

117TH CONGRESS  
1ST SESSION

# H. R. 567

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## AN ACT

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.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Trans-Sahara Counter-  
3 terrorism Partnership Program Act of 2021”.

4 **SEC. 2. SENSE OF CONGRESS.**

5       It is the sense of Congress that—

6           (1) terrorist and violent extremist organiza-  
7 tions, such as Al Qaeda in the Islamic Maghreb,  
8 Boko Haram, the Islamic State of West Africa, and  
9 other affiliated groups, have killed tens of thousands  
10 of innocent civilians, displaced populations, desta-  
11 bilized local and national governments, and caused  
12 mass human suffering in the affected communities;

13           (2) poor governance, political and economic  
14 marginalization, and lack of accountability for  
15 human rights abuses by security forces are drivers  
16 of extremism;

17           (3) it is in the national security interest of the  
18 United States to combat the spread of terrorism and  
19 violent extremism and build the capacity of partner  
20 countries to combat these threats in Africa;

21           (4) terrorist and violent extremist organizations  
22 exploit vulnerable and marginalized communities  
23 suffering from poverty, lack of economic opportunity  
24 (particularly among youth populations), corruption,  
25 and weak governance; and

1           (5) a comprehensive, coordinated interagency  
2       approach is needed to develop an effective strategy  
3       to address the security challenges in the Sahel-  
4       Maghreb, appropriately allocate resources, de-con-  
5       flict programs, and maximize the effectiveness of  
6       United States defense, diplomatic, and development  
7       capabilities.

8   **SEC. 3. STATEMENT OF POLICY.**

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

18   **SEC. 4. TRANS-SAHARA COUNTERTERRORISM PARTNER-**  
19                   **SHIP PROGRAM.**

20       (a) TRANS-SAHARA COUNTERTERRORISM PARTNER-  
21   SHIP PROGRAM.—

22           (1) ESTABLISHMENT.—The Secretary of State,  
23       in consultation with the Secretary of Defense and  
24       the Administrator of the United States Agency for  
25       International Development, shall establish a partner-

1 ship program, to be known as the “Trans-Sahara  
2 Counterterrorism Partnership (TSCTP) Program”  
3 to coordinate all programs, projects, and activities of  
4 the United States Government in countries in North  
5 and West Africa that are conducted for any of the  
6 following purposes:

7 (A) To improve governance and the capac-  
8 ities of countries in North and West Africa to  
9 deliver basic services, particularly with at-risk  
10 communities, as a means of countering ter-  
11 rorism and violent extremism by enhancing  
12 state legitimacy and authority and countering  
13 corruption.

14 (B) To address the factors that make peo-  
15 ple and communities vulnerable to recruitment  
16 by terrorist and violent extremist organizations,  
17 including economic vulnerability and mistrust of  
18 government and government security forces,  
19 through activities such as—

20 (i) supporting strategies that increase  
21 youth employment opportunities;

22 (ii) promoting girls’ education and  
23 women’s political participation;

24 (iii) strengthening local governance  
25 and civil society capacity;

1 (iv) improving government trans-  
2 parency and accountability;

3 (v) fighting corruption;

4 (vi) improving access to economic op-  
5 portunities; and

6 (vii) other development activities nec-  
7 essary to support community resilience.

8 (C) To strengthen the rule of law in such  
9 countries, including by enhancing the capability  
10 of the judicial institutions to independently,  
11 transparently, and credibly deter, investigate,  
12 and prosecute acts of terrorism and violent ex-  
13 tremism.

14 (D) To improve the ability of military and  
15 law enforcement entities in partner countries to  
16 detect, disrupt, respond to, and prosecute vio-  
17 lent extremist and terrorist activity while re-  
18 specting human rights, and to cooperate with  
19 the United States and other partner countries  
20 on counterterrorism and counter-extremism ef-  
21 forts.

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

1           (F) To identify, monitor, disrupt, and  
2           counter the human capital and financing pipe-  
3           lines of terrorism.

