

117TH CONGRESS
1ST SESSION

S. 2863

To require the imposition of sanctions with respect to the Taliban and persons assisting the Taliban in Afghanistan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2021

Mr. RISCH (for himself, Mr. RUBIO, Mr. JOHNSON, Mr. ROMNEY, Mr. PORTMAN, Mr. YOUNG, Mr. BARRASSO, Mr. ROUNDS, Mr. HAGERTY, Mr. THUNE, Mr. SCOTT of Florida, Ms. COLLINS, Mr. CRAPO, Mr. BURR, Mr. WICKER, Mr. MORAN, Mr. BOOZMAN, Mr. HOEVEN, Mr. SULLIVAN, Mrs. HYDE-SMITH, Mrs. BLACKBURN, Mr. MARSHALL, and Ms. ERNST) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the imposition of sanctions with respect to the Taliban and persons assisting the Taliban in Afghanistan, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Afghanistan Counterterrorism, Oversight, and Account-
6 ability Act of 2021”.

- 1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings.
 Sec. 3. Definitions.

TITLE I—STATE DEPARTMENT AFGHANISTAN TASK FORCE AND DIPLOMATIC ENGAGEMENT

- Sec. 101. Task force on evacuations from Afghanistan.
 Sec. 102. Report on diplomatic engagement and economic cooperation with the
 Taliban.
 Sec. 103. Opposition to recognition of Taliban representative as ambassador to
 the United States.
 Sec. 104. Opposition to participation of Taliban at the United Nations and
 other measures.
 Sec. 105. Revised strategy for South and Central Asia.

TITLE II—COUNTERTERRORISM STRATEGIES AND REPORTS

- Sec. 201. Counterterrorism strategy for Afghanistan.
 Sec. 202. Report on entities providing support for the Taliban.
 Sec. 203. Report and strategy on United States-origin defense articles and
 services provided to Afghanistan.

TITLE III—MATTERS RELATING TO HOSTAGES, SPECIAL IMMIGRANT VISA APPLICANTS, AND REFUGEES

- Sec. 301. Report on hostages taken by the Taliban.
 Sec. 302. Briefings on status of special immigrant visa applicants, refugees,
 and parolees.

TITLE IV—RESTRICTIONS ON FOREIGN ASSISTANCE

- Sec. 401. Statement of policy on United States assistance in Afghanistan.
 Sec. 402. Humanitarian assistance to countries and organizations supporting
 Afghan refugees and Afghan allies of the United States.
 Sec. 403. Review of foreign assistance to countries and organizations sup-
 porting the Taliban.
 Sec. 404. Appropriate congressional committees defined.

TITLE V—HUMAN RIGHTS IN AFGHANISTAN

- Sec. 501. Report on human rights abuses by the Taliban.

TITLE VI—SANCTIONS WITH RESPECT TO THE TALIBAN

- Sec. 601. Definitions.
 Sec. 602. Imposition of sanctions with respect to activities of the Taliban and
 others in Afghanistan.
 Sec. 603. Imposition of sanctions with respect to supporters of the Taliban.
 Sec. 604. Support for multilateral sanctions with respect to the Taliban.
 Sec. 605. Implementation; penalties.
 Sec. 606. Waivers; exceptions; suspension.

TITLE VII—GENERAL PROVISIONS

Sec. 701. Termination.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) On April 14, 2021, President Joseph R.
4 Biden announced the unconditional withdrawal of
5 United States Armed Forces from Afghanistan after
6 20 years of conflict.

7 (2) United States troop withdrawals led to the
8 rapid collapse of the democratically elected Govern-
9 ment of Afghanistan, effectively ended prospects for
10 a negotiated settlement, threaten to reverse the
11 hard-earned rights of Afghanistan's women and
12 youth, and created dangerous sanctuary space for
13 potential terrorist attacks against the United States
14 and allies and partners of the United States.

15 (3) Under the terms of the peace agreement
16 signed by the United States and the Taliban in
17 Doha, Qatar, on February 29, 2020, the withdrawal
18 of the United States Armed Forces was contingent
19 upon the Taliban upholding its commitment to a re-
20 duction in the levels of violence, engaging in sub-
21 stantive talks with the Government of Afghanistan,
22 and adhering to certain counterterrorism guaran-
23 tees. The Taliban failed to meet its commitments.

1 (4) The Taliban’s rise to power and inability to
2 control its borders may result in a safe haven for
3 violent jihadist groups, like al Qaeda and the Afghan
4 affiliate of the Islamic State group, ISIS–Khorasan
5 (commonly referred to as “ISIS–K”).

6 (5) According to a May 2020 report of the
7 United Nations, “The senior leadership of Al-Qaida
8 remains present in Afghanistan, as well as hundreds
9 of armed operatives, Al-Qaida in the Indian Sub-
10 continent, and groups of foreign terrorist fighters
11 aligned with the Taliban.”.

12 (6) According to the same United Nations re-
13 port, “The Taliban regularly consulted with Al-
14 Qaida during negotiations with the United States
15 and offered guarantees that it would honor their his-
16 torical ties.”.

17 (7) In November 2020, the Lead Inspector
18 General for Operation Freedom’s Sentinel of the De-
19 partment of Defense (in this section referred to as
20 the “Lead Inspector General”) echoed similar con-
21 cerns, noting that “members of al-Qaeda were inte-
22 grated into the Taliban’s leadership and command
23 structure”.

24 (8) In May 2021, the Lead Inspector General
25 reaffirmed those concerns, noting that “[a]ccording

1 to the Defense Intelligence Agency, the Taliban
2 maintained close ties with al-Qaeda and was very
3 likely preparing for large-scale offensives”.

4 (9) On September 14, 2021, the Deputy Direc-
5 tor of the Central Intelligence Agency stated, “We
6 are already beginning to see some of the indications
7 of some potential movement of al Qaeda to Afghani-
8 stan.”.

9 (10) On August 14, 2021, the United States
10 began an operation at Hamid Karzai International
11 Airport to evacuate United States citizens and Af-
12 ghans affiliated with the United States, an action
13 which forced the North Atlantic Treaty Organization
14 (commonly referred to as “NATO”) and allied coun-
15 tries to undertake similar operations.

16 (11) During the evacuation operation conducted
17 in August 2021, United States allies, all of which
18 had contributed soldiers and resources to the fight
19 against the Taliban and terrorism in Afghanistan
20 since 2001, assisted in the exfiltration of thousands
21 of United States citizens, their own nationals, and
22 Afghans affiliated with NATO.

23 (12) In August 2021, at the height of the
24 United States evacuation operation, ISIS–K carried
25 out a dual attack striking Hamid Karzai Inter-

1 national Airport and the Baron Hotel, killing more
2 than 170 civilians, including 13 members of the
3 United States Armed Forces.

4 (13) According to the reports of the Depart-
5 ment of State, as many as 10,000 to 15,000 United
6 States citizens were in Afghanistan before the evacu-
7 ation efforts.

8 (14) As of August 31, 2021, the Department of
9 State evacuated just over 6,000 United States citi-
10 zens, leaving untold numbers of United States citi-
11 zens stranded in Afghanistan with little recourse for
12 departure.

13 (15) As of August 31, 2021, the United States
14 evacuated 705 out of 22,000 Afghans who applied
15 for special immigrant visas, leaving the vast majority
16 of Afghans behind and vulnerable to retribution by
17 the Taliban.

18 (16) The Taliban continues to hamper the
19 movement of United States citizens and at-risk Af-
20 ghans out of Afghanistan.

