



COMMITTEE ON APPROPRIATIONS

DAVID R. OBEY (WI-07), CHAIRMAN

FACT SHEET

JUNE 11, 2009

2009 SUPPLEMENTAL CONFERENCE WAR RELATED POLICY PROVISIONS

A REPORT ON PLANS FOR IRAQ WITHDRAWAL

In recognition and support of President Obama's plan to withdraw all U.S. combat brigades from Iraq by August 31, 2010 and all U.S. military forces by December 31, 2011, the bill directs the Secretary of Defense to submit a report to Congress every 90 days that includes:

1. how the Government of Iraq is assuming responsibility for reconciliation initiatives;
2. how the drawdown of military forces complies with the President's timeline; and
3. the roles and responsibilities of remaining contractors in Iraq as the U.S. mission evolves.

NO PERMANENT BASES IN IRAQ AND AFGHANISTAN

To make it perfectly clear to the people of Iraq, Afghanistan, and the world that the United States does not intend to stay in either Iraq or Afghanistan permanently, the bill prohibits:

1. the construction of any base for the permanent stationing of U.S. forces in Iraq;
2. U.S. control over any oil resource of Iraq; and
3. the construction of any base for the permanent stationing of U.S. forces in Afghanistan.

A PLAN FOR CLOSING THE GUANTANAMO BAY DETENTION FACILITY

Recognizing that President Obama's Executive Order of January 22, 2009 orders the closure of the detention facilities at Guantanamo Bay, Cuba by January 22, 2010, the conference agreement:

1. does not include \$80 million requested by the President to start efforts to close the detention facility at Guantanamo Bay;
2. prohibits current detainees from being released in the continental United States, Alaska, Hawaii or DC;
3. prohibits current detainees from being transferred to the continental United States, Alaska, Hawaii or DC, except to be prosecuted and only 45 days after Congress receives a plan detailing: risks involved and a plan for mitigating such risk; cost of the transfer; legal rationale and court demands; and a copy of the notification provided to the Governor of the receiving state 14 days before a transfer with a certification by the Attorney General that the individual poses little or no security risk;
4. prohibits current detainees from being transferred or released to another country unless the President submits to Congress 15 days prior to such transfer: the name of the individual and the country the individual will be transferred to; an assessment of risks posed and actions taken to mitigate such risks; and the terms of the transfer agreement with the other country, including any financial assistance; and
5. requires the President to submit a report to Congress describing the disposition of each current detainee before the facility can be closed.

A PERFORMANCE ASSESSMENT OF THE GOVERNMENTS OF AFGHANISTAN AND PAKISTAN

Because the stability and security of the region is tied more to the capacity and conduct of the Afghan and Pakistani governments and to the resolve of both societies than it is to the policies of the U.S., the bill requires the President to submit a report to Congress by February 2010 assessing whether the Governments of Afghanistan and Pakistan are, or are not, demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continuation of the President's policy announced on March 27, 2009. The report must include six concrete standards of performance:

1. The level of political consensus and unity of purpose across ethnic, tribal, religious and political party affiliations to confront the political and security challenges facing the region;
2. The level of government corruption that undermines such political consensus and unity of purpose, and actions taken to eliminate it;
3. The actions taken by respective security forces and appropriate government entities in developing a counterinsurgency capability, conducting counterinsurgency operations and establishing security and governance on the ground;
4. The actions taken by respective intelligence agencies in cooperating with the United States on counterinsurgency and counterterrorism operations and in terminating policies and programs, and removing personnel, that provide material support to extremist networks that target United States troops or undermine United States objectives in the region;
5. The ability of the Afghan and Pakistani governments to effectively control and govern the territory within their respective borders; and
6. The ways in which United States Government assistance contributed, or failed to contribute, to achieving the actions outlined above.