

107TH CONGRESS
1ST SESSION

H. R. 3427

To provide assistance for the relief and reconstruction of Afghanistan, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2001

Mr. LANTOS (for himself, Ms. ROS-LEHTINEN, Mr. ACKERMAN, Mr. BERMAN, Mr. PITTS, Mr. FALEOMAVAEGA, Mrs. JO ANN DAVIS of Virginia, Mr. PAYNE, Mr. CROWLEY, Mr. HOEFFEL, Mrs. NAPOLITANO, Ms. LEE, Mr. MEEKS of New York, Mr. WEXLER, Mr. ROHRABACHER, and Ms. MILLENDER-MCDONALD) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To provide assistance for the relief and reconstruction of
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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Afghanistan Freedom and Reconstruction Act of 2001”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. United States policy toward Afghanistan.

- Sec. 4. United States broadcasting to the people of Afghanistan.
- Sec. 5. Urgent humanitarian assistance for the people of Afghanistan.
- Sec. 6. Support for security during transition in Afghanistan.
- Sec. 7. Rehabilitation and reconstruction of Afghanistan.
- Sec. 8. Afghanistan democracy and human rights initiatives.
- Sec. 9. Authorization of funds for United Nations Drug Control Program (UNDCP) initiatives in Afghanistan.
- Sec. 10. United States diplomatic facilities.
- Sec. 11. Compliance with measures directed against the Taliban by the United Nations Security Council.
- Sec. 12. Definitions.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) The people of Afghanistan have suffered for
4 over 20 years from continual conflict, civil strife,
5 and from successive repressive regimes supported by
6 foreign governments resulting in one of the lowest
7 levels of life expectancy, adult literacy, and high lev-
8 els of infant and child mortality, maternal mortality,
9 and malnutrition.

10 (2) Afghanistan has experienced near total dev-
11 astation through two decades of war, resulting in the
12 largest concentration of land mines and unexploded
13 ordinances and the destruction of most urban infra-
14 structure, including schools, hospitals, and power-
15 plants.

16 (3) As a result, there are approximately
17 2,000,000 Afghan refugees in Pakistan, 1,500,000
18 in Iran, and 1,000,000 internally displaced persons
19 in Afghanistan at risk of disease and malnutrition,
20 the largest such group in the world.

1 (4) The Taliban have implemented a brutal and
2 repressive regime, particularly with respect to the
3 rights of women and their participation in Afghan
4 society. Under Taliban rule, women have been de-
5 nied access to work, healthcare, and have been pre-
6 vented from adequately providing for their children.
7 Women have been segregated from society and vir-
8 tually imprisoned in their own homes under the
9 Taliban’s manipulation of Islamic law.

10 (5) Under Taliban rule, Afghanistan has be-
11 come a training ground, operational base, and safe
12 haven for terrorists and international terrorist orga-
13 nizations as well as the world’s largest source of ille-
14 gal opium, the proceeds from the sale of which the
15 Taliban use to finance their war on the Afghan peo-
16 ple.

17 (6) Since 1996, the Taliban have harbored
18 Osama bin Laden whom the United Nations has de-
19 manded that they surrender in United Nations Secu-
20 rity Council Resolution 1267 (1999). As a result of
21 their failure to do so, the United Nations Security
22 Council has imposed progressively more comprehen-
23 sive sanctions on the Taliban under Resolutions
24 1267 (1999), 1333 (2000), and 1363 (2001), which
25 sanctions are binding on all members of the United

1 Nations under Chapter VII of the Charter of the
2 United Nations.

3 (7) The failure of the Taliban to comply with
4 the demands of the United States and the United
5 Nations Security Council allowed Osama bin Laden
6 and his al Qaeda network to orchestrate from Af-
7 ghanistan the terrorist attacks of September 11,
8 2001, on the United States in which thousands of
9 Americans and foreign nationals were murdered.

10 (8) After the expulsion or elimination of foreign
11 terrorist organizations from the territory of Afghani-
12 stan and the cessation of hostilities, the United
13 States bears a responsibility to help create a stable
14 political, economic, and social environment in Af-
15 ghanistan. The most effective and efficient way to
16 promote stability and prevent a return to lawlessness
17 and warfare in post-Taliban Afghanistan is support
18 for a broad-based, multiethnic, gender-sensitive, fully
19 representative government, civil society organiza-
20 tions, and the speedy restoration of basic services.

