

Congress of the United States
Washington, DC 20515

September 2, 2021

The Honorable Janet Yellen
Secretary of the Treasury
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Dear Secretary Yellen:

Now that the ground operation to evacuate people from Afghanistan has come to a close, the United States must set our sights on the humanitarian catastrophe confronting those who have been tragically left behind, including women, LGBTQ+ persons, ethnic and religious minorities, and those allied with the United States. Even before the recent violence, the number of Afghans in need of humanitarian assistance had nearly doubled since last year, reaching 18.4 million people — or about half the population. More than five million people were experiencing emergency levels of hunger, while nearly half of all children under five were expected to be acutely malnourished this year. With the chaos of the past few weeks, which has led to mass displacement, these numbers will undoubtedly increase.

It is imperative for the United States to continue its support of humanitarian assistance to Afghans in need, and ensure non-governmental organizations (NGOs) have the legal protections necessary to operate in an increasingly difficult environment. The United States has a long track record, and an established process, under Presidents from both parties, of allowing NGOs to provide life-saving humanitarian assistance to people who are suffering under regimes that we oppose, even alongside existing sanctions regimes.

The Taliban has been a Specially Designated Global Terrorist Group (SDGT) since 2002. Now, with the Taliban consolidating power, the legal restrictions that accompany this designation are having a chilling effect on the humanitarian sector and may significantly impede the delivery of vital life-saving aid in Afghanistan during this critical time. And while we appreciate the initial step of issuing a specific license, this narrow authorization remains insufficient for all international NGOs, including U.S.-based organizations, and local Afghan organizations that provide essential humanitarian assistance to continue doing so.

That is why we urge you to direct the Treasury Department to issue a general license through the Office of Foreign Assets Control (OFAC) for the current counter-terrorism sanctions against the Taliban under Executive Order 13224, as amended, and modeled after those general licenses provided for NGOs operating in the humanitarian crisis in Yemen. We understand that this model offers both precedent and applicable language that can be utilized to assist NGOs in their efforts to provide critical aid in Afghanistan. A broad general license specifically tailored to the

Afghanistan context should include exceptions based on close consultations with the NGO community – consultations that should commence immediately.

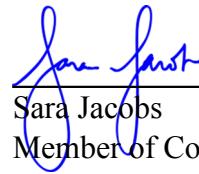
In order for funds to be transferred into Afghanistan for NGOs, we additionally ask that you provide necessary protections and public guidance for financial institutions so that they do not opt out of working in Afghanistan out of an abundance of caution. In addition, we recommend the establishment of a safe payment channel into Afghanistan exclusively for NGOs to access cash given the precarious banking situation.

The United States has a moral obligation to continue the life-saving assistance it has long provided to the people of Afghanistan. The Taliban may quickly become an obstacle to the provision of humanitarian aid. United States policies should not become an additional obstacle. We urge you to take this important step to ensure the continued delivery of this aid. Thank you for your urgent attention to this matter.

Sincerely,



Jeffrey A. Merkley
United States Senator



Sara Jacobs
Member of Congress



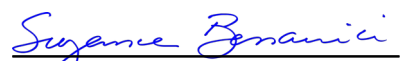
Cory A. Booker
United States Senator



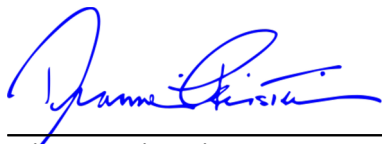
Karen Bass
Member of Congress



Benjamin L. Cardin
United States Senator



Suzanne Bonamici
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Dianne Feinstein
United States Senator



Cori Bush
Member of Congress



Martin Heinrich
United States Senator



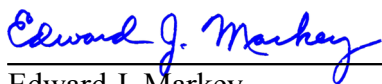
Joaquin Castro
Member of Congress



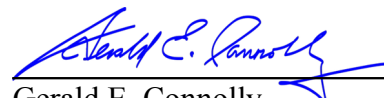
Amy Klobuchar
United States Senator



David N. Cicilline
Member of Congress



Edward J. Markey
United States Senator



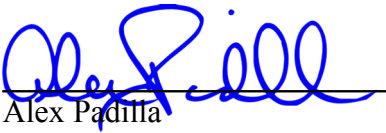
Gerald E. Connolly
Member of Congress



Christopher S. Murphy
United States Senator



Jim Costa
Member of Congress



Alex Padilla
United States Senator



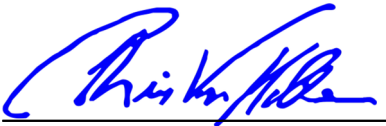
Jesús G. "Chuy" García
Member of Congress



Bernard Sanders
United States Senator



Jahana Hayes
Member of Congress



Chris Van Hollen
United States Senator



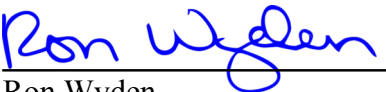
Chrissy Houlahan
Member of Congress



Elizabeth Warren
United States Senator



Ted Lieu
Member of Congress



Ron Wyden
United States Senator



Tom Malinowski
Member of Congress



James P. McGovern
Member of Congress



Gregory W. Meeks
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Ilhan Omar
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Jamie Raskin
Member of Congress



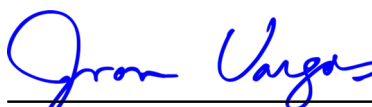
Brad Sherman
Member of Congress



Albio Sires
Member of Congress



Norma J. Torres
Member of Congress



Juan Vargas
Member of Congress

CC:

Antony Blinken, Secretary
U.S. Department of State

Samantha Power, Administrator
United States Agency for International Development

Jake Sullivan, National Security Advisor