

113TH CONGRESS
1ST SESSION

H. R. 3082

To require a report on the designation of the Libyan faction of Ansar al-Sharia as a foreign terrorist organization, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 11, 2013

Mr. POE of Texas (for himself, Mr. DESANTIS, Mr. KINGSTON, Mr. YOHO, Mr. GOHMERT, Mr. PITTS, Mr. WEBER of Texas, Mr. WALBERG, Mr. KING of Iowa, and Mr. WILSON of South Carolina) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require a report on the designation of the Libyan faction of Ansar al-Sharia 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 “Ansar al-Sharia Ter-
5 rorist Designation Act of 2013”.

6 **SEC. 2. REPORT ON DESIGNATION OF THE LIBYAN FAC-**
7 **TIONS OF ANSAR AL-SHARIA AS A FOREIGN**
8 **TERRORIST ORGANIZATION.**

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

1 (1) Ansar al-Sharia Benghazi first announced
2 itself in February 2012. The group is led by Mu-
3 hammad al-Zahawi, who had previously been an in-
4 mate of former President Muammar al-Qaddafi's in-
5 famous Abu Salim prison.

6 (2) On August 6, 2013, the Department of Jus-
7 tice filed sealed criminal charges against Ahmed Abu
8 Khattalah, a senior commander within Libya's
9 Islamist militia Ansar al-Sharia. According to the
10 Wall Street Journal, Mr. Abu Khattalah was seen at
11 the United States consulate in Benghazi during the
12 September 11, 2012, attack that killed United
13 States Ambassador Christopher Stevens, Sean
14 Smith, Tyrone Woods, and Glen Doherty.

15 (3) On October 17, 2012, the New York Times
16 reported that Libyan authorities named Ahmed Abu
17 Khattalah as a commander in the September 11,
18 2012, attack on the United States consulate in
19 Benghazi.

20 (4) On August 8, 2013, the Washington Insti-
21 tute for Near East Peace issued a report in which
22 it highlights Ansar al-Sharia's establishment of
23 training camps in Libya for jihadists preparing to
24 fight with extremist rebels in Syria.

1 (5) Abu Sufian Bin Qumu, leader of the Ansar
2 al-Sharia faction in Darnah, Libya, is a former
3 Guantanamo Bay inmate with close al-Qaeda ties.
4 Bin Qumu was an associate of Usama bin Laden
5 and is believed to maintain connections to senior al-
6 Qaeda members.

7 (6) According to a report published by the Li-
8 brary of Congress in August 2012, Ansar al-Sharia
9 “has increasingly embodied al Qaeda’s presence in
10 Libya, as indicated by its active social-media propa-
11 ganda, extremist discourse, and hatred of the West,
12 especially the United States”.

13 (7) According to a report published by the Li-
14 brary of Congress in August 2012, al-Qaeda’s senior
15 leadership in Pakistan has dispatched operatives to
16 Libya to establish a clandestine terrorist network
17 there. The report concluded that al-Qaeda is on the
18 verge of a fully operational network inside Libya,
19 and Ansar al-Sharia is one of the brands employed
20 by al Qaeda operatives.

21 (b) REPORT.—

22 (1) IN GENERAL.—Not later than 30 days after
23 the date of the enactment of this Act, the Secretary
24 of State shall, in consultation with the intelligence

1 community, submit to the appropriate congressional
2 committees—

3 (A) a detailed report on whether the Liby-
4 an faction of Ansar al-Sharia, meets the criteria
5 for designation as a foreign terrorist organiza-
6 tion under section 219 of the Immigration and
7 Nationality Act (8 U.S.C. 1189); and

8 (B) if the Secretary of State determines
9 that the Libyan faction of Ansar al-Sharia does
10 not meet such criteria, a detailed justification
11 as to which criteria have not been met.

12 (2) FORM.—The report required by paragraph
13 (1) shall be submitted in unclassified form, but may
14 include a classified annex if appropriate.

15 (3) DEFINITIONS.—In this subsection:

16 (A) APPROPRIATE CONGRESSIONAL COM-
17 MITTEES.—The term “appropriate congres-
18 sional committees” means—

19 (i) the Committee on Homeland Secu-
20 rity and Governmental Affairs, the Com-
21 mittee on Armed Services, the Committee
22 on Foreign Relations, and the Select Com-
23 mittee on Intelligence of the Senate; and

24 (ii) the Committee on Homeland Se-
25 curity, the Committee on Armed Services,

1 the Committee on Foreign Affairs, and the
2 Permanent Select Committee on Intel-
3 ligence of the House of Representatives.

4 (B) INTELLIGENCE COMMUNITY.—The
5 term “intelligence community” has the meaning
6 given that term in section 3(4) of the National
7 Security Act of 1947 (50 U.S.C. 401a(4)).

8 **SEC. 3. SENSE OF CONGRESS.**

9 It is the sense of Congress that the Libyan faction
10 of Ansar al-Sharia meets the criteria for designation as
11 a foreign terrorist organization under section 219 of the
12 Immigration and Nationality Act (8 U.S.C. 1189) and
13 should be designated as such.

14 **SEC. 4. RULE OF CONSTRUCTION.**

15 Nothing in this Act may be construed to infringe
16 upon the sovereignty of the Government of Libya to com-
17 bat militant or terrorist groups operating inside the
18 boundaries of Libya.

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