H. R. _____

To modify and expand the annual report required under the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 and require additional review of United States assistance provided to certain countries identified as being at risk of atrocities by such report, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. Jacobs introduced the following bill; which was referred to the Committee on __________________

A BILL

To modify and expand the annual report required under the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 and require additional review of United States assistance provided to certain countries identified as being at risk of atrocities by such report, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Atrocity Prevention Act”.

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July 24, 2023 (11:12 a.m.)
SEC. 2. EXTENSION AND MODIFICATION OF ANNUAL REPORT REQUIREMENT.

Section 5(a) of the Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (22 U.S.C. 2656 note) is amended—

(1) in the matter preceding paragraph (1), by striking “for the following six years”; and

(2) in paragraph (1)(E), by inserting “(ranked as high-, medium-, or low-risk)” after “countries and regions at risk of atrocities”.

SEC. 3. REVIEW OF SECURITY ASSISTANCE PROVIDED TO COUNTRIES.

The Elie Wiesel Genocide and Atrocities Prevention Act of 2018 (22 U.S.C. 2656 note) is amended by inserting after section 5 the following:

“SEC. 5A. SECURITY ASSISTANCE AND COOPERATION REVIEW.

“(a) REVIEW REQUIRED.—Not later than 60 days after the submission of each annual report required by section 5, the Secretary of State (acting through the Department of State officials listed in subsection (c)), in consultation with the Secretary of Defense, shall submit to the appropriate congressional committees a report consisting of the results of a review of the risks related to the provision of security assistance and cooperation in countries identified in the most recent annual report (in-
cluding in the classified annex to such report) pursuant
to such section 5 as being at high- or medium-risk for
atrocities. Such report shall also include, for each such
country, the following:

“(1) With respect to a country newly identified
as being at such risk, an assessment of the risks as-
associated with providing security assistance and co-
operation to the governments of such countries, in-
cluding the risks of whether security assistance and
cooperation—

“(A) may be used for perpetrating atroc-
ities; or

“(B) may exacerbate identified relevant
risk factors for the commission of such atroc-
ities.

“(2) With respect to a country identified as
being at high- or medium-risk for atrocities for
which an assessment described in paragraph (1) has
previously been submitted pursuant to this section,
an assessment of whether such risk factors, the cur-
rent or planned security assistance and cooperation
provided by the United States, or other relevant con-
text have changed in the intervening period since the
prior submission.
“(3) A determination, including a justification, on whether current or planned United States security assistance and cooperation should be continued, terminated, paused, or otherwise delayed in light of the risks assessed pursuant to paragraph (1) or (2).

“(b) DEFINITIONS.—For purposes of the review required by subsection (a)—

“(1) the term ‘appropriate congressional committees’ means—

“(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives; and

“(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate;

“(2) the term ‘security assistance and cooperation’—

“(A) means—

“(i) assistance meeting the definition of ‘security assistance’ under section 502B of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(d)(2));

“(ii) programs and activities meeting the definition of ‘security cooperation pro-
grams and activities of the Department of Defense’ under section 301 of title 10, United States Code; and

“(iii) activities authorized pursuant to—

“(I) 127(e) of title 10, United States Code; or

“(II) section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639); and

“(B) includes any use of amounts made available to Department of Defense—

“(i) to increase the capacity or capability of a unit of a foreign security force, a member of such a unit, or an irregular force, group, or individual; or

“(ii) to support foreign security forces, irregular forces, groups, or individuals to operate with United States forces in coalition, combined operations or other operations.

“(c) DEPARTMENT OF STATE OFFICIALS.—The Department of State officials listed in this subsection are the Assistant Secretary of the Bureau of Democracy, Human
Rights, and Labor working jointly with the Assistant Secretary for Conflict and Stabilization Operations, and in consultation with the Assistant Secretary of the Bureau of Political-Military Affairs Bureau.

“(d) FORM.—The report required by subsection (a) shall be submitted in unclassified form and may include a classified annex.”.