21 (9)(A) The President of the United States in
22 his radio address to the Nation on October 6, 2001,
23 urged Congress to make funds available to the re-
24 construction and development of Afghanistan, recog-
25 nizing that assisting people in this fashion “is also

1 a central part of the American tradition”, stated
2 that “[e]ven as we fight evil regimes we are gen-
3 erous to the people they oppress”, and further stated
4 that “[f]ollowing World War II, America fed and re-
5 built Japan and Germany, and their people became
6 some of our closest friends in the world”.

7 (B) The President of the United States in his
8 speech before the United Nations on November 10,
9 2001, stated that “[t]he United States will work
10 closely with the United Nations and the [multilat-
11 eral] development banks to reconstruct Afghani-
12 stan”.

13 (10) United Nations Secretary General Kofi
14 Annan in a speech in Washington, D.C., on Novem-
15 ber 28, 2001—

16 (A) declared that “the solution to the Af-
17 ghan crisis ultimately must come from the
18 women and men of Afghanistan itself”;

19 (B) reaffirmed the commitment of the
20 international community to “ensuring that an
21 end is put to the long nightmare of women’s re-
22 pression in Afghanistan” and urged “the par-
23 ties to bring Afghan women into every stage of
24 the political process”; and

1 (C) stated that “in Afghanistan today
2 human rights means, above all, women’s
3 rights”.

4 (11) As a result of the changing situation in
5 Afghanistan, the United Nations Security Council
6 adopted Resolution 1378, calling on member states
7 to support a transitional administration in Afghani-
8 stan, provide urgent humanitarian assistance to the
9 people of Afghanistan, and furnish long-term assist-
10 ance for the social and economic reconstruction and
11 rehabilitation of Afghanistan.

12 (12) On December 5, 2001, in Bonn, Germany,
13 representatives of the Afghan people agreed to a
14 framework for the reestablishment of a government
15 that is broad-based, multiethnic, gender-sensitive,
16 and fully representative of the Afghan people.

17 (13) In order to best meet its responsibility, the
18 United States must—

19 (A) contribute to these objectives both di-
20 rectly and indirectly;

21 (B) build a coalition of like-minded coun-
22 tries, with the strong participation of inter-
23 national organizations, to achieve this goal; and

24 (C) establish the principle of noninter-
25 ference in the domestic affairs of Afghanistan

1 by neighboring states and other countries in the
2 region.

3 (b) PURPOSES.—The purposes of this Act are—

4 (1) to promote the removal from power of the
5 Taliban regime in Afghanistan;

6 (2) to support a diplomatic framework for the
7 relief, rehabilitation, and reconstruction of Afghani-
8 stan;

9 (3) to authorize immediate and sustained hu-
10 manitarian assistance to avert a humanitarian catas-
11 trophe in Afghanistan and among Afghan refugees
12 in neighboring countries;

13 (4) to authorize assistance to help achieve a
14 broad-based, multiethnic, gender-sensitive, fully rep-
15 resentative government freely chosen by the Afghan
16 people that respects the human rights of all Af-
17 ghans, particularly women, including authorizing as-
18 sistance for the rehabilitation and reconstruction of
19 Afghanistan with a particular emphasis on meeting
20 the educational, health, and sustenance needs of
21 women and children to better enable their full par-
22 ticipation in Afghan society; and

23 (5) to otherwise promote a secure environment
24 in Afghanistan that will prevent the resurgence of

1 foreign terrorist organizations within the territory of
2 Afghanistan.

3 **SEC. 3. UNITED STATES POLICY TOWARD AFGHANISTAN.**

4 (a) UNITED STATES POLICY TOWARD TALIBAN RE-
5 GIME.—It should be the policy of the United States to pro-
6 mote the removal from power of the Taliban regime in
7 Afghanistan so as to diminish the risk of future terrorist
8 attacks on the United States and restore basic human
9 freedoms to the people of Afghanistan.

