

115TH CONGRESS
1ST SESSION

H. R. 258

To prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2017

Ms. GABBARD (for herself, Mr. WELCH, Mr. JONES, Mr. MASSIE, Ms. LEE, and Mr. YOHO) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Permanent Select Committee on Intelligence, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the use of United States Government funds to provide assistance to Al Qaeda, Jabhat Fateh al-Sham, and the Islamic State of Iraq and the Levant (ISIL) and to countries supporting those organizations, 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. PROHIBITION ON USE OF FUNDS TO PROVIDE**
2 **COVERED ASSISTANCE TO AL QAEDA,**
3 **JABHAT FATEH AL-SHAM, AND ISIL, AND TO**
4 **COUNTRIES SUPPORTING THOSE ORGANIZA-**
5 **TIONS.**

6 (a) PROHIBITION WITH RESPECT TO AL QAEDA,
7 JABHAT FATEH AL-SHAM, AND ISIL.—

8 (1) IN GENERAL.—Notwithstanding any other
9 provision of law, no funds made available to any
10 Federal department or agency may be used to pro-
11 vide covered assistance to Al Qaeda, Jabhat Fateh
12 al-Sham, and ISIL, and any individual or group that
13 is affiliated with, associated with, cooperating with,
14 or adherents to such groups.

15 (2) DUTIES OF DNI.—The Director of National
16 Intelligence—

17 (A) shall make initial determinations with
18 respect to whether or not an individual or group
19 is, or has been within the most recent 12
20 months prior to such determination, affiliated
21 with, associated with, cooperating with, or is an
22 adherent to Al Qaeda, Jabhat Fateh al-Sham,
23 or ISIL, under paragraph (1) not later than 90
24 days after the date of the enactment of this
25 Act;

1 (B) shall, in consultation with the appro-
2 priate congressional committees, review and
3 make subsequent determinations with respect to
4 groups or individuals under paragraph (1) every
5 6 months thereafter; and

6 (C) shall brief the appropriate congres-
7 sional committees on each determination with
8 respect to a group or individual under subpara-
9 graph (A) and the justification for the deter-
10 mination, including by providing—

11 (i) the geographic location of such
12 group or individual;

13 (ii) a detailed intelligence assessment
14 of such group or individual;

15 (iii) a detailed description of the
16 alignment and interaction of such group or
17 individual with Al Qaeda, Jabhat Fateh al-
18 Sham, or ISIL; and

19 (iv) a description of the ideological be-
20 liefs of such group or individual.

21 (b) PROHIBITION WITH RESPECT TO SUPPORTING
22 COUNTRIES.—

23 (1) IN GENERAL.—Notwithstanding any other
24 provision of law, no funds made available to any
25 Federal department or agency may be used to pro-

1 vide covered assistance directly or indirectly to the
2 government of any country that the Director of Na-
3 tional Intelligence determines has within the most
4 recent 12 months prior to such determination pro-
5 vided covered assistance to Al Qaeda, Jabhat Fateh
6 al-Sham, or the Islamic State of Iraq and the Le-
7 vant (ISIL), or any individual or group that is affili-
8 ated with, associated with, cooperating with, or is an
9 adherent to those organizations, as determined
10 under subsection (a)(2)(A).

11 (2) DUTIES OF DNI.—The Director of National
12 Intelligence—

13 (A) shall make initial determinations with
14 respect to countries under paragraph (1) not
15 later than 90 days after the date of the enact-
16 ment of this Act;

17 (B) shall, in consultation with the appro-
18 priate congressional committees, review and
19 make subsequent determinations with respect to
20 countries under paragraph (1) every 6 months
21 thereafter; and

22 (C) shall brief the appropriate congres-
23 sional committees on each determination with
24 respect to a country under paragraph (1) and
25 the justification for the determination that Al

1 Qaeda, Jabhat Fateh al-Sham, or the Islamic
2 State of Iraq and the Levant (ISIL), or any in-
3 dividual or group that is affiliated with, associ-
4 ated with, cooperating with, or is an adherent
5 to those organizations, is determined to be re-
6 ceiving covered assistance from the government
7 of the country—

8 (i) the geographic location of such or-
9 ganization, group, or individual;

10 (ii) a detailed intelligence assessment
11 of such organization, group, or individual;
12 and

13 (iii) a detailed description of the cov-
14 ered assistance, the method of transfer of
15 the covered assistance, and use of covered
16 assistance.

17 (c) ADDITIONAL BRIEFING REQUIREMENTS.—The
18 Director of National Intelligence shall—

19 (1) in addition to carrying out subsection
20 (a)(2)(C), brief the appropriate congressional com-
21 mittees on—

22 (A) any other individual or group that the
23 Director considered in carrying out such sub-
24 section but did not make a determination that
25 the group or individual is affiliated with, associ-

1 ated with, cooperating with, or is an adherent
2 to Al Qaeda, Jabhat Fateh al-Sham, or ISIL;
3 and

4 (B) the justification for not making the de-
5 termination; and

6 (2) in addition to carrying out subsection
7 (b)(2)(C), brief the appropriate congressional com-
8 mittees on—

9 (A) any other country that the Director
10 considered in carrying out such subsection but
11 did not make a determination that the country
12 provided covered assistance to Al Qaeda,
13 Jabhat Fateh al-Sham, or the Islamic State of
14 Iraq and the Levant (ISIL), or any individual
15 or group that is affiliated with, associated with,
16 cooperating with, or adherents to those organi-
17 zations; and

18 (B) the justification for not making the de-
19 termination.

20 (d) DEFINITIONS.—In this section:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES.—The term “appropriate congressional com-
23 mittees” means—

24 (A) the Committee on Foreign Affairs, the
25 Committee on Armed Services, and the Perma-

1 nent Select Committee on Intelligence of the
2 House of Representatives; and

3 (B) the Committee on Foreign Relations,
4 the Committee on Armed Services, and the Se-
5 lect Committee on Intelligence of the Senate.

6 (2) COVERED ASSISTANCE.—The term “covered
7 assistance” means—

8 (A) defense articles, defense services, train-
9 ing or logistical support, or any other military
10 assistance provided by grant, loan, credit,
11 transfer, or cash sales;

12 (B) intelligence sharing; or

13 (C) cash assistance.

14 (3) DEFENSE ARTICLES AND DEFENSE SERV-
15 ICES.—The terms “defense articles” and “defense
16 services” have the meanings given such terms in sec-
17 tions 47(3) and 47(4) of the Arms Export Control
18 Act (22 U.S.C. 2794 note), respectively.

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