

117TH CONGRESS
1ST SESSION

H. R. 5159

To direct the Secretary of Defense to conduct annual reports and briefings regarding oversight of Afghanistan, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3, 2021

Mr. CROW (for himself, Ms. CHENEY, Ms. SHERRILL, and Mr. MOULTON) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of Defense to conduct annual reports and briefings regarding oversight of Afghanistan, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Afghanistan Trans-
5 parency Act”.

6 **SEC. 2. REPORTS AND BRIEFINGS REGARDING OVERSIGHT**
7 **OF AFGHANISTAN.**

8 (a) REPORTS.—Not later than December 31, 2021,
9 and annually thereafter until December 31, 2026, the Sec-

1 retary of Defense, in coordination with the Director of Na-
2 tional Intelligence, shall submit to the appropriate con-
3 gressional committees a report on Afghanistan. Such re-
4 port shall address, with respect to Afghanistan, the fol-
5 lowing matters:

6 (1) A current assessment of over-the-horizon
7 capabilities of the United States.

8 (2) Concept of force with respect to the over-
9 the-horizon force of the United States.

10 (3) The size of such over-the-horizon force.

11 (4) The location of such over-the-horizon force,
12 to include the current locations of the forces and any
13 plans to adjust such locations.

14 (5) The chain of command for such over-the-ho-
15 rizon force.

16 (6) The launch criteria for such over-the-hori-
17 zon force.

18 (7) Any plans to expand or adjust such over-
19 the-horizon force capabilities in the future, to ac-
20 count for evolving terrorist threats in Afghanistan.

21 (8) An assessment of the terrorist threat in Af-
22 ghanistan.

23 (9) An assessment of the quantity and types of
24 U.S. military equipment remaining in Afghanistan,

1 including an indication of whether the Secretary
2 plans to leave, recover, or destroy such equipment.

3 (10) Contingency plans for the retrieval or hos-
4 tage rescue of United States citizens located in Af-
5 ghanistan.

6 (11) Contingency plans related to the continued
7 evacuation of Afghans who hold special immigrant
8 visa status under section 602 of the Afghan Allies
9 Protection Act of 2009 (8 U.S.C. 1101 note) or who
10 have filed a petition for such status, following the
11 withdraw of the United States Armed Forces from
12 Afghanistan.

13 (12) A concept of logistics support to support
14 the over-the-horizon force of the United States, in-
15 cluding all basing and transportation plans.

16 (13) An assessment of changes in the ability of
17 al-Qaeda and ISIS–K to conduct operations outside
18 of Afghanistan against the United States and U.S.
19 allies.

20 (14) An intelligence collection posture of over-
21 the-horizon intelligence assets, including with respect
22 to ground and air assets, and the effect of such as-
23 sets on current operations.

24 (15) An intelligence collection posture on the
25 Taliban defense and security forces.

1 (16) An intelligence collection posture on the
2 terrorism capabilities of the Taliban, al-Qaeda, and
3 ISIS–K.

4 (17) The status of any military cooperation be-
5 tween the Taliban and China, Russia, or Iran.

6 (18) Any other matters the Secretary deter-
7 mines appropriate.

8 (b) BRIEFINGS.—Not later than December 31, 2021,
9 and on bi-annual basis thereafter until December 31,
10 2026, the Secretary of Defense shall provide to the appro-
11 priate congressional committees a briefing on the matters
12 specified in subsection (a).

13 (c) FORM.—The reports and briefings under this sec-
14 tion may be submitted in either unclassified or classified
15 form, as determined appropriate by the Secretary.

16 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
17 DEFINED.—In this section, the term “appropriate con-
18 gressional committees” means—

19 (1) the Committee on Armed Services and the
20 Permanent Select Committee on Intelligence of the
21 House of Representatives; and

22 (2) the Committee on Armed Services and the
23 Select Committee on Intelligence of the Senate.

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