

117TH CONGRESS
1ST SESSION

H. R. 567

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Mr. McCAUL introduced the following bill; which was referred to the
Committee on Foreign Affairs

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

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

7 It is the sense of Congress that—

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

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

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

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

21 (5) a comprehensive, coordinated interagency
22 approach is needed to develop an effective strategy
23 to address the security challenges in the Sahel-
24 Maghreb, appropriately allocate resources, de-con-
25 flict programs, and maximize the effectiveness of

1 United States defense, diplomatic, and development
2 capabilities.

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

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

13 **SEC. 4. TRANS-SAHARA COUNTERTERRORISM PARTNER-**
14 **SHIP PROGRAM.**

15 (a) TRANS-SAHARA COUNTERTERRORISM PARTNER-
16 SHIP PROGRAM.—

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

1 and West Africa that are conducted for any of the
2 following purposes:

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

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

16 (i) supporting strategies that increase
17 youth employment opportunities;

18 (ii) promoting girls' education and
19 women's political participation;

20 (iii) strengthening local governance
21 and civil society capacity;

22 (iv) improving government trans-
23 parency and accountability;

24 (v) fighting corruption;

1 (vi) improving access to economic op-
2 portunities; and

3 (vii) other development activities nec-
4 essary to support community resilience.

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

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

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

22 (F) To identify, monitor, disrupt, and
23 counter the human capital and financing pipe-
24 lines of terrorism.

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

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

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

17 (B) have clearly defined outcomes;

18 (C) be closely coordinated among United
19 States diplomatic and development missions,
20 United States Africa Command, and relevant
21 participating departments and agencies;

22 (D) have specific plans with robust indica-
23 tors to regularly monitor and evaluate outcomes
24 and impact;

1 (E) complement and enhance efforts to
2 promote democratic governance, the rule of law,
3 human rights, and economic growth;

4 (F) in the case of train and equip pro-
5 grams, complement longer-term security sector
6 institution-building; and

7 (G) have mechanisms in place to track re-
8 sources and routinely monitor and evaluate the
9 efficacy of relevant programs.

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

21 (4) CONGRESSIONAL NOTIFICATION.—

22 (A) IN GENERAL.—Not later than 15 days
23 before obligating amounts for an activity of the
24 TSCTP Program pursuant to paragraph (1),
25 the Secretary of State shall submit a notifica-

1 tion to the appropriate congressional commit-
2 tees, in accordance with the requirements of
3 section 634A of the Foreign Assistance Act of
4 1961 (22 U.S.C. 2394–1), that includes the fol-
5 lowing:

6 (i) The foreign country and entity, as
7 applicable, whose capabilities are to be en-
8 hanced in accordance with the purposes
9 specified in paragraph (1).

10 (ii) The amount, type, and purpose of
11 support to be provided.

12 (iii) An assessment of the capacity of
13 the foreign country to effectively imple-
14 ment, benefit from, or utilize the assist-
15 ance to be provided for the intended pur-
16 pose.

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

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

1 (B) EXCEPTION.—The notification require-
2 ment under subparagraph (A) does not apply to
3 activities of the Department of Defense con-
4 ducted pursuant to authorities under title 10,
5 United States Code.

6 (b) INTERNATIONAL COORDINATION.—Efforts car-
7 ried out under this section shall take into account partner
8 country counterterrorism, counter-extremism, and devel-
9 opment strategies and, to the extent practicable, shall be
10 aligned with such strategies. Such efforts shall be coordi-
11 nated with counterterrorism and counter-extremism activi-
12 ties and programs in the areas of defense, diplomacy, and
13 development carried out by other like-minded donors and
14 international organizations in the relevant country.

15 (c) STRATEGIES.—Not later than 270 days after the
16 date of the enactment of this Act, the Secretary of State,
17 in consultation with the Secretary of Defense and the Ad-
18 ministrator of the United States Agency for International
19 Development and other relevant Federal Government
20 agencies, shall submit to the appropriate congressional
21 committees the following strategies:

22 (1) A COMPREHENSIVE FIVE-YEAR STRATEGY
23 FOR THE SAHEL-MAGHREB.—A comprehensive five-
24 year strategy for the Sahel-Maghreb, including de-
25 tails related to whole-of-government efforts in the

1 areas of defense, diplomacy, and development to ad-
2 vance the national security, economic, and humani-
3 tarian interests of the United States, including—

4 (A) efforts to ensure coordination with
5 multilateral and bilateral partners, such as the
6 Joint Force of the Group of Five of the Sahel,
7 and with other relevant assistance frameworks;

8 (B) a public diplomacy strategy and ac-
9 tions to ensure that populations in the Sahel-
10 Maghreb are aware of the development activi-
11 ties of the United States Government, especially
12 in countries with a significant Department of
13 Defense presence or engagement through train
14 and equip programs;

15 (C) activities aimed at supporting demo-
16 cratic institutions and countering violent extre-
17 mism with measurable goals and transparent
18 benchmarks;

19 (D) plans to help each partner country ad-
20 dress humanitarian and development needs and
21 to help prevent, respond to, and mitigate inter-
22 communal violence;

23 (E) a comprehensive plan to support secu-
24 rity sector reform in each partner country that
25 includes a detailed section on programs and ac-

1 activities being undertaken by relevant stake-
2 holders and other international actors operating
3 in the sector; and

4 (F) a specific strategy for Mali that in-
5 cludes plans for sustained, high-level diplomatic
6 engagement with stakeholders, including coun-
7 tries in Europe and the Middle East with inter-
8 ests in the Sahel-Maghreb, regional govern-
9 ments, relevant multilateral organizations, sig-
10 natory groups of the 2015 Agreement for Peace
11 and Reconciliation in Mali, and civil society ac-
12 tors.

