

from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice to the *Federal Register* for publication stating that the national emergency and related measures dealing with the former Liberian regime of Charles Taylor are to continue in effect beyond July 22, 2012.

Although Liberia has made advances to promote democracy, and the Special Court for Sierra Leone recently convicted Charles Taylor for war crimes and crimes against humanity, the actions and policies of former Liberian President Charles Taylor and other persons, in particular their unlawful depletion of Liberian resources and their removal from Liberia and secreteting of Liberian funds and property, could still challenge Liberia's efforts to strengthen its democracy and the orderly development of its political, administrative, and economic institutions and resources. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to the former Liberian regime of Charles Taylor.

BARACK OBAMA.

THE WHITE HOUSE, July 17, 2012.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 12 minutes p.m.), the House stood in recess.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 5 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

HAQQANI NETWORK TERRORIST DESIGNATION ACT OF 2012

Mr. GRIFFIN of Arkansas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1959) to require a report on the designation of the Haqqani Network as a foreign terrorist organization and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haqqani Network Terrorist Designation Act of 2012".

SEC. 2. REPORT ON DESIGNATION OF THE HAQQANI NETWORK AS A FOREIGN TERRORIST ORGANIZATION.

(a) FINDINGS.—Congress makes the following findings:

(1) A report of the Congressional Research Service on relations between the United States and Pakistan states that "[t]he terrorist network led by Jalaluddin Haqqani and his son Sirajuddin, based in the FATA, is commonly identified as the most dangerous of Afghan insurgent groups battling U.S.-led forces in eastern Afghanistan".

(2) The report further states that, in mid-2011, the Haqqanis undertook several high-visibility attacks in Afghanistan. First, a late June assault on the Intercontinental Hotel in Kabul by 8 Haqqani gunmen and suicide bombers left 18 people dead. Then, on September 10, a truck bomb attack on a United States military base by Haqqani fighters in the Wardak province injured 77 United States troops and killed 5 Afghans. A September 13 attack on the United States Embassy compound in Kabul involved an assault that sparked a 20-hour-long gun battle and left 16 Afghans dead, 5 police officers and at least 6 children among them.

(3) The report further states that "U.S. and Afghan officials concluded the Embassy attackers were members of the Haqqani network".

(4) In September 22, 2011, testimony before the Committee on Armed Services of the Senate, Chairman of the Joint Chiefs of Staff Admiral Mullen stated that "[t]he Haqqani network, for one, acts as a veritable arm of Pakistan's Inter-Services Intelligence agency. With ISI support, Haqqani operatives plan and conducted that [September 13] truck bomb attack, as well as the assault on our embassy. We also have credible evidence they were behind the June 28th attack on the Intercontinental Hotel in Kabul and a host of other smaller but effective operations".

(5) In October 27, 2011, testimony before the Committee on Foreign Affairs of the House of Representatives, Secretary of State Hillary Clinton stated that "we are taking action to target the Haqqani leadership on both sides of the border. We're increasing international efforts to squeeze them operationally and financially. We are already working with the Pakistanis to target those who are behind a lot of the attacks against Afghans and Americans. And I made it very clear to the Pakistanis that the attack on our embassy was an outrage and the attack on our forward operating base that injured 77 of our soldiers was a similar outrage".

(6) At the same hearing, Secretary of State Clinton further stated that "I think everyone agrees that the Haqqani Network has safe havens inside Pakistan; that those safe havens give them a place to plan and direct operations that kill Afghans and Americans".

(7) On November 1, 2011, the United States Government added Haji Mali Kahn to a list of specially designated global terrorists under Executive Order 13224. The Department of State described Khan as "a Haqqani Network commander" who has "overseen hundreds of fighters, and has instructed his subordinates to con-

duct terrorist acts." The designation continued, "Mali Khan has provided support and logistics to the Haqqani Network, and has been involved in the planning and execution of attacks in Afghanistan against civilians, coalition forces, and Afghan police". According to Jason Blazakis, the chief of the Terrorist Designations Unit of the Department of State, Khan also has links to al-Qaeda.

(8) Five other top Haqqani Network leaders have been placed on the list of specially designated global terrorists under Executive Order 13224 since 2008, and three of them have been so placed in the last year. Sirajuddin Haqqani, the overall leader of the Haqqani Network as well as the leader of the Taliban's Mira shah Regional Military Shura, was designated by the Secretary of State as a terrorist in March 2008, and in March 2009, the Secretary of State put out a bounty of \$5,000,000 for information leading to his capture. The other four individuals so designated are Nasiruddin Haqqani, Khalil al Rahman Haqqani, Badruddin Haqqani, and Mullah Sangeen Zadrani.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Haqqani Network meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(2) the Secretary of State should so designate the Haqqani Network as a foreign terrorist organization under such section 219.