21 (17) On September 10, 2021, the Taliban ap-
22 pointed Sirajjudin Haqqani, a wanted terrorist re-
23 sponsible for attacks against United States citizens,
24 as the Taliban minister of interior, ostensibly re-
25 sponsible for the continued evacuations of United

1 States citizens and at-risk Afghans out of Afghani-
2 stan.

3 (18) A Taliban-led government rooted in Sharia
4 law would undermine the vital gains made since
5 2001, particularly with respect to the rule of law
6 and the rights of women and girls, and would lack
7 credibility and international legitimacy on the world
8 stage.

9 (19) As noted by Human Rights Watch, “Even
10 before their takeover of Kabul on August 15,
11 Taliban forces were already committing atrocities,
12 including summary executions of government offi-
13 cials and security force members in their custody.”.

14 (20) Since the Taliban’s takeover of Kabul, the
15 Taliban has raided the homes of journalists and ac-
16 tivists, as well as members of their families, and re-
17 stricted girls’ access to education and women’s abil-
18 ity to work.

19 (21) The Lead Inspector General reported in
20 May 2021 that the Taliban had carried out “dozens
21 of targeted killings of Afghan civilians, including
22 government officials, teachers, journalists, medical
23 workers, and religious scholars”.

24 (22) Despite reportedly providing written assur-
25 ances to donors and the United Nations, the Taliban

1 also continues to hinder humanitarian access to the
2 most vulnerable areas and individuals in Afghani-
3 stan, with an estimated 18,400,000 people, or
4 roughly half of the population in Afghanistan, cur-
5 rently in dire need of lifesaving assistance.

6 (23) Between 2001 and 2020, at least 569 hu-
7 manitarian workers were targeted for attack in Af-
8 ghanistan, and in August 2021 alone, at least 240
9 incidents affecting humanitarian access were re-
10 ported by relief agencies.

11 (24) The United States has invested more than
12 \$56,000,000,000 since 2002 in efforts to address
13 profound humanitarian needs and help the people of
14 Afghanistan, including women, girls, and religious
15 and ethnic minorities, realize their democratic and
16 development aspirations.

17 (25) Despite consistent challenges, United
18 States humanitarian and development assistance has
19 helped expand access to education for more than
20 3,000,000 girls since 2008, reduce maternal and
21 child deaths by more than half since 2000, provide
22 first-time access to safe drinking water for 650,000
23 people and improved sanitation services for
24 1,200,000 people since 2016, and catalyze a 3,000-

1 percent increase in per capita gross domestic prod-
 2 uct between 2002 and 2018.

3 (26) Following the Taliban takeover in Afghani-
 4 stan, those notable achievements are at risk of rever-
 5 sal, the country stands on the verge of economic col-
 6 lapse, and according to the World Food Programme
 7 of the United Nations, an estimated 14,000,000 peo-
 8 ple are “marching toward starvation”.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) SPECIAL IMMIGRANT VISA PROGRAM.—The
 12 term “special immigrant visa program” means—

13 (A) the special immigrant visa program
 14 under section 602 of the Afghan Allies Protec-
 15 tion Act of 2009 (Public Law 111–8; 8 U.S.C.
 16 1101 note); and

17 (B) the special immigrant visa program
 18 under section 1059 of the National Defense Au-
 19 thorization Act for Fiscal Year 2006 (Public
 20 Law 109–163; 8 U.S.C. 1101 note) with re-
 21 spect to nationals of Afghanistan.

22 (2) TALIBAN.—The term “Taliban” means the
 23 entity—

24 (A) known as the Taliban;

25 (B) operating in Afghanistan; and

1 (C) designated as a specially designated
2 global terrorist under part 594 of title 31, Code
3 of Federal Regulations.

4 (3) TERRORIST GROUP.—The term “terrorist
5 group” means—

6 (A) any entity designated as a specially
7 designated global terrorist under part 594 of
8 title 31, Code of Federal Regulations (other
9 than the Taliban); or

10 (B) any foreign terrorist organization (as
11 defined in section 219 of the Immigration and
12 Nationality Act (8 U.S.C. 1189)).

13 (4) UNITED STATES LAWFUL PERMANENT
14 RESIDENT.—The term “United States lawful perma-
15 nent resident” means an alien lawfully admitted for
16 permanent residence to the United States (as de-
17 fined in section 101(a) of the Immigration and Na-
18 tionality Act (8 U.S.C. 1101(a))).

1 **TITLE I—STATE DEPARTMENT**
2 **AFGHANISTAN TASK FORCE**
3 **AND DIPLOMATIC ENGAGE-**
4 **MENT**

5 **SEC. 101. TASK FORCE ON EVACUATIONS FROM AFGHANI-**
6 **STAN.**

7 (a) IN GENERAL.—The Secretary of State shall es-
8 tablish and maintain a task force dedicated to—

9 (1) the implementation of a comprehensive
10 strategy relating to the evacuation of United States
11 citizens, United States lawful permanent residents,
12 and applicants for the special immigrant visa pro-
13 gram, from Afghanistan; and

14 (2) identifying individuals in Afghanistan who
15 have—

16 (A) applied to the United States Refugee
17 Admissions Program; or

18 (B) sought entry into the United States as
19 humanitarian parolees under section 212(d)(5)
20 of the Immigration and Nationality Act (8
21 U.S.C. 1182(d)(5)).

22 (b) FOCUS OF TASK FORCE.—The task force estab-
23 lished under subsection (a) shall prioritize efforts of the
24 Department of State—

1 (1) to account for all United States citizens still
2 within Afghanistan and ensure all United States citi-
3 zens have the opportunity to safely depart Afghani-
4 stan; and

5 (2) to account for United States lawful perma-
6 nent residents and applicants for the special immi-
7 grant visa program still within Afghanistan and help
8 ensure those individuals have an opportunity to safe-
9 ly depart Afghanistan.

10 (c) REPORTING REQUIREMENT.—Not later than one
11 year after the date of the enactment of this Act, the Sec-
12 retary of State shall submit to the appropriate congres-
13 sional committees a report detailing lessons learned from
14 the task force established under subsection (a), including
15 such lessons related to the evacuation of United States
16 citizens, United States lawful permanent residents, and
17 applicants for the special immigrant visa program, from
18 Afghanistan.

19 (d) BRIEFING REQUIREMENT.—The task force estab-
20 lished under subsection (a) shall provide quarterly brief-
21 ings to the appropriate congressional committees on—

22 (1) the strategy described in subsection (a); and
23 (2) any additional authorities the Department
24 of State requires to better advance the strategy.

1 (e) TERMINATION.—The task force established under
2 subsection (a) shall terminate on the date that is one year
3 after the date of the enactment of this Act.

4 (f) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
5 FINED.—In this section, the term “appropriate congres-
6 sional committees” means—

7 (1) the Committee on Foreign Relations of the
8 Senate; and

9 (2) the Committee on Foreign Affairs of the
10 House of Representatives.

11 **SEC. 102. REPORT ON DIPLOMATIC ENGAGEMENT AND**
12 **ECONOMIC COOPERATION WITH THE**
13 **TALIBAN.**

14 (a) IN GENERAL.—Not later than 120 days after the
15 date of the enactment of this Act, and not less frequently
16 than annually thereafter, the Secretary of State, in coordi-
17 nation with the Administrator of the United States Agen-
18 cy for International Development and the Secretary of the
19 Treasury, shall submit to the appropriate congressional
20 committees a report detailing the manner and extent to
21 which foreign governments and international organiza-
22 tions have pursued diplomatic engagement or economic or
23 security cooperation with the Taliban or members of the
24 Taliban.

