

118TH CONGRESS  
1ST SESSION

# H. R. 4871

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.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2023

Ms. JACOBS (for herself, Mr. CASTRO of Texas, and Ms. LEE of California) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## 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.

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 “Atrocity Prevention  
5       Act”.

1 **SEC. 2. EXTENSION AND MODIFICATION OF ANNUAL RE-**  
2 **PORT REQUIREMENT.**

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

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

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

11 **SEC. 3. REVIEW OF SECURITY ASSISTANCE PROVIDED TO**  
12 **COUNTRIES.**

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

16 **“SEC. 5A. SECURITY ASSISTANCE AND COOPERATION RE-**  
17 **VIEW.**

18 “(a) REVIEW REQUIRED.—Not later than 60 days  
19 after the submission of each annual report required by sec-  
20 tion 5, the Secretary of State (acting through the Depart-  
21 ment of State officials listed in subsection (c)), in con-  
22 sultation with the Secretary of Defense, shall submit to  
23 the appropriate congressional committees a report con-  
24 sisting of the results of a review of the risks related to  
25 the provision of security assistance and cooperation in  
26 countries identified in the most recent annual report (in-

1 cluding in the classified annex to such report) pursuant  
2 to such section 5 as being at high- or medium-risk for  
3 atrocities. Such report shall also include, for each such  
4 country, the following:

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

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

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

16          “(2) With respect to a country identified as  
17          being at high- or medium-risk for atrocities for  
18          which an assessment described in paragraph (1) has  
19          previously been submitted pursuant to this section,  
20          an assessment of whether such risk factors, the cur-  
21          rent or planned security assistance and cooperation  
22          provided by the United States, or other relevant con-  
23          text have changed in the intervening period since the  
24          prior submission.

1           “(3) A determination, including a justification,  
2           on whether current or planned United States secu-  
3           rity assistance and cooperation should be continued,  
4           terminated, paused, or otherwise delayed in light of  
5           the risks assessed pursuant to paragraph (1) or (2).

6           “(b) DEFINITIONS.—For purposes of the review re-  
7           quired by subsection (a)—

8           “(1) the term ‘appropriate congressional com-  
9           mittees’ means—

10           “(A) the Committee on Appropriations, the  
11           Committee on Armed Services, and the Com-  
12           mittee on Foreign Affairs of the House of Rep-  
13           resentatives; and

14           “(B) the Committee on Appropriations, the  
15           Committee on Armed Services, and the Com-  
16           mittee on Foreign Relations of the Senate;

17           “(2) the term ‘security assistance and coopera-  
18           tion’—

19           “(A) means—

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

24           “(ii) programs and activities meeting  
25           the definition of ‘security cooperation pro-

1           grams and activities of the Department of  
2           Defense’ under section 301 of title 10,  
3           United States Code; and

4                   “(iii) activities authorized pursuant  
5           to—

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

8                           “(II) section 1202 of the Na-  
9                           tional Defense Authorization Act for  
10                          Fiscal Year 2018 (Public Law 115-  
11                          91; 131 Stat. 1639); and

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

14                           “(i) to increase the capacity or capa-  
15                           bility of a unit of a foreign security force,  
16                           a member of such a unit, or an irregular  
17                           force, group, or individual; or

18                           “(ii) to support foreign security  
19                           forces, irregular forces, groups, or individ-  
20                           uals to operate with United States forces  
21                           in coalition, combined operations or other  
22                           operations.

23                          “(c) DEPARTMENT OF STATE OFFICIALS.—The De-  
24           partment of State officials listed in this subsection are the  
25           Assistant Secretary of the Bureau of Democracy, Human

1 Rights, and Labor working jointly with the Assistant Sec-  
2 retary for Conflict and Stabilization Operations, and in  
3 consultation with the Assistant Secretary of the Bureau  
4 of Political-Military Affairs Bureau.

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

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