(c) REPORT.—

(1) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate committees of Congress—

(A) a detailed report on whether the Haqqani Network meets the criteria for designation as a foreign terrorist organization as set forth in section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); and

(B) if the Secretary determines that the Haqqani Network does not meet the criteria set forth under such section 219, a detailed justification as to which criteria have not been met.

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

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term "appropriate committees of Congress" means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

(d) CONSTRUCTION.—Nothing in this Act may be construed to infringe upon the sovereignty of Pakistan to combat militant or terrorist groups operating inside the boundaries of Pakistan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. GRIFFIN) and the gentleman from Florida (Mr. DEUTCH) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. GRIFFIN of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on S. 1959, as amended, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GRIFFIN of Arkansas. Mr. Speaker, I yield myself such time as I may consume.

I thank my Senate colleague, Mr. BURR of North Carolina, and chairman of the House Intelligence Committee, Mr. ROGERS of Michigan, for their work on this issue.

This bill directs the Secretary of State to submit a report to Congress detailing whether the Haqqani Network meets the criteria for designation as a foreign terrorist organization according to current Federal law. If the Secretary determines that the Haqqani Network does not meet the criteria, the Secretary shall provide a detailed justification as to which criteria have not been met. The bill also provides a sense of Congress that the Secretary of State should designate the network as a foreign terrorist organization.

The Haqqani Network is an insurgent group fighting against U.S.-led NATO forces and the Government of Afghanistan. Maulvi Jalaluddin Haqqani and his son lead the network, which is now based in Pakistan but operates on both sides of the Afghanistan-Pakistan border.

For about 2 years, the Pakistani Government has sought to facilitate a compromise between the Haqqani Network and the Government of Afghanistan. However, the network has close links with al Qaeda and is believed to provide al Qaeda operatives with safe haven in Haqqani-controlled areas. The Pakistani Government is believed to be the only entity with the influence to bring the Haqqani Network to the negotiating table.

The Obama administration has been considering formally designating the Haqqani Network as a foreign terrorist organization under U.S. law, but has yet to act. Seven Haqqani leaders have been under U.S. sanctions since 2008; and in 2011, Secretary Clinton designated operational commander Badruddin Haqqani under Executive Order 13224, thereby blocking movement of his assets, but not those of the umbrella Haqqani Network.

Since 2008, several attacks have been linked or attributed to the Haqqani Network. In addition to kidnappings of journalists and bombings of hotels and embassies, the Haqqani Network is blamed for the attacks on the U.S. Embassy and nearby NATO bases in Kabul in September 2011. U.S. Ambassador Ryan Crocker blamed the Haqqani Network for the 19-hour Kabul attack which killed four police officers, three coalition soldiers, and four civilians. Two dozen more soldiers and civilians were injured.

The Obama administration insists on negotiating with the Haqqani Network despite unsuccessful attempts in the past. Secretary Clinton has indicated that these negotiations may be necessary again in order to establish sus-

tainable peace in Afghanistan. However, the Haqqani Network has been permitted to evade designation as a foreign terrorist organization. Congress' frustration with the Obama administration's overdue review of the Haqqani Network is clearly evidenced by this legislation.

According to U.S. military commanders, the Haqqani Network is highly resilient and is one of the biggest threats to the U.S.-led NATO forces and the Afghan Government in the current war in Afghanistan. This straightforward legislation simply directs the Secretary of State to analyze whether the Haqqani Network meets the standards for designation as a foreign terrorist organization under Federal law and report those findings back to Congress. It also expresses the sense of Congress that the Haqqani Network should be designated as a foreign terrorist network. The bill does not, however, require that the President designate the Haqqani Network as a foreign terrorist organization. This is a carefully limited bill, and, as I noted earlier, similar legislation was passed by the Senate without opposition.

I urge my colleagues to support this bipartisan, bicameral legislation, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 16, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning S. 1959, the "Haqqani Network Terrorist Designation Act of 2012," which is scheduled to be considered by the House this week.

As you know, pursuant to House Rule X, the Committee on Foreign Affairs maintains jurisdiction over matters concerning foreign relations, the U.S. diplomatic service, and the protection of Americans abroad. The Office of the Parliamentarian has indicated that S. 1959, which concerns the Secretary of State's designation of the Pakistan-based Haqqani Network as a Foreign Terrorist Organization under U.S. law, implicates Foreign Affairs jurisdiction.

