

AMENDMENT TO RULES COMM. PRINT 118-36
OFFERED BY MS. JACOBS OF CALIFORNIA

At the end of subtitle A of title XII, insert the following:

1 **SEC. 12 ____ . REVIEW AND STRATEGY WITH RESPECT TO**
2 **UNITED STATES SECURITY COOPERATION**
3 **AND SECURITY ASSISTANCE PROGRAMS.**

4 (a) REVIEW.—Not later than 90 days after the date
5 of the enactment of this Act, the Secretary of State and
6 Secretary of Defense shall jointly submit to the appropriate congressional committees the results of a case-by-
7 case review of United States security assistance, security
8 cooperation, and related programming, including each program listed under subsection (g), made available to each
9 of the covered countries. Such review shall also include
10 a determination whether United States national security
11 interests, including the human rights records of such
12 countries, necessitate the continuation of any of the programs listed under subsection (g) or any other form of
13 United States security assistance or security cooperation
14 made available to such countries to carry out those interests over the past 3 fiscal years.

1 (b) STRATEGY.—Not later than 270 days after the
2 date of the enactment of this Act, the Secretary of State
3 and Secretary of Defense shall jointly submit to the appro-
4 priate congressional committees a strategy, in consultation
5 with the heads of other relevant Federal agencies, for
6 United States engagement with covered countries, includ-
7 ing with respect to any continuation of the programs listed
8 under subsection (g) for such covered countries, consistent
9 with the determinations from the applicable review re-
10 quired by subsection (a) and other relevant provisions of
11 law, as appropriate. Such strategy shall also include the
12 development and application of a set of criteria and stand-
13 ard framework to assess each covered country’s eligibility
14 for, and the appropriateness of providing, continued secu-
15 rity assistance and security cooperation programs listed
16 under subsection (g). These criteria shall include—

17 (1) whether such assistance is prohibited by any
18 provision of law;

19 (2) any applicable authority, exception, waiver,
20 or similar provision enabling the continuation of
21 such assistance notwithstanding such prohibition;

22 (3) an assessment of the national security, dip-
23 lomatic, and other risks associated with continuing
24 or halting security assistance and security coopera-
25 tion programs as well as possible mitigation efforts

1 for those risks, and relevant United States interests;
2 and

3 (4) consideration of the applicable country's—

4 (A) progress toward holding free and fair
5 elections; and

6 (B) human rights record, including that of
7 state security forces.

8 (c) **PRIOR SUBMISSION REQUIRED.**— Notwith-
9 standing the deadlines provided in subsections (a) and (b),
10 with respect to a country described in subsection (f)(2),
11 a review and strategy described in such subsections with
12 respect to such country shall be submitted separately to
13 the appropriate congressional committees—

14 (1) not later than 30 days after the date of the
15 applicable coup d'état or decree, with respect to the
16 review; and

17 (2) not later than 60 days after such, with re-
18 spect to the strategy.

19 (d) **ANNUAL IMPLEMENTATION UPDATE.**—Not later
20 than 1 year after the submission of the strategy required
21 under subsection (b), and annually thereafter for 5 years,
22 the Secretary of State and Secretary of Defense shall sub-
23 mit , to the appropriate congressional committees a report
24 detailing the implementation of—

1 (1) the strategy required under subsection (b);
2 and

3 (2) any strategy submitted pursuant to sub-
4 section (c) during the preceding year.

5 (e) FORM.—The review, strategy, and updates re-
6 quired under this section shall be submitted in unclassified
7 form and may include a classified annex.

8 (f) IDENTIFICATION OF COVERED COUNTRIES.—

9 (1) INITIAL COVERED COUNTRIES.—As of the
10 date of the enactment of this Act and subject to
11 paragraph (3), the following countries are covered
12 countries for purposes of this section:

13 (A) Gabon.

14 (B) Niger.

15 (C) Burkina Faso.

16 (D) Guinea.

17 (E) Mali.

18 (F) Chad.

19 (2) COUP D'ÉTAT COUNTRIES.—On and after
20 the date of enactment of this Act, any country whose
21 head of government is deposed by a military coup
22 d'état or decree, or is deposed in a coup d'état or
23 decree in which the military plays a decisive role,
24 shall also be deemed to be a covered country for pur-
25 poses of this section.

1 (3) REMOVAL FROM DEFINITION.—A country
2 listed in subparagraphs (A) through (F) of para-
3 graph (1) shall cease to be a covered country for
4 purposes of this section on and after the date on
5 which the Secretary of State certifies to the appro-
6 priate congressional committees that a democrat-
7 ically elected government has taken office in such
8 country.

9 (g) COVERED PROGRAMS.—The programs listed in
10 this subsection are the following:

11 (1) Military to military engagements, including
12 those authorized under sections 311, 312, and 341
13 of title 10, United States Code.

14 (2) Training with foreign forces, including as
15 authorized under sections 321 and 322 of title 10,
16 United States Code.

17 (3) Educational and training activities, includ-
18 ing those authorized under sections 342, 345, 347,
19 and section 348 of title 10, United States Code.

20 (4) Logistical support to operations, including
21 as authorized under section 331 of title 10, United
22 States Code.

23 (5) Capacity building, including as authorized
24 under sections 332 and 333 of title 10, United
25 States Code.

1 (6) Programs authorized under section 127e
2 and section 127d of title 10, United States Code.

3 (7) The following programs authorized by the
4 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et
5 seq.):

6 (A) Foreign military financing.

7 (B) International military education and
8 training.

9 (C) Peacekeeping operations.

10 (D) Nonproliferation, anti-terrorism,
11 demining, and related programs.

12 (E) International narcotics control and law
13 enforcement.

14 (h) APPROPRIATE CONGRESSIONAL COMMITTEES
15 DEFINED.—In this section, the term “appropriate con-
16 gressional committees” means—

17 (1) the Committee on Armed Services, the
18 Committee on Foreign Relations, and the Committee
19 on Appropriations of the Senate; and

20 (2) the Committee on Armed Services, the
21 Committee on Foreign Affairs, and the Committee
22 on Appropriations of the House of Representatives.