1 (b) ELEMENTS.—The report required by subsection
2 (a) shall include a description of—

3 (1) steps taken by foreign governments and
4 international organizations toward formal diplomatic
5 recognition of the Taliban or a government of Af-
6 ghanistan under the direction or control of the
7 Taliban or members of the Taliban;

8 (2) efforts to maintain or re-establish a diplo-
9 matic presence in Kabul;

10 (3) the extent to which formal bilateral relation-
11 ships serve to bolster the Taliban’s credibility on the
12 world stage;

13 (4) the scale and scope of economic cooperation
14 with the Taliban, or any agency or instrumentality
15 of the Government of Afghanistan under the direc-
16 tion or control of the Taliban or a member of the
17 Taliban, by foreign governments and international
18 organizations, particularly international financial in-
19 stitutions;

20 (5) the extent of any assistance provided by for-
21 eign governments and international organizations to
22 or through the Taliban or any agency or instrumen-
23 tality described in paragraph (4), including humani-
24 tarian, technical, and security assistance; and

1 (6) major security cooperation activities or ini-
2 tiatives undertaken by foreign governments with the
3 Taliban or any agency or instrumentality described
4 in paragraph (4), including the establishment by a
5 foreign government of any military presence within
6 Afghanistan.

7 (c) FORM OF REPORT; AVAILABILITY.—

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

11 (2) AVAILABILITY.—The unclassified portion of
12 the report required by subsection (a) shall be made
13 available on a publicly accessible internet website of
14 the Department of State.

15 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
16 DEFINED.—In this section, the term “appropriate con-
17 gressional committees” means—

18 (1) the Committee on Foreign Relations of the
19 Senate; and

20 (2) the Committee on Foreign Affairs of the
21 House of Representatives.

1 **SEC. 103. OPPOSITION TO RECOGNITION OF TALIBAN REP-**
2 **RESENTATIVE AS AMBASSADOR TO THE**
3 **UNITED STATES.**

4 The President should not recognize as the Amba-
5 sador of Afghanistan to the United States or accept diplo-
6 matic credentials from any individual who is a member
7 of the Taliban.

8 **SEC. 104. OPPOSITION TO PARTICIPATION OF TALIBAN AT**
9 **THE UNITED NATIONS AND OTHER MEAS-**
10 **URES.**

11 The United States Ambassador to the United Na-
12 tions should use the voice, vote, and influence of the
13 United States at the United Nations—

14 (1) to object to the issuance of credentials to
15 any member of the delegation of Afghanistan to the
16 United Nations General Assembly who is a member
17 of the Taliban, consistent with Rules 27 and 28 of
18 the Rules of Procedure of the General Assembly;

19 (2) to ensure that no member of the Taliban
20 may serve in a leadership position in any United Na-
21 tions body, fund, program, or specialized agency;

22 (3) to support a resolution on human rights
23 abuses committed by the Taliban at the United Na-
24 tions Human Rights Council and calling for the im-
25 mediate deployment of human rights monitors to Af-

1 ghanistan under the special procedures of the Coun-
 2 cil;

3 (4) to demand immediate, unfettered humani-
 4 tarian access to the whole of Afghanistan, including
 5 to prevent famine and to expand access to lifesaving
 6 vaccines and immunizations; and

7 (5) to prevent diversions of humanitarian as-
 8 sistance delivered through United Nations bodies,
 9 funds, programs, and specialized agencies to individ-
 10 uals and entities subject to sanctions under United
 11 Nations Security Council Resolutions 1988 (2011)
 12 and 2255 (2015), including through the imposition
 13 of duties, fees, or taxes on such humanitarian assist-
 14 ance or the manipulation of beneficiary lists.

15 **SEC. 105. REVISED STRATEGY FOR SOUTH AND CENTRAL**
 16 **ASIA.**

17 (a) IN GENERAL.—Not later than 90 days after the
 18 date of the enactment of this Act, the President shall sub-
 19 mit to the appropriate congressional committees a strategy
 20 for a path forward for the relationship of the United
 21 States with South and Central Asian countries after the
 22 United States withdrawal from Afghanistan.

23 (b) ELEMENTS.—The strategy required by subsection
 24 (a) shall include the following elements:

1 (1) A detailed description of the security and
2 economic challenges that the Russian Federation,
3 the People's Republic of China, and the Taliban
4 pose to the countries of South and Central Asia, in-
5 cluding border disputes with South and Central
6 Asian countries that border the People's Republic of
7 China, investments by the Government of the Peo-
8 ple's Republic of China in land and sea ports, mili-
9 tary activities and installations, transportation infra-
10 structure, and energy projects across the region.

11 (2) A detailed description of United States ef-
12 forts to provide alternatives to investment by the
13 Government of the People's Republic of China in in-
14 frastructure and other sectors in South and Central
15 Asia.

16 (3) An examination of the areas and sectors in
17 which South and Central Asian countries are subject
18 to political, military, information, and diplomatic
19 pressure from the Russian Federation and the Peo-
20 ple's Republic of China.

21 (4) An examination of the extent to which the
22 C5+1 format should or should not be changed to re-
23 flect the new conditions in Afghanistan.

24 (5) An analysis of the possibilities for access to
25 and basing in Central Asian countries for the United

1 States Armed Forces, and overflight of those coun-
2 tries by United States drones, and the diplomatic
3 outreach needed to achieve those outcomes.

4 (6) A detailed description of bilateral and re-
5 gional efforts to work with countries in South Asia
6 on strategies to build resilience against efforts of the
7 Government of the People's Republic of China and
8 the Government of the Russian Federation to inter-
9 fere in their political systems and economies.

10 (7) A detailed description of United States dip-
11 lomatic efforts to address the challenges posed by in-
12 vestment by the Government of the People's Repub-
13 lic of China in the mining and mineral sectors in Af-
14 ghanistan.

15 (8) Identification of areas where the United
16 States Government can strengthen diplomatic, eco-
17 nomic, and defense cooperation with the Government
18 of India, as appropriate, to address economic and se-
19 curity challenges posed by the People's Republic of
20 China, the Russian Federation, and the Taliban in
21 the region, and an assessment of how the changes
22 to India's security environment resulting from the
23 Taliban's takeover of Afghanistan will affect United
24 States engagement with India.

1 (9) A description of the coordination mecha-
2 nisms among key regional and functional bureaus
3 within the Department of State and the Department
4 of Defense tasked with engaging with the countries
5 of South and Central Asia on issues relating to the
6 People's Republic of China, the Russian Federation,
7 and the Taliban.

8 (10) A description of the efforts being made by
9 Federal agencies, including the Department of State,
10 the United States Agency for International Develop-
11 ment, the Department of Commerce, the Depart-
12 ment of Energy, and the Office of the United States
13 Trade Representative, to help the countries of South
14 and Central Asia develop trade and commerce links
15 that will help those countries diversify their trade
16 away from the People's Republic of China and the
17 Russian Federation.

18 (11) A detailed description of United States
19 diplomatic efforts with South and Central Asian
20 countries, Turkey, and any other countries with sig-
21 nificant populations of Uyghurs and other ethnic mi-
22 norities fleeing persecution in the People's Republic
23 of China, to press those countries to refrain from de-
24 porting ethnic minorities to the People's Republic of
25 China, protect ethnic minorities from intimidation by

1 authorities of the Government of the People's Re-
2 public of China, and protect the right to the free-
3 doms of assembly and expression.