4           (G) To support the free expression and op-  
5           erations of independent, local-language media,  
6           particularly in rural areas, while countering the  
7           media operations and recruitment propaganda  
8           of terrorist and violent extremist organizations.

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

11           (A) be carried out in countries where the  
12           Secretary of State, in consultation with the Sec-  
13           retary of Defense and the Administrator of the  
14           United States Agency for International Devel-  
15           opment, determines that there is an adequate  
16           level of partner country commitment, and has  
17           considered partner country needs, absorptive  
18           capacity, sustainment capacity, and efforts of  
19           other donors in the sector;

20           (B) have clearly defined outcomes;

21           (C) be closely coordinated among United  
22           States diplomatic and development missions,  
23           United States Africa Command, and relevant  
24           participating departments and agencies;

1 (D) have specific plans with robust indica-  
2 tors to regularly monitor and evaluate outcomes  
3 and impact;

4 (E) complement and enhance efforts to  
5 promote democratic governance, the rule of law,  
6 human rights, and economic growth;

7 (F) in the case of train and equip pro-  
8 grams, complement longer-term security sector  
9 institution-building; and

10 (G) have mechanisms in place to track re-  
11 sources and routinely monitor and evaluate the  
12 efficacy of relevant programs.

13 (3) CONSULTATION.—In coordinating activities  
14 through the TSCTP Program, the Secretary of  
15 State shall also establish a coordination mechanism  
16 that ensures periodic consultation with, as appro-  
17 priate, the Director of National Intelligence, the Sec-  
18 retary of the Treasury, the Attorney General, the  
19 Chief Executive Officer of the United States Agency  
20 for Global Media (formerly known as the Broad-  
21 casting Board of Governors), and the heads of other  
22 relevant Federal departments and agencies, as deter-  
23 mined by the President.

24 (4) CONGRESSIONAL NOTIFICATION.—Not later  
25 than 15 days before obligating amounts for an activ-

1       ity of the TSCTP Program pursuant to paragraph  
2       (1), the Secretary of State shall submit a notifica-  
3       tion to the appropriate congressional committees, in  
4       accordance with the requirements of section 634A of  
5       the Foreign Assistance Act of 1961 (22 U.S.C.  
6       2394–1), that includes the following:

7               (A) The foreign country and entity, as ap-  
8               plicable, whose capabilities are to be enhanced  
9               in accordance with the purposes specified in  
10              paragraph (1).

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

13             (C) An assessment of the capacity of the  
14             foreign country to effectively implement, benefit  
15             from, or utilize the assistance to be provided for  
16             the intended purpose.

17             (D) The anticipated implementation  
18             timeline for the activity.

19             (E) As applicable, a description of the  
20             plans to sustain any military or security equip-  
21             ment provided beyond the completion date of  
22             such activity, and the estimated cost and source  
23             of funds to support such sustainment.

24       (b) INTERNATIONAL COORDINATION.—Efforts car-  
25       ried out under this section shall take into account partner

1 country counterterrorism, counter-extremism, and devel-  
2 opment strategies and, to the extent practicable, shall be  
3 aligned with such strategies. Such efforts shall be coordi-  
4 nated with counterterrorism and counter-extremism activi-  
5 ties and programs in the areas of defense, diplomacy, and  
6 development carried out by other like-minded donors and  
7 international organizations in the relevant country.

