mohammad Jamal Khalifa, a veteran of
the Soviet-Afghan war, senior Muslim Brotherhood
leader, and brother-in-law and close confidant of
Osama bin Laden was arrested in California in De-
cember 1994 on charges related to the 1993 bomb-
ing of the World Trade Center. Evidence was found
at that time that linked Khalifa to the planned al-
Qaeda Operation Bojinka plot that included the
bombing of 11 airplanes between Asia and the
United States. He was deported to Jordan in May
1995. Prior to that time he operated an Islamic
charity in the Philippines that was accused of fun-
neling money to the Abu Sayyef terrorist group and
laundering money for Bin Laden. He was sought
again by United States authorities in 2007, and an
Interpol bulletin was issued to several United States
intelligence agencies. Khalifa was killed four days
later in Madagascar.

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

(23) According to a May 1995 report by the
United States House of Representatives Task Force
on Terrorism and Unconventional Warfare, a series
of conferences hosted by Sudanese Muslim Brother-
hood leader Hassan al-Turabi in Khartoum, Sudan
during October 1994 and March to April 1995 fea-
tured representatives from virtually every Islamic
terrorist organization in the world. The conferences
included representatives from Iranian intelligence,
Hezbollah, Palestinian Islamic Jihad, Egyptian Is-
lamic Jihad, and the Armed Islamic Group of Alge-
ria, and leaders from the international Muslim
Brotherhood, the Muslim Brotherhood in the Gulf
Countries, Hamas (the Palestinian Muslim Brother-
hood), the Islamic Action Front (Jordanian Muslim
Brotherhood), and the Ennahda Movement (the Tu-
nisian Muslim Brotherhood). Osama bin Laden was
present at the conferences. The parties agreed to
launch a terrorism offensive beginning in 1995, with
targets including United States interests and per-
sonnel in the Middle East and attacks inside the
United States homeland.

(24) In October 2003, Richard Clarke, former
National Coordinator for Security and Counterter-
rorism for Presidents William J. Clinton and George
W. Bush, testified before the Committee on Bank-
ing, Housing, and Urban Affairs of the Senate that
terrorist organizations continued to operate inside
the United States and their connection to the Mus-
lim Brotherhood networks, stating “Dating back to
the 1980’s, Islamist terrorist networks have devel-
oped a sophisticated and diversified financial infra-
structure in the United States. In the post Sep-
tember 11th environment, it is now widely known
that every major Islamist terrorist organization,
from Hamas to Islamic Jihad to al-Qaeda, has lever-
aged the financial resources and institutions of the
United States to build their capabilities. We face a
highly developed enemy in our mission to stop ter-
rorist financing. While the overseas operations of
Islamist terrorist organizations are generally seg-
regated and distinct, the opposite holds in the
United States. The issue of terrorist financing in the
United States is a fundamental example of the
shared infrastructure levered by Hamas, Islamic
Jihad and al-Qaeda, all of which enjoy a significant
degree of cooperation and coordination within our
borders. The common link here is the extremist
Muslim Brotherhood—all of these organizations are
descendants of the membership and ideology of the
Muslim Brothers.”.

(25) One of the examples cited by Richard
Clarke in his testimony before the Committee on
Banking, Housing, and Urban Affairs of the Senate
was the case of Soliman Biheiri, who ran an invest-
ment firm specializing in Islamically-permissible in-
vestments, the Secaucus, New Jersey-based Baitul Mal, Incorporated, which offered a range of financial services for the Muslim community, and invested in businesses and real estate. According to Federal prosecutors, the shareholders of Baitul Mal included al-Qaeda financier Yassin al-Qadi and top Hamas leader Mousa Abu Marzook, both of whom are specially designated global terrorists and operated separate businesses out of the offices of Baitul Mal, Incorporated and also did business with Baitul Mal, Incorporated. Other Baitul Mal, Incorporated investors included Abdullah bin Laden, nephew of Osama bin Laden, and Tarek Swaidan, a Kuwaiti Muslim Brotherhood leader. In a September 2003 detention hearing, Federal prosecutors described Biheiri as “the United States banker for the Muslim Brotherhood,” and stating that “the defendant came here as the Muslim Brotherhood’s financial toehold in the United States.” Biheiri was convicted on Federal immigration charges on October 9, 2003.

(26) The fact that the international Muslim Brotherhood engages in terrorism financing inside the United States was attested to in February 2011 by FBI Director Robert Mueller, who testified before the Permanent Select Committee on Intelligence of
the House of Representatives about the Muslim
Brotherhood’s networks and agenda in the United
States, stating: “I can say at the outset that ele-
ments of the Muslim Brotherhood both here and
overseas have supported terrorism. To the extent
that I can provide information, I would be happy to
do so in closed session. But it would be difficult to
do in open session.”.