4 (12) An analysis of the effect ending the denial
5 of nondiscriminatory treatment to the products of
6 the Republic of Kazakhstan, the Republic of
7 Tajikistan, and the Republic of Uzbekistan under
8 chapter 1 of title IV of the Trade Act of 1974 (com-
9 monly known as the "Jackson-Vanik amendment")
10 would have on improving trade and diplomatic rela-
11 tions with the United States.

12 (c) FORM OF REPORT; AVAILABILITY.—

13 (1) FORM.—The strategy required by sub-
14 section (a) shall be submitted in unclassified form,
15 but may include a classified annex.

16 (2) AVAILABILITY.—The unclassified portion of
17 the strategy required by subsection (a) shall be
18 made available on a publicly accessible internet
19 website of the Department of State.

20 (d) CONSULTATION.—Not later than 120 days after
21 the date of the enactment of this Act, and not less fre-
22 quently than annually thereafter for 5 years, the Secretary
23 of State shall consult with the appropriate congressional
24 committees regarding the development and implementa-
25 tion of the strategy required by subsection (a).

1 (e) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—The term “appropriate congressional com-
4 mittees” means—

5 (A) the Committee on Foreign Relations
6 and the Committee on Armed Services of the
7 Senate; and

8 (B) the Committee on Foreign Affairs and
9 the Committee on Armed Services of the House
10 of Representatives.

11 (2) C5+1 FORMAT.—The term “C5+1 format”
12 means meetings of representatives of the govern-
13 ments of the United States, the Republic of
14 Kazakhstan, the Kyrgyz Republic, the Republic of
15 Tajikistan, Turkmenistan, and the Republic of Uz-
16 bekistan.

17 **TITLE II—COUNTERTERRORISM** 18 **STRATEGIES AND REPORTS**

19 **SEC. 201. COUNTERTERRORISM STRATEGY FOR AFGHANI-** 20 **STAN.**

21 (a) IN GENERAL.—Not later than 180 days after the
22 date of the enactment of this Act, and not less frequently
23 than annually thereafter, the Secretary of State, in con-
24 sultation with the Secretary of Defense and the Director
25 of National Intelligence, shall submit to the appropriate

1 congressional committees a report setting forth the United
2 States counterterrorism strategy for Afghanistan and ad-
3 dressing each of the elements described in subsection (b).

4 (b) ELEMENTS.—The elements described in this sub-
5 section are the following:

6 (1) An assessment of terrorist activity in Af-
7 ghanistan and threats posed to the United States by
8 that activity.

9 (2) An assessment of whether the Taliban is
10 taking meaningful action to ensure that Afghanistan
11 is not a safe haven for terrorist groups, such as al
12 Qaeda or ISIS–K, pursuant to the peace agreement
13 signed by the United States and the Taliban in
14 Doha, Qatar, on February 29, 2020, or subsequent
15 agreements or arrangements.

16 (3) A detailed description of all discussions,
17 transactions, deconfliction arrangements, or other
18 agreements or arrangements with the Taliban.

19 (4) An assessment of the status of access, bas-
20 ing, and overflight agreements with countries neigh-
21 boring Afghanistan that facilitate ongoing United
22 States counterterrorism missions.

23 (5) An assessment of the status of—

1 (A) human intelligence and multi-source
2 intelligence assets dedicated to Afghanistan;
3 and

4 (B) the ability of the United States to de-
5 tect emerging threats against the United States
6 and allies and partners of the United States.

7 (6) A description of the number and types of
8 intelligence, surveillance, and reconnaissance assets
9 and strike assets dedicated to Afghanistan counter-
10 terrorism missions and associated flight times and
11 times on station for such assets.

12 (7) An assessment of local or indigenous
13 counterterrorism partners.

14 (8) An assessment of risks to the mission and
15 risks to United States personnel involved in over-
16 the-horizon counterterrorism options.

17 (c) FORM.—The report required by subsection (a)
18 shall be submitted in unclassified form, but may include
19 a classified annex.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
21 DEFINED.—In this section, the term “appropriate con-
22 gressional committees” means—

23 (1) the Committee on Foreign Relations, the
24 Committee on Armed Services, and the Select Com-
25 mittee on Intelligence of the Senate; and

1 (2) the Committee on Foreign Affairs, the
2 Committee on Armed Services, and the Permanent
3 Select Committee on Intelligence of the House of
4 Representatives.

5 **SEC. 202. REPORT ON ENTITIES PROVIDING SUPPORT FOR**
6 **THE TALIBAN.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of the enactment of this Act, and not less frequently
9 than annually thereafter, the Secretary of State, in con-
10 sultation with the Secretary of Defense and the Director
11 of National Intelligence, shall submit to the appropriate
12 congressional committees a report on entities providing
13 support to the Taliban.

14 (b) ELEMENTS OF FIRST REPORT.—The first report
15 required by subsection (a) shall include—

16 (1) an assessment of support by state and non-
17 state actors, including the Government of Pakistan,
18 for the Taliban between 2001 and 2020, including
19 the provision of sanctuary space, financial support,
20 intelligence support, logistics and medical support,
21 training, equipping, and tactical, operational, or
22 strategic direction;

23 (2) an assessment of support by state and non-
24 state actors, including the Government of Pakistan,
25 for the 2021 offensive of the Taliban that toppled

1 the Government of the Islamic Republic of Afghani-
2 stan, including the provision of sanctuary space, fi-
3 nancial support, intelligence support, logistics and
4 medical support, training, equipping, and tactical,
5 operational, or strategic direction;

6 (3) an assessment of support by state and non-
7 state actors, including the Government of Pakistan,
8 for the September 2021 offensive of the Taliban
9 against the Panjshir Valley and the Afghan resist-
10 ance; and

11 (4) a detailed description of United States dip-
12 lomatic and military activities undertaken to curtail
13 support for the 2021 offensive of the Taliban that
14 toppled the Government of the Islamic Republic of
15 Afghanistan.

16 (c) ELEMENTS OF SUBSEQUENT REPORTS.—Each
17 report required by subsection (a) after the first such re-
18 port shall include—

19 (1) an assessment of support by state and non-
20 state actors for the Taliban, including the provision
21 of sanctuary space, financial support, intelligence
22 support, logistics and medical support, training,
23 equipping, and tactical, operational, or strategic di-
24 rection;

1 (2) an assessment of support by state and non-
 2 state actors for offensive actions of the Taliban
 3 against any elements of the Afghan resistance; and

4 (3) a detailed description of United States dip-
 5 lomatic and military activities undertaken to curtail
 6 support for the Taliban.

7 (d) FORM.—The report required by subsection (a)
 8 shall be submitted in unclassified form, but may contain
 9 a classified annex.

10 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
 11 FINED.—In this section, the term “appropriate congres-
 12 sional committees” means—

13 (1) the Committee on Foreign Relations, the
 14 Committee on Armed Services, and the Select Com-
 15 mittee on Intelligence of the Senate; and

16 (2) the Committee on Foreign Affairs, the
 17 Committee on Armed Services, and the Permanent
 18 Select Committee on Intelligence of the House of
 19 Representatives.