10 (b) DIPLOMATIC FRAMEWORK FOR THE PROMOTION
11 OF A FREE AND INDEPENDENT AFGHANISTAN.—It
12 should be the policy of the United States—

13 (1) to support the convening of a traditional Af-
14 ghan assembly (commonly referred to as a “Loya
15 Jirga”) in order to facilitate Afghanistan’s transi-
16 tion from civil war to a broad-based, multiethnic,
17 gender-sensitive, fully representative government
18 freely chosen by the Afghan people, help lay the
19 groundwork for Afghanistan’s reconstruction and
20 economic recovery, and strengthen Afghanistan’s se-
21 curity;

22 (2) to maintain a significant United States
23 commitment to the relief, rehabilitation, and recon-
24 struction of Afghanistan as part of a larger regional
25 policy framework, paying particular attention to the

1 education and health care needs of the Afghan peo-
2 ple, especially the needs of women and children;

3 (3) to support the objectives agreed to on De-
4 cember 5, 2001, in Bonn, Germany, and work to-
5 ward ensuring the future neutrality of Afghanistan,
6 establishing the principle that neighboring countries
7 and other countries in the region do not threaten or
8 interfere in one another's sovereignty, territorial in-
9 tegrity, or political independence, and supporting a
10 "Friends of Afghanistan" group to coordinate a sus-
11 tained international effort to reconstruct Afghani-
12 stan;

13 (4) to work with the United Nations and the
14 international community in the disarmament, demo-
15 bilization, and reintegration of combatants into Af-
16 ghan society and in demining the Afghan country-
17 side as well as programs to rehabilitate and assist
18 mine victims, war orphans, and widows;

19 (5) to support bilateral and regional economic
20 agreements and other measures to foster greater
21 economic opportunity for the citizens of Afghanistan
22 and the region generally;

23 (6) to promptly recognize a new broad-based,
24 multiethnic, gender-sensitive, fully representative
25 government in Afghanistan; and

1 (7) in order to ensure near-term security of the
2 people of Afghanistan, to support the establishment
3 of a multinational security force in Afghanistan.

4 **SEC. 4. UNITED STATES BROADCASTING TO THE PEOPLE**
5 **OF AFGHANISTAN.**

6 (a) BROADCASTING FOR RFE/RL AND VOA.—

7 (1) IN GENERAL.—Until a new surrogate
8 broadcasting operation for Afghanistan (authorized
9 by subsection (b)) is established and operational, the
10 Broadcasting Board of Governors is authorized to
11 increase broadcasting by the Voice of America to Af-
12 ghanistan. In addition, the Broadcasting Board of
13 Governors is authorized to increase Voice of America
14 and RFE/RL, Incorporated, broadcasts into Central
15 Asia, South Asia, and the Middle East.

16 (2) AUTHORIZATION OF APPROPRIATIONS.—In
17 addition to such sums as are otherwise authorized to
18 be appropriated for each of the fiscal years 2002
19 and 2003 for “International Broadcasting Oper-
20 ations”, \$50,000,000 is authorized to be appro-
21 priated for each of the fiscal years 2002 and 2003
22 for “International Broadcasting Operations” for in-
23 creased broadcasts by Voice of America and RFE/
24 RL, Incorporated, to Afghanistan, Central Asia,
25 South Asia, and the Middle East.

1 (3) USE OF APPROPRIATED FUNDS.—To the ex-
2 tent funds are available, amounts appropriated by
3 Public Law 107–38 should be used to carry out the
4 activities authorized by this subsection.

5 (b) ESTABLISHMENT OF RADIO FREE AFGHANI-
6 STAN.—The Broadcasting Board of Governors is author-
7 ized to make grants for surrogate radio broadcasting by
8 RFE/RL, Incorporated (also known as Radio Free Eu-
9 rope/Radio Liberty) to the people of Afghanistan in lan-
10 guages spoken in Afghanistan, such broadcasts to be des-
11 ignated “Radio Free Afghanistan”.

12 (c) SUBMISSION OF PLAN TO BROADCASTING BOARD
13 OF GOVERNORS.—Not later than 15 days after the date
14 of the enactment of this Act, RFE/RL, Incorporated, shall
15 submit to the Broadcasting Board of Governors a detailed
16 plan for the establishment of the surrogate radio broad-
17 casting described in subsection (b).

18 (d) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) INTERNATIONAL BROADCASTING OPER-
20 ATIONS.—In addition to such sums as are otherwise
21 authorized to be appropriated for “International
22 Broadcasting Operations”, there are authorized to
23 be appropriated for “International Broadcasting Op-
24 erations” \$9,500,000 for the fiscal year 2002 and

1 strongly urges that the President continue to provide addi-
2 tional humanitarian assistance in 2002 and 2003 in con-
3 junction with other donors and international organiza-
4 tions.

