

AMENDMENT 2 TO THE SENATE ENGROSSED
AMENDMENT TO THE TEXT OF H.R. 4899

Page 22, after line 16, insert the following:

1 SEC. 309. (a) FINDINGS REGARDING SECURITY AND
2 STABILITY CONDITIONS IN AFGHANISTAN.—Since the last
3 national intelligence estimate on conditions in Afghani-
4 stan, there have been fundamental changes in the condi-
5 tions in that country, and fundamental changes in the
6 United States military and diplomatic strategy toward
7 that country, including—

8 (1) the August 2009 elections in Afghanistan;

9 (2) the strategy announced by the President in
10 December 2009 to guide United States military op-
11 erations, including a commitment to begin redeploy-
12 ment of troops out of Afghanistan by July 2011;

13 (3) the tactics employed by the United States,
14 which emphasize counterinsurgency military oper-
15 ations and increasing civilian participation;

16 (4) the level of United States forces deployed to
17 Afghanistan; and

18 (5) the continuing development of Afghanistan’s
19 security forces, including the Afghan National Army
20 and the Afghan National Police.

1 (b) REPORT.—Not later than January 31, 2011, the
2 Director of National Intelligence shall submit to the Presi-
3 dent and the Congress a new national intelligence estimate
4 on security and stability in Afghanistan and Pakistan,
5 which shall include—

6 (1) an assessment of the ability, performance,
7 intent, and commitment of the Government of Af-
8 ghanistan to work with the United States to imple-
9 ment the strategy announced in December 2009;

10 (2) an assessment of the ability, performance,
11 intent, and commitment of the Government of Paki-
12 stan to work with the United States to implement
13 the strategy announced in December 2009;

14 (3) an assessment of the security forces of Af-
15 ghanistan and Pakistan, including their ability to
16 maintain security in areas where they are deployed,
17 and an assessment of the timing of full deployment
18 as envisioned by the December 2009 strategy;

19 (4) an assessment of whether continuing United
20 States military presence in Afghanistan contributes
21 to Afghan and Pakistani support for, or sympathy
22 toward, the Taliban, al Qaeda, or other insurgents;

23 (5) an assessment of the effect of continuing
24 United States military presence on the strength of
25 al Qaeda and other terrorist organizations in Af-

1 ghanistan and neighboring countries, including those
2 in the United States Central Command and United
3 States Africa Command areas of responsibility; and

4 (6) an assessment of the effect of the con-
5 tinuing United States military presence on the abil-
6 ity of al Qaeda and related terrorist organizations to
7 obtain resources, recruit personnel, and continue op-
8 erations targeted at the United States and its allies.

9 (c) PLAN WITH TIMETABLE REQUIRED.—Not later
10 than April 4, 2011, the President shall submit to Congress
11 a plan for the safe, orderly, and expeditious redeployment
12 of the Armed Forces from Afghanistan, including military
13 and security-related contractors, together with a timetable
14 for the completion of that redeployment and information
15 regarding variables that could alter that timetable.

16 (d) STATUS UPDATES.—Not later than 90 days after
17 the date of the submittal of the plan required by sub-
18 section (c), and every 90 days thereafter, the President
19 shall submit to Congress a report setting forth the current
20 status of the plan for redeploying the Armed Forces from
21 Afghanistan.

22 (e) OVERSIGHT OF CONTRACTORS ENGAGED IN AC-
23 TIVITIES RELATING TO AFGHANISTAN.—

24 (1) RECOMMENDATIONS REQUIRED.—Not later
25 than 90 days after the date of the enactment of this

1 Act, the Special Inspector General for Afghanistan
2 Reconstruction shall, in consultation with the In-
3 spector General of the Department of Defense, the
4 Inspector General of the United States Agency for
5 International Development, and the Inspector Gen-
6 eral of the Department of State—

7 (A) issue recommendations on measures to
8 increase oversight of contractors engaged in ac-
9 tivities relating to Afghanistan that have a
10 record of engaging in waste, fraud, or abuse;

11 (B) report on the status of efforts of the
12 Department of Defense, the United States
13 Agency for International Development, and the
14 Department of State to implement existing rec-
15 ommendations regarding oversight of such con-
16 tractors; and

17 (C) report on the extent to which military
18 and security contractors or subcontractors en-
19 gaged in activities relating to Afghanistan have
20 been responsible for the deaths of Afghan civil-
21 ians.