20 **SEC. 203. REPORT AND STRATEGY ON UNITED STATES-ORI-**
 21 **GIN DEFENSE ARTICLES AND SERVICES PRO-**
 22 **VIDED TO AFGHANISTAN.**

23 (a) REPORT REQUIRED.—

24 (1) IN GENERAL.—Not later than 90 days after
 25 the date of the enactment of this Act, the Secretary

1 of State, the Secretary of Defense, and the Director
2 of National Intelligence shall submit to the appro-
3 priate congressional committees a report on United
4 States-origin defense articles and defense services
5 provided to the Government of Afghanistan on or
6 before August 14, 2021.

7 (2) ELEMENTS.—The report required by para-
8 graph (1) shall include—

9 (A) an inventory of all United States-origin
10 defense articles and defense services provided to
11 the Government of Afghanistan;

12 (B) an assessment of the current location
13 and disposition of all such articles;

14 (C) an assessment of the risks that such
15 articles pose to United States citizens and in-
16 terests, regional security, and the people of Af-
17 ghanistan;

18 (D) an assessment of the most sensitive
19 training provided by the United States to Af-
20 ghan forces and the current location and status
21 of Afghans who received such training; and

22 (E) an assessment of the counterintel-
23 ligence risk if the Taliban provides access to
24 United States-origin defense articles to the

1 Russian Federation, Iran, or the People's Re-
2 public of China.

3 (b) STRATEGY REQUIRED.—

4 (1) IN GENERAL.—Not later than 120 days
5 after the date of the enactment of this Act, the Sec-
6 retary of State, the Secretary of Defense, and the
7 Director of National Intelligence shall submit to the
8 appropriate congressional committees a strategy on
9 United States-origin defense articles and defense
10 services provided to the Government of Afghanistan.

11 (2) ELEMENTS.—The strategy required under
12 subsection (d) shall include—

13 (A) a plan to recover, destroy, or de-milita-
14 rize United States-origin defense articles that
15 pose a significant risk to United States citizens
16 and interests, regional security, or the people of
17 Afghanistan; and

18 (B) a plan—

19 (i) to identify Afghan personnel whose
20 training could present a significant risk to
21 regional security or to the people of Af-
22 ghanistan; and

23 (ii) to ensure such personnel are not
24 coerced to support the Taliban or other
25 hostile forces.

1 (c) FORM.—The report required by subsection (a)
2 and the strategy required by subsection (b) shall be sub-
3 mitted in unclassified form, but may include a classified
4 annex.

5 (d) DEFINITIONS.—In this section:

6 (1) APPROPRIATE CONGRESSIONAL COMMIT-
7 TEES.—The term “appropriate congressional com-
8 mittees” means—

9 (A) the Committee on Foreign Relations,
10 the Committee on Armed Services, and the Se-
11 lect Committee on Intelligence of the Senate;
12 and

13 (B) the Committee on Foreign Affairs, the
14 Committee on Armed Services, and the Perma-
15 nent Select Committee on Intelligence of the
16 House of Representatives.

17 (2) DEFENSE ARTICLE; DEFENSE SERVICE;
18 TRAINING.—The terms “defense article”, “defense
19 service”, and “training” have the meanings given
20 those terms in section 47 of the Arms Export Con-
21 trol Act (22 U.S.C. 2794).

1 **TITLE III—MATTERS RELATING**
2 **TO HOSTAGES, SPECIAL IMMI-**
3 **GRANT VISA APPLICANTS,**
4 **AND REFUGEES**

5 **SEC. 301. REPORT ON HOSTAGES TAKEN BY THE TALIBAN.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the enactment of this Act, and not less frequently
8 than annually thereafter, the Secretary of State shall sub-
9 mit to the appropriate congressional committees a report
10 detailing the extent to which the Taliban has engaged in
11 the politically motivated taking or release of hostages or
12 otherwise is engaging in practices of unlawful or wrongful
13 detention.

14 (b) ELEMENTS.—The report required by subsection
15 (a) shall include, at a minimum—

16 (1) an assessment of whether there is credible
17 information that detained United States citizens or
18 United States lawful permanent residents are being
19 held hostage or are being detained unlawfully or
20 wrongfully by the Taliban; and

21 (2) an assessment of whether there is credible
22 information that citizens of NATO allies are being
23 held hostage or are being detained unlawfully or
24 wrongfully by the Taliban.

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

4 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 5 DEFINED.—In this section, the term “appropriate con-
 6 gressional committees” means—

7 (1) the Committee on Foreign Relations of the
 8 Senate; and

9 (2) the Committee on Foreign Affairs of the
 10 House of Representatives.

11 **SEC. 302. BRIEFINGS ON STATUS OF SPECIAL IMMIGRANT**
 12 **VISA APPLICANTS, REFUGEES, AND PAROL-**
 13 **EES.**

14 (a) IN GENERAL.—Not later than 10 days after the
 15 date of the enactment of this Act, and every 15 days there-
 16 after until September 30, 2022, the Secretary of State,
 17 in consultation with the Secretary of Homeland Security,
 18 shall provide a briefing to the Committee on Foreign Rela-
 19 tions of the Senate and the Committee on Foreign Affairs
 20 of the House of Representatives on the status of—

21 (1) the processing of applications for the special
 22 immigrant visa program; and

23 (2) refugee and parolee designations for nation-
 24 als of Afghanistan.

25 (b) ELEMENTS.—

1 (1) INITIAL BRIEFING.—The initial briefing re-
2 quired by subsection (a) shall include, for the period
3 beginning on August 1, 2021, and ending on the
4 date of the briefing—

5 (A)(i) the number of nationals of Afghani-
6 stan who have—

7 (I) submitted applications for—

8 (aa) the special immigrant visa
9 program; or

10 (bb) resettlement in the United
11 States through the United States Ref-
12 ugee Admissions Program; or

13 (II) sought entry to the United States
14 as humanitarian parolees under section
15 212(d)(5) of the Immigration and Nation-
16 ality Act (8 U.S.C. 1182(d)(5)); and

17 (ii) the status of such nationals of Afghan-
18 istan;

19 (B) the number of Department of State
20 and Department of Homeland Security employ-
21 ees assigned to processing applications de-
22 scribed in subparagraph (A)(i)(I) and adjudi-
23 cating the entry of nationals of Afghanistan as
24 humanitarian parolees;

1 (C) the location of each national of Af-
2 ghanistan who has submitted such an applica-
3 tion or sought entry to the United States as a
4 humanitarian parolee;

5 (D) the status of any agreement between
6 the United States and any foreign government
7 that is hosting such nationals of Afghanistan;

8 (E) an assessment of any required revision
9 to the levels and forms of United States foreign
10 assistance provided to entities supporting such
11 nationals of Afghanistan; and

12 (F) the status of any national of Afghani-
13 stan who—

14 (i) after July 1, 2021, submitted an
15 application described in subparagraph
16 (A)(i)(I) or sought entry to the United
17 States as a humanitarian parolee; and

18 (ii) failed to meet United States vet-
19 ting requirements.

20 (2) SUBSEQUENT BRIEFINGS.—Each subse-
21 quent briefing required by subsection (a) shall in-
22 clude the information described in subparagraphs
23 (A) through (F) of paragraph (1) for the preceding
24 15-day period.

1 (c) FORM.—A briefing required by subsection (a)
 2 may be provided in classified form, as necessary.

3 (d) WRITTEN MATERIALS.—The Secretary of State
 4 may submit written materials in conjunction with a brief-
 5 ing under this section.

