

**AMENDMENT TO RULES COMM. PRINT 117-54**

**OFFERED BY MR. KELLY OF MISSISSIPPI**

Add at the end of subtitle B of title XIII the following:

1 **SEC. 13\_\_ . ASSISTANCE TO COUNTER EXPANSION OF**  
2 **ISLAMIST VIOLENT EXTREMIST ORGANIZA-**  
3 **TIONS INTO AFRICA.**

4 (a) IN GENERAL.—

5 (1) PILOT PROGRAM.—The Secretary of De-  
6 fense is authorized, in consultation with the Sec-  
7 retary of State, to conduct a pilot program, during  
8 the 2-year period beginning on the date of the enact-  
9 ment of this Act, to provide assistance described in  
10 paragraph (2) to military and other security forces  
11 of, or associated with, the Governments of African  
12 countries for the following purposes:

13 (A) Defending the national borders and  
14 people of such countries from the threat posed  
15 by the Islamist Violent Extremist Organizations  
16 (I-VEO) and their affiliates, including Al Qaeda  
17 in the Islamic Maghreb (AQIM), Jama'at  
18 Nusrat Al Islam Wa Al-Muslimeen (JNIM),

1           ISIS in the Greater Sahara (ISIS-GS), and  
2           ISIS in West Africa (ISIS-WA).

3           (B) Supporting stability and governance in  
4           Africa, while limiting the influence of adver-  
5           saries of the United States, through building  
6           partner capacity with military and security  
7           forces of, or associated with, African countries.

8           (2) TYPES OF ASSISTANCE.—Assistance de-  
9           scribed in this paragraph includes providing train-  
10          ing, equipment, logistics support, supplies, services,  
11          stipends, assistance to develop, repair, renovate, and  
12          sustain facilities and infrastructure, and advising  
13          and assisting missions to carry out the pilot pro-  
14          gram.

15          (b) NOTICE REGARDING PROVISION OF ASSIST-  
16          ANCE.—If funds authorized to be appropriated under this  
17          section are obligated or expended for any project in a  
18          country—

19               (1) the Secretary of Defense, in consultation  
20               with the Secretary of State, shall submit to the ap-  
21               propriate congressional committees a report, in un-  
22               classified form, with a classified annex as appro-  
23               priate, that contains—

24                       (A) a description of the plan for providing  
25                       such assistance; and

1 (B) an identification of the countries and  
2 the military and security forces designated to  
3 receive such assistance; and

4 (2) the Secretary of Defense shall submit to  
5 the appropriate congressional committees a report,  
6 in unclassified form, with a classified annex as ap-  
7 propriate, that contains a description of how the as-  
8 sistance to be provided supports a larger regional  
9 strategy.

10 (c) ELEMENTS OF PLAN.—The plan required under  
11 subsection (b)(1) shall include, at a minimum, a descrip-  
12 tion of—

13 (1) the goals and objectives of assistance au-  
14 thorized under subsection (a);

15 (2) the operations, timelines, and types of train-  
16 ing, equipment, stipends, supplies, sustainment, and  
17 other forms of assistance to be provided;

18 (3) the roles and contributions of the countries  
19 to which the assistance is to be provided;

20 (4) the number and role of United States  
21 Armed Forces personnel involved in providing the  
22 assistance;

23 (5) any additional military support and  
24 sustainment activities; and

25 (6) any other relevant details.

1 (d) BIENNIAL PROGRESS REPORT.—Not later than  
2 90 days after the date on which the Secretary of Defense  
3 submits the report required under subsection (b)(1), and  
4 every 180 days thereafter during the period in which the  
5 pilot program is in effect, the Secretary of Defense, in con-  
6 sultation with the Secretary of State, shall provide to the  
7 appropriate congressional committees a progress report  
8 that, based on the most recent information, includes the  
9 following:

10 (1) Any updates to or changes in the plan,  
11 strategy, process, assessment requirements under  
12 subsection (e), and end-use monitoring mechanisms  
13 and procedures.

14 (2) A description of the military and security  
15 forces receiving assistance authorized under sub-  
16 section (a).

17 (3) An assessment of the operational effective-  
18 ness of the military and security forces receiving as-  
19 sistance authorized under subsection (a).

20 (4) An assessment of plan objectives, includ-  
21 ing—

22 (A) prevention, containment, and deter-  
23 rence of I-VEO threats that have been identi-  
24 fied;

1 (B) prevention of safe havens and support  
2 networks; and

3 (C) prevention, containment, and deter-  
4 rence of terrorist attacks against citizens, infra-  
5 structure, and institutions of the United States.

