

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 2d Sess.

H. R. 192

To establish an interagency program to assist countries in North and West Africa to improve immediate and long-term capabilities to counter terrorist threats, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. RISCH (for himself and Mr.
MENENDEZ)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Trans-Sahara Counter-
5 terrorism Partnership Program Act of 2020”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) terrorist and violent extremist organiza-
9 tions, such as Al Qaeda in the Islamic Maghreb,
10 Boko Haram, the Islamic State of West Africa, and

1 other affiliated groups, have killed tens of thousands
2 of innocent civilians, displaced populations, desta-
3 bilized local and national governments, and caused
4 mass human suffering in the affected communities;

5 (2) poor governance, political and economic
6 marginalization, and lack of accountability for
7 human rights abuses by security forces are drivers
8 of extremism;

9 (3) it is in the national security interest of the
10 United States to combat the spread of terrorism and
11 violent extremism and build the capacity of partner
12 countries to combat these threats in Africa;

13 (4) terrorist and violent extremist organizations
14 exploit vulnerable and marginalized communities
15 suffering from poverty, lack of economic opportunity
16 (particularly among youth populations), corruption,
17 and weak governance; and

18 (5) a comprehensive, coordinated interagency
19 approach is needed to develop an effective strategy
20 to address the security challenges in the Sahel-
21 Maghreb, appropriately allocate resources, de-con-
22 flict programs, and maximize the effectiveness of
23 United States defense, diplomatic, and development
24 capabilities.

1 **SEC. 3. STATEMENT OF POLICY.**

2 It is the policy of the United States to assist coun-
3 tries in North and West Africa, and other allies and part-
4 ners active in those regions, in combating terrorism and
5 violent extremism through a coordinated interagency ap-
6 proach with a consistent strategy that appropriately bal-
7 ances security activities with diplomatic and development
8 efforts to address the political, socioeconomic, governance,
9 and development challenges in North and West Africa that
10 contribute to terrorism and violent extremism.

11 **SEC. 4. TRANS-SAHARA COUNTERTERRORISM PARTNER-**
12 **SHIP PROGRAM.**

13 (a) TRANS-SAHARA COUNTERTERRORISM PARTNER-
14 SHIP PROGRAM.—

15 (1) ESTABLISHMENT.—The Secretary of State,
16 in consultation with the Secretary of Defense and
17 the Administrator of the United States Agency for
18 International Development, shall establish a partner-
19 ship program, to be known as the “Trans-Sahara
20 Counterterrorism Partnership (TSCTP) Program”
21 to coordinate all programs, projects, and activities of
22 the United States Government in countries in North
23 and West Africa that are conducted for any of the
24 following purposes:

25 (A) To improve governance and the capac-
26 ities of countries in North and West Africa to

1 deliver basic services, particularly with at-risk
2 communities, as a means of countering ter-
3 rorism and violent extremism by enhancing
4 state legitimacy and authority and countering
5 corruption.

6 (B) To address the factors that make peo-
7 ple and communities vulnerable to recruitment
8 by terrorist and violent extremist organizations,
9 including economic vulnerability and mistrust of
10 government and government security forces,
11 through activities such as—

12 (i) supporting strategies that increase
13 youth employment opportunities;

14 (ii) promoting girls' education and
15 women's political participation;

16 (iii) strengthening local governance
17 and civil society capacity;

18 (iv) improving government trans-
19 parency and accountability;

20 (v) fighting corruption;

21 (vi) improving access to economic op-
22 portunities; and

23 (vii) other development activities nec-
24 essary to support community resilience.

1 (C) To strengthen the rule of law in such
2 countries, including by enhancing the capability
3 of the judicial institutions to independently,
4 transparently, and credibly deter, investigate,
5 and prosecute acts of terrorism and violent ex-
6 tremism.

7 (D) To improve the ability of military and
8 law enforcement entities in partner countries to
9 detect, disrupt, respond to, and prosecute vio-
10 lent extremist and terrorist activity while re-
11 specting human rights, and to cooperate with
12 the United States and other partner countries
13 on counterterrorism and counter-extremism ef-
14 forts.

15 (E) To enhance the border security capac-
16 ity of partner countries, including the ability to
17 monitor, detain, and interdict terrorists.

18 (F) To identify, monitor, disrupt, and
19 counter the human capital and financing pipe-
20 lines of terrorism.

21 (G) To support the free expression and op-
22 erations of independent, local-language media,
23 particularly in rural areas, while countering the
24 media operations and recruitment propaganda
25 of terrorist and violent extremist organizations.

