

112TH CONGRESS  
1ST SESSION

# S. 1959

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 19, 2011

Referred to the Committee on the Judiciary

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## AN ACT

To require a report on the designation of the Haqqani Network 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Haqqani Network Ter-  
3 rorist Designation Act of 2011”.

4 **SEC. 2. REPORT ON DESIGNATION OF THE HAQQANI NET-**  
5 **WORK AS A FOREIGN TERRORIST ORGANIZA-**  
6 **TION.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

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

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

1 battle and left 16 Afghans dead, 5 police officers  
2 and at least 6 children among them.

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

6 (4) In September 22, 2011, testimony before  
7 the Committee on Armed Services of the Senate,  
8 Chairman of the Joint Chiefs of Staff Admiral  
9 Mullen stated that “[t]he Haqqani network, for one,  
10 acts as a veritable arm of Pakistan’s Inter-Services  
11 Intelligence agency. With ISI support, Haqqani  
12 operatives plan and conducted that [September 13]  
13 truck bomb attack, as well as the assault on our em-  
14 bassy. We also have credible evidence they were be-  
15 hind the June 28th attack on the Intercontinental  
16 Hotel in Kabul and a host of other smaller but effec-  
17 tive operations”.

18 (5) In October 27, 2011, testimony before the  
19 Committee on Foreign Affairs of the House of Rep-  
20 resentatives, Secretary of State Hillary Clinton stat-  
21 ed that “we are taking action to target the Haqqani  
22 leadership on both sides of the border. We’re in-  
23 creasing international efforts to squeeze them oper-  
24 ationally and financially. We are already working  
25 with the Pakistanis to target those who are behind

1 a lot of the attacks against Afghans and Americans.  
2 And I made it very clear to the Pakistanis that the  
3 attack on our embassy was an outrage and the at-  
4 tack on our forward operating base that injured 77  
5 of our soldiers was a similar outrage.”.

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

12 (7) On November 1, 2011, the United States  
13 Government added Haji Mali Kahn to a list of spe-  
14 cially designated global terrorists under Executive  
15 Order 13224. The Department of State described  
16 Khan as “a Haqqani Network commander” who has  
17 “overseen hundreds of fighters, and has instructed  
18 his subordinates to conduct terrorist acts.” The des-  
19 ignation continued, “Mali Khan has provided sup-  
20 port and logistics to the Haqqani Network, and has  
21 been involved in the planning and execution of at-  
22 tacks in Afghanistan against civilians, coalition  
23 forces, and Afghan police”. According to Jason  
24 Blazakis, the chief of the Terrorist Designations

1 Unit of the Department of State, Khan also has  
2 links to al-Qaeda.

3 (8) Five other top Haqqani Network leaders  
4 have been placed on the list of specially designated  
5 global terrorists under Executive Order 13224 since  
6 2008, and three of them have been so placed in the  
7 last year. Sirajuddin Haqqani, the overall leader of  
8 the Haqqani Network as well as the leader of the  
9 Taliban's Mirasah Regional Military Shura, was  
10 designated by the Secretary of State as a terrorist  
11 in March 2008, and in March 2009, the Secretary  
12 of State put out a bounty of \$5,000,000 for infor-  
13 mation leading to his capture. The other four indi-  
14 viduals so designated are Nasiruddin Haqqani,  
15 Khalil al Rahman Haqqani, Badruddin Haqqani,  
16 and Mullah Sangeen Zadran.

17 (b) REPORT.—

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

22 (A) a detailed report on whether the  
23 Haqqani Network meets the criteria for des-  
24 ignation as a foreign terrorist organization as

1 set forth in section 219 of the Immigration and  
2 Nationality Act (8 U.S.C. 1189); and

3 (B) if the Secretary determines that the  
4 Haqqani Network does not meet the criteria set  
5 forth under such section 219, a detailed jus-  
6 tification as to which criteria have not been  
7 met.

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

11 (3) APPROPRIATE COMMITTEES OF CONGRESS  
12 DEFINED.—In this subsection, the term “appro-  
13 priate committees of Congress” means—

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

17 (B) the Committee on Armed Services, the  
18 Committee on Foreign Affairs, and the Perma-  
19 nent Select Committee on Intelligence of the  
20 House of Representatives.

21 (c) CONSTRUCTION.—Nothing in this Act may be  
22 construed to infringe upon the sovereignty of Pakistan to

- 1 combat militant or terrorist groups operating inside the
- 2 boundaries of Pakistan.

Passed the Senate December 17, 2011.

Attest:

NANCY ERICKSON,

*Secretary.*