22 (2) ELEMENTS OF RECOMMENDATIONS.—The
23 recommendations issued under paragraph (1) shall
24 include—

1 (A) recommendations for reducing the reli-
2 ance of the United States on—

3 (i) military and security contractors
4 or subcontractors engaged in activities re-
5 lating to Afghanistan that have been re-
6 sponsible for the deaths of Afghan civil-
7 ians; and

8 (ii) Afghan militias or other armed
9 groups that are not part of the Afghan
10 National Security Forces; and

11 (B) recommendations for prohibiting the
12 Department of Defense, the Department of
13 State, or the United States Agency for Inter-
14 national Development from entering into con-
15 tracts with contractors engaged in activities re-
16 lating to Afghanistan that have a record of en-
17 gaging in waste, fraud, or abuse.

18 SEC. 310. (a) LIMITATION ON FUNDS.—None of the
19 funds available to the Department of Defense in the De-
20 partment of Defense Appropriations Act, 2011 may be ob-
21 ligated or expended in a manner that is inconsistent with
22 the President's policy announced on December 1, 2009,
23 to begin the orderly withdrawal of United States troops
24 from Afghanistan after July 1, 2011, unless the Congress
25 approves a joint resolution as specified in subsection (b).

1 (b) JOINT RESOLUTION.—For purposes of this sec-
2 tion, the term “joint resolution” means a joint resolution
3 introduced in either House of the Congress after receipt
4 by the Congress of the national intelligence estimate re-
5 quired under section 309 of this Act, the matter after the
6 resolving clause of which is as follows: “That the Congress
7 approves the obligation and expenditure of funds appro-
8 priated in the Department of Defense Appropriations Act,
9 2011 for United States combat operations in Afghanistan
10 after July 1, 2011, even if the plan submitted on April
11 4, 2011, is inconsistent with the intention to begin the
12 process of orderly withdrawal of United States troops from
13 such combat operations in Afghanistan.”.

14 (c) EXPEDITED PROCEDURES IN THE HOUSE.—

15 (1) A joint resolution in the House of Rep-
16 resentatives shall be referred to the Committee on
17 Appropriations.

18 (2) If the committee has not reported the joint
19 resolution at the end of 20 legislative days after its
20 introduction, the committee shall be discharged from
21 further consideration of the joint resolution, and the
22 joint resolution shall be placed on the appropriate
23 calendar of the House.

24 (3) When the committee has reported a joint
25 resolution or been discharged from further consider-

1 ation, it is at any time thereafter in order (even
2 though a previous motion to the same effect has
3 been disagreed to) to move to proceed to the consid-
4 eration of the joint resolution. The motion is highly
5 privileged in the House. The motion is not subject
6 to amendment, or to a motion to postpone, or to a
7 motion to proceed to the consideration of other busi-
8 ness. A motion to reconsider the vote by which the
9 motion is agreed to or not agreed to shall not be in
10 order.

11 (4) Debate on the joint resolution shall be lim-
12 ited to not more than 9 hours, which shall be divided
13 equally between those favoring and those opposing
14 the joint resolution. An amendment to, or motion to
15 recommit, the joint resolution is not in order. A mo-
16 tion to reconsider the vote by which the joint resolu-
17 tion is agreed to or not agreed to is not in order.

18 (5) Motions to postpone and motions to proceed
19 to the consideration of other business shall be de-
20 cided without debate.

21 (6) Appeals from the decisions of the Chair re-
22 lating to the application of the rules of the House
23 to the procedure relating to the joint resolution shall
24 be decided without debate.

1 (d) EXPEDITED PROCEDURES IN THE SENATE.—[To
2 be supplied.]

3 (e) CONGRESSIONAL RULEMAKING.—Subsections (c)
4 and (d) are enacted by the Congress—

5 (1) as an exercise of the rulemaking power of
6 the House of Representatives and the Senate, re-
7 spectively, and as such they are deemed a part of
8 the rules of each House, respectively, but applicable
9 only with respect to the procedures to be followed in
10 that House in the case of joint resolutions described
11 in subsection (b), and they supersede other rules
12 only to the extent that they are inconsistent with
13 such other rules; and

14 (2) with full recognition of the constitutional
15 right of either House to change the rules (so far as
16 relating to the procedures of that House) at any
17 time, in the same manner and to the same extent as
18 in the case of any other rule of that House.

19 SEC. 311. Nothing in section 309 or 310 shall be con-
20 strued so as to limit or prohibit any authority of the Presi-
21 dent to—

22 (1) attack al Qaeda forces wherever they are lo-
23 cated;

24 (2) gather, provide, and share intelligence with
25 allies operating in Afghanistan and Pakistan; or

1 (3) modify the military strategy and operations
2 of the Armed Forces as such Armed Forces redeploy
3 pursuant to a timetable and strategy developed
4 under section 309(c).