1 (2) ASSISTANCE FRAMEWORK.—Activities car-
2 ried out under the TSCTP Program shall—

3 (A) be carried out in countries where the
4 Secretary of State, in consultation with the Sec-
5 retary of Defense and the Administrator of the
6 United States Agency for International Devel-
7 opment, determines that there is an adequate
8 level of partner country commitment, and has
9 considered partner country needs, absorptive
10 capacity, sustainment capacity, and efforts of
11 other donors in the sector;

12 (B) have clearly defined outcomes;

13 (C) be closely coordinated among United
14 States diplomatic and development missions,
15 United States Africa Command, and relevant
16 participating departments and agencies;

17 (D) have specific plans with robust indica-
18 tors to regularly monitor and evaluate outcomes
19 and impact;

20 (E) complement and enhance efforts to
21 promote democratic governance, the rule of law,
22 human rights, and economic growth;

23 (F) in the case of train and equip pro-
24 grams, complement longer-term security sector
25 institution-building; and

1 (G) have mechanisms in place to track re-
2 sources and routinely monitor and evaluate the
3 efficacy of relevant programs.

4 (3) CONSULTATION.—In coordinating activities
5 through the TSCTP Program, the Secretary of
6 State shall also consult, as appropriate, with the Di-
7 rector of National Intelligence, the Secretary of the
8 Treasury, the Attorney General, the Chief Executive
9 Officer of the United States Agency for Global
10 Media (formerly known as the Broadcasting Board
11 of Governors), and the heads of other relevant Fed-
12 eral departments and agencies, as determined by the
13 President.

14 (4) CONGRESSIONAL NOTIFICATION.—Not later
15 than 15 days before obligating amounts for an activ-
16 ity coordinated through the TSCTP Program pursu-
17 ant to paragraph (1), the Secretary of State shall
18 submit a notification to the appropriate congres-
19 sional committees, in accordance with the require-
20 ments of section 634A of the Foreign Assistance Act
21 of 1961 (22 U.S.C. 2394–1), that includes the fol-
22 lowing:

23 (A) The foreign country and entity, as ap-
24 plicable, whose capabilities are to be enhanced

1 in accordance with the purposes specified in
2 paragraph (1).

3 (B) The amount, type, and purpose of sup-
4 port to be provided.

5 (C) An assessment of the absorptive capac-
6 ity of the foreign country to effectively imple-
7 ment the assistance to be provided.

8 (D) The anticipated implementation
9 timeline for the activity.

10 (E) As applicable, a description of the
11 plans to sustain any military or security equip-
12 ment provided beyond the completion date of
13 such activity, and the estimated cost and source
14 of funds to support such sustainment.

15 (b) INTERNATIONAL COORDINATION.—Efforts car-
16 ried out under this section shall take into account partner
17 country counterterrorism, counter-extremism, and devel-
18 opment strategies and, to the extent practicable, shall be
19 aligned with such strategies. Such efforts shall be coordi-
20 nated with counterterrorism and counter-extremism activi-
21 ties and programs in the areas of defense, diplomacy, and
22 development carried out by other like-minded donors and
23 international organizations in the relevant country.

24 (c) STRATEGIES.— Not later than 180 days after the
25 date of the enactment of this Act, the Secretary of State,

1 in consultation with the Secretary of Defense and the Ad-
2 ministrator of the United States Agency for International
3 Development and other relevant Federal Government
4 agencies, shall submit to the appropriate congressional
5 committees the following strategies:

6 (1) A COMPREHENSIVE FIVE-YEAR STRATEGY
7 FOR THE SAHEL-MAGHREB.—A comprehensive five-
8 year strategy for the Sahel-Maghreb, including de-
9 tails related to whole-of-government efforts in the
10 areas of defense, diplomacy, and development to ad-
11 vance the national security, economic, and humani-
12 tarian interests of the United States, including—

13 (A) efforts to ensure coordination with
14 multilateral and bilateral partners, such as the
15 Joint Force of the Group of Five of the Sahel,
16 and with other relevant assistance frameworks;

17 (B) a public diplomacy strategy and ac-
18 tions to ensure that populations in the Sahel-
19 Maghreb are aware of the development activi-
20 ties of the United States Government, especially
21 in countries with a significant Department of
22 Defense presence or engagement through train
23 and equip programs;

24 (C) activities aimed at supporting demo-
25 cratic institutions and countering violent extre-

1 mism with measurable goals and transparent
2 benchmarks;

3 (D) plans to help each partner country ad-
4 dress humanitarian and development needs and
5 to help prevent, respond to, and mitigate inter-
6 communal violence;

7 (E) a comprehensive plan to support secu-
8 rity sector reform in each partner country that
9 includes a detailed section on programs and ac-
10 tivities being undertaken by relevant stake-
11 holders and other international actors operating
12 in the sector; and

13 (F) a specific strategy for Mali that in-
14 cludes plans for sustained, high-level diplomatic
15 engagement with stakeholders, including coun-
16 tries in Europe and the Middle East with inter-
17 ests in the Sahel-Maghreb, regional govern-
18 ments, relevant multilateral organizations, sig-
19 natory groups of the 2015 Agreement for Peace
20 and Reconciliation in Mali, and civil society ac-
21 tors.

