



One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

August 15, 2023

The Honorable Lloyd J. Austin III
Secretary
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301

Dear Secretary Austin:

Two years ago today, Kabul fell to the Taliban, and Americans and Afghan allies were forced to flee for their lives. This led to a deadly and chaotic evacuation that saw Americans being beaten in the streets by the Taliban, evacuees falling from planes to their doom, and the deadliest day for U.S. troops in Afghanistan in more than a decade, as the result of a terrorist attack at the Abbey Gate at Hamid Karzai International Airport on August 26, 2021.

On March 8, 2023, the House Foreign Affairs Committee heard powerful testimony from former Marine Sergeant Tyler Vargas-Andrews, a sniper gravely wounded in that terrorist attack. In that hearing, he testified that his sniper team believed they identified the suicide bomber responsible for the attack earlier that day, prior to the attack taking place. But, according to Sergeant Vargas-Andrews, they were unable to eliminate the threat due to their leadership's uncertainty as to who held authority to approve action.¹

Sergeant Vargas-Andrews testified, “[t]o this day, we believe he was the suicide bomber. We made everyone on the ground aware. Operations had briefly halted, but, then, started again. Plain and simple, we were ignored. Our expertise was disregarded. No one was held accountable for our safety.”²

At least one day prior to the bombing, intelligence indicated ISIS-K was orchestrating “an imminent ‘mass casualty event’” in Afghanistan, and that Kabul airport was at risk.³ In the early morning on the day of the attack, intelligence was provided to Sergeant Vargas-Andrews and his

¹ *During and After the Fall of Kabul: Examining the Administration's Emergency Evacuation from Afghanistan Before the H. Comm. On Foreign Affs.*, 118th Cong. (2023) (statement of Tyler Vargas-Andrews, Sergeant, U.S. Marine Corps).

² *Id.*

³ Lara Seligman, *Pentagon Prepared for 'Mass Casualty' Attack at Kabul Airport Hours Before Explosion*, Politico (Aug. 30, 2021), <https://www.politico.com/news/2021/08/30/pentagon-mass-casualty-attack-kabul-507481>.

team a description of the bomber, identifying him and noting his presence in the area.⁴ This implies components of the military and others had more than twelve hours of advanced warning.⁵ Additionally, the military's reliance on the Taliban to provide security at the airport created an environment rife with opportunities for security breakdowns.⁶

It is essential to carefully examine these events to assess what happened that day and whether the Abbey Gate attack was avoidable. For two years, not a single person within the Biden Administration has been held accountable for the catastrophic withdrawal from Afghanistan. I will not rest until we uncover every stone and get to the bottom of how this happened and who is responsible for these failures. Our service members, veterans, and our Gold Star families – especially those who lost family on August 26th at Abbey Gate – deserve answers.

To shed light on this issue, the Committee requests a transcribed interview of Sergeant Vargas-Andrews' commanding officer, Lieutenant Colonel Brad Whited, USMC. As you may be aware, he discussed his experience during the Afghanistan withdrawal, including the Abbey Gate attack, in the recent documentary film *Escape From Kabul* along with other Marines.⁷ As such, we expect the Department of Defense will assist in facilitating his appearance before this Committee.

Please arrange by no later than 5:00 pm EDT on August 25, 2023, for this transcribed interview to be conducted on or before September 22, 2023.

The Foreign Affairs Committee exercises legislative and oversight jurisdiction over “[r]elations of the United States with foreign nations generally,” “[d]iplomatic service,” and “[p]rotection of American citizens abroad and expatriation,” pursuant to Rule X, clause 1(i).⁸ The Chairman of the Joint Chiefs of Staff's Joint Publication 3-68 on Noncombatant Evacuation Operations (NEOs) states that, “The decision to evacuate a US embassy is diplomatic and/or political and threat driven and is, therefore, retained by the [Chief of Mission (COM)].”⁹ The Joint Publication further explains that “[d]uring NEOs, the COM, and not the geographic combatant commander (GCC) or the subordinate joint force commander (JFC), is the senior [U.S. Government] authority for the evacuation and, as such, is ultimately responsible for the successful completion of the NEO and the safety of the evacuees.”¹⁰

If you have any questions about this request, your staff may contact Committee staff at (202) 226-8467. Thank you for your attention to this matter.

⁴ See *During and After the Fall of Kabul: Examining the Administration's Emergency Evacuation from Afghanistan Before the H. Comm. On Foreign Affs.*, 118th Cong. (2023) (statement of Tyler Vargas-Andrews, Sergeant, U.S. Marine Corps).

⁵ *Id.*

⁶ See Yaroslav Trofimov & Vivian Salama, *In Its Last Days in Kabul, U.S. Turns to Taliban as a Partner*, WALL ST. J., (Aug. 27, 2021), <https://www.wsj.com/articles/in-its-last-days-in-kabul-u-s-turns-to-taliban-as-a-partner-11630105650>.

⁷ ESCAPE FROM KABUL (HBO 2022).

⁸ *Id.*

⁹ OFF. OF THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF, DEP'T OF DEF., JOINT PUBL'N 3-68, NONCOMBATANT EVACUATION OPERATIONS (2015), https://irp.fas.org/doddir/dod/jp3_68.pdf.

¹⁰ *Id.*

I look forward to your prompt reply.

Sincerely,

A handwritten signature in blue ink that reads "Michael T. McCaul". The signature is written in a cursive, flowing style.

Michael T. McCaul
Chairman
House Foreign Affairs Committee

CC:

General Mark Milley
Chairman, Joint Chiefs of Staff

Rep. Mike Rogers, Chairman
House Armed Services Committee

Rep. Gregory W. Meeks, Ranking Member
House Foreign Affairs Committee

Rep. Adam Smith, Ranking Member
House Armed Services Committee