117th Congress
2d Session

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To require verification of the personal and biometric information of all individuals evacuated from Afghanistan and in-person interviews of such individuals, prohibit Afghan evacuees who do not provide such information or submit to such interviews from receiving Federal assistance, and require the declassification of intelligence related to the withdrawal of the United States Armed Forces from Afghanistan.

IN THE SENATE OF THE UNITED STATES

Mr. HAWLEY introduced the following bill; which was read twice and referred to the Committee on ____________________

A BILL

To require verification of the personal and biometric information of all individuals evacuated from Afghanistan and in-person interviews of such individuals, prohibit Afghan evacuees who do not provide such information or submit to such interviews from receiving Federal assistance, and require the declassification of intelligence related to the withdrawal of the United States Armed Forces from Afghanistan.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Afghanistan Vetting and Accountability Act of 2022”.

SEC. 2. VERIFICATION AND VETTING REQUIREMENTS WITH RESPECT TO INDIVIDUALS EVACUATED FROM AFGHANISTAN.

(a) DEFINITIONS.—In this section:


(2) INDIVIDUAL EVACUATED FROM AFGHANISTAN.—The term “individual evacuated from Afghanistan”—

(A) means any individual, other than a United States citizen or a member of the United States Armed Forces, conveyed out of Afghanistan into the United States in coordination with the Government of the United States during the period beginning on January 20, 2021, and ending on January 20, 2022; and

(B) includes each individual, other than a United States citizen or a member of the United States Armed Forces, evacuated from
Afghanistan as part of Operation Allies Welcome.

(3) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(4) UNEMPLOYMENT COMPENSATION.—The term “unemployment compensation” has the meaning given the term in section 85(b) of the Internal Revenue Code of 1986.

(b) VERIFICATION AND VETTING REQUIREMENTS.—

(1) IN GENERAL.—The Secretary shall verify the personal and biometric information and conduct in-person vetting of each individual evacuated from Afghanistan.

(2) VETTING DATABASE.—The Secretary shall develop and maintain a database that contains, for each individual evacuated from Afghanistan, the following:

(A) Personal information, including name and date of birth.

(B) Biometric information.

(C) Any criminal record since the date on which the individual entered the United States.

(D) Any application for, or receipt of, unemployment compensation or a Federal means-tested public benefit.
(E) The vetting status of the individual, including whether the individual has undergone in-person vetting.

(c) QUARTERLY REPORT.—

(1) IN GENERAL.—Not less frequently than quarterly until the date on which the Secretary submits the certification under subsection (d), the Secretary shall submit to Congress a report detailing the compliance of the Secretary with subsection (b).

(2) ELEMENTS.—Each report required by paragraph (1) shall include the following:

(A) A list of all individuals evacuated from Afghanistan.

(B) With respect to each such individual—

(i) vetting status, including whether the individual has undergone in-person vetting;

(ii) an assessment as to whether the individual has received unemployment compensation or a Federal means-tested benefit;

(iii) a description of any arrest or criminal record for conduct that occurred in Afghanistan, if available; and
(iv) a description of any arrest or criminal record for conduct that occurred in the United States.

(C) The estimated number of days remaining until the Secretary completes the verification and vetting of each individual evacuated from Afghanistan as required by subsection (b)(1).

(d) CERTIFICATION.—Not later than 30 days after the date on which the Secretary completes the verification and vetting required by subsection (b)(1), the Secretary shall submit to Congress a certification that such verification and vetting has been completed.

(e) GAO AUDITS AND REPORTS.—

(1) AUDITS.—The Comptroller General of the United States shall conduct an audit and investigation with respect to the compliance of the Secretary with this Act—

(A) not later than 2 years after the date of the enactment of this Act; and

(B) not later than 1 year after the date on which the Secretary makes the certification under subsection (d).

(2) REPORTS.—Not later than 30 days after the completion of each audit and investigation re-
required by paragraph (1), the Comptroller General shall submit to Congress a report on the results of the audit and investigation.

(f) Restriction on Federal Assistance.—An individual evacuated from Afghanistan who has not provided personal information and biometric information to the Secretary, and undergone in-person vetting, shall not be eligible to receive unemployment compensation or any Federal means-tested public benefit.

SEC. 3. DECLASSIFICATION OF INFORMATION RELATED TO THE WITHDRAWAL OF THE UNITED STATES ARMED FORCES FROM AFGHANISTAN.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall—

(1) declassify all intelligence products related to the withdrawal of the United States Armed Forces from Afghanistan, including as relate to—

(A) anticipated timelines for a Taliban takeover of Afghanistan, especially as the Taliban seized control of additional districts and provinces, often without fighting, in early to mid 2021;

(B) the ability of the Afghan National Defense and Security Forces to prevent a Taliban
takeover of Afghanistan after the withdrawal of American forces and associated combat, logistical, and other support;

(C) the willingness of then-President of the Islamic Republic of Afghanistan Ashraf Ghani and other Afghan political leaders to remain in Afghanistan as the military situation deteriorated, including any plans such leaders may have made to escape Afghanistan as the Taliban advanced;

(D) threats to United States forces, diplomats, or citizens in Kabul or other parts of Afghanistan over the course of the withdrawal, including the noncombatant evacuation operation in August 2021;

(E) any other intelligence that may have informed decisions by the United States Government regarding the timeline for the withdrawal of its forces, moving of its embassy in Kabul, initiation of a noncombatant evacuation operation, force requirements for a noncombatant evacuation operation, or other related matters; and

(F) any dissenting views shared in writing or other formats, including verbally, by United
States military commanders, diplomats, or other government officials regarding the topics described in subparagraphs (A) through (E); and

(2) submit to Congress an unclassified report that contains—

(A) all the information described under paragraph (1); and

(B) only such redactions as the Director determines necessary to protect sources and methods.