6 **TITLE IV—RESTRICTIONS ON** 7 **FOREIGN ASSISTANCE**

8 **SEC. 401. STATEMENT OF POLICY ON UNITED STATES AS-** 9 **SISTANCE IN AFGHANISTAN.**

10 (a) IN GENERAL.—It is the policy of the United
 11 States not to provide foreign assistance, including develop-
 12 ment assistance, economic support, or security assistance
 13 under parts I and II of the Foreign Assistance Act of
 14 1961 (22 U.S.C. 2151 et seq.), the Millennium Challenge
 15 Act of 2003 (22 U.S.C. 7701 et seq.), the Better Utiliza-
 16 tion of Investments Leading to Development Act of 2018
 17 (22 U.S.C. 9601 et seq.), the FREEDOM Support Act
 18 (22 U.S.C. 5801 et seq.), or section 23 of the Arms Ex-
 19 port Control Act (22 U.S.C. 2763), to or through the
 20 Taliban, or in a manner that would directly benefit the
 21 Taliban in Afghanistan.

22 (b) HUMANITARIAN ASSISTANCE.—It is the policy of
 23 the United States to support the provision of humani-
 24 tarian assistance for displaced and conflict-affected per-
 25 sons in Afghanistan consistent with chapter 9 of the For-

1 eign Assistance Act of 1961 (22 U.S.C. 2292 et seq.), pro-
2 vided that such assistance is not provided to or through
3 the Taliban or entities controlled by the Taliban or per-
4 sons with respect to which sanctions have been imposed
5 under section 602 or 603.

6 (c) STRATEGY.—Not later than 30 days after the
7 date of the enactment of this Act, the President shall brief
8 the appropriate congressional committees on the United
9 States strategy to ensure the safe and timely delivery of
10 targeted humanitarian assistance in Afghanistan, includ-
11 ing by enabling humanitarian organizations to access re-
12 lated financial services, consistent with this section.

13 **SEC. 402. HUMANITARIAN ASSISTANCE TO COUNTRIES AND**
14 **ORGANIZATIONS SUPPORTING AFGHAN REF-**
15 **UGEES AND AFGHAN ALLIES OF THE UNITED**
16 **STATES.**

17 Subject to section 403, it is the policy of the United
18 States to support the provision of humanitarian assistance
19 for displaced and conflict-affected persons seeking refuge
20 from Afghanistan in third countries, as well as for hosting
21 communities with measurable need in such third countries.

1 **SEC. 403. REVIEW OF FOREIGN ASSISTANCE TO COUNTRIES**
2 **AND ORGANIZATIONS SUPPORTING THE**
3 **TALIBAN.**

4 (a) IN GENERAL.—Not later than 180 days after the
5 date of the enactment of this Act, and not less than annu-
6 ally thereafter, the Secretary of State, in consultation with
7 the appropriate congressional committees, shall conduct a
8 comprehensive review of all forms of United States foreign
9 assistance provided to or through the government of any
10 country or any organization providing any form of mate-
11 rial support to the Taliban, utilizing transparent metrics
12 to measure the forms, amounts, goals, objectives, bench-
13 marks, and outcomes of such assistance.

14 (b) AID SUSPENSION.—

15 (1) IN GENERAL.—The Secretary of State shall
16 suspend all forms of United States foreign assist-
17 ance not covered by an exception under section
18 606(b)(3) provided to or through a government or
19 organization described in subsection (a).

20 (2) TERMINATION.—The suspension of United
21 States foreign assistance under paragraph (1) shall
22 cease to be in effect on the date on which the Sec-
23 retary—

24 (A) has certified to the appropriate con-
25 gressional committees that the government or
26 organization subject to such suspension has

1 ceased to provide material support to the
2 Taliban; or

3 (B) has submitted to the appropriate con-
4 gressional committees a certification described
5 in section 606(c).

6 (3) WAIVER.—The Secretary may waive the
7 suspension of United States foreign assistance re-
8 quired under paragraph (1) if, not later than 10
9 days before issuing such a waiver, the Secretary cer-
10 tifies to the appropriate congressional committees
11 that—

12 (A) providing such assistance is in the na-
13 tional security interest of the United States;
14 and

15 (B) sufficient safeguards are in place to
16 ensure that no United States assistance is di-
17 verted to support the Taliban.

18 **SEC. 404. APPROPRIATE CONGRESSIONAL COMMITTEES**

19 **DEFINED.**

20 In this title, the term “appropriate congressional
21 committees” means—

22 (1) the Committee on Foreign Relations of the
23 Senate; and

24 (2) the Committee on Foreign Affairs of the
25 House of Representatives.

**TITLE V—HUMAN RIGHTS IN
AFGHANISTAN**

**SEC. 501. REPORT ON HUMAN RIGHTS ABUSES BY THE
TALIBAN.**

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report detailing the extent to which the Taliban, or any agency or instrumentality of the Government of Afghanistan under the direction or control of the Taliban or a member of the Taliban, has carried out or facilitated serious human rights abuse.

(b) ELEMENTS.—The report required by subsection (a) shall include—

(1) an assessment of the Taliban’s respect for the rule of law, press freedom, and human rights, including the rights of women, girls, and minorities, in Afghanistan;

(2) an assessment of the extent to which the Government of Afghanistan has adhered to the basic human rights standards set out in the United Nations International Covenant on Civil and Political Rights, which was ratified by Afghanistan in 1983, and the Universal Declaration of Human Rights;

1 (3) a description of the scale and scope of any
2 incidents of arbitrary arrest or extrajudicial execu-
3 tion;

4 (4) an assessment of the degree to which Af-
5 ghans who formerly served as part of the inter-
6 nationally recognized government of Afghanistan or
7 who have ties to the United States have been the
8 target of Taliban-supported revenge killings, en-
9 forced disappearances, or other forms of abuse, in-
10 cluding torture;

11 (5) a detailed description of how the rights of
12 women, girls, and minorities in Afghanistan have
13 been impacted, specifically with respect to access to
14 education, freedom of movement, and right to em-
15 ployment, since the Taliban's seizure of power in
16 August 2021;

17 (6) an evaluation of the ability of human rights
18 defenders, female activists, and journalists to freely
19 operate in Afghanistan without fear of reprisal;

20 (7) an assessment of whether any of the abuses
21 carried out by the Taliban, or any agency or instru-
22 mentality described in subsection (a), constitute war
23 crimes or crimes against humanity; and

1 (8) a description of any steps taken to impede
 2 access by independent human rights monitors and
 3 United Nations investigators.

4 (c) FORM.—The report required by subsection (a)
 5 shall be provided in unclassified form, but may include a
 6 classified annex.

7 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
 8 DEFINED.—In this section, the term “appropriate con-
 9 gressional committees” means—

10 (1) the Committee on Foreign Relations of the
 11 Senate; and

12 (2) the Committee on Foreign Affairs of the
 13 House of Representatives.

14 **TITLE VI—SANCTIONS WITH** 15 **RESPECT TO THE TALIBAN**

16 **SEC. 601. DEFINITIONS.**

17 In this title:

18 (1) ADMISSION; ADMITTED; ALIEN.—The terms
 19 “admission”, “admitted”, and “alien” have the
 20 meanings given those terms in section 101 of the
 21 Immigration and Nationality Act (8 U.S.C. 1101).

22 (2) AGRICULTURAL COMMODITY.—The term
 23 “agricultural commodity” has the meaning given
 24 that term in section 102 of the Agricultural Trade
 25 Act of 1978 (7 U.S.C. 5602).