13 (2) A COMPREHENSIVE FIVE-YEAR STRATEGY
14 FOR TSCTP PROGRAM COUNTERTERRORISM EF-
15 FORTS.—A comprehensive five-year strategy for the
16 TSCTP Program that includes—

17 (A) a clear statement of the objectives of
18 United States counterterrorism efforts in North
19 and West Africa with respect to the use of all
20 forms of United States assistance to combat
21 terrorism and counter violent extremism, in-
22 cluding efforts to build military and civilian law
23 enforcement capacity, strengthen the rule of
24 law, promote responsive and accountable gov-

ernance, and address the root causes of terrorism and violent extremism;

(B) a plan for coordinating programs through the TSCTP Program pursuant to subsection (a)(1), including an identification of which agency or bureau of the Department of State, as applicable, will be responsible for leading, coordinating, and conducting monitoring and evaluation for each such program, and the process for enabling the leading agency or bureau to establish standards, compel partners to adhere to those standards, and report results;

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

(D) a plan for ensuring coordination and compliance with related requirements in United States law, including the Global Fragility Act of 2019 (title V of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94)).

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

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

19 (e) MONITORING AND EVALUATION OF PROGRAMS
20 AND ACTIVITIES.—Not later than one year after the date
21 of the enactment of this Act, and annually thereafter for
22 five years, the Secretary of State, in consultation with the
23 Secretary of Defense and the Administrator of the United
24 States Agency for International Development, shall submit

1 to the appropriate congressional committees a report that
2 describes—

3 (1) the progress made in meeting the objectives
4 of the strategies required under paragraphs (1) and
5 (2) of subsection (c), including any lessons learned
6 in carrying out TSCTP Program activities and any
7 recommendations for improving such programs and
8 activities;

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

12 (3) the extent to which each partner country
13 has demonstrated the ability to absorb the equip-
14 ment or training provided in the previous year under
15 the TSCTP Program, and where applicable, the abil-
16 ity to maintain and appropriately utilize such equip-
17 ment;

18 (4) the extent to which each partner country is
19 investing its own resources to advance the goals de-
20 scribed in subsection (a)(1) or is demonstrating a
21 commitment and willingness to cooperate with the
22 United States to advance such goals;

23 (5) the actions taken by the government of each
24 partner country receiving assistance under the
25 TSCTP Program to combat corruption, improve

1 transparency and accountability, and promote other
2 forms of democratic governance;

3 (6) the assistance provided in each of the three
4 preceding fiscal years under this program, broken
5 down by partner country, to include the type, statu-
6 tory authorization, and purpose of all United States
7 security assistance provided to the country pursuant
8 to authorities under title 10, United States Code,
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2151
10 et seq.), or any other “train and equip” authorities
11 of the Department of Defense; and

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

16 (f) REPORTING REQUIREMENT RELATED TO AUDIT
17 OF BUREAU OF AFRICAN AFFAIRS MONITORING AND CO-
18 ORDINATION OF THE TRANS-SAHARA COUNTERTER-
19 RORISM PARTNERSHIP PROGRAM.—Not later than 90
20 days after the date of the enactment of this Act, and every
21 120 days thereafter until all 13 recommendations in the
22 September 2020 Department of State Office of Inspector
23 General audit entitled “Audit of the Department of State
24 Bureau of African Affairs Monitoring and Coordination
25 of the Trans-Sahara Counterterrorism Partnership Pro-

1 gram” (AUD-MERO-20-42) are closed or until the date
2 that is three years after the date of the enactment of this
3 Act, whichever is earlier, the Secretary of State shall sub-
4 mit to the appropriate congressional committees a report
5 that identifies—

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

8 (2) a description of progress made since the
9 last report toward closing each recommendation
10 identified under paragraph (1);

11 (3) additional resources needed, including as-
12 sessment of staffing capacity, if any, to complete ac-
13 tion required to close each recommendation identi-
14 fied under paragraph (1); and

15 (4) the anticipated timeline for completion of
16 action required to close each recommendation identi-
17 fied under paragraph (1), including application of all
18 recommendations into all existing security assistance
19 programs managed by the Department of State
20 under the TSCTP Program.

21 (g) PROGRAM ADMINISTRATION.—Not later than 120
22 days after the date of the enactment of this Act, the Sec-
23 retary of State shall report to Congress plans for con-
24 ducting a written review of a representative sample of each
25 of the security assistance programs administered by the

1 Bureau of African Affairs to identify potential waste,
2 fraud, abuse, inefficiencies, or deficiencies. The review
3 shall include an analysis of staff capacity, including
4 human resource needs, available resources, procedural
5 guidance, and monitoring and evaluation processes to en-
6 sure the Bureau of African Affairs is managing programs
7 efficiently and effectively.

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

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

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

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

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