

117TH CONGRESS
2D SESSION

S. 3861

To require the Secretary of State to submit annual reports to Congress on the assistance provided to Somaliland and to conduct a feasibility study, in coordination with the Secretary of Defense, on establishing a security partnership with Somaliland, without recognizing Somaliland as an independent state.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2022

Mr. RISCH (for himself, Mr. VAN HOLLEN, and Mr. ROUNDS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To require the Secretary of State to submit annual reports to Congress on the assistance provided to Somaliland and to conduct a feasibility study, in coordination with the Secretary of Defense, on establishing a security partnership with Somaliland, without recognizing Somaliland as an independent state.

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 “Somaliland Partner-
5 ship Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) a stronger relationship between the United
4 States and Somaliland would provide numerous, mu-
5 tually beneficial, strategic opportunities due to
6 Somaliland’s—

7 (A) geographic location in the Horn of Af-
8 rica and next to the Gulf of Aden;

9 (B) democratic credentials, including
10 peaceful transfers of power following elections;
11 and

12 (C) relative stability in the Horn of Africa;

13 (2) Somaliland’s security situation, level of de-
14 velopment, and other challenges differ significantly
15 from the situation in Mogadishu and other regions
16 of Somalia, which necessitates—

17 (A) a different approach to engagement,
18 assistance, and travel by personnel of the De-
19 partment of State and the United States Agen-
20 cy for International Development; and

21 (B) the avoidance of a “one-size-fits-all”
22 policy approach to Somalia; and

23 (3) the status of Somaliland should not serve as
24 an obstacle for deeper and meaningful cooperation
25 that will serve the mutual interests of our two gov-
26 ernments.

1 **SEC. 3. DEFINED TERM.**

2 In this Act, the term “Somaliland” means the terri-
3 tory that—

4 (1) received its independence from the United
5 Kingdom on June 26, 1960, before the creation of
6 the Somali Republic;

7 (2) has been a self-declared independent and
8 sovereign state since 1991 that is not internationally
9 recognized; and

10 (3) exists as a semi-autonomous region of the
11 Federal Republic of Somalia.

12 **SEC. 4. REPORT ON FOREIGN ASSISTANCE AND OTHER AC-**
13 **TIVITIES IN SOMALILAND.**

14 (a) **DEFINED TERM.**—In this section, the term “ap-
15 propriate congressional committees” means—

16 (1) the Committee on Foreign Relations of the
17 Senate; and

18 (2) the Committee on Foreign Affairs of the
19 House of Representatives.

20 (b) **REPORT.**—

21 (1) **IN GENERAL.**—Not later than September
22 30, 2022, and annually thereafter until the date that
23 is 5 years after the date of the enactment of this
24 Act, the Secretary of State, in consultation with the
25 Administrator of the United States Agency for
26 International Development, shall submit a report to

1 the appropriate congressional committees that, with
2 respect to the most recently concluded 12-month pe-
3 riod—

4 (A) describes United States foreign assist-
5 ance to Somaliland, including—

6 (i) the value of such assistance (in
7 United States dollars);

8 (ii) the source from which such assist-
9 ance was funded;

10 (iii) the names of the programs
11 through which such assistance was admin-
12 istered;

13 (iv) the implementing partners
14 through which such assistance was pro-
15 vided;

16 (v) the sponsoring bureau of the
17 United States Government; and

18 (vi) if the assistance broadly targeted
19 the Federal Republic of Somalia, the por-
20 tion of such assistance that was—

21 (I) explicitly intended to support
22 Somaliland; and

23 (II) ultimately employed in
24 Somaliland;

1 (B) details the staffing and responsibilities
2 of the Department of State and the United
3 States Agency for International Development
4 supporting foreign assistance, diplomatic rela-
5 tions, consular services, and security initiatives
6 in Somaliland, including the location of such
7 personnel (duty station) and their cor-
8 responding bureau;

9 (C) provides—

10 (i) a detailed account of travel to
11 Somaliland by employees of the Depart-
12 ment of State and the United States Agen-
13 cy for International Development, if any,
14 including the position, duty station, and
15 trip purpose for each such trip; or

16 (ii) the justification for not traveling
17 to Somaliland if no such personnel traveled
18 during the reporting period;

19 (D) describes consular services provided by
20 the Department of State for the residents of
21 Somaliland;

22 (E) discusses the Department of State's
23 Travel Advisory for Somalia related to the re-
24 gion of Somaliland; and

1 (F) if the Travel Advisory for all or part
2 of Somaliland is identical to the Travel Advi-
3 sory for other regions of Somalia, justifies such
4 ranking based on a security assessment of the
5 region of Somaliland.

6 (2) FORM.—The report required under para-
7 graph (1) shall be submitted in unclassified form,
8 but may contain a classified annex.