5 (b) **EQUITABLE DISTRIBUTION OF RELIEF ASSIST-**
6 **ANCE.**—It should be the policy of the United States in
7 promoting equitable distribution of relief and rehabilita-
8 tion assistance in Afghanistan—

9 (1) to assure noncombatants (particularly refu-
10 gees and displaced persons) equal and ready access
11 to all emergency food and relief assistance, with spe-
12 cial emphasis on the needs of women and children;

13 (2) to provide relief, rehabilitation, and recovery
14 assistance to promote self-reliance; and

15 (3) to assure that relief is provided on the basis
16 of need without regard to political affiliation, geo-
17 graphic location, or the ethnic, tribal or religious
18 identity of the recipient.

19 (c) **AUTHORITY TO PROVIDE ASSISTANCE.**—The
20 President is authorized to furnish assistance in accordance
21 with this section on such other terms and conditions as
22 the President may determine for the urgent humanitarian
23 needs of the people of Afghanistan.

24 (d) **HUMANITARIAN ASSISTANCE INSIDE AFGHANI-**
25 **STAN.**—Assistance under this section shall be targeted to

1 meet the urgent humanitarian needs of the war-affected
2 or drought-affected civilian population inside Afghanistan
3 and shall include—

4 (1) emergency food, shelter, and medical assist-
5 ance;

6 (2) clean drinking water and sanitation;

7 (3) preventative health care, including childhood
8 vaccination, therapeutic feeding, maternal child
9 health services, and infectious diseases surveillance
10 and treatment;

11 (4) family tracing and reunification services for
12 families separated by war; and

13 (5) basic education and vocational training with
14 an emphasis on the educational needs of women and
15 children.

16 (e) ASSISTANCE TO AFGHAN REFUGEES.—Assistance
17 under this section shall be targeted to meet the needs of
18 Afghan refugees in Pakistan, Iran, Tajikistan,
19 Uzbekistan, Turkmenistan, and other countries in the re-
20 gion and shall include—

21 (1) assistance described in paragraphs (1)
22 through (3) of subsection (d) for such refugees;

23 (2) assistance to families sheltering Afghan ref-
24 ugees in the form of economic stipends, food assist-
25 ance, and household implements;

1 (3) assistance to communities in neighboring
2 countries that have taken in large numbers of refu-
3 gees in the form of rehabilitation or expansion of
4 basic services, access to health and education facili-
5 ties for refugees or other assistance aimed at easing
6 the burden on local populations hosting refugees;

7 (4) assistance to international organizations
8 and host governments in maintaining security by
9 screening refugees to ensure the exclusion of armed
10 combatants, members of foreign terrorist organiza-
11 tions, and other individuals not eligible for economic
12 assistance from the United States; and

13 (5) assistance for voluntary refugee repatriation
14 and reintegration inside Afghanistan and continued
15 assistance to those refugees who are unable or un-
16 willing to return.

17 (f) FOOD AID.—Assistance under this section shall
18 be targeted to meet the immediate, emergency food needs
19 for the Afghan people and shall include assistance under
20 title II of the Agricultural Trade Development and Assist-
21 ance Act of 1954, the Food for Progress Act of 1985, and
22 section 416(b) of the Agricultural Act of 1949, as well
23 as local procurement of commodities where necessary.
24 Such assistance should include—

1 (1) emergency food distribution to displaced,
2 refugee, and other vulnerable populations affected by
3 war or drought;

4 (2) school feeding programs to improve child
5 nutrition and school attendance;

6 (3) food for work programs to facilitate the re-
7 habilitation process by improving productivity and
8 decreasing dependency;

9 (4) emergency monetization programs to in-
10 crease commercially available food stocks, decrease
11 and stabilize food prices, and stimulate local econo-
12 mies; and

13 (5) food and agricultural production, including
14 the provision of seeds and tools.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the President—

17 (1) to carry out the activities described in sub-
18 section (d) for fiscal year 2003 \$100,000,000;

19 (2) to carry out the activities described in sub-
20 section (e) for fiscal year 2003 \$50,000,000; and

21 (3) to carry out the activities described in sub-
22 section (f) for fiscal year 2003 \$175,000,000.

