

Niger: Frequently Asked Questions About the October 2017 Attack on U.S. Soldiers

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Summary

A deadly attack on U.S. soldiers in Niger and their local counterparts on October 4, 2017, has prompted many questions from Members of Congress about the incident. It has also highlighted a range of broader issues for Congress pertaining to oversight and authorization of U.S. military deployments, evolving U.S. global counterterrorism activities and strategy, interagency security assistance and cooperation efforts, and U.S. engagement with countries historically considered peripheral to core U.S. national security interests. This report provides background information in response to the following frequently asked questions:

- What is the security situation in Niger?
- How big is the U.S. military presence in Niger?
- For what purposes are U.S. military personnel in Niger, and what role has Congress played in the U.S. military presence there?
- Is the U.S. military presence in Niger related to the 2001 Authorization for Use of Military Force (AUMF)?
- What is the state of U.S.-Niger relations and aid?
- Where else in Africa are U.S. military personnel deployed?
- Medical evacuation: What is the “golden hour” and does it apply to troop deployments in Africa?
- What are the broader implications of building partner capacity in Niger for DOD?
- Who were the four U.S. soldiers killed in Niger on October 4?
- What do we know about the alleged perpetrators of the October 4 attack?

It also identifies potential issues for Congress as Members look ahead to ongoing and future authorization, appropriations, and oversight activities. A chronology of terrorist attacks in the Sahel and related developments is provided in an **Appendix**. Additional details surrounding the October 4 ambush and its aftermath may continue to emerge as information becomes available.

The following CRS products provide additional analysis of issues discussed in this report:

- CRS In Focus IF10172, *Al Qaeda in the Islamic Maghreb (AQIM) and Related Groups*, by Alexis Arieff;
- CRS Report R44563, *Terrorism and Violent Extremism in Africa*, by Lauren Ploch Blanchard and Alexis Arieff;
- CRS Report R42699, *The War Powers Resolution: Concepts and Practice*, by Matthew C. Weed;
- CRS Report R43983, *2001 Authorization for Use of Military Force: Issues Concerning Its Continued Application*, by Matthew C. Weed;
- CRS Report R44313, *What Is “Building Partner Capacity?” Issues for Congress*, coordinated by Kathleen J. McInnis;
- CRS Report R44602, *DOD Security Cooperation: An Overview of Authorities and Issues*, by Bolko J. Skorupski and Nina M. Serafino;
- CRS Report RS21048, *U.S. Special Operations Forces (SOF): Background and Issues for Congress*, by Andrew Feickert.

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Introduction

On October 4, four members of U.S. Special Operations Forces were killed and two wounded in an attack near the town of Tongo Tongo in western Niger (**Figure 1**, below). The Defense Department (DOD) has stated that the U.S. servicemembers were “conducting an advise and assist mission” to conduct reconnaissance with Nigerien counterparts, several of whom were also killed and injured.¹ For many Members of Congress, the incident has thrown a spotlight on evolving security threats in West Africa’s central Sahel region, as well as the growing presence of U.S. military forces engaged in counterterrorism support in Africa and throughout the world.² This report provides background information and context on the U.S. military presence in Niger, and several related issues, in response to frequently asked questions.

U.S. officials have stated that a local group affiliated with the Islamic State (IS, aka ISIS/ISIL) was responsible for the attack, which would make it the first known incident in which an Islamist militant group in the Sahel has killed U.S. soldiers on active duty.³ Islamist extremists have, however, killed Western civilians, including a handful of U.S. citizens, in a series of mass-casualty attacks in North and West Africa since 2013 (see chronology in the **Appendix**). The first U.S. citizen reportedly held as a hostage for a prolonged period by an Islamist group in the Sahel was kidnapped in western Niger in October 2016; some news reports suggest that he is being held by the same group that carried out the October 4, 2017, attack, but this has not been confirmed.⁴

Niger’s relative stability, willingness to partner with Western militaries, and close historic relationship with former colonial power France have made it an attractive partner for the U.S. military and a useful location from which to conduct activities with a regional scope. Congress has shaped U.S. engagement with Niger and the U.S. military footprint in the country through its authorization and appropriation of funding for U.S. security cooperation and assistance programs, and through its authorization of funding for U.S. military construction. Congressional committees of jurisdiction have also influenced U.S. policy and programs in Niger through oversight activities, for example probing the capacity of fragile states such as Niger to absorb U.S. counterterrorism assistance and directing DOD to seek to mitigate associated risks (see “For what purposes are U.S. military personnel in Niger, and what role has Congress played in the U.S. military presence there?”).

