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To provide oversight over talks between the United States and the Taliban, limit the use of funds to reduce the total number of members of the Armed Forces serving on active duty who are deployed to Afghanistan until certain conditions on the ground are fulfilled, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2019

Mr. BANKS (for himself, Ms. CHENEY, Ms. STEFANIK, and Mr. WALTZ) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide oversight over talks between the United States and the Taliban, limit the use of funds to reduce the total number of members of the Armed Forces serving on active duty who are deployed to Afghanistan until certain conditions on the ground are fulfilled, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Ensuring a Secure Af-
3 ghanistan Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) A premature withdrawal of United States
7 Armed Forces from Afghanistan would result in in-
8 creased instability, violence, and the loss of human
9 rights established through the presence of the
10 United States and its allies over the past 17 years.

11 (2) It is the objective of the United States Gov-
12 ernment to ensure a secure and stable Afghanistan
13 that has the ability to secure its borders, maintain
14 its own military forces, and prevent the establish-
15 ment of terrorist safe havens that could be used to
16 launch attacks against the United States.

17 (3) A hasty withdrawal without ensuring the
18 stability of the Government of Afghanistan and its
19 ability to perform the functions as outlined will im-
20 pact the security of the United States and its allies.
21 Additionally, a hasty withdrawal will jeopardize the
22 tremendous gains made in development and human
23 rights for the citizens of Afghanistan.

24 (4) The current talks with the Taliban led by
25 Special Representative Zalmay Khalilzad have ex-
26 cluded the legitimate Afghan government, despite

1 the apparent completion of two “draft” agreements
2 between the United States and the Taliban. Other
3 vital constituencies have been excluded as well.

4 (5) The foreign terrorist organization al Qaeda,
5 responsible for the attacks of September 11, 2001,
6 continues to operate in Afghanistan.

7 (6) The Taliban, which contests or controls ap-
8 proximately half of Afghanistan, has a strong and
9 intricate relationship with al Qaeda, and al Qaeda
10 still sees Afghanistan as a safe haven for its leader-
11 ship.

12 (7) The Taliban has not publicly disavowed al
13 Qaeda, Osama bin Laden, or al Qaeda’s current
14 leader, Ayman al Zawahiri. The Taliban has also
15 never apologized for harboring al Qaeda, the 9/11
16 hijackers, and others responsible for murdering
17 thousands of American citizens.

18 (8) The withdrawal of United States Armed
19 Forces from Afghanistan, a long-standing Taliban
20 demand, is a key component of the ongoing talks be-
21 tween the United States and the Taliban.

22 (9) The Islamic State of Iraq and Syria, also
23 known as ISIS, grew rapidly after the United States
24 withdrawal of forces from Iraq in 2011. Today, ISIS

1 still controls thousands of militants, including in Af-
2 ghanistan.

3 (10) According to the administration’s South
4 Asia strategy, announced by the President in August
5 2017, “Conditions on the ground—not arbitrary
6 timetables—will guide our strategy from now on.”.

7 **SEC. 3. BRIEFING ON UNITED STATES-TALIBAN OR AFGHAN**
8 **TALKS AND ANY EFFECTS ON THE TOTAL**
9 **NUMBER OF MEMBERS OF THE ARMED**
10 **FORCES SERVING ON ACTIVE DUTY WHO ARE**
11 **DEPLOYED TO AFGHANISTAN.**

12 (a) BRIEFING REQUIRED.—The Secretary of State or
13 the Special Representative for Afghanistan Reconciliation
14 shall, in coordination with the Secretary of Defense, brief
15 the appropriate congressional committees regarding talks
16 with the Afghan government or the Taliban if any such
17 talks are ongoing, as well as the effects these talks are
18 having or will have on the posture of United States Armed
19 Forces in Afghanistan. The briefing may be provided in
20 unclassified or classified form.

21 (b) MONTHLY UPDATE.—A briefing described in
22 paragraph (1) shall occur—

23 (1) not later than 30 days after any initial dip-
24 lomatic engagement with the Taliban or the Afghan
25 Government;

1 (2) not later than 30 days after the enactment
 2 of this Act, if such engagement is ongoing on such
 3 date of enactment; and

4 (3) every 30 days thereafter until the close of
 5 talks.

6 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
 7 FINED.—In this section, the term “appropriate congres-
 8 sional committees” means—

9 (1) the Committee on Foreign Affairs, the
 10 Committee on Armed Services, and the Permanent
 11 Select Committee on Intelligence of the House of
 12 Representatives; and

13 (2) the Committee on Foreign Relations, the
 14 Committee on Armed Services, and the Select Com-
 15 mittee on Intelligence of the Senate.

16 **SEC. 4. LIMITATION ON USE OF FUNDS TO REDUCE THE**
 17 **TOTAL NUMBER OF MEMBERS OF THE**
 18 **ARMED FORCES SERVING ON ACTIVE DUTY**
 19 **WHO ARE DEPLOYED TO AFGHANISTAN.**

20 (a) IN GENERAL.—None of the funds made available
 21 to the Department of Defense for fiscal year 2019 may
 22 be used to reduce the total number of members of the
 23 United States Armed Forces serving on active duty who
 24 are deployed to Afghanistan below 10,000 unless, not later
 25 than 180 days prior to such reduction, the Director of Na-

1 tional Intelligence certifies to the appropriate congres-
2 sional committees that the Taliban—

3 (1) including chief and deputy Taliban leaders
4 who may not have been present at the talks between
5 the United States and the Taliban, has rejected al
6 Qaeda by name;

7 (2) has committed not to—

8 (A) fight alongside al Qaeda;

9 (B) have financial ties with al Qaeda;

10 (C) communicate with al Qaeda; and

11 (D) have any other affiliation with al
12 Qaeda;

13 (3) supports the legitimacy of the Afghan Con-
14 stitution;

15 (4) commits to protecting the rights of women
16 and girls to access public healthcare, hold property,
17 access education, and have freedom of movement;

18 (5) commits to stop receiving funds and mili-
19 tary support from non-Afghan governments or orga-
20 nizations;

21 (6) will assist and be an active participant with
22 the Government of the United States and the Gov-
23 ernment of Afghanistan in future counterterrorism
24 operations;

1 (7) commits to ensuring that its full member-
2 ship is subject to the assurances described in this
3 paragraph; and

4 (8) commits to turn over to the Government of
5 Afghanistan any members of the Taliban that violate
6 any of the assurances described in this paragraph.

7 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
8 DEFINED.—In this section, the term “appropriate con-
9 gressional committees” means—

10 (1) the Committee on Foreign Affairs, the
11 Committee on Armed Services, and the Permanent
12 Select Committee on Intelligence of the House of
13 Representatives; and

14 (2) the Committee on Foreign Relations, the
15 Committee on Armed Services, and the Select Com-
16 mittee on Intelligence of the Senate.

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