23 (h) AUTHORITY TO PROVIDE ASSISTANCE.—Assist-
24 ance under this section may be provided notwithstanding
25 any other provision of law.

1 **SEC. 6. SUPPORT FOR SECURITY DURING TRANSITION IN**
2 **AFGHANISTAN.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that, during the transition to a broad-based, multi-
5 ethnic, gender-sensitive, fully representative government
6 in Afghanistan, the United States should support, a multi-
7 national security force, primarily composed of forces from
8 moderate Islamic countries that do not border Afghani-
9 stan, to ensure security in the major cities of Afghanistan
10 and, to the extent feasible, to facilitate the delivery of hu-
11 manitarian assistance throughout the country.

12 (b) ASSISTANCE FOR MULTINATIONAL SECURITY
13 FORCE.—

14 (1) IN GENERAL.—The President is authorized
15 to provide assistance for the establishment and ex-
16 penses of a multinational security force in Afghani-
17 stan.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—
19 There are authorized to be appropriated to carry out
20 paragraph (1) \$100,000,000 for fiscal year 2002
21 and \$50,000,000 for fiscal year 2003.

22 (c) SUPPORT FOR CIVIL ADMINISTRATION AND AD-
23 VISERS TO HELP RECONSTITUTE AFGHANISTAN.—

24 (1) STATEMENT OF POLICY.—It should be the
25 policy of the United States to encourage a broad-
26 based, multiethnic, gender-sensitive, fully representa-

1 tive government in Afghanistan freely chosen by the
2 Afghan people composed of Afghans, including Af-
3 ghans returning from abroad, while, in the transi-
4 tion, supporting an interim or transitional authority
5 with the participation, as may be necessary, of civil
6 advisers from the United Nations or from appro-
7 priate countries in an interim government.

8 (2) AUTHORIZATION OF APPROPRIATIONS.—

9 There are authorized to be appropriated such sums
10 as may be necessary to support civil advisers to an
11 interim or transitional authority for Afghanistan
12 that fully represents all major ethnic groups in Af-
13 ghanistan.

14 **SEC. 7. REHABILITATION AND RECONSTRUCTION OF AF-**
15 **GHANISTAN.**

16 (a) TARGETING ASSISTANCE TO AID THE POOR MA-
17 JORITY.—It is the sense of Congress that United States
18 development assistance for Afghanistan should be targeted
19 to aid the poor majority of the people of Afghanistan (par-
20 ticularly refugees, women, and the urban and rural poor)
21 to the maximum extent practicable. The United States
22 Government should seek to—

23 (1) build upon the capabilities and experiences
24 of United States, international, and indigenous pri-
25 vate and voluntary organizations active in local

1 grassroots rehabilitation, reconstruction, and devel-
2 opment efforts; and

3 (2) consult closely with the appropriate Afghan
4 government and civil society representatives as well
5 as other governments and international organiza-
6 tions participating in rehabilitation and reconstruc-
7 tion efforts and significantly incorporate their views
8 into the policymaking process.

9 (b) ASSISTANCE FOR WOMEN AND GIRLS.—

10 (1) FINDINGS.—Congress finds the following:

11 (A) Taliban restrictions on women’s par-
12 ticipation in society in Afghanistan have made
13 it nearly impossible for women to exercise their
14 basic human rights. The Taliban restrictions on
15 Afghan women’s freedom of expression, associa-
16 tion, and movement deny women full participa-
17 tion in society and, consequently, from effec-
18 tively securing basic access to work, education,
19 and health care.

20 (B) As a result of restrictions placed on
21 women by the Taliban regime, many women
22 have been prevented from securing basic neces-
23 sities such as health care and food for their
24 children contributing to one of the highest levels

1 of malnutrition and maternal, infant, and child
2 mortality in the world.

3 (C) The Taliban regime prohibited girls
4 and women from attending school further lim-
5 iting their ability to provide for themselves and
6 their families.

7 (2) SENSE OF CONGRESS.—It is the sense of
8 Congress that all United States assistance for Af-
9 ghanistan should include a particular emphasis on
10 meeting the educational, health, and sustenance
11 needs of women and children, especially girls, to bet-
12 ter enable their full participation in Afghan society.