8 (c) STRATEGIES.—Not later than 270 days after the  
9 date of the enactment of this Act, the Secretary of State,  
10 in consultation with the Secretary of Defense and the Ad-  
11 ministrator of the United States Agency for International  
12 Development and other relevant Federal Government  
13 agencies, shall submit to the appropriate congressional  
14 committees the following strategies:

15 (1) A COMPREHENSIVE FIVE-YEAR STRATEGY  
16 FOR THE SAHEL-MAGHREB.—A comprehensive five-  
17 year strategy for the Sahel-Maghreb, including de-  
18 tails related to whole-of-government efforts in the  
19 areas of defense, diplomacy, and development to ad-  
20 vance the national security, economic, and humani-  
21 tarian interests of the United States, including—

22 (A) efforts to ensure coordination with  
23 multilateral and bilateral partners, such as the  
24 Joint Force of the Group of Five of the Sahel,  
25 and with other relevant assistance frameworks;

1 (B) a public diplomacy strategy and ac-  
2 tions to ensure that populations in the Sahel-  
3 Maghreb are aware of the development activi-  
4 ties of the United States Government, especially  
5 in countries with a significant Department of  
6 Defense presence or engagement through train  
7 and equip programs;

8 (C) activities aimed at supporting demo-  
9 cratic institutions and countering violent extre-  
10 mism with measurable goals and transparent  
11 benchmarks;

12 (D) plans to help each partner country ad-  
13 dress humanitarian and development needs and  
14 to help prevent, respond to, and mitigate inter-  
15 communal violence;

16 (E) a comprehensive plan to support secu-  
17 rity sector reform in each partner country that  
18 includes a detailed section on programs and ac-  
19 tivities being undertaken by relevant stake-  
20 holders and other international actors operating  
21 in the sector and that incorporates as appro-  
22 priate any lessons learned from previous initia-  
23 tives to improve security sector governance; and

24 (F) a specific strategy for Mali that in-  
25 cludes plans for sustained, high-level diplomatic

1 engagement with stakeholders, including coun-  
2 tries in Europe and the Middle East with inter-  
3 ests in the Sahel-Maghreb, regional govern-  
4 ments, relevant multilateral organizations, sig-  
5 natory groups of the 2015 Agreement for Peace  
6 and Reconciliation in Mali, and civil society ac-  
7 tors.

8 (2) A COMPREHENSIVE FIVE-YEAR STRATEGY  
9 FOR TSCTP PROGRAM COUNTERTERRORISM EF-  
10 FORTS.—A comprehensive five-year strategy for the  
11 TSCTP Program that includes—

12 (A) a clear statement of the objectives of  
13 United States counterterrorism efforts in North  
14 and West Africa with respect to the use of all  
15 forms of United States assistance to combat  
16 terrorism and counter violent extremism, in-  
17 cluding efforts to build military and civilian law  
18 enforcement capacity, strengthen the rule of  
19 law, promote responsive and accountable gov-  
20 ernance, and address the root causes of ter-  
21 rorism and violent extremism;

22 (B) a plan for coordinating programs  
23 through the TSCTP Program pursuant to sub-  
24 section (a)(1), including an identification of  
25 which agency or bureau of the Department of

1 State, as applicable, will be responsible for lead-  
2 ing, coordinating, and conducting monitoring  
3 and evaluation for each such program, and the  
4 process for enabling the leading agency or bu-  
5 reau to establish standards, compel partners to  
6 adhere to those standards, and report results;

7 (C) a plan to monitor, evaluate, and share  
8 data and learning about the TSCTP Program  
9 that includes quantifiable baselines, targets,  
10 and results in accordance with monitoring and  
11 evaluation provisions of sections 3 and 4 of the  
12 Foreign Aid Transparency and Accountability  
13 Act of 2016 (Public Law 114–191); and

14 (D) a plan for ensuring coordination and  
15 compliance with related requirements in United  
16 States law, including the Global Fragility Act of  
17 2019 (title V of division J of the Further Con-  
18 solidated Appropriations Act, 2020 (Public Law  
19 116–94)).

20 (3) CONSULTATION.—Not later than 90 days  
21 after the date of the enactment of this Act, the De-  
22 partment of State shall consult with appropriate  
23 congressional committees on progress made towards  
24 developing the strategies required in paragraphs (1)  
25 and (2).

