

REQUESTING THE PRESIDENT, AND DIRECTING THE SECRETARY OF STATE, TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES COPIES OF ALL DOCUMENTS IN THEIR POSSESSION REFERRING OR RELATING TO CERTAIN ASPECTS OF THE UNITED STATES WITHDRAWAL FROM AFGHANISTAN

SEPTEMBER 20, 2022.—Referred to the House Calendar and ordered to be printed

Mr. MEEKS, from the Committee on Foreign Affairs,
submitted the following

ADVERSE REPORT

together with

DISSENTING VIEWS

[To accompany H. Res. 1240]

The Committee on Foreign Affairs, to whom was referred the resolution (H. Res. 1240) requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents in their possession referring or relating to certain aspects of the United States withdrawal from Afghanistan, having considered the same, report unfavorably thereon without amendment and recommend that the resolution not be agreed to.

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SUMMARY

H. Res. 1240 requests the President, and directs the Secretary of State, to provide the House of Representatives with copies of all

documents (including all records, communications, correspondence (including email), messages (including text and instant messages), transcripts, summaries, agendas, written agreements, notes, memoranda, diplomatic cables, reports, legal opinions, analytical products, briefing materials, intelligence assessments, white papers, non-papers, meeting readouts, and other materials, regardless of electronic or physical format), both classified and unclassified, in the possession of the President or the Secretary of State, respectively, relating to the U.S. withdrawal from Afghanistan.

BACKGROUND

The Committee on Foreign Affairs takes very seriously its oversight responsibilities and has conducted bipartisan oversight of U.S. policy toward Afghanistan. Since the withdrawal, the Committee has held approximately 40 different engagements for Members and staff to understand the Executive Branch's approach and policy decisions related to Afghanistan. In addition, the Committee has held approximately fourteen Member-level hearings and briefings where Afghanistan was discussed, including a June 2022 briefing with five senior state department officials, who briefed the Committee for more than three hours.

Unfortunately, this resolution of inquiry (ROI) asks mostly for documents from the Biden Administration, rather than a more comprehensive request to include the Trump Administration, whose agreement with the Taliban committed the United States to a full withdrawal from Afghanistan. This ROI amounts to a fishing expedition that fails to account for the information the Executive Branch has regularly provided to this Committee and continues to provide to this Committee and to Congress.

Congress and the American people stand to benefit from understanding the decisions and the events that led to and influenced the U.S. withdrawal from Afghanistan. However, no evaluation of the withdrawal is credible unless it also includes a comprehensive evaluation of the policies by the multiple Administrations of both parties that informed the process, and especially a process that fails to account for the role that the previous Administration's February 2020 deal with the Taliban had on the events that unfolded in August of 2021.

The U.S. withdrawal from Afghanistan deserves proper oversight that is free from partisanship. This ROI fails to meet this basic standard.

H. Res. 1240 is ultimately an incomplete approach to oversight and would distract from the ongoing, bipartisan legislative and fact-finding efforts of the Congress.

HEARINGS

The Committee on Foreign Affairs held no hearings on H. Res. 1240.

COMMITTEE CONSIDERATION AND VOTE

The Committee considered H. Res. 1240 on September 14, 2022 and September 15, 2022, and agreed to a motion to report the resolution adversely to the House of Representatives by a recorded vote (roll call 25Y-23N).

On the vote to report H. Res. 1240 to the House adversely:

Members voting AYE (25)

Gregory W. Meeks, D-NY
 Brad Sherman, D-CA
 Albio Sires, D-NJ
 Gerald E. Connolly, D-VA
 Theodore E. Deutch, D-FL
 Karen Bass, D-CA
 William R. Keating, D-MA
 David N. Cicilline, D-RI
 Ami Bera, D-CA
 Joaquin Castro, D-TX
 Dina Titus, D-NV
 Ted Lieu, D-CA
 Susan Wild, D-PA
 Dean Phillips, D-MN
 Ilhan Omar, D-MN
 Colin Allred, D-TX
 Andy Levin, D-MI
 Abigail Spanberger, D-VA
 Chrissy Houlahan, D-PA
 Tom Malinowski, D-NJ
 Andy Kim, D-NJ
 Jim Costa, D-CA
 Juan Vargas, D-CA
 Vicente González, D-TX
 Brad Schneider, D-IL

Members voting NO (23)

Kathy Manning, D-NC
 Michael T. McCaul, R-TX
 Chris Smith, R-NJ
 Steve Chabot, R-OH
 Joe Wilson, R-SC
 Scott Perry, R-PA
 Darrell Issa, R-CA
 Lee Zeldin, R-NY
 Ann Wagner, R-MO
 Brian Mast, R-FL
 Brian Fitzpatrick, R-PA
 Ken Buck, R-CO
 Tim Burchett, R-TN
 Mark Green, R-FL
 Andy Barr, R-KY
 Greg Steube, R-FL
 Dan Meuser, R-PA
 Claudia Tenney, R-NY
 August Pfluger, R-TX
 Nicole Malliotakis, R-NY
 Peter Meijer, R-MI
 Ronny Jackson, R-TX
 Young Kim, R-CA

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the House of Representatives, are incorporated in the descriptive portions of this report, particularly in the “Background” section.