13 (c) AUTHORITY TO PROVIDE ASSISTANCE.—The
14 President is authorized to furnish assistance in accordance
15 with this section on such other terms and conditions as
16 the President may determine for the rehabilitation and re-
17 construction of Afghanistan if—

18 (1) with respect to assistance for fiscal year
19 2002, the President first determines and certifies to
20 the appropriate congressional committees that a
21 broad-based, multiethnic, gender-sensitive fully rep-
22 resentative interim authority has been established to
23 govern Afghanistan and that a special independent
24 commission for the convening of a emergency tradi-

1 tional Afghan assembly (commonly referred to as a
2 “Loya Jirga” has been appointed;

3 (2) with respect to assistance for fiscal year
4 2003, the President first determines and certifies to
5 the appropriate congressional committees that a
6 Loya Jirga has been convened and has decided on
7 a broad-based, multiethnic, gender-sensitive, fully
8 representative transitional authority for Afghanistan;
9 and

10 (3) with respect to assistance for fiscal years
11 2004 and 2005, the President first determines and
12 certifies to the appropriate congressional committees
13 with respect to each such fiscal year that substantial
14 progress has been made toward adopting a constitu-
15 tion and establishing a democratically elected gov-
16 ernment for Afghanistan.

17 (d) EXAMPLES OF PROGRAMS.—Assistance under
18 this section should include—

19 (1) rehabilitation and reconstruction projects to
20 benefit the poorest people, including—

21 (A) reconstruction of permanent and semi-
22 permanent shelters, including provision of
23 building materials;

24 (B) the furnishing of seeds for planting,
25 fertilizer, pesticides, farm implements, crop

1 storage and preservation supplies, farm ani-
2 mals, vaccine and veterinary services to protect
3 livestock, and repair and reconstruction of well
4 and irrigation systems;

5 (C) vocational training and capacity build-
6 ing programs and food for work programs;

7 (D) primary health care and emergency
8 water and power supplies;

9 (E) disarmament, demobilization, and re-
10 integration programs for ex-combatants;

11 (F) demining of the Afghan countryside
12 and assistance to mine victims, war orphans,
13 and widows; and

14 (G) return of talent programs designed to
15 facilitate recruitment of skilled professionals
16 from the Afghan diaspora to assist in the recon-
17 struction efforts in Afghanistan;

18 (2) other programs to reestablish veterinary
19 services, local crop research, and agricultural devel-
20 opment projects;

21 (3) programs designed to eliminate the cultiva-
22 tion of poppy through alternative development of
23 licit crops;

1 (4) programs to provide basic education, par-
2 ticularly for girls, including efforts to support the
3 teaching of displaced children and rebuild schools;

4 (5) programs to educate young Afghan refu-
5 gees, particularly girls, in neighboring countries if
6 conflict within Afghanistan continues;

7 (6) assistance to reconstitute and expand the
8 delivery of primary and maternal health care includ-
9 ing the reconstruction of health clinics and hospitals,
10 the reestablishment of vaccination campaigns, and
11 the establishment of diseases surveillance and treat-
12 ment programs;

13 (7) programs that combat corruption, improve
14 transparency and accountability, and otherwise pro-
15 mote good governance; and

16 (8) assistance to establish credit, micro-enter-
17 prise, and income-generation programs for the poor,
18 with particular emphasis on women.

19 (e) CONTRIBUTION TO MULTILATERAL FUND.—

20 (1) AUTHORITY.—In addition to providing as-
21 sistance under this section for the rehabilitation and
22 reconstruction of Afghanistan on a bilateral basis,
23 the President is authorized, from amounts appro-
24 priated pursuant to the authorization of appropria-
25 tions under subsection (g), to make a contribution

1 for any of the fiscal years 2002 through 2005 to a
2 multilateral fund established for the development of
3 a post-conflict Afghanistan if the President first
4 makes a determination and certification under sub-
5 section (c) for the fiscal year involved.

6 (2) LIMITATION.—The amount of a contribu-
7 tion under paragraph (1) for any fiscal year may not
8 exceed 25 percent in fiscal year 2002 and 50 percent
9 in any subsequent fiscal year of the amount appro-
10 priated pursuant to the authorization of appropria-
11 tions under subsection (g) for such fiscal year.

12 (f) APPLICABLE ADMINISTRATIVE AUTHORITIES.—
13 Except to the extent inconsistent with the provisions of
14 this section, the administrative authorities under chapters
15 1 and 2 of part III of the Foreign Assistance Act of 1961
16 shall apply to the provision of assistance under this section
17 to the same extent and in the same manner as such au-
18 thorities apply to the provision of economic assistance
19 under part I of such Act.