In response to heightened public attention to the circumstances of the October 4 incidents, many Members of Congress have noted unanswered questions about the precise nature of the DOD

¹ Department of Defense Press Briefing, October 5, 2017. Nationals of Niger are referred to as “Nigerien,” not to be confused with “Nigerians,” from Nigeria.

² The Sahel is an ecological and climatic transition zone between the Sahara desert and savanna lands to the south. In this report, “Sahel” refers to the states of the central Sahel (i.e. Mauritania, Mali, Niger, Chad, and Burkina Faso).

³ In 2000, a DOD civilian employee, who was a retired U.S. Army Master Sergeant, was killed in Niger during an apparent botched carjacking by an individual with alleged ties to regional Islamist militant groups. A handful of U.S. soldiers also reportedly have died in road accidents in Mali and Niger in recent years. According to the former commander of Special Operations Command-Africa, U.S. soldiers have come under fire in the Sahel multiple times previously, but those incidents were not publicized. *Stars and Stripes*, “Former special ops commander: US troops engaged in Niger firefights for years,” October 25, 2017.

⁴ See FBI profile of Jeffery Woodke, at <https://www.fbi.gov/wanted/kidnap/jeffery-woodke>; and Associated Press (AP), “Jihadist ambush on US forces shows new danger in Sahel,” October 19, 2017. The State Department, in its 2016 *Country Reports on Terrorism*, noted that “reports indicate [Woodke] was being held in Mali; there have been no credible claims of responsibility for his kidnapping.” A number of European nationals have been kidnapped by Islamist terrorist groups in the Sahel since 2003, most of whom have been released, reportedly in exchange for ransom.

mission that came under attack, commanders' determinations regarding the circumstances of the mission, and the timeline under which U.S., French, and contractor-administered military assets responded to the attack.⁵ Those issues, among others, are the subject of ongoing DOD and FBI investigations, and are beyond the scope of this report.

Figure 1. Map of Central Sahel and Key Figures on Niger



NIGER AT A GLANCE

Population: 19.2 million

Size: slightly less than twice the size of Texas

Languages: French (official), Hausa, Djerma

Ethnic Groups: Hausa 53%, Djerma/Songhai 21%, Tuareg 11%, Fulani (Peul) 7%, Kanuri 6%, Gurma 1%, Arab <1%, Tubu <1%, other/unavailable 1% (2006 est.)

Religions: Muslim 80%, Christian & indigenous beliefs 20%

Median Age: 15.3 years

Life Expectancy: 55.5 years

Fertility Rate: 6.5 children (highest in world)

Infant Mortality: 82.8 deaths/1,000 live births

Adult Literacy: 19% (male 27%, female 11%) (2015 est.)

Adult HIV/AIDS Prevalence: 0.4%

GDP Growth: 4.6%

GDP Per Capita: \$411

Key Exports: uranium ore, livestock, cowpeas, onions

Key Imports: foodstuffs, machinery, vehicles and parts, petroleum, cereals

Top Trading Partners: France, Nigeria, China (2015)

Source: Graphic by CRS. Map generated by Hannah Fischer using data from Department of State (2016); Esri (2016); National Geospatial-Intelligence Agency (2017).

What is the security situation in Niger?

Niger is surrounded by countries beset by armed conflicts, including Mali, Nigeria, and Libya. Niger has arguably managed its security challenges more adeptly than some countries in the

⁵ See, e.g., Andy Wright, "Congressional Oversight and the Niger Attack," *Just Security* blog, October 24, 2017.

region, but political instability, ethnic rebellions, and military interference in politics have posed recurrent challenges. Niger has never had a democratic transition between two civilian leaders. It is among the world's poorest countries and has faced periodic humanitarian emergencies. Niger is also a key transit point for African migrants seeking to reach Europe via Libya's Mediterranean coast. Smuggling of goods and people has long been a key source of income for communities in Niger's border regions—some of whom have periodically rebelled against the government.

The number and geographic spread of Islamist armed groups in the central Sahel have ballooned since the Libya and Mali crises began in 2011.⁶ Several groups claiming affiliation with either Al Qaeda or the Islamic State are active in various parts of Niger. Elements of Al Qaeda in the Islamic Maghreb (AQIM), an Algerian-led regional network active in North and West Africa, are active along Niger's western border with Mali and in the vast desert north of the country, along with several AQIM splinter factions and offshoots. One AQIM offshoot has pledged allegiance to the Islamic State (see "What do we know about the alleged perpetrators of the October 4 attack?" below). Separately, southeastern Niger is affected by the Boko Haram conflict, which spilled beyond Nigeria's borders into the surrounding Lake Chad Basin subregion in 2015.⁷ Group allegiances and alliances in the Sahel tend to be fluid, and the practical implication of pledges of allegiance to transnational actors is often hard to assess.

