IN THE SENATE OF THE UNITED STATES

Mr. RISCH (for himself, Mr. CASSIDY, Mr. BOOZMAN, Mrs. CAPITO, Mr. RICKETTS, Mr. BRAUN, Mr. SCOTT of Florida, Mr. BUDD, Mr. HOEVEN, Ms. ERNST, Mr. GRAHAM, Ms. COLLINS, Mr. YOUNG, Mr. CORNYN, Mr. RUBIO, Mr. THUNE, Mr. TILLIS, Mr. LANKFORD, and Mr. CRUZ) introduced the following bill; which was read twice and referred to the Committee on __________

A BILL

To impose sanctions with respect to the Taliban, and for other purposes.

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

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Taliban Sanctions Act of 2023".

6 SEC. 2. DEFINITIONS.

7 In this Act:

8 (1) ADMISSION; ADMITTED; ALIEN.—The terms “admission”, “admitted”, and “alien” have the

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

(3) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

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

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

(4) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(5) MEDICAL DEVICE.—The term “medical device” has the meaning given the term “device” in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(6) MEDICINE.—The term “medicine” has the meaning given the term “drug” in section 201 of the

(7) UNITED STATES PERSON.—The term "United States person" means—

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

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

SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO TERRORISM, HUMAN RIGHTS ABUSES, AND NARCOTICS TRAFFICKING COMMITTED BY THE TALIBAN AND OTHERS IN AFGHANISTAN.

(a) SANCTIONS RELATING TO SUPPORT FOR TERRORISM.—In addition to authorities under Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) under which the President has designated the Taliban and the Haqqani Network as specially designated global terrorist groups and section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) under which the President has designated the Haqqani Network as a foreign terrorist or-
1  organization, the President shall impose the sanctions de-
2  scribed in subsection (d) with respect to a foreign person,
3  including a member of the Taliban, if the President deter-
4  mines that the person, on or after the date that is 90 days
5  after the date of the enactment of this Act, is knowingly
6  responsible for, complicit in, or has directly or indirectly
7  provided financial, material, or technological support for,
8  or financial or other services in support of, a terrorist
9  group operating in Afghanistan.
10  
11  (b) SANCTIONS RELATING TO HUMAN RIGHTS
12  ABUSES.—The President shall impose the sanctions de-
13  scribed in subsection (d) with respect to a foreign person,
14  including a member of the Taliban, if the President deter-
15  mines that the person, on or after the date that is 90 days
16  after the date of the enactment of this Act, is responsible
17  for, complicit in, or has directly or indirectly engaged in,
18  serious human rights abuses in Afghanistan.
19  
20  (c) SANCTIONS RELATING TO DRUG TRAFFICKING.—
21  The President shall impose the sanctions described in sub-
22  section (d) with respect to a foreign person, including a
23  member of the Taliban, if the President determines that
24  the person, on or after the date that is 90 days after the
25  date of the enactment of this Act, knowingly—
26  (1) plays a significant role in international nar-
27  cotics trafficking in Afghanistan; or
(2) provides significant financial, material, or technological support for, or significant financial or other services to or in support of, any person described in paragraph (1).

(d) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) PROPERTY BLOCKING.—The exercise of all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a), (b), or (c) if such property and interests 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

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

SEC. 4. 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
(b) **Engagement With Allies and Partners.**—The Secretary of State shall, acting through the Office of Sanctions Coordination established under section 1(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(h)), engage with the governments of allies and partners of the United States to promote their use of sanctions with respect to the Taliban, particularly for any support for terrorism, serious human rights abuses, or international narcotics trafficking.

**Sec. 5. Implementation; Penalties.**

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

(b) **Penalties.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of this Act or any regulation, license, or order issued to carry out this Act shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.
(c) Briefing on Implementation of Sanctions.—

(1) In general.—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter through December 31, 2026, the Secretary of State and the Secretary of the Treasury shall jointly brief the appropriate congressional committees on the implementation of sanctions under this Act.

(2) Elements.—Each briefing required under paragraph (1) shall include the following:

(A) A description of the number and identity of foreign persons with respect to which sanctions were imposed under section 3 during the 90-day period preceding submission of the report and a brief justification for the imposition of those sanctions with respect to each such person.

(B) A description of the efforts of the United States Government to maintain sanctions with respect to the Taliban at the United Nations pursuant to section 4(a) during that period.

(C) A description of the impact of sanctions imposed under section 3 on the behavior
of the Taliban, other groups, and other foreign governments during that period.

(D) A description of—

(i) the impact of sanctions imposed under section 3 on Afghan civilians, particularly women and girls; and

(ii) the extent to which those sanctions affect the delivery of humanitarian, peacebuilding, education, and other development assistance to the Afghan people.

SEC. 6. WAIVERS; EXCEPTIONS; SUSPENSION.

(a) WAIVER.—

(1) IN GENERAL.—The President may waive the application of sanctions under this Act with respect to a foreign person if the President, not later than 10 days before the waiver is to take effect, determines and certifies to the appropriate congressional committees that such waiver is in the national security interest of the United States.

(2) DETAILED JUSTIFICATION.—The President shall submit with each certification in connection with a waiver under paragraph (1) a detailed justification in writing explaining the reasons for the waiver.

(b) EXCEPTIONS.—
(1) Exception for Intelligence Activities.—Sanctions under this Act shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) Exception to Comply with International Obligations and for Law Enforcement Activities.—Sanctions under section 3(d)(2) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

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

(3) Exception relating to Importation of Goods.—

(A) In General.—The authorities and requirements to impose sanctions under this Act
shall not include the authority or a requirement
to impose sanctions on the importation of
goods.

(B) GOOD DEFINED.—In this paragraph,
the term "good" means any article, natural or
manmade substance, material, supply, or manufac-
tured product, including inspection and test
equipment, and excluding technical data.

c) SUSPENSION OF SANCTIONS.—

(1) SUSPENSION.—The Secretary of State, in
consultation with the Director of National Intel-
ligence and the Secretary of the Treasury, may sus-
pend the imposition of sanctions under this Act if
the Secretary of State certifies in writing to the ap-
propriate congressional committees that the Taliban
has—

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

(B) taken verifiable measures to prevent
the use of Afghanistan as a platform for ter-
rorist attacks against the United States or
partners or allies of the United States, includ-
ing by denying sanctuary space, transit of Af-
ghan territory, and use of Afghanistan for ter-
rorist training, planning, or equipping;
(C) provided humanitarian actors with full, unimpeded access to vulnerable populations throughout Afghanistan without interference or diversion;

(D) respected freedom of movement, including by facilitating the departure of foreign nationals, applicants for the special immigrant visa program, and other at-risk Afghans by air or land routes, and the safe, voluntary, and dignified return of displaced persons; and

(E) supported the establishment of an inclusive government of Afghanistan that respects the rule of law, press freedom, and internationally recognized human rights, including the rights of women and girls.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees with any certification under paragraph (1) a report addressing in detail each of the criteria for the suspension of sanctions under paragraph (1).

(B) FORM OF REPORT.—Each report submitted under subparagraph (A) shall be submitted in unclassified form.