20 (g) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the President to carry
22 out this section for fiscal year 2002, \$75,000,000, for fis-
23 cal year 2003, \$200,000,000, for fiscal year 2004,
24 \$300,000,000, and for fiscal year 2005, \$300,000,000.

1 (h) IMPLEMENTATION OF PROGRAMS.—Of the
2 amount made available to carry out this section for a fiscal
3 year, not more than 5 percent of such amount may be
4 used for administrative expenses for the United States
5 Agency for International Development in connection with
6 such assistance.

7 (i) REPORT RELATING TO REHABILITATION AND RE-
8 CONSTRUCTION.—As part of the annual submission of the
9 budget of the United States, the President shall include
10 a description of the activities conducted pursuant to this
11 section and section 8 in the prior fiscal year, the progress
12 made in meeting the development objectives for such year,
13 a description of the United States development objectives
14 for the rehabilitation and reconstruction of Afghanistan
15 for the fiscal year involved and the amount of funds nec-
16 essary to meet such objectives and the amount of funds
17 to meet such objectives for the subsequent fiscal year.

18 (j) AUTHORITY TO PROVIDE ASSISTANCE.—Assist-
19 ance under this section may be provided notwithstanding
20 any other provision of law.

21 **SEC. 8. AFGHANISTAN DEMOCRACY AND HUMAN RIGHTS**
22 **INITIATIVES.**

23 (a) ASSISTANCE TO DEMOCRACY.—The President is
24 authorized and encouraged to provide assistance under
25 part I of the Foreign Assistance Act of 1961 (including

1 chapter 4 of part II of the Act) to support the transition
2 to a multiethnic democratic government in Afghanistan.

3 Such assistance shall—

4 (1) focus on building the capacity of Afghans,
5 particularly women, to participate in the selection of
6 a broad-based, multiethnic, gender-sensitive, fully
7 representative government in Afghanistan;

8 (2) support activities of a transitional adminis-
9 tration or interim government to draft a new con-
10 stitution, other legal frameworks, and other initia-
11 tives to promote the rule of law and combat corrup-
12 tion in Afghanistan;

13 (3) support activities to prepare Afghanistan
14 for elections, including voter registration, civic edu-
15 cation programs, political party building, and tech-
16 nical electoral assistance;

17 (4) support the development of civil society and
18 independent news media;

19 (5) promote the participation of women in gov-
20 ernment and civil society through education and
21 training;

22 (6) promote reconciliation, conflict resolution,
23 and prevention of further conflict with respect to Af-
24 ghanistan, including establishing accountability for
25 gross human rights violations.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to the President to carry
3 out this section for fiscal year 2002, \$10,000,000, for fis-
4 cal year 2003, \$25,000,000 and for fiscal year 2004,
5 \$25,000,000.

6 (c) AUTHORITY TO PROVIDE ASSISTANCE.—Assist-
7 ance under this section may be provided notwithstanding
8 any other provision of law.

9 **SEC. 9. AUTHORIZATION OF FUNDS FOR UNITED NATIONS**
10 **DRUG CONTROL PROGRAM (UNDCP) INITIA-**
11 **TIVES IN AFGHANISTAN.**

12 There is authorized to be appropriated to the Presi-
13 dent not less than \$12,500,000 for fiscal year 2002 and
14 \$25,000,000 for each of the fiscal years 2003 and 2004
15 for a voluntary contribution of the United States to the
16 United Nations Drug Control Program (UNDCP) for
17 antidrug initiatives to reduce or eliminate the trafficking
18 of illicit drugs from Afghanistan, in particular heroin, in-
19 cluding activities relating to precursor chemical control ef-
20 forts.

21 **SEC. 10. UNITED STATES DIPLOMATIC FACILITIES.**

22 (a) AUTHORIZATION OF APPROPRIATIONS.—In addi-
23 tion to such sums as are otherwise authorized to be appro-
24 priated for “Embassy Security, Construction and Mainte-
25 nance”, there are authorized to be appropriated for “Em-

1 bassy Security, Construction and Maintenance”, for the
2 fiscal year 2003, \$65,000,000 to reestablish a United
3 States embassy and appropriate consular facilities in Af-
4 ghanistan, including offices for agencies responsible for
5 carrying out the purposes of this Act that are located in
6 such facilities.

