



## Congressional Update

*Roxanne Perugino*

*February 25, 2016*

### **Designating the Muslim Brotherhood a Foreign Terrorist Organization (HR 3892)**

On February 23, the House Judiciary Committee approved **HR 3892, a bill to designate the Muslim Brotherhood a terrorist organization**, with an amendment, by a vote of 17-10. The legislation urges the State Department to designate the Muslim Brotherhood a foreign terrorist organization (FTO). (The bill was introduced last November by Representative Mario Diaz-Balart (R-Florida) and four Republican cosponsors and referred to the Judiciary Committee. In the Senate, Senator Ted Cruz (R-Texas) introduced an identical bill on the same day **S2230, a bill to designate the Muslim Brotherhood a terrorist organization.**)

Judiciary Chairman Robert Goodlatte (R-Virginia) said he was troubled that the State Department had never designated the group as an FTO because such a determination would “make it less likely that the Muslim Brotherhood will be able to further infiltrate the United States.”

The panel adopted by voice vote a substitute amendment offered by Goodlatte that directs the Secretary of State to include in a report to twelve Congressional committees (a ridiculously large number of committees), a detailed justification of why the Muslim Brotherhood has not been designated as a FTO if it meets the criteria. The bill also would require the Secretary of State to explain what criteria have not been met if the Department determines that the Muslim Brotherhood does not qualify as a FTO.

**HR 3892** as amended, would have a threefold effect: the Administration would actually have to deny admittance to aliens tied to the Muslim Brotherhood; persons who provide material support to the Muslim Brotherhood would be subject to federal criminal penalties; and the Treasury Department would be able to require US financial institutions possessing or controlling any assets of the Muslim Brotherhood to block all financial transactions involving those assets.

Several Members, including Representative John Conyers (D-Michigan) have questioned the rationale of taking action “without any real consideration of the facts,” noting that the panel did not hold any hearings or briefings with the State Department about the group.

The next step in the legislative process is passage by the full House, but as yet no date has been announced. The bill could be brought up under Suspension of the Rules, which means that no amendments would be allowed and a two-thirds majority is required for passage. If and when the bill comes before the full House, passage is likely, given the congressional

mood on terrorism. After House passage, the bill will be referred to the Senate for its consideration.

The Cruz bill, **S.2230** is pending before the Senate Foreign Relations Committee (SFRC), but to date no action is scheduled. The SFRC could consider the original Cruz bill, but more than likely, if the Senate decides to act on the legislation, it will consider the House bill, as amended. The Senate, however, may be reluctant to vote on the bill, given other more pressing foreign policy issues facing Congress, such as Iran, Syria and North Korea. However, both Saudi Arabia and Egypt have designated the Muslim Brotherhood a FTO and there could be pressure from their supporters to move the bill to totally discredit the Muslim Brotherhood.

Although the US Government has officially listed individual members, branches and charities of the Muslim Brotherhood as terrorists, it has not designated the organization as a whole **and does not support the legislation. In a hearing before the House Foreign Affairs Committee on February 25 Kerry said that the Administration carefully assesses the Muslim Brotherhood's status and while individuals of the organizations have been designated terrorists, the Muslim Brotherhood "...writ large is not a terrorist organization."**