6 (5) An assessment of the capacity of the gov-  
7 ernment of each country receiving the assistance to  
8 provide security, establish governance, and provide  
9 basic services to its citizenry.

10 (6) An assessment of the relationship of each  
11 such government with the People's Republic of  
12 China and the Russian Federation.

13 (7) A description of sustainment support pro-  
14 vided to the military and security forces receiving as-  
15 sistance authorized under subsection (a).

16 (8) A list of projects to develop, repair, or ren-  
17 ovate facilities and infrastructure.

18 (9) A statement of the amount of funds ex-  
19 pended during the period for which the report is  
20 submitted.

21 (10) An assessment of the effectiveness of the  
22 assistance provided under subsection (a).

23 (e) PRIOR VETTING OF COUNTRIES.—The Secretary  
24 of Defense should ensure that, before providing assistance  
25 to military or security forces of, or associated with, any

1 African country under subsection (a), such country is ap-  
2 propriately vetted by—

3 (1) conducting assessments of such country for  
4 associations with terrorist groups; and

5 (2) receiving commitments from such country  
6 to promote respect for human rights and the rule of  
7 law.

8 (f) APPROPRIATE CONGRESSIONAL COMMITTEES.—

9 In this section, the term “appropriate congressional com-  
10 mittees” means—

11 (1) the Committee on Armed Services, the  
12 Committee on Foreign Relations, and the Committee  
13 on Appropriations of the Senate; and

14 (2) the Committee on Armed Services, the  
15 Committee on Foreign Affairs, and the Committee  
16 on Appropriations of the House of Representatives.

17 (g) FUNDING.—There is authorized to be appro-  
18 priated to carry out this section \$25,000,000 for fiscal  
19 year 2023.

20 (h) AUTHORITY TO ACCEPT CONTRIBUTIONS.—Sub-  
21 ject to the availability of appropriations, the Secretary of  
22 Defense may accept and retain contributions, including as-  
23 sistance in-kind, from foreign governments, including the  
24 government of any African country receiving assistance

1 under this section, to provide assistance authorized under  
2 subsection (a).

3 (i) CONSTRUCTION OF SECTION.—Nothing in this  
4 section shall be construed to constitute a statutory author-  
5 ization for the introduction of United States Armed  
6 Forces into hostilities or into situations where hostilities  
7 are clearly indicated by the circumstances.

8 (j) WAIVER AUTHORITY.—

9 (1) OF SECRETARY OF DEFENSE.—

10 (A) IN GENERAL.—For purposes of the  
11 provision of assistance under subsection (a), the  
12 Secretary of Defense may waive any provision  
13 of law described in subparagraph (B), if the  
14 Secretary—

15 (i) determines that such provision of  
16 law would (but for the waiver) prohibit, re-  
17 strict, delay, or other- wise limit the provi-  
18 sion of such assistance; and

19 (ii) submits to the appropriate con-  
20 gressional committees a notice of and jus-  
21 tification for the waiver and the provision  
22 of law to be waived.

23 (B) PROVISIONS OF LAW.—The provisions  
24 of law described in this subparagraph are the  
25 following:

1 (i) Any provision of law relating to  
2 the acquisition of items and support serv-  
3 ices.

4 (ii) Sections 40 and 40A of the Arms  
5 Export Control Act (22 U.S.C. 2780 and  
6 2785).

7 (2) OF PRESIDENT.—For purposes of the provi-  
8 sion of assistance under subsection (a), the Presi-  
9 dent may waive any provision of law, other than a  
10 provision of law described in paragraph (1)(B), if  
11 the President determines that it is vital to the na-  
12 tional security interests of the United States to  
13 waive such provision of law. Such waiver shall not  
14 take effect until 15 days after the date on which the  
15 President notifies the appropriate congressional com-  
16 mittees of such determination and the provision of  
17 law to be waived.

18 (3) REPORT.—

19 (A) IN GENERAL.—Not later than 90 days  
20 after the date of the enactment of this Act, the  
21 President shall submit, to the appropriate con-  
22 gressional committees, a report that provides a  
23 list of each provision of law to be waived under  
24 this subsection, and a justification for each  
25 such waiver.



1                   (B) UPDATE.—The President shall, not  
2                   later than 180 days after the date of the enact-  
3                   ment of this Act, submit to the appropriate con-  
4                   gressional committees an update of the report  
5                   required under subparagraph (A).