7 (b) AVAILABILITY OF FUNDS.—Amounts appro-
8 priated pursuant to subsection (a) are authorized to be
9 remain available until expended.

10 **SEC. 11. COMPLIANCE WITH MEASURES DIRECTED**
11 **AGAINST THE TALIBAN BY THE UNITED NA-**
12 **TIONS SECURITY COUNCIL.**

13 (a) CONSULTATION WITH CONGRESS.—Not later
14 than 1 month after the date of the enactment of this Act,
15 and every 3 months thereafter until the President deter-
16 mines and reports to the appropriate congressional com-
17 mittees that the Taliban no longer exercises power in any
18 part of Afghanistan, the President shall consult with the
19 appropriate congressional committees regarding the gov-
20 ernment of each foreign country with respect to which
21 there is credible information that the government has, on
22 or after the date of the enactment of this Act, violated,
23 or permitted persons subject to its jurisdiction to violate,
24 measures directed against the Taliban pursuant to United
25 Nations Security Council Resolutions 1267 (1999), 1333

1 (2000), or 1363 (2001), or pursuant to any other United
2 Nations Security Council resolution adopted under the au-
3 thority of Chapter VII of the Charter of the United Na-
4 tions.

5 (b) CONSULTATION REQUIREMENTS.—In consulting
6 with the appropriate congressional committees under sub-
7 section (a), the President shall detail with respect to each
8 government of a foreign country identified in such report
9 the nature of the violation (other than violations detailed
10 in previous reports submitted pursuant to this section),
11 and shall evaluate—

12 (1) the importance of the violation to the efforts
13 of the Taliban to remain in power in Afghanistan;

14 (2) the importance of the violation to the efforts
15 of terrorist groups to continue operating from Af-
16 ghanistan; and

17 (3) the risk posed by such violation to United
18 States national interests, including the safety of the
19 United States Armed Forces, the armed forces of
20 other countries acting in coalition with the United
21 States, and any multinational security force deployed
22 in Afghanistan.

23 (c) AUTHORITY TO IMPOSE UNITED STATES SANC-
24 TIONS.—The President is authorized to impose one or
25 more of the United States sanctions provided in subsection

1 (d) if the President determines and reports to the appro-
2 priate congressional committees that—

3 (1) a government of a foreign country identified
4 in a report submitted under subsection (a) has
5 knowingly violated, or knowingly permitted persons
6 subject to its jurisdiction to violate, measures di-
7 rected against the Taliban pursuant to United Na-
8 tions Security Council Resolutions 1267 (1999),
9 1333 (2000), or 1363 (2001), or pursuant to any
10 other United Nations Security Council resolution
11 adopted under the authority of Chapter VII of the
12 Charter of the United Nations; and

13 (2) such violation has put at risk the lives of
14 members of the United States Armed Forces, or
15 other United States citizens.

16 (d) UNITED STATES SANCTIONS AUTHORIZED TO
17 BE IMPOSED.—The United States sanctions referred to
18 in subsection (c) are the following:

19 (1) No assistance may be provided to that gov-
20 ernment or nationals under the Foreign Assistance
21 Act of 1961 or the Arms Export Control Act.

22 (2) No license may be issued for any transfer
23 to that government or nationals of any goods, serv-
24 ices, or technology controlled under the Arms Export

1 Control Act, the Export Administration Act of 1979,
2 or the Export Administration Regulations.

3 (3) The restrictions of subsections (a) and (b)
4 of section 3 of the Trading With the Enemy Act (50
5 U.S.C. App. 3(a) and (b)) shall apply to relations
6 between the United States and the government of a
7 foreign country and all nationals of that country
8 with respect to which the President makes a deter-
9 mination described in subsection (c).

10 **SEC. 12. DEFINITIONS.**

11 In this Act:

12 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
13 **TEES.**—The term “appropriate congressional com-
14 mittees” means the Committee on International Re-
15 lations of the House of Representatives and the
16 Committee on Foreign Relations of the Senate.

17 (2) **NATIONAL.**—The term “national” means,
18 with respect to a foreign country, a national of the
19 country, including a natural person, corporation,
20 business association, partnership, or other entity op-
21 erating as a business enterprise under the laws of
22 the country.

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