NEW BUDGET AUTHORITY, TAX EXPENDITURES, AND
FEDERAL MANDATES

In compliance with clause 3(c)(2) of House rule XIII and the Unfunded Mandates Reform Act (P.L. 104–4) are inapplicable because H. Res. 1240 neither provides new budget authority nor increase tax expenditures.

NON-DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c)(5) of House rule XIII, the committee states that no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

PERFORMANCE GOALS AND OBJECTIVES

The rule requiring a statement of performance goals and objectives is inapplicable to this resolution.

CONGRESSIONAL ACCOUNTABILITY ACT

H. Res. 1240 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

NEW ADVISORY COMMITTEES

H. Res. 1240 does not establish or authorize any new advisory committees.

EARMARK IDENTIFICATION

H. Res. 1240 contains no congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of House rule XXI.

SECTION-BY-SECTION ANALYSIS

H. Res. 1240, if adopted, would request the President, and direct the Secretary of State, to transmit to the House of Representatives, not later than 14 days after the date of its adoption, copies of all documents in the possession of the President or the Secretary of State, respectively, that refer or relate to certain aspects of the United States withdrawal from Afghanistan.

DISSENTING VIEWS

I am deeply disappointed that the Committee majority has made the political decision to reject this resolution—a request for specific, critical information regarding the United States withdrawal and evacuation from Afghanistan, which has so far been denied to Congress. Reporting this resolution adversely represents a decision to protect the Biden Administration from accountability and basic transparency, at the expense of our Committee’s oversight jurisdiction and our nation’s security. If the majority were genuinely concerned that the scope of the request should reach back further, they could have added any such expansion by amendment during markup.

Oversight should not be a partisan exercise. The need to closely review the disaster that unfolded in Afghanistan last year should be something on which we all agree.

In May of 2021, Ambassador Ryan Crocker and I issued a public warning that it was very likely the Taliban would try to take control of Afghanistan, and we strongly urged President Biden to establish a plan to protect U.S. national security and bring our Afghan allies to safety.

But in August of that year, Americans across the political spectrum watched in horror as everything built in Afghanistan by 20 years of U.S. and NATO blood, sweat, tears, and treasure came crumbling down almost overnight.

Unfortunately, the State Department and the White House had done very little to prepare. At the time the country fell, only 15 consular officers were in the country. One week into the evacuation, that number only rose to 36, despite needing to process more than one hundred thousand evacuees.

The administration waited until the end of July to begin evacuating Afghan allies who fought alongside U.S. troops for the past 20 years. A request for military assistance in planning for an evacuation didn’t come until four days before the Taliban seized the city of Kabul.

Our top diplomat in Afghanistan, Ambassador Ross Wilson, took a vacation at the same time that General Miller, the U.S. commander on the ground in Afghanistan, was warning of “the rapid loss of district centers.” This was also around the time when the U.S. military officially left Bagram Air Base.

As a result of this staggering failure to plan, the emergency that followed forced tens of thousands of people to flee to the one remaining place with U.S. troops, the Kabul airport.

For 15 days, Americans and Afghans alike desperately tried to get inside the gates and on a plane to freedom. But the chaos both outside and inside the gate made it extremely difficult, if not impossible, to get inside. As a result, outside groups composed of veterans, journalists, congressional offices, and even active-duty mili-

tary and intelligence officers banded together to help people they had worked alongside for years.

And then the unthinkable happened. An ISIS-K terrorist was able to get close enough to the airport to detonate a bomb that killed 13 U.S. servicemembers and more than 160 Afghans. The blast also wounded an additional 45 U.S. servicemembers and countless Afghans. The bomber was able to get that close because we were relying upon the Taliban to provide security at the airport's perimeter. It was the deadliest day in Afghanistan since 2011.

The American people deserve answers as to how this catastrophe happened. But the State Department has ignored or denied every attempt I have made to get pertinent information.

Since that time, we have discovered that the Administration repeatedly misled the American people about its decision-making process leading up to that disaster.

We now know the U.S. military and our allies believed that collapse would be the outcome of President Biden's ill-conceived decision to unconditionally withdraw.