(27) In the Holy Land Foundation prosecu-
tions—the largest terrorism financing trial in United
States history—Department of Justice officials suc-
cessfully argued in court that the international Mus-
lim Brotherhood and its United States affiliates had
engaged in a wide-spread conspiracy to raise money
and materially support the terrorist group Hamas.
HLF officials charged in the case were found guilty
on all counts in November 2008, primarily related to
millions of dollars that had been transferred to
Hamas. During the trial and in court documents,
Federal prosecutors implicated a number of promi-
inent United States-Islamic organizations in this con-
spiry, including the Islamic Society of North
America, the North American Islamic Trust, and the
Council on American-Islamic Relations. These
groups and their leaders, among others, were named
as unindicted co-conspirators in the case. The Department of Justice told the court that these United States-Muslim Brotherhood affiliates acted at the direction of the international Muslim Brotherhood to support terrorism in a July 2008 court filing: “ISNA and NAIT, in fact, shared more with HLF than just a parent organization. They were intimately connected with the Holy Land Foundation and its assigned task of providing financial support to HAMAS. Shortly after HAMAS was founded in 1987, as an outgrowth of the Muslim Brotherhood, the International Muslim Brotherhood ordered the Muslim Brotherhood chapters throughout the world to create Palestine Committees, who supported HAMAS with ‘media, money and men’. The U.S.-Muslim Brotherhood created the United States Palestine Committee, which documents reflect was initially comprised of 3 organizations: the Holy Land Foundation, the Islamic Association for Palestine, and the United Association for Studies and Research. CAIR was later added to these organizations. The mandate of these organizations, per the International Muslim Brotherhood, was to support HAMAS, and the HLF’s particular role was to raise
money to support HAMAS’ organizations inside the Palestinian territories.”.

(28) In September 2010, the Supreme Guide of the Muslim Brotherhood, Mohamed Badie, delivered a weekly sermon mirroring the ideological themes of Al-Qaeda’s August 1996 declaration of war against the United States. Calling on Arab and Muslim regimes to confront not just Israel, but also the United States, he declared that “Resistance is the only solution against the Zio-American arrogance and tyranny.” This “resistance” can only come from fighting and understanding “that the improvement and change that the [Muslim] nation seeks can only be attained through jihad and sacrifice and by raising a jihadi generation that pursues death just as the enemies pursue life”. He also predicted the imminent downfall of the United States, saying “The United States is now experiencing the beginning of its end, and is heading towards its demise.”.

(29) Since August 2013, Muslim Brotherhood members in Egypt have been killed in shootouts during attacks on police and military targets, and during the manufacture and placement of explosives for acts of terrorism.
(30) The August 14, 2013, clearing of Muslim Brotherhood protests in Egypt resulted in attacks by Muslim Brotherhood supporters targeting the Coptic Christian community. Attacks included 70 churches and more than 1,000 homes and businesses of Coptic Christian families torched in the ensuing violence. During the Muslim Brotherhood protests, there were repeated reports of direct incitement towards the Copts from leading Muslim Brotherhood figures, and since the protest dispersal this targeting of the Christian community continues in official statements on Muslim Brotherhood social media outlets and from its leadership. As the United States Commission on International Religious Freedom has previously noted, this terror campaign by the Muslim Brotherhood is not a new development. Over the past decade violence by the Muslim Brotherhood has been directed at the Coptic community. As the USCIRF observed in its 2003 Annual Report: “Coptic Christians face ongoing violence from vigilante Muslim extremists, including members of the Muslim Brotherhood, many of whom act with impunity.”.

(31) On January 27, 2015, the Muslim Brotherhood published on their official Ikhwanonline.com
website an announcement that the organization was
entering a “new phase” and calling its followers to
prepare for a “long, uncompromising jihad” against
the Egyptian government. The statement also posi-
tively recalled the Muslim Brotherhood’s terrorist
past, including the operations of the “secret appa-
ratus” terror wing active in the 1940s and 1950s,
and the group’s battalions organized by Brotherhood
founder Hassan al-Banna that fought against Israel
during its War of Independence in 1948.

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

(33) A July 1, 2015 statement published on the
Muslim Brotherhood’s official English-language
website called for “rebellion” against the Egyptian
government after a group of senior Muslim Brother-
hood leaders were killed in a shootout after opening
fire on Egyptian anti-terror police who were raiding
the secret meeting in 6th of October City. Docu-
ments reportedly recovered at the scene showed that
the leadership was planning acts of sabotage and at-
tacks on police stations during the second anniver-
sary of the removal of Mohamed Morsi on July 3rd.

(34) A senior Egyptian Muslim Brotherhood
leader, Ashraf Abdel Ghaffar, gave a July 3, 2015
interview in which he defended the sabotage of
power stations and high voltage pylons targeting
Egyptian citizens by the Muslim Brotherhood as
punishment for support of the Egyptian government.
(b) SENSE OF CONGRESS.—It is the sense of Con-
gress that—

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

(2) the Secretary of State, in consultation with
the Attorney General and the Secretary of the
Treasury, should exercise the Secretary of State’s
statutory authority by designating the Muslim
Brotherhood as a foreign terrorist organization.
SEC. 3. REPORT ON DESIGNATION OF THE MUSLIM BROTHERHOOD AS A FOREIGN TERRORIST ORGANIZATION.

(a) DEFINITIONS.—In this section:

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

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

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

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

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

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

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

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

(II) the Committee on Armed Services of the House of Representatives;

(I) the Committee on Foreign Affairs of the House of Representatives;
(J) the Permanent Select Committee on Intelligence of the House of Representatives;

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

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

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

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in consultation with the intelligence community, shall submit a detailed report to the appropriate congressional committees that—

(1) indicates whether the Muslim Brotherhood meets the criteria for designation as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(2) if the Secretary of State determines that the Muslim Brotherhood does not meet the criteria referred to in paragraph (1), includes a detailed justification as to which criteria have not been met.
(c) **Form.**—The report required under subsection (b) shall be submitted in unclassified form, but may include a classified annex, if appropriate.