Thus far in Niger, Islamist extremist groups have posed a threat primarily to the country's internal security and to Western personnel and interests located there. Such groups regularly attack local targets—especially government officials, prisons, schools, and individuals accused of collaborating with the state or with French-led counterterrorism operations—in the triborder region between Niger, Mali, and Burkina Faso (see **Figure 1**, above). On the Mali side of the border, there have been frequent attacks against U.N. peacekeepers, many of whom are West African. Islamist extremist groups active in the Sahel have kidnapped multiple Western nationals for ransom over the past 15 years, and since 2015, AQIM-aligned groups have carried out a string of mass-casualty attacks targeting locations popular with Westerners (see **Appendix**).

In addition to aforementioned Islamist factions, a range of other armed groups operate in western Niger and in adjacent areas of Mali and Burkina Faso. These include ethnic militias, separatist rebels, drug traffickers, smugglers, and bandits, with the lines among categories often blurred.⁸ In their efforts to recruit local adherents, Islamist armed groups in the central Sahel have exploited local communal-level conflicts and grievances, as well as reportedly widespread frustrations at perceived local government ineptitude and corruption.⁹ Some analysts assert that the often heavy-handed counterterrorism approach of local security forces in the subregion has contributed to worsening instability.¹⁰

In a press conference on October 23, Joint Chiefs of Staff Chairman General Joseph Dunford acknowledged that the area where U.S. troops came under fire is "inherently dangerous," noting, "we're there because ISIS and Al-Qaeda are operating in that area. That's why our forces are

⁶ See CRS Report R42664, *Crisis in Mali*, by Alexis Arief; State Department, 2016 Country Reports on Terrorism, "Niger"; and International Crisis Group (ICG), *The Central Sahel: A Perfect Sandstorm*, June 25, 2015.

⁷ See CRS In Focus IF10173, *Boko Haram (The Islamic State's West Africa Province)*, by Lauren Ploch Blanchard and Tomas F. Husted.

⁸ See ICG, "Niger Clash Kills U.S. and Nigerien Troops," October 5, 2017.

⁹ See, e.g., *Libération*, "Attaques jihadistes: le Niger sous le feu," October 23, 2017; and Yvan Guichaoua and Mathieu Pellerin, *Faire la Paix et Construire l'Etat: Les relations entre pouvoir central et périphéries sahéliennes au Niger et au Mali*, Institut de Recherche Stratégique de l'Ecole Militaire, July 2017, e.g., p. 50.

¹⁰ ICG, *The Central Sahel: A Perfect Sandstorm*, June 25, 2015; U.N. Development Program (UNDP), *Journey to Extremism in Africa*, 2017.

providing advice and assist to local forces is to help them to deal with that particular challenge.”¹¹ He added, with respect to the October 4 incident, that the decision to approve the mission was premised on a “judgment of [potential] contact with the enemy ... at a particular location at a particular time.” The State Department “recommends U.S. citizens avoid travel to Niger’s border regions, particularly the Malian border area, Diffa region and Lake Chad Basin area because of activity by extremist groups.”¹² On October 21, unidentified gunmen killed 13 Nigerien gendarmes in a village not far from the site of the October 4 attack.¹³

Niger’s government seeks to work with other countries in the region to counter terrorism and has welcomed outside assistance, including from Western militaries. In the southeastern region of Diffa, Niger’s military participates in a Nigeria-led Multi-National Joint Task Force (MNJTF) to counter Boko Haram. Five countries known as the G-5 Sahel, including Niger, have also proposed a similar joint force to pursue terrorist groups and enhance border security, starting in the Niger/Mali/Burkina Faso triborder region. The G-5 Sahel member states have developed a budget estimate of about \$500 million to make the force fully operational, and they and the African Union (AU) have requested greater donor support.¹⁴ Troops from Niger have also partnered closely with France’s Operation Barkhane, under which French troops are conducting counterterrorism operations in the Sahel, both unilaterally and with African partner forces. Some Nigeriens have protested the increased deployment of Western troops in Niger since 2013, and some observers have raised concerns that a popular backlash against the growing foreign military presence could pose new challenges to Niger’s internal stability.¹⁵

How big is the U.S. military presence in Niger?