22 (2) A COMPREHENSIVE FIVE-YEAR STRATEGY
23 FOR TSCTP PROGRAM COUNTERTERRORISM EF-
24 FORTS.—A comprehensive five-year strategy for the
25 TSCTP Program that includes—

1 (A) a clear statement of the objectives of
2 United States counterterrorism efforts in North
3 and West Africa with respect to the use of all
4 forms of United States assistance to combat
5 terrorism and counter violent extremism, in-
6 cluding efforts to build military and civilian law
7 enforcement capacity, strengthen the rule of
8 law, promote responsive and accountable gov-
9 ernance, and address the root causes of ter-
10 rorism and violent extremism;

11 (B) a plan for coordinating programs
12 through the TSCTP Program pursuant to sub-
13 section (a)(1), including an identification of
14 which agency or bureau of the Department of
15 State, as applicable, will be responsible for lead-
16 ing and coordinating each such program;

17 (C) a plan to monitor, evaluate, and share
18 data and learning about the TSCTP Program
19 in accordance with monitoring and evaluation
20 provisions of sections 3 and 4 of the Foreign
21 Aid Transparency and Accountability Act of
22 2016 (Public Law 114–191); and

23 (D) a plan for ensuring coordination and
24 compliance with related requirements in United
25 States law, including the Global Fragility Act of

1 2019 (title V of division J of Public Law 116–
2 94).

3 (d) SUPPORTING MATERIAL IN ANNUAL BUDGET
4 REQUEST.—The Secretary of State shall include in the
5 budget materials submitted to Congress in support of the
6 President’s annual budget request (submitted to Congress
7 pursuant to section 1105 of title 31, United States Code)
8 for each fiscal year beginning after the date of the enact-
9 ment of this Act and annually thereafter for five years,
10 a description of the requirements, activities, and planned
11 allocation of amounts requested by the TSCTP Program.

12 (e) MONITORING AND EVALUATION OF PROGRAMS
13 AND ACTIVITIES.—Not later than one year after the date
14 of the enactment of this Act, and annually thereafter for
15 five years, the Secretary of State, in consultation with the
16 Secretary of Defense and the Administrator of the United
17 States Agency for International Development, shall submit
18 to the appropriate congressional committees a report that
19 describes—

20 (1) the progress made in meeting the objectives
21 of the strategies required under paragraphs (1) and
22 (2) of subsection (c), including any lessons learned
23 in carrying out TSCTP Program activities and any
24 recommendations for improving such programs and
25 activities;

1 (2) the efforts taken to coordinate, de-conflict,
2 and streamline TSCTP Program activities to maxi-
3 mize resource effectiveness;

4 (3) the extent to which each partner country
5 has demonstrated the ability to absorb the equip-
6 ment or training provided in the previous year under
7 the TSCTP Program, and where applicable, the abil-
8 ity to maintain and appropriately utilize such equip-
9 ment;

10 (4) the extent to which each partner country is
11 investing its own resources to advance the goals de-
12 scribed in subsection (a)(1) or is demonstrating a
13 commitment and willingness to cooperate with the
14 United States to advance such goals;

15 (5) the actions taken by the government of each
16 partner country receiving assistance under the
17 TSCTP Program to combat corruption, improve
18 transparency and accountability, and promote other
19 forms of democratic governance;

20 (6) the assistance provided in each of the three
21 preceding fiscal years under this program, broken
22 down by partner country, to include the type, statu-
23 tory authorization, and purpose of all United States
24 security assistance provided to the country pursuant
25 to authorities under title 10, United States Code,

1 the Foreign Assistance Act of 1961 (22 U.S.C. 2151
2 et seq.), or any other “train and equip” authorities
3 of the Department of Defense; and

4 (7) any changes or updates to the Comprehen-
5 sive Five-Year Strategy for the TSCTP Program re-
6 quired under paragraph (2) of subsection (c) neces-
7 sitated by the findings in this annual report.

8 (f) FORM.—The strategies required under para-
9 graphs (1) and (2) of subsection (c) and the report re-
10 quired by subsection (e) shall be submitted in unclassified
11 form but may include a classified annex.

12 (g) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—In this section, the term “appropriate con-
14 gressional committees” means—

15 (1) the Committee on Foreign Relations, the
16 Committee on Armed Services, the Committee on
17 Appropriations, and the Select Committee on Intel-
18 ligence of the Senate; and

19 (2) the Committee on Foreign Affairs, the
20 Committee on Armed Services, the Committee on
21 Appropriations, and the Permanent Select Com-
22 mittee on Intelligence of the House of Representa-
23 tives.