

115TH CONGRESS
1ST SESSION

H. R. 1449

To require a report on the designation of Pakistan as a state sponsor of terrorism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 9, 2017

Mr. POE of Texas (for himself and Mr. ROHRBACHER) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To require a report on the designation of Pakistan as a state sponsor of terrorism, 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 “Pakistan State Spon-
5 sor of Terrorism Designation Act of 2017”.

6 **SEC. 2. REPORT ON DESIGNATION OF PAKISTAN AS A**
7 **STATE SPONSOR OF TERRORISM.**

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

9 (1) Following the September 11, 2001, terrorist
10 attacks, al-Qaeda leaders and the Afghan Taliban

1 fled Afghanistan to Pakistan and settled in the Fed-
2 erally Administered Tribal Areas (FATA). Joint
3 Task Force Guantanamo threat assessments subse-
4 quently revealed that Pakistan's Inter-Services Intel-
5 ligence (ISI) facilitated al-Qaeda's movement of
6 fighters to and from Afghanistan as well as the ter-
7 rorist organization's purchase of weapons.

8 (2) The Government of Pakistan, and the ISI
9 in particular, provide support and a safe haven to
10 groups designated as foreign terrorist organizations
11 pursuant to section 219 of the Immigration and Na-
12 tionality Act (8 U.S.C. 1189) by the United States
13 Government. Then Chairman of the United States
14 Joint Chiefs of Staff Admiral Mike Mullen testified
15 in 2011 that "the Haqqani Network . . . acts as a
16 veritable arm of Pakistan's Inter-Services Intel-
17 ligence agency. With ISI support, Haqqani
18 operatives planned and conducted" various attacks
19 against United States personnel and interests in Af-
20 ghanistan, including a 2011 attack on the United
21 States Embassy in Kabul.

22 (3) The founder and leader of al-Qaeda, Osama
23 bin Laden, was found and killed in the Pakistani
24 military town of Abbottabad in 2011. The Govern-
25 ment of Pakistan subsequently condemned the raid

1 that killed the terrorist leader and continues to im-
2 prison Dr. Shakil Afridi, the Pakistani doctor who
3 played an instrumental role in identifying Osama bin
4 Laden’s hiding place.

5 (4) A 2012 NATO report indicated that the Af-
6 ghan Taliban is directly assisted by the Pakistani se-
7 curity services and noted that “Pakistan’s manipula-
8 tion of the Taliban senior leadership continues
9 [unabated]”. The report also suggested that Paki-
10 stan is aware of the locations of senior Taliban lead-
11 ers, including one who maintained a residence in the
12 immediate vicinity of the ISI headquarters in
13 Islamabad.

14 (5) The leader of the Afghan Taliban, Mullah
15 Akhtar Mansour, was located in southwestern Paki-
16 stan at the time of his death by a United States
17 drone strike on May 21, 2016. Pakistan’s Balu-
18 chistan Province has long been a haven for the Af-
19 ghan Taliban, and the group’s top leadership is
20 headquartered in the city of Quetta in Baluchistan
21 Province.

22 (6) The Department of State’s 2016 Country
23 Reports on Terrorism noted that Pakistan “did not
24 take substantial action against the Afghan Taliban
25 or HQN (the Haqqani Network), or substantially

1 limit their ability to threaten United States interests
2 in Afghanistan”. The report also stated that “Paki-
3 stan has not taken sufficient action against other ex-
4 ternally-focused groups such as Laskar-e-Tayyiba
5 (LeT) and Jaish-e-Mohammad (JeM), which contin-
6 ued to cooperate, train, organize, and fundraise in
7 Pakistan”. Moreover, since passage of Carl Levin
8 and Howard P. ‘Buck’ McKeon National Defense
9 Authorization Act for Fiscal Year 2015 (Public Law
10 113–291), the Secretary of Defense has been unable
11 to certify that Pakistan has taken adequate action
12 against the Haqqani Network in accordance with
13 section 1222(f) of such Act.

14 (7) Pakistan has not taken steps to dem-
15 onstrate its commitment to prevent the Haqqani
16 Network from using North Waziristan as a safe
17 haven, nor has it shown progress in arresting and
18 prosecuting Haqqani Network senior leaders and
19 mid-level operatives.

20 (b) REPORTS.—

21 (1) IN GENERAL.—Not later than 90 days after
22 the date of the enactment of this Act, the President,
23 acting through the Secretary of State and in con-
24 sultation with the heads of other appropriate Fed-
25 eral departments and agencies, shall submit to the

1 appropriate congressional committees a report that
2 determines whether—

3 (A)(i) with respect to each of the acts de-
4 scribed in paragraphs (1) through (7) of sub-
5 section (a), the Government of Pakistan, includ-
6 ing any agents or instrumentalities of such Gov-
7 ernment, directly or indirectly, committed, con-
8 spired to commit, attempted, aided, or abetted
9 any such act; or

10 (ii) the Government of Pakistan, including
11 any agents or instrumentalities of such Govern-
12 ment, directly or indirectly, committed, con-
13 spired to commit, attempted, aided, or abetted
14 any act not referred to in clause (i) that con-
15 stitutes an act of or support for international
16 terrorism; and

17 (B) any such act referred to in subpara-
18 graph (A)(i) constitutes an act of or support for
19 international terrorism.

20 (2) FOLLOW-UP.—If the Secretary of State
21 makes a determination in the affirmative with re-
22 spect to subparagraph (B) of paragraph (1), the
23 Secretary shall, not later than 30 days after making
24 such determination, submit to the appropriate con-
25 gressional committees a report that contains—

1 (A) a determination regarding whether the
2 Government of Pakistan is a state sponsor of
3 terrorism; or

4 (B) a detailed justification as to why the
5 conduct described in the report required under
6 such paragraph (1) does not meet the legal cri-
7 teria for a determination in the affirmative
8 under subparagraph (A) of this paragraph.

9 (c) FORM.—The reports required by subsection (b)
10 shall be submitted in unclassified form, but may include
11 a classified annex, if appropriate.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) APPROPRIATE CONGRESSIONAL COMMIT-
15 TEES.—The term “appropriate congressional com-
16 mittees” means—

17 (A) the Committee on Foreign Affairs of
18 the House of Representatives; and

19 (B) the Committee on Foreign Relations of
20 the Senate.

21 (2) STATE SPONSOR OF TERRORISM.—The term
22 “state sponsor of terrorism” means a country the
23 government of which the Secretary of State has de-
24 termined, for purposes of section 6(j) of the Export
25 Administration Act of 1979 (50 U.S.C. 4605(j)) (as

1 continued in effect pursuant to the International
2 Emergency Economic Powers Act (50 U.S.C. 1701
3 et seq.)), section 620A of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2371), section 40 of the Arms
5 Export Control Act (22 U.S.C. 2780), or any other
6 provision of law, is a government that has repeatedly
7 provided support for acts of international terrorism.

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