The U.S. military presence in Niger is among the largest the United States has in Africa. In June 2017, the White House reported to Congress that about 645 U.S. armed military personnel were stationed in Niger to support counterterrorism operations by “African partners.”¹⁶ Following the October 4 attack, DOD officials have publicly cited a larger figure of 800 U.S. military personnel in Niger.¹⁷ These figures presumably comprise personnel stationed in the capital, Niamey, as well as those deployed in more remote areas. Notably, a U.S. Air Force facility is under construction in the northern city of Agadez (**Figure 1**), which the Air Force has described as supporting U.S. logistical and intelligence capacities in the subregion, and which U.S. diplomats have described as supporting the Niger government’s capacity to secure its borders.¹⁸

¹¹ DOD press conference by Gen. Dunford in the Pentagon press briefing room, October 23, 2017.

¹² State Department, “Niger Travel Warning,” April 11, 2017.

¹³ Reuters, “Gunmen kill 13 Niger gendarmes in attack near Mali border,” October 21, 2017.

¹⁴ See U.N. Security Council document, *Report of the Secretary-General on the Joint Force of the Group of Five for the Sahel*, October 16, 2017, U.N. doc. S/2017/869.

¹⁵ See, e.g., Deutsche-Welle, “Issoufou’s first term: shattered dreams for Nigeriens,” February 18, 2016; and CNN, “This city is a tinderbox, and the US is building a drone base next door,” July 21, 2017.

¹⁶ The White House, Office of the Press Secretary, “Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate,” June 6, 2017.

¹⁷ These two figures may conceivably reflect differing categories under which military personnel should be counted, and/or an increase in the U.S. military presence since June. Typically, numbers of military personnel on deployment overseas are not static figures.

¹⁸ Department of the Air Force, *Military Construction Program Fiscal Year (FY) 2016 Budget Estimates*, February 2015, which states that “USAFRICOM has negotiated an agreement with the Government of Niger to allow for the construction of a new runway and all associated pavements, facilities and infrastructure.” It describes the facility as intended to be “capable of supporting C-17 and miscellaneous light and medium load aircraft,” including for ISR. For

U.S. Africa Command (AFRICOM) describes the U.S. military presence in Niger, as in most places in Africa, as a “light footprint,” suggesting that a more extensive and/or conventional military mission could require more extensive airlift, close air support capacity, and contingency planning.¹⁹ The bulk of U.S. military personnel in Niger, as elsewhere in Africa, appear to be engaged in short-term missions, which may lead personnel figures to vary over time.

The U.S. military presence in Niger has grown significantly since 2002, when the George W. Bush Administration first launched an initiative to build the capacity of Niger and neighboring countries to counter terrorism, and since 2013, when President Obama reported to Congress the deployment to Niger of some 100 military personnel for intelligence, surveillance, and reconnaissance (ISR) activities.²⁰ Based on public documents issued by the Obama and Trump Administrations, the U.S. military presence since appears to have grown incrementally. This trend is the product of several overlapping developments, including:

- A stated U.S. interest in responding to the proliferation and spread of Islamist insurgent groups in West Africa since the collapse of the Qadhafi regime in Libya in 2011, the start of Mali’s internal crisis in 2012, and the escalation of the Boko Haram insurgency in 2014;
- DOD’s provision of logistical and intelligence support for France’s multicountry counterterrorism operation in the Sahel, Operation Barkhane, which France launched in 2014 following its 2013 military intervention in Mali;²¹ and
- An interest, both in Congress and under the George W. Bush and Obama Administrations, in “building partner capacity” to counter terrorism, in part as a stated effort to preclude large-scale U.S. combat operations (see “What are the broader implications of building partner capacity in Niger for DOD?”).²²

U.S. diplomatic statements, see Senate Foreign Relations Committee hearing on ambassadorial nominations, October 3, 2017; and *Le Sahel*, “L’ambassadeur des Etats-Unis au Niger, SE. Mme Eunice Sharron Reddick : ‘La présence des soldats américains relève du cadre de la coopération militaire entre le Niger et les Etats Unis,’” October 20, 2017.

¹⁹ See, e.g., AFRICOM, “Africom Campaign Plan Targets Terror Groups,” January 5, 2016.

²⁰ White House, Office of the Press Secretary, “Letter from the President – Concerning Niger,” February 22, 2013.

²¹ Top U.S. and French cabinet officials and military commanders have regularly expressed appreciation for the two countries’ counterterrorism cooperation in the Sahel, which they describe as the United States providing support to enable French frontline combat operations. (See, e.g., State Department transcript, “Secretary of Defense Mattis Holds Media Availability With U.S. Africa Command Commander Gen. Thomas Waldhauser in Djibouti,” April 23, 2017.) France currently has approximately 4,000 troops deployed under Operation Barkhane; see, e.g., <http://www.defense.gouv.fr/operations/operations/sahel/cartes/cartes-barkhane>.