1       (d) SUPPORTING MATERIAL IN ANNUAL BUDGET  
2 REQUEST.—The Secretary of State shall include in the  
3 budget materials submitted to Congress in support of the  
4 President’s annual budget request (submitted to Congress  
5 pursuant to section 1105 of title 31, United States Code)  
6 for each fiscal year beginning after the date of the enact-  
7 ment of this Act, and annually thereafter for five years,  
8 a description of the requirements, activities, and planned  
9 allocation of amounts requested by the TSCTP Program.  
10 This requirement does not apply to activities of the De-  
11 partment of Defense conducted pursuant to authorities  
12 under title 10, United States Code.

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

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

1 recommendations for improving such programs and  
2 activities;

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

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

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

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

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

1 security assistance provided to the country pursuant  
2 to authorities under title 10, United States Code,  
3 the Foreign Assistance Act of 1961 (22 U.S.C. 2151  
4 et seq.), or any other “train and equip” authorities  
5 of the Department of Defense; and

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

10 (f) REPORTING REQUIREMENT RELATED TO AUDIT  
11 OF BUREAU OF AFRICAN AFFAIRS MONITORING AND CO-  
12 ORDINATION OF THE TRANS-SAHARA COUNTERTER-  
13 RORISM PARTNERSHIP PROGRAM.—Not later than 90  
14 days after the date of the enactment of this Act, and every  
15 120 days thereafter until all 13 recommendations in the  
16 September 2020 Department of State Office of Inspector  
17 General audit entitled “Audit of the Department of State  
18 Bureau of African Affairs Monitoring and Coordination  
19 of the Trans-Sahara Counterterrorism Partnership Pro-  
20 gram” (AUD–MERO–20–42) are closed or until the date  
21 that is three years after the date of the enactment of this  
22 Act, whichever is earlier, the Secretary of State shall sub-  
23 mit to the appropriate congressional committees a report  
24 that identifies—

1           (1) which of the 13 recommendations in AUD-  
2       MERO-20-42 have not been closed;

3           (2) a description of progress made since the  
4       last report toward closing each recommendation  
5       identified under paragraph (1);

6           (3) additional resources needed, including as-  
7       sessment of staffing capacity, if any, to complete ac-  
8       tion required to close each recommendation identi-  
9       fied under paragraph (1); and

10          (4) the anticipated timeline for completion of  
11       action required to close each recommendation identi-  
12       fied under paragraph (1), including application of all  
13       recommendations into all existing security assistance  
14       programs managed by the Department of State  
15       under the TSCTP Program.

16       (g) PROGRAM ADMINISTRATION.—Not later than 120  
17   days after the date of the enactment of this Act, the Sec-  
18   retary of State shall report to Congress plans for con-  
19   ducting a written review of a representative sample of each  
20   of the security assistance programs administered by the  
21   Bureau of African Affairs to identify potential waste,  
22   fraud, abuse, inefficiencies, or deficiencies. The review  
23   shall include an analysis of staff capacity, including  
24   human resource needs, available resources, procedural  
25   guidance, and monitoring and evaluation processes to en-

1 sure the Bureau of African Affairs is managing programs  
2 efficiently and effectively.

3 (h) FORM.—The strategies required under para-  
4 graphs (1) and (2) of subsection (c) and the reports re-  
5 quired under subsections (e), (f), and (g) shall be sub-  
6 mitted in unclassified form but may include a classified  
7 annex.

8 (i) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
9 FINED.—In this section, the term “appropriate congres-  
10 sional committees” means—

11 (1) the Committee on Foreign Relations, the  
12 Committee on Armed Services, the Committee on  
13 Appropriations, and the Select Committee on Intel-  
14 ligence of the Senate; and

15 (2) the Committee on Foreign Affairs, the  
16 Committee on Armed Services, the Committee on  
17 Appropriations, and the Permanent Select Com-  
18 mittee on Intelligence of the House of Representa-  
19 tives.

Passed the House of Representatives June 29, 2021.

Attest:

*Clerk.*

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