1 (3) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Foreign Relations
5 and the Committee on Banking, Housing, and
6 Urban Affairs of the Senate; and

7 (B) the Committee on Foreign Affairs and
8 the Committee on Financial Services of the
9 House of Representatives.

10 (4) FOREIGN PERSON.—The term “foreign per-
11 son”—

12 (A) means a person that is not a United
13 States person; and

14 (B) includes an agency or instrumentality
15 of a foreign government.

16 (5) MEDICAL DEVICE.—The term “medical de-
17 vice” has the meaning given the term “device” in
18 section 201 of the Federal Food, Drug, and Cos-
19 metic Act (21 U.S.C. 321).

20 (6) MEDICINE.—The term “medicine” has the
21 meaning given the term “drug” in section 201 of the
22 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
23 321).

24 (7) UNITED STATES PERSON.—The term
25 “United States person” means—

1 (A) a citizen of the United States or an
 2 alien lawfully admitted for permanent residence
 3 to the United States; or

4 (B) an entity organized under the laws of
 5 the United States or any jurisdiction within the
 6 United States, including a foreign branch of
 7 such entity.

8 **SEC. 602. IMPOSITION OF SANCTIONS WITH RESPECT TO**
 9 **ACTIVITIES OF THE TALIBAN AND OTHERS IN**
 10 **AFGHANISTAN.**

11 (a) SANCTIONS RELATING TO SUPPORT FOR TER-
 12 RORISM.—On and after the date that is 90 days after the
 13 date of the enactment of this Act, the President shall im-
 14 pose the sanctions described in subsection (d) with respect
 15 to each foreign person, including any member of the
 16 Taliban, that the President determines provides financial,
 17 material, or technological support for, or financial or other
 18 services to or in support of, any terrorist group in Afghan-
 19 istan.

20 (b) SANCTIONS RELATING TO HUMAN RIGHTS
 21 ABUSES.—On and after the date that is 90 days after the
 22 date of the enactment of this Act, the President shall im-
 23 pose the sanctions described in subsection (d) with respect
 24 to each foreign person, including any member of the
 25 Taliban, that the President determines is responsible for,

1 complicit in, or has directly or indirectly engaged in, seri-
2 ous human rights abuses in Afghanistan.

3 (c) SANCTIONS RELATING TO DRUG TRAFFICKING.—

4 On and after the date that is 90 days after the date of
5 the enactment of this Act, the President shall impose the
6 sanctions described in subsection (d) with respect to each
7 foreign person, including any member of the Taliban, that
8 the President determines—

9 (1) plays a significant role in international nar-
10 cotics trafficking centered in Afghanistan; or

11 (2) provides significant financial, material, or
12 technological support for, or financial or other serv-
13 ices to or in support of, any person described in
14 paragraph (1).

15 (d) SANCTIONS DESCRIBED.—The sanctions de-
16 scribed in this subsection are the following:

17 (1) PROPERTY BLOCKING.—The exercise of all
18 of the powers granted to the President under the
19 International Emergency Economic Powers Act (50
20 U.S.C. 1701 et seq.) to the extent necessary to block
21 and prohibit all transactions in property and inter-
22 ests in property of a foreign person described in sub-
23 section (a), (b), or (c) if such property and interests
24 in property are in the United States, come within

the United States, or come within the possession or control of a United States person.

(2) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a), (b), or (c) shall be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of any alien described in subsection (a), (b), or (c) is subject to revocation regardless of the issue date of the visa or other entry documentation.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

1 (II) cancel any other valid visa or
2 entry documentation that is in the
3 possession of the alien.

4 **SEC. 603. IMPOSITION OF SANCTIONS WITH RESPECT TO**
5 **SUPPORTERS OF THE TALIBAN.**

6 (a) IN GENERAL.—On and after the date that is 180
7 days after the date of the enactment of this Act, the Presi-
8 dent may impose the sanctions described in subsection (c)
9 with respect to any foreign person that the President de-
10 termines provides support described in subsection (b) to
11 or in support of—

12 (1) the Taliban or any member of the Taliban;

13 or

14 (2) any agency or instrumentality of the Gov-
15 ernment of Afghanistan under the direction or con-
16 trol of—

17 (A) the Taliban or a member of the
18 Taliban; or

19 (B) another terrorist group or a member of
20 such a group.

21 (b) SUPPORT DESCRIBED.—Support described in this
22 subsection is any of the following:

23 (1) Military or paramilitary training.

24 (2) Logistical or intelligence support.

25 (3) Safe haven.

1 (4) Financial, material, or technological sup-
2 port.

3 (5) Financial or other services.

4 (c) SANCTIONS DESCRIBED.—The sanctions de-
5 scribed in this subsection are the following:

6 (1) PROPERTY BLOCKING.—The exercise of all
7 of the powers granted to the President under the
8 International Emergency Economic Powers Act (50
9 U.S.C. 1701 et seq.) to the extent necessary to block
10 and prohibit all transactions in property and inter-
11 ests in property of a foreign person described in sub-
12 section (a) if such property and interests in property
13 are in the United States, come within the United
14 States, or come within the possession or control of
15 a United States person.

16 (2) INELIGIBILITY FOR VISAS, ADMISSION, OR
17 PAROLE.—

18 (A) VISAS, ADMISSION, OR PAROLE.—An
19 alien described in subsection (a) may be—

20 (i) inadmissible to the United States;

21 (ii) ineligible to receive a visa or other
22 documentation to enter the United States;

23 and

24 (iii) otherwise ineligible to be admitted
25 or paroled into the United States or to re-

ceive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—The visa or other entry documentation of any alien described in subsection (a) is subject to revocation regardless of the issue date of the visa or other entry documentation.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the possession of the alien.

SEC. 604. SUPPORT FOR MULTILATERAL SANCTIONS WITH RESPECT TO THE TALIBAN.

(a) VOICE AND VOTE AT UNITED NATIONS.—The Secretary of State shall use the voice and vote of the United States at the United Nations to maintain the sanctions with respect to the Taliban described in and imposed pursuant to United Nations Security Council Resolution 1988 (2011) and United Nations Security Council Resolution 2255 (2015).

1 (b) ENGAGEMENT WITH ALLIES AND PARTNERS.—
2 The Secretary of State shall, acting through the Office
3 of Sanctions Coordination established under section 1(h)
4 of the State Department Basic Authorities Act of 1956
5 (22 U.S.C. 2651a(h)), engage with the governments of al-
6 lies and partners of the United States to promote their
7 use of sanctions against the Taliban, particularly for any
8 support for terrorism, serious human rights abuses, or
9 international narcotics trafficking.

10 **SEC. 605. IMPLEMENTATION; PENALTIES.**

11 (a) IMPLEMENTATION.—The President may exercise
12 all authorities provided under sections 203 and 205 of the
13 International Emergency Economic Powers Act (50
14 U.S.C. 1702 and 1704) to carry out this title.

15 (b) PENALTIES.—A person that violates, attempts to
16 violate, conspires to violate, or causes a violation of this
17 title or any regulation, license, or order issued to carry
18 out this title shall be subject to the penalties set forth in
19 subsections (b) and (c) of section 206 of the International
20 Emergency Economic Powers Act (50 U.S.C. 1705) to the
21 same extent as a person that commits an unlawful act de-
22 scribed in subsection (a) of that section.

23 (c) REPORT ON IMPLEMENTATION OF SANCTIONS.—

24 (1) IN GENERAL.—Not later than 90 days after
25 the date of the enactment of this Act, and every 90

1 days thereafter, the Secretary of State and the Sec-
2 retary of the Treasury shall jointly submit to the ap-
3 propriate congressional committees a report on the
4 implementation of sanctions under this title.