9 **SEC. 5. FEASIBILITY STUDY ON IMPROVED DIPLOMATIC**
10 **RELATIONS AND A SECURITY AND DEFENSE**
11 **PARTNERSHIP WITH SOMALILAND.**

12 (a) DEFINED TERM.—In this section, the term “ap-
13 propriate congressional committees” means—

14 (1) the Committee on Foreign Relations of the
15 Senate;

16 (2) the Committee on Armed Services of the
17 Senate;

18 (3) the Committee on Foreign Affairs of the
19 House of Representatives; and

20 (4) the Committee on Armed Services of the
21 House of Representatives.

22 (b) FEASIBILITY STUDY.—The Secretary of State, in
23 coordination with the Secretary of Defense, shall conduct
24 a feasibility study regarding the establishment of a part-
25 nership between the United States and Somaliland that—

1 (1) includes coordination with Somaliland gov-
2 ernment security organs, including Somaliland’s
3 Ministry of Foreign Affairs and Ministry of Defense;

4 (2) determines opportunities for collaboration in
5 the pursuit of United States national security inter-
6 ests in the Horn of Africa, the Gulf of Aden, and
7 the broader Indo-Pacific region;

8 (3) identifies opportunities for United States
9 training of Somaliland security sector actors to im-
10 prove their professionalization and capacity; and

11 (4) assesses the prospect of establishing a non-
12 profit corporation, to be known as the “American
13 Institute of Somaliland”, for the purpose of con-
14 ducting and carrying out programs, transactions,
15 and other relations with Somaliland in the City of
16 Hargeisa on behalf of the United States Govern-
17 ment.

18 (c) REPORT TO CONGRESS.—Not later than 180 days
19 after the date of the enactment of this Act, the Secretary
20 of State, in coordination with the Secretary of Defense
21 and the heads of other relevant Federal departments and
22 agencies, shall submit a classified report to the appro-
23 priate congressional committees that contains the results
24 of the feasibility study required under subsection (b), in-
25 cluding an assessment of the extent to which—

1 (1) opportunities exist for the United States to
2 support the training of Somaliland’s security sector
3 actors with a specific focus on counterterrorism and
4 border and maritime security;

5 (2) Somaliland’s security forces were impli-
6 cated, if any, in gross violations of human rights
7 during the 3-year period immediately preceding the
8 date of the enactment of this Act;

9 (3) the United States has provided or discussed
10 with government and military officials of Somaliland
11 the provision of training to security forces, includ-
12 ing—

13 (A) where such training has occurred;

14 (B) the extent to which Somaliland secu-
15 rity forces have demonstrated the ability to ab-
16 sorb previous training; and

17 (C) the ability of Somaliland security
18 forces to maintain and appropriately utilize
19 such training, as applicable;

20 (4) a United States security and defense part-
21 nership with Somaliland would have a strategic im-
22 pact, including by protecting the United States and
23 allied maritime interests in the Bab-el-Mandeb
24 Strait and at Somaliland’s Port of Berbera;

25 (5) Somaliland could—

1 (A) serve as a maritime gateway in East
2 Africa for the United States and its allies; and

3 (B) counter Iran’s presence in the Gulf of
4 Aden and China’s growing regional military
5 presence;

6 (6) a United States security and defense part-
7 nership would—

8 (A) bolster security and defense coopera-
9 tion and capabilities between Somaliland and
10 Taiwan;

11 (B) stabilize this semi-autonomous region
12 of Somalia further as a democratic counter-
13 weight to anti-democratic forces in the greater
14 Horn of Africa region; and

15 (C) impact the capacity of the United
16 States to achieve policy objectives in Somalia,
17 particularly to degrade and ultimately defeat
18 the terrorist threat posed by Al-Shabaab, the
19 Islamic State in Somalia (the Somalia-based Is-
20 lamic State affiliate), and other terrorist groups
21 operating in Somalia;

22 (7) the extent to which an improved diplomatic
23 relationship with Somaliland could—

1 (A) support United States policy focused
2 on the Red Sea corridor, the Indo-Pacific re-
3 gion, and the Horn of Africa;

4 (B) improve cooperation on counterter-
5 rorism and intelligence sharing;

6 (C) enable cooperation on counter-traf-
7 ficking, including the trafficking of humans,
8 wildlife, weapons, and illicit goods; and

9 (D) support trade and development, includ-
10 ing how Somaliland could benefit from Prosper
11 Africa and other regional trade initiatives.

12 (d) FORM.—The report required under subsection (c)
13 shall be submitted in unclassified form, but may contain
14 a classified annex.

15 **SEC. 6. RULE OF CONSTRUCTION.**

16 Nothing in this Act, including the reporting require-
17 ment under section 4 and the conduct of the feasibility
18 study under section 5, may be construed to convey United
19 States recognition of Somaliland as an independent state.

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