

AMENDMENT TO RULES COMMITTEE PRINT 116-

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OFFERED BY MR. BROOKS OF ALABAMA

At the end of subtitle B of title XII, insert the following new section:

1 **SEC. 12___ . PROHIBITION ON AVAILABILITY OF FUNDS FOR**
2 **CERTAIN ACTIVITIES RELATING TO PRES-**
3 **ENCE OF THE UNITED STATES IN AFGHANI-**
4 **STAN.**

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

6 (1) On September 11, 2001, the Islamist ter-
7 rorist group al-Qaeda, under the leadership and di-
8 rection of Osama bin Laden, executed a series of co-
9 ordinated attacks on the United States, directly kill-
10 ing 2,977 individuals.

11 (2) On October 7, 2001, the United States
12 launched Operation Enduring Freedom, beginning
13 combat operations in Afghanistan.

14 (3) On December 9, 2001, the United States
15 military achieved a major victory when the Taliban
16 regime led by leader Mullah Umar and his followers
17 fled from Kandahar, Afghanistan.

1 (4) On January 26, 2004, the Constitution of
2 the Islamic Republic of Afghanistan was ratified by
3 Afghan President Hamid Karzai.

4 (5) Throughout the decade following entrance
5 into Afghanistan, the United States military
6 achieved a major victory by decimating al-Qaeda's
7 Afghanistan capabilities, leaving al-Qaeda a much
8 less viable force than it once was.

9 (6) On May 2, 2011, the United States military
10 achieved another major victory when it successfully
11 killed Osama bin Laden, the founder of al-Qaeda
12 and architect of the terrorist attacks that occurred
13 on September 11, 2001, at his compound located in
14 Abbottabad, Pakistan.

15 (7) On December 31, 2014, the United States
16 formally ended Operation Enduring Freedom.

17 (8) On January 1, 2015, the United States
18 launched Operation Freedom's Sentinel, shifting
19 focus from combat operations towards counter-ter-
20 rorism operations and to train, advise, and assist Af-
21 ghan forces.

22 (9) Since October 7, 2001, and as of June 8,
23 2020, over 2,316 members of the Armed Forces of
24 the United States and civilian employees of the De-

1 partment of Defense have been killed in Afghani-
2 stan.

3 (10) Since October 7, 2001, and as of June 8,
4 2020, over 20,663 members of the Armed Forces of
5 the United States have been wounded in action in
6 Afghanistan.

7 (11) Since September 1, 2001, and as of March
8 31, 2020, over 1,788 contractors of the U.S. Gov-
9 ernment have been killed in Afghanistan and were
10 covered by the Defense Base Act (Public Law 77-
11 08).

12 (12) Since September 11, 2001, and as of Sep-
13 tember 30, 2019, the Department of Defense has
14 obligated over \$776.00 billion towards Operation
15 Enduring Freedom and Operation Freedom's Sen-
16 tinel.

17 (13) Since September 12, 2001, and as of April
18 30, 2020, the U.S. Government has additionally obli-
19 gated over \$46.29 billion towards Afghanistan Re-
20 construction.

21 (14) In 2019, the Defense Intelligence Agency
22 relayed to the Office of the Inspector General of the
23 Department of Defense that the “estimated 300 re-
24 maining al-Qaeda personnel in Afghanistan”...“are
25 almost certainly focused on survival”.

1 (15) On February 29, 2020, Secretary of State
2 Michael R. Pompeo stated that, “al-Qaeda—al-
3 Qaeda today—is a shadow of its former self. We
4 have decimated its leadership and now have the
5 Taliban agreeing that al-Qaida must never again
6 find safe haven in Afghanistan.”

7 (16) On February 29, 2020, the United States
8 and the Taliban signed an agreement that commits
9 the Taliban to taking steps “to prevent any group
10 or individual, including al-Qaeda, from using the soil
11 of Afghanistan to threaten the security of the
12 United States and its allies.”

13 (17) Further, such agreement commits the
14 United States to “withdraw from Afghanistan all
15 military forces of the United States, its allies, and
16 Coalition partners, including all non-diplomatic civil-
17 ian personnel, private security contractors, trainers,
18 advisors, and supporting services personnel” by May
19 31, 2021, provided the Taliban acts on its obliga-
20 tions to prevent al-Qaeda or any other group or indi-
21 vidual, from using the soil of Afghanistan to threat-
22 en the security of the United States and its allies.

23 (18) The United States’ current active military
24 engagement in Afghanistan is the longest, non-stop,

1 active military engagement in the history of the
2 United States.

3 (b) PROHIBITION.—Except as provided in subsection
4 (c), none of the funds authorized to be appropriated by
5 this Act or otherwise made available for the Department
6 of Defense may be obligated or expended—

7 (1) for the support of a member of the Armed
8 Forces of the United States, a civilian employee of
9 the Department of Defense, or a contractor of the
10 Department of Defense, in Afghanistan after May
11 31, 2021; or

12 (2) for the provision of goods or services in Af-
13 ghanistan, by any entity, after May 31, 2021.

14 (c) DIPLOMATIC SECURITY EXCEPTION.—The prohi-
15 bition under subsection (b) shall not apply with respect
16 to a person, good, or service, located in Afghanistan that
17 the Secretary of Defense determines necessary for diplo-
18 matic security.