5 (2) ELEMENTS.—Each report required by para-
6 graph (1) shall include the following:

7 (A) A description of the number and iden-
8 tity of foreign persons with respect to which
9 sanctions were imposed under sections 602 and
10 603 during the 90-day period preceding submis-
11 sion of the report.

12 (B) A description of the efforts of the
13 United States Government to maintain sanc-
14 tions on the Taliban at the United Nations pur-
15 suant to section 604(a) during that period.

16 (C) A description of the impact of sanc-
17 tions imposed under sections 602 and 603 on
18 the behavior of the Taliban, other groups, and
19 other foreign governments during that period.

20 **SEC. 606. WAIVERS; EXCEPTIONS; SUSPENSION.**

21 (a) WAIVER.—The President may waive the applica-
22 tion of sanctions under this title with respect to a foreign
23 person if the President, not later than 10 days before the
24 waiver is to take effect, determines and certifies to the
25 appropriate congressional committees that such a waiver

1 is in the vital national security interest of the United
2 States. The President shall submit with the certification
3 a detailed justification explaining the reasons for the waiv-
4 er.

5 (b) EXCEPTIONS.—

6 (1) EXCEPTION FOR INTELLIGENCE ACTIVI-
7 TIES.—Sanctions under this title shall not apply to
8 any activity subject to the reporting requirements
9 under title V of the National Security Act of 1947
10 (50 U.S.C. 3091 et seq.) or any authorized intel-
11 ligence activities of the United States.

12 (2) EXCEPTION TO COMPLY WITH INTER-
13 NATIONAL OBLIGATIONS AND FOR LAW ENFORCE-
14 MENT ACTIVITIES.—Sanctions under section
15 602(d)(2) or 603(c)(2) shall not apply with respect
16 to an alien if admitting or paroling the alien into the
17 United States is necessary—

18 (A) to permit the United States to comply
19 with the Agreement regarding the Head-
20 quarters of the United Nations, signed at Lake
21 Success June 26, 1947, and entered into force
22 November 21, 1947, between the United Na-
23 tions and the United States, or other applicable
24 international obligations; or

1 (B) to carry out or assist law enforcement
2 activity in the United States.

3 (3) EXCEPTIONS FOR HUMANITARIAN PUR-
4 POSES.—

5 (A) IN GENERAL.—Sanctions under this
6 title shall not apply with respect to the fol-
7 lowing activities:

8 (i) Activities to support humanitarian
9 projects to meet basic human needs in Af-
10 ghanistan, including—

11 (I) disaster relief;

12 (II) assistance to refugees, inter-
13 nally displaced persons, and conflict
14 victims;

15 (III) provision of health services;

16 and

17 (IV) provision of agricultural
18 commodities, food, medicine, medical
19 devices, or other articles to provide
20 humanitarian assistance to the people
21 of Afghanistan.

22 (ii) Activities to support democracy
23 building in Afghanistan, including projects
24 relating to the rule of law, citizen partici-

1 pation, government accountability, and
2 civil society development.

3 (iii) Activities determined by the Sec-
4 retary of State to be appropriate for sup-
5 porting education in Afghanistan and that
6 do not directly benefit the Taliban, includ-
7 ing combating illiteracy, increasing access
8 to education, particularly for girls, and as-
9 sisting education reform projects.

10 (iv) Activities that do not directly ben-
11 efit the Taliban to prevent infectious dis-
12 ease and promote maternal and child
13 health, food security, and clean water as-
14 sistance.

15 (v) Transactions necessary and inci-
16 dent to activities described in clauses (i)
17 through (v).

18 (vi) Transactions incident to travel
19 into or out of Afghanistan on a commercial
20 or charter flight or through a land border
21 crossing.

22 (B) PERSONAL COMMUNICATION.—Sanc-
23 tions under this title shall not apply to any
24 postal, telegraphic, telephonic, or other personal

1 communication that does not involve a transfer
2 of anything of value.

3 (C) INTERNET COMMUNICATIONS.—Sanctions under this title shall not apply to the provision of—
4
5

6 (i) services incident to the exchange of
7 personal communications over the internet
8 or software necessary to enable such services;
9

10 (ii) hardware necessary to enable such
11 services; or

12 (iii) hardware, software, or technology
13 necessary for access to the internet.

14 (D) GOODS, SERVICES, OR TECHNOLOGIES
15 NECESSARY TO ENSURE THE SAFE OPERATION
16 OF COMMERCIAL AIRCRAFT.—Sanctions under
17 this title shall not apply to the provision of
18 goods, services, or technologies necessary to ensure the safe operation of commercial aircraft
19 produced in the United States or commercial
20 aircraft into which aircraft components produced in the United States are incorporated, if
21 the provision of such goods, services, or technologies is approved by the Secretary of the
22 Treasury, in consultation with the Secretary of
23
24
25

1 Commerce, pursuant to regulations prescribed
2 by the Secretary of the Treasury regarding the
3 provision of such goods, services, or tech-
4 nologies, if appropriate.

5 (4) EXCEPTION RELATING TO IMPORTATION OF
6 GOODS.—

7 (A) IN GENERAL.—The authorities and re-
8 quirements to impose sanctions authorized
9 under this title shall not include the authority
10 or a requirement to impose sanctions on the im-
11 portation of goods.

12 (B) GOOD DEFINED.—In this paragraph,
13 the term “good” means any article, natural or
14 manmade substance, material, supply, or manu-
15 factured product, including inspection and test
16 equipment, and excluding technical data.

17 (c) SUSPENSION OF SANCTIONS.—

18 (1) SUSPENSION.—The Secretary of State, in
19 consultation with the Secretary of Defense, the Di-
20 rector of National Intelligence, and the Secretary of
21 the Treasury, may suspend the imposition of sanc-
22 tions under this title if the Secretary of State cer-
23 tifies in writing to the appropriate congressional
24 committees that the Taliban has—

1 (A) publicly and privately broken all ties
2 with other terrorist groups, including al Qaeda;

3 (B) verifiably prevented the use of Afghan-
4 istan as a platform for terrorist attacks against
5 the United States or partners or allies of the
6 United States, including by denying sanctuary
7 space, transit of Afghan territory, and use of
8 Afghanistan for terrorist training, planning, or
9 equipping;

10 (C) provided humanitarian actors with full,
11 unimpeded access to vulnerable populations
12 throughout Afghanistan without interference or
13 diversion;

14 (D) respected freedom of movement, in-
15 cluding by facilitating the departure of foreign
16 nationals, applicants for the special immigrant
17 visa program, and other at-risk Afghans by air
18 or land routes, and the safe, voluntary, and dig-
19 nified return of displaced persons; and

20 (E) supported the establishment of an in-
21 clusive government of Afghanistan that respects
22 the rule of law, press freedom, and human
23 rights, including the rights of women and girls.

24 (2) REPORT REQUIRED.—The Secretary of
25 State shall submit to the appropriate congressional

1 committees with any certification under paragraph
2 (1) a report addressing in detail each of the criteria
3 for the suspension of sanctions under paragraph (1).
4 Such report shall be submitted in unclassified form.

5 **TITLE VII—GENERAL**
6 **PROVISIONS**

7 **SEC. 701. TERMINATION.**

8 This Act shall terminate on the date that is 10 years
9 after the date of the enactment of this Act.