In order to expedite Floor consideration of this bill, the Foreign Affairs Committee will forego consideration of this measure. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees, or its jurisdictional prerogatives on this or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to S. 1959, and ask that a copy of our exchange of letters on this matter be included in the Congressional Record during Floor consideration of the bill.

Sincerely,

ILEANA ROS-LEHTINEN
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 16, 2012.

Hon. ILEANA ROS-LEHTINEN,
Chairman, Committee on Foreign Affairs,
Washington, DC.

DEAR CHAIRMAN ROS-LEHTINEN: Thank you for your letter of even date herewith regarding S. 1959, the "Haqqani Network Terrorist Designation Act of 2012," which was referred

to the Committee on the Judiciary on December 19, 2011.

It is my understanding that the Committee on Foreign Affairs would receive a sequential referral on S. 1959 if it were to seek one. I am, therefore, most appreciative of your decision to forego consideration of the bill so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Foreign Affairs is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this reply letter memorializing our mutual understanding in the Congressional Record during floor consideration of S. 1959.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. DEUTCH. Mr. Speaker, I rise in cautious support of S. 1959, the Haqqani Network Terrorist Designation Act.

Despite its name, this bill does not require the U.S. Department of State to formally designate the Haqqani Network as a terrorist organization. Rather, it imposes a one-time reporting requirement on the State Department to explain whether the Haqqani Network meets the statutory requirements for that designation. More importantly, the bill preserves the authority of the State Department to make this determination without congressional interference.

Let's be clear: the Haqqani Network is a dangerous organization and sworn enemy of the United States. From its base along the Afghanistan-Pakistan border, the network of insurgents led by Jalaluddin Haqqani and his family has, for years, fought U.S. and allied forces in eastern Afghanistan. The Haqqanis are responsible for several high-profile acts of terror—including an attack on the United States Embassy on September 13, 2011, that left 16 Afghans dead.

One tool—one tool out of many—for fighting an organization like the Haqqani Network is to designate the group a terrorist organization under section 219 of the Immigration and Nationality Act. Once a group receives that formal designation, the full weight of the Federal Government is brought to bear, including criminal penalties for the provision of material support to the organization, restrictions on travel, and seizure of assets. Designating an organization a terrorist organization is often an appropriate tool when the circumstances are unambiguous.

But the circumstances in eastern Afghanistan and northwest Pakistan are anything but unambiguous. The United States is engaged in delicate negotiations with the Government of Pakistan as it prepares to draw down troops and end the war in Afghanistan. In just the last few weeks, our diplomatic corps has achieved the monumental task of reopening our lines of communication with the Pakistani Government. It

may be that, in this context, there is a diplomatic or strategic benefit to holding back on the formal designation of the Haqqani Network as a terrorist organization—perhaps just for the time being.

The State Department has already designated several individuals in the Haqqani Network as terrorists. If there's a reason that Secretary of State Clinton has not yet formally designated the entire network, then we ought to defer to her judgment.

Still, a modest reporting requirement as to some of the legal reasoning behind that decision is a fair request. Even if the Haqqani Network meets the statutory criteria for designation as a foreign terrorist organization—even if that tool is available to us—Secretary Clinton will make that decision when she determines that it is useful and appropriate to do so.

I thank the Speaker, and I yield back the balance of my time.

Mr. GRIFFIN of Arkansas. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. GRIFFIN) that the House suspend the rules and pass the bill, S. 1959, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1710

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR 2013

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6018) to authorize appropriations for the Department of State for fiscal year 2013, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6018

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Foreign Relations Authorization Act, Fiscal Year 2013”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Appropriate congressional committees defined.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. Administration of foreign affairs.
- Sec. 102. Contributions to International Organizations.
- Sec. 103. Contributions for International Peacekeeping Activities.
- Sec. 104. International Commissions.
- Sec. 105. Peace Corps.
- Sec. 106. National Endowment for Democracy.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

- Subtitle A—Basic Authorities and Activities
- Sec. 201. International Litigation Fund.

- Sec. 202. Actuarial valuations.
- Sec. 203. Special agents.
- Sec. 204. Diplomatic security program contracting.
- Sec. 205. Accountability review boards.
- Sec. 206. Physical security of certain soft targets.
- Sec. 207. Rewards program update and technical corrections.
- Sec. 208. Cybersecurity efforts of the Department of State.
- Sec. 209. Center for Strategic Counterterrorism Communications of the Department of State.

