

**AMENDMENT TO RULES COMM. PRINT 116-57**  
**OFFERED BY MR. ENGEL OF NEW YORK**

At the end of subtitle G of title XII, add the following:

1 **SEC. \_\_. PROGRAM TO PREVENT, MITIGATE, AND RESPOND**  
2 **TO CIVILIAN HARM AS A RESULT OF MILI-**  
3 **TARY OPERATIONS IN SOMALIA.**

4 (a) PROGRAM REQUIRED.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, the Sec-  
7 retary of Defense, in coordination with the Secretary  
8 of State, shall develop and implement a program—

9 (A) to prevent, mitigate, and respond to ci-  
10 vilian harm resulting from military operations  
11 to counter al-Shabaab or the Islamic State in  
12 Somalia (ISIS-Somalia); and

13 (B) to enhance the ability for Somali civil-  
14 ians to report instances of civilian harm result-  
15 ing from—

16 (i) any operations conducted by  
17 United States Armed Forces; and

18 (ii) any operations in which United  
19 States Armed Forces provided operational

1 support to the Somali Army or the African  
2 Union Mission in Somalia (AMISOM).

3 (2) COORDINATION.—The program required by  
4 this subsection shall be carried out in accordance  
5 with—

6 (A) section 1213 of the National Defense  
7 Authorization Act for Fiscal Year 2020 (Public  
8 Law 116–92);

9 (B) section 936 of the John S. McCain  
10 National Defense Authorization Act for Fiscal  
11 Year 2019 (10 U.S.C. 134 note); and

12 (C) section 1057 of the National Defense  
13 Authorization Act for Fiscal Year 2018.

14 (b) SCOPE OF PROGRAM.—The program required by  
15 subsection (a) shall include the following:

16 (1) Measures in accordance with section 1057  
17 of the National Defense Authorization Act for Fiscal  
18 Year 2018 to improve the ability of the Somali Na-  
19 tional Army, AMISOM, the United States military,  
20 and United States contractors to prevent, mitigate,  
21 and respond to instances of civilian harm as a result  
22 of military operations to counter al-Shabaab or  
23 ISIS-Somalia.

24 (2) Measures in accordance with section 1057  
25 of the National Defense Authorization Act for Fiscal

1 Year 2018 and section 936 of the John S. McCain  
2 National Defense Authorization Act for Fiscal Year  
3 2019 (10 U.S.C. 134 note) to improve coordination  
4 among international actors involved in military oper-  
5 ations in Somalia, to include AMISOM, with regard  
6 to preventing and mitigating civilian casualties, and  
7 collecting data and reporting on such incidents when  
8 they occur.

9 (3) Specific measures relating to compliance by  
10 Somalia with section 936(b)(3) of the John S.  
11 McCain National Defense Authorization Act for Fis-  
12 cal Year 2019 (10 U.S.C. 134 note), to include  
13 measures to ensure that Somali civilians, including  
14 those without reliable access to the internet, and  
15 credible local or international nongovernmental orga-  
16 nizations, can report civilian harm, including death,  
17 injury, or damage to civilian infrastructure, resulting  
18 from United States operations and partner oper-  
19 ations; and

20 (4) Measures to ensure that ex gratia payments  
21 and other assistance are made available as appro-  
22 priate in accordance with section 1213 of the Na-  
23 tional Defense Authorization Act for Fiscal Year  
24 2020 (Public Law 116–92).

25 (c) REPORT.—

1           (1) IN GENERAL.—Not later than 1 year after  
2           the date of the enactment of this Act, the Secretary  
3           of Defense, in coordination with the Secretary of  
4           State, shall submit to the appropriate congressional  
5           committees a report on the measures that have been  
6           taken to implement the program required by sub-  
7           section (a).

8           (2) FORM.—The report required by this sub-  
9           section shall be submitted in unclassified form, but  
10          may include a classified annex.

11          (d) DEFINITIONS.—In this section:

12           (1) APPROPRIATE CONGRESSIONAL COMMIT-  
13          TEES.—The term “appropriate congressional com-  
14          mittees” means—

15           (A) the Committee on Armed Services and  
16          the Committee on Foreign Affairs of the House  
17          of Representatives; and

18           (B) the Committee on Armed Services and  
19          the Committee on Foreign Relations of the Sen-  
20          ate.

21           (2) OPERATIONAL SUPPORT.—The term “oper-  
22          ational support” means training, advising, com-  
23          manding, coordinating, participating in the move-  
24          ment of, or accompanying Somali Army or AMISOM  
25          forces, providing such forces with medevac or other

1 medical aid, aerial refueling, intelligence, surveil-  
2 lance, or reconnaissance, or close air support for op-  
3 erations.