We now know that key decisions were not made until days before the fall of Kabul, despite the Administration being warned that an unconditional withdrawal would most likely lead to collapse.

We now know that the Taliban had offered the Biden Administration the chance to secure the city of Kabul ourselves, but that offer was apparently ignored or declined.

We now know that President Biden and Secretary of State Blinken repeatedly misled the American public about what the U.S. military and our allies had recommended regarding Afghanistan.

But there is far more that we do not know. Information that would answer critical questions about planning, decision-making, execution, and accountability is being withheld from this committee, despite my specific and detailed requests for information that have been pending for more than a year. This is why more robust oversight—including this resolution—is needed.

Since August 25, 2021, the Committee on Foreign Affairs has held only one open hearing and three classified briefings focused on the Afghanistan withdrawal and Noncombatant Evacuation Operation (NEO) decisions.

The September 2021 hearing with Secretary of State Anthony Blinken took place before numerous concerning revelations had come to light, including the U.S. military's opposition to the unconditional nature of our withdrawal.

The three briefings dedicated to the withdrawal—in August 2021, September 2021, and June 2022—were conducted in classified settings, behind closed doors.

The most recent June 2022 briefing by State Department officials, covering the 2017 to August 2021 period, was classified at a high level even though the vast majority of the information presented was unclassified. Notwithstanding a formal, written request, the State Department has refused to provide the Committee with copies of the unclassified opening statements read by its officials at that briefing. The briefing, which seemed designed to avoid

public scrutiny, sought to shift blame to the previous administration time and again.

The majority claims that the administration has held numerous Afghanistan briefings since the withdrawal. While there have been regular briefings—on humanitarian issues and efforts to bring out the Americans and tens of thousands of Afghan allies stranded behind Taliban lines—they have focused on current operations. They have not provided insight or accountability for the decisions, planning, and execution that led to the terrible outcome.

Unfortunately the Biden Administration's efforts to escape accountability do not end there.

The State Department also ceased cooperation with the Special Inspector General for Afghan Reconstruction (SIGAR), after SIGAR issued a report blaming the Biden and Trump administrations for Afghanistan's collapse—a report which the State Department falsely claimed it had not been given a chance to provide input for.

The State Department has refused to share with Congress or the American public its official review of the Afghanistan withdrawal, which was completed several months ago by retired Ambassador Daniel Smith, supposedly because its conclusions are classified. However, the classification of that review is no impediment to it being shared with this Committee, which regularly receives classified information from the Department in the discharge of our constitutional responsibilities. This inexplicable, continued refusal is why the resolution of inquiry specifically requests that the review be provided to us.

The State Department also has ignored our request for transcribed interviews with 34 State Department personnel involved in executing the withdrawal and evacuation. This stands in stark contrast to the transparency of the Department of Defense, which has provided transcripts of the interviews of U.S. military personnel involved.

The State Department has refused our request to provide us with the dissent cables from personnel in Embassy Kabul who reportedly warned about the administration's lack of urgency with regard to the deteriorating situation on the ground in Afghanistan.

The current Chairman of the Joint Chiefs of Staff, Gen. Mark Milley, has described the result of our disastrous Afghanistan withdrawal as being a "strategic failure." It was the result of a staggering and culpable failure to plan, and American and Afghan lives were lost as a consequence. But to date no Biden Administration official has been held accountable.

While the 20-year Afghan War Commission (established in last year's National Defense Authorization Act) is a worthwhile effort likely to cast light on major missteps across multiple presidential administrations, it will take years to publish its findings, allowing officials who were directly responsible for the unconditional withdrawal and botched evacuation to continue making critical national security decisions while avoiding any responsibility for their poor judgement. That historical review is no substitute for the oversight that is the proper job of our Committee.

The Biden Administration's unconditional withdrawal from Afghanistan left that country in the control of the Taliban, a barbaric group that has given safe haven to al Qaeda—our reason for going

to Afghanistan in the first place. They continue to harbor terrorists, as evidenced by our recent strike on Zawahiri in a Taliban-owned villa in downtown Kabul. They oppress women on an unprecedented scale. More than 100,000 Afghan allies have been left behind enemy lines, subject to reprisal killings by the Taliban.

Getting answers to what caused this mess should not be a Republican or a Democrat issue. This is an American issue.

This resolution of inquiry seeks information that the House Foreign Affairs Committee needs to conduct real oversight of this disaster. I am deeply disappointed that so many of my colleagues across the aisle have chosen politics over our national security, and have voted to deny the rights of Congress and our Committee to the specific information it seeks.

MICHAEL T. MCCAUL,
Ranking Member.

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