Subtitle B—Consular Services and Related Matters

- Sec. 211. Extension of authority to assess passport surcharge.
- Sec. 212. Border crossing card fee for minors.
- Subtitle C—Reporting Requirements
- Sec. 221. Reporting reform.

TITLE III—ORGANIZATION AND PERSONNEL AUTHORITIES

- Sec. 301. Suspension of Foreign Service members without pay.
- Sec. 302. Repeal of recertification requirement for Senior Foreign Service.
- Sec. 303. Limited appointments in the Foreign Service.
- Sec. 304. Limitation of compensatory time off for travel.
- Sec. 305. Department of State organization.
- Sec. 306. Reemployment of annuitants in high-risk posts.
- Sec. 307. Overseas comparability pay limitation.

TITLE IV—UNITED STATES INTERNATIONAL BROADCASTING

- Sec. 401. Authorization of appropriations for international broadcasting.
- Sec. 402. Personal services contracting program.
- Sec. 403. Technical amendment relating to civil immunity for Broadcasting Board of Governors members.

TITLE V—ARMS EXPORT CONTROL ACT AMENDMENTS AND RELATED PROVISIONS

Subtitle A—General Provisions

- Sec. 501. Authority to transfer excess defense articles.
- Sec. 502. Annual military assistance report.
- Sec. 503. Annual report on foreign military training.
- Sec. 504. Increase in congressional notification thresholds.
- Sec. 505. Return of defense articles.
- Sec. 506. Annual estimate and justification for sales program.
- Sec. 507. Updating and conforming penalties for violations of sections 38 and 39 of the Arms Export Control Act.
- Sec. 508. Clarification of prohibitions relating to state sponsors of terrorism and their nationals.
- Sec. 509. Exemption for transactions with countries supporting acts of international terrorism.
- Sec. 510. Report on Foreign Military Financing program.
- Sec. 511. Congressional notification of regulations and amendments to regulations under section 38 of the Arms Export Control Act.
- Sec. 512. Diplomatic efforts to strengthen national and international arms export controls.
- Sec. 513. Review and report of investigations of violations of section 3 of the Arms Export Control Act.
- Sec. 514. Reports on commercial and governmental military exports under the Arms Export Control Act; congressional actions.

Subtitle B—Miscellaneous Provisions

- Sec. 521. Treatment of militarily insignificant parts and components.
- Sec. 522. Special export licensing for United States allies.
- Sec. 523. Improving and streamlining licensing under United States Government arms export control programs.
- Sec. 524. Authority to remove satellites and related components from the United States Munitions List.
- Sec. 525. Report on licenses and other authorizations to export commercial satellites and related components and technology contained on the Commerce Control List.
- Sec. 526. Review of United States Munitions List.
- Sec. 527. Report on country exemptions for licensing of exports of munitions and related technical data.
- Sec. 528. End-use monitoring of munitions.
- Sec. 529. Definitions.

SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

Except as otherwise provided in this Act, the term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under “Administration of Foreign Affairs” to carry out the authorities, functions, duties, and responsibilities in the conduct of foreign affairs of the United States, and for other purposes authorized by law:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For “Diplomatic and Consular Programs”, \$8,983,778,000 for fiscal year 2013.

(A) WORLDWIDE SECURITY PROTECTION.—Of such amounts, not less than \$1,591,201,000 is authorized to be appropriated for worldwide security protection.

(B) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of such amounts, not less than \$24,147,000 for fiscal year 2013 is authorized to be appropriated for the Bureau of Democracy, Human Rights and Labor.

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund”, \$59,380,000 for fiscal year 2013.

(3) EMBASSY SECURITY, CONSTRUCTION AND MAINTENANCE.—For “Embassy Security, Construction and Maintenance”, \$1,570,000,000 for fiscal year 2013.

(4) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—For “Educational and Cultural Exchange Programs”, \$598,800,000 for fiscal year 2013.

(5) CONFLICT STABILIZATION OPERATIONS.—

(A) IN GENERAL.—For “Conflict Stabilization Operations”, \$8,500,000 for fiscal year 2013.

(B) TRANSFER.—Subject to subparagraph (C) of this paragraph, of the amount authorized to be appropriated pursuant to paragraph (1), up to \$35,000,000 is authorized to be transferred to, and merged with, the amount specified in subparagraph (A) of this paragraph.

(C) NOTIFICATION.—If the Secretary of State exercises the transfer authority described in subparagraph (B), the Secretary shall notify the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.