AMENDMENT TO RULES COMMITTEE PRINT FOR 
H.R. 6395 
OFFERED BY MR. MALINOWSKI OF NEW JERSEY 

At the end of subtitle B of title XII, add the following:

SEC. 12. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANISTAN’S COMPREHENSIVE PEACE PROCESS.

(a) DEFINITIONS.—In this section:

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

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

and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) GOVERNMENT OF AFGHANISTAN.—The term “Government of Afghanistan” means the Gov-
ernment of the Islamic Republic of Afghanistan and
its agencies, instrumentalities, and controlled enti-
ties.

(3) THE TALIBAN.—The term “the Taliban”—
(A) refers to the organization that refers
to itself as the “Islamic Emirate of Afghan-
istan”, that was founded by Mohammed Omar,
and that is currently led by Mawlawi Hibatullah
Akhundzada; and

(B) includes subordinate organizations,
such as the Haqqani Network, and any suc-
cessor organization.

(4) FEBRUARY 29 AGREEMENT.—The term
“February 29 Agreement” refers to the political ar-
rangement between the United States and the
Taliban titled “Agreement for Bringing Peace to Af-
ghanistan Between the Islamic Emirate of Afghan-
istan which is not recognized by the United States as
a state and is known as the Taliban and the United
States of America” signed at Doha, Qatar February

(b) OVERSIGHT OF PEACE PROCESS AND OTHER
AGREEMENTS.—

(1) TRANSMISSION TO CONGRESS OF MATE-
RIALS RELEVANT TO THE FEBRUARY 29 AGREE-
(2) Submission to Congress of any Future Deals Involving the Taliban.—The Secretary of State shall submit to the appropriate congressional committees, within 5 days of conclusion and on an ongoing basis thereafter, any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) Definitions.—In this subsection, the terms “materials relevant to the February 29 Agreement” and “materials relevant to any future agreement or arrangement” include all annexes, appendices, and instruments for implementation of the February 29 Agreement or a future agreement or arrangement, as well as any understandings or expectations related to the Agreement or a future agreement or arrangement.

(e) Report and Briefing on Verification and Compliance.—

(1) In General.—
(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 120 days thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted under subparagraph (A), the Secretary of State shall direct a Senate-confirmed Department of State official and other appropriate officials to brief the appropriate congressional committees on the contents of the report. The Director of National Intelligence shall also direct an appropriate official to participate in the briefing.

(2) ELEMENTS.—The report and briefing required under paragraph (1) shall include—

(A) an assessment—

(i) of the Taliban’s compliance with counterterrorism guarantees, including guarantees to deny safe haven and freedom of movement to al-Qaeda and other ter-
rorist threats from operating on territory under its influence; and

(ii) whether the United States intelligence community has collected any intelligence indicating the Taliban does not intend to uphold its commitments;

(B) an assessment of Taliban actions against terrorist threats to United States national security interests;

(C) an assessment of whether Taliban officials have made a complete, transparent, public, and verifiable breaking of all ties with al-Qaeda;

(D) an assessment of the current relationship between the Taliban and al-Qaeda, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(E) an assessment of the relationship between the Taliban and any other terrorist group that is assessed to threaten the security of the United States or its allies, including any change in conduct since February 29, 2020;

(F) an assessment of whether the Haqqani Network has broken ties with al-Qaeda, and
whether the Haqqani Network’s leader Sirajuddin Haqqani remains part of the leadership structure of the Taliban;

(G) an assessment of threats emanating from Afghanistan against the United States homeland and United States partners, and a description of how the United States Government is responding to those threats;

(H) an assessment of intra-Afghan discussions, political reconciliation, and progress towards a political roadmap that seeks to serve all Afghans;

(I) an assessment of the viability of any intra-Afghan governing agreement;

(J) an assessment as to whether the terms of any reduction in violence or ceasefire are being met by all sides in the conflict;

(K) a detailed overview of any United States and NATO presence remaining in Afghanistan and any planned changes to such force posture;

(L) an assessment of the status of human rights, including the rights of women, minorities, and youth;
(M) an assessment of the access of women, minorities, and youth to education, justice, and economic opportunities in Afghanistan;

(N) an assessment of the status of the rule of law and governance structures at the central, provincial, and district levels of government;

(O) an assessment of the media and of the press and civil society’s operating space in Afghanistan;

(P) an assessment of illicit narcotics production in Afghanistan, its linkages to terrorism, corruption, and instability, and policies to counter illicit narcotics flows;

(Q) an assessment of corruption in Government of Afghanistan institutions at the district, provincial, and central levels of government;

(R) an assessment of the number of Taliban and Afghan prisoners and any plans for the release of such prisoners from either side;

(S) an assessment of any malign Iranian, Chinese, and Russian influence in Afghanistan;

(T) an assessment of how other regional actors, such as Pakistan, the countries of Cen-
tral Asia, and India, are engaging with Afghanistan;

(U) a detailed overview of national-level efforts to promote transitional justice, including forensic efforts and documentation of war crimes, mass killings, or crimes against humanity, redress to victims, and reconciliation activities;

(V) A detailed overview of United States support for Government of Afghanistan and civil society efforts to promote peace and justice at the local level and how these efforts are informing government-level policies and negotiations;

(W) an assessment of the progress made by the Afghanistan Ministry of Interior and the Office of the Attorney General to address gross violations of human rights (GVHRs) by civilian security forces, Taliban, and non-government armed groups, including—

(i) a breakdown of resources provided by the Government of Afghanistan towards these efforts; and
(ii) a summary of assistance provided
by the United States Government to sup-
port these efforts; and
(X) an overview of civilian casualties
caused by the Taliban, non-government armed
groups, and Afghan National Defense and Se-
curity Forces, including—

(i) an estimate of the number of de-
stroyed or severely damaged civilian struc-
tures;

(ii) a description of steps taken by the
Government of Afghanistan to minimize ci-
vilian casualties and other harm to civil-
ians and civilian infrastructure;

(iii) an assessment of the Government
of Afghanistan’s capacity and mechanisms
for investigating reports of civilian casual-
ties; and

(iv) an assessment of the Government
of Afghanistan’s efforts to hold local mili-
tias accountable for civilian casualties.

(3) COUNTERTERRORISM STRATEGY.—In the
event that the Taliban does not meet its counterter-
rorism obligations under the February 29 Agree-
ment, the report and briefing required under this
subsection shall include information detailing the United States’ counterterrorism strategy in Afghanistan and Pakistan.

(4) FORM.—The report required under subparagraph (A) of paragraph (1) shall be submitted in unclassified form, but may include a classified annex, and the briefing required under subparagraph (B) of such paragraph shall be conducted at the appropriate classification level.

(d) Rule of Construction.—Nothing in this section shall prejudice whether a future deal involving the Taliban in any manner constitutes a treaty for purposes of Article II of the Constitution of the United States.

(e) Sunset.—Except for subsections (b) and (d), the provisions of this section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.