²² The 2015 *National Security Strategy* states, “we shifted away from a model of fighting costly, large-scale ground wars... in which the United States—particularly our military—bore an enormous burden... We will help build the capacity of the most vulnerable states and communities to defeat terrorists locally. Working with the Congress, we will train and equip local partners and provide operational support to gain ground against terrorist groups.” See also AFRICOM’s 2017 Posture Statement, provided to the Senate Armed Services Committee on March 9, 2017.

For what purposes are U.S. military personnel in Niger, and what role has Congress played in the U.S. military presence there?

AFRICOM stated on October 20, 2017, that the U.S. military did not have an “active, direct combat mission” in Niger.²³ Some news reports suggest that DOD could initiate direct military strikes there in the future, including possibly as a result of the October 4 attack.²⁴ DOD officials have declined to comment publicly on any such plans, and have not publicly discussed the potential implications of any change in mission for the U.S. military posture in the region. News reports and statements by Trump Administration officials suggest that the Administration has generally sought to reduce policy limitations on military operations in countries where Islamist militants are active but where the United States has not previously engaged in combat operations, which could have implications for countries such as Niger.²⁵

More broadly, the United States has pursued counterterrorism goals in the Sahel on an interagency basis for at least the past 15 years through a range of programs, including security assistance, military-to-military engagement, development and democracy-promotion assistance, and programs that aim to counter violent extremist ideology.²⁶ Since the early 2000s, U.S. officials have come to see Niger as a key counterterrorism partner in North-West Africa due to its relative stability within a turbulent region and its openness to partnering with Western militaries, including those of the United States and France. State Department and DOD resources for security assistance and cooperation programs in the Sahel have increased significantly in recent years in the aftermath of events in Mali in 2012, when AQIM and related groups briefly asserted control over northern Mali, and following the escalation in 2014 of the Boko Haram conflict in northeast Nigeria and the adjacent Lake Chad Basin region.

According to public documents issued by the Obama and Trump Administrations, U.S. military personnel in Niger are involved in a range of activities, including:

- ISR operations based out of sites in Niamey and/or Agadez.
- Military construction activities in Agadez (as discussed above).
- Logistical and intelligence support to France’s Operation Barkhane.
- Implementation of security cooperation and assistance programs for Niger, focusing on goals ranging from counterterrorism to peacekeeping and “defense institution building.”
- Periodic joint combined exercises and training engagements (JCETs), along with larger annual multinational exercises in the region, such as Flintlock.²⁷

²³ AFRICOM, “Why the U.S. Military is in Niger,” October 20, 2017.

²⁴ *Washington Post*, “U.S. will expand counterterrorism focus in Africa, Mattis tells senators,” October 20, 2017.

²⁵ *New York Times*, “Trump Poised to Drop Some Limits on Drone Strikes and Commando Raids,” September 21, 2017. On October 25, President Trump stated that he had not “specifically” authorized the mission that came under attack in Niger, saying that he had given military generals “authority to do what’s right so that we win.” White House transcript, “President Donald Trump holds media availability before departing on Marine One,” October 25, 2017.

²⁶ Funding for counterterrorism assistance in the Sahel first ramped up under the George W. Bush Administration’s 2002-2004 “Pan-Sahel Initiative,” a State Department-led program that focused on Mauritania, Mali, Niger, and Chad. Gen. Dunford, in his October 23 remarks, stated that the U.S. military had been engaged in Niger for about 20 years.

²⁷ See AFRICOM, “Exercises,” at <http://www.africom.mil/what-we-do/exercises>; and AFRICOM, “Flintlock 2017

- Advisory activities in which U.S. personnel are embedded with local security forces, as was apparently the case in the mission that came under attack on October 4, according to DOD officials.

This mix of activities has evolved over time. A number of counterterrorism assistance programs are carried out in the Sahel under the State Department-led Trans-Sahara Counterterrorism Partnership (TSCTP), an interagency initiative launched over a decade ago to build the capacity of countries in North and West Africa, including Niger. U.S. military personnel implement some aspects of TSCTP, and at least one DOD named operation in the Sahel supports the program by providing training, equipment, assistance, and other advice to partner nation armed forces.²⁸ Congress has periodically sought to assess the effectiveness of TSCTP and conducted oversight of its funding resources.²⁹

DOD-administered security cooperation activities have expanded in Niger and elsewhere in Africa over the past decade, as Congress has provided increased authorities and funding