

117TH CONGRESS
1ST SESSION

S. 2826

To impose sanctions with respect to Chinese and Russian companies that sign contracts or otherwise do business with the Taliban in strategic resource sectors, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 23, 2021

Mr. MARSHALL (for himself and Mr. SCOTT of Florida) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose sanctions with respect to Chinese and Russian companies that sign contracts or otherwise do business with the Taliban in strategic resource sectors, 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.**

4 This Act may be cited as the “Restricting Taliban
5 Critical Mineral Trade Act”.

1 **SEC. 2. IMPOSITION OF SANCTIONS WITH RESPECT TO CHI-**
2 **NESE AND RUSSIAN COMPANIES THAT SIGN**
3 **CONTRACTS OR OTHERWISE DO BUSINESS**
4 **WITH THE TALIBAN IN STRATEGIC RE-**
5 **SOURCE SECTORS.**

6 (a) IN GENERAL.—The President shall impose the
7 sanctions described in subsection (b) with respect to any
8 covered foreign entity that, on or after the date of the
9 enactment of this Act—

10 (1) signs a contract with the Taliban with re-
11 spect to a strategic resource sector; or

12 (2) otherwise agrees to do business with the
13 Taliban in a strategic resource sector.

14 (b) SANCTIONS.—

15 (1) BLOCKING OF PROPERTY.—

16 (A) IN GENERAL.—The President shall ex-
17 ercise all of the powers granted to the President
18 under the International Emergency Economic
19 Powers Act (50 U.S.C. 1701 et seq.) to the ex-
20 tent necessary to block and prohibit all trans-
21 actions in property and interests in property of
22 a covered foreign entity described in subsection
23 (a) if such property and interests in property
24 are in the United States, come within the
25 United States, or are or come within the pos-
26 session or control of a United States person.

1 (B) PENALTIES.—The penalties provided
 2 for in subsections (b) and (c) of section 206 of
 3 the International Emergency Economic Powers
 4 Act (50 U.S.C. 1705) shall apply to a person
 5 that violates, attempts to violate, conspires to
 6 violate, or causes a violation of any regulation,
 7 license, or order issued to carry out subpara-
 8 graph (A) to the same extent that such pen-
 9 alties apply to a person that commits an unlaw-
 10 ful act described in subsection (a) of that sec-
 11 tion.

12 (C) IMPLEMENTATION.—The President
 13 may exercise all authorities under sections 203
 14 and 205 of the International Emergency Eco-
 15 nomic Powers Act (50 U.S.C. 1702 and 1704)
 16 to carry out this paragraph.

17 (2) INCLUSION ON ENTITY LIST.—The Presi-
 18 dent shall include any covered foreign entity de-
 19 scribed in subsection (a) on the entity list main-
 20 tained by the Bureau of Industry and Security and
 21 set forth in Supplement No. 4 to part 744 of title
 22 15, Code of Federal Regulations.

23 (c) DEFINITIONS.—In this section:

24 (1) COVERED FOREIGN ENTITY.—The term
 25 “covered foreign entity” means—

1 (A) an entity organized under the laws of
2 the People’s Republic of China or the Russian
3 Federation, including any jurisdiction within ei-
4 ther such country; or

5 (B) a significant subsidiary (as defined in
6 section 210.1–02(w) of title 17, Code of Fed-
7 eral Regulations, or successor regulations) of an
8 entity described in subparagraph (A).

9 (2) CRITICAL MINERAL.—The term “critical
10 mineral” means a critical mineral—

11 (A) included in the final list of critical
12 minerals published by the Secretary of the Inte-
13 rior in the Federal Register on May 18, 2018
14 (83 Fed. Reg. 23295); or

15 (B) as defined in section 7002(a) of the
16 Energy Act of 2020 (30 U.S.C. 1606(a)).

17 (3) STRATEGIC RESOURCE SECTOR.—The term
18 “strategic resource sector” means a sector of the
19 economy relating to trade or investment in any crit-
20 ical mineral.

21 (4) UNITED STATES PERSON.—the term
22 “United States person” means—

23 (A) a United States citizen or an alien law-
24 fully admitted to the United States for perma-
25 nent residence; and

1 (B) an entity organized under the laws of
2 the United States or any jurisdiction within the
3 United States (including any foreign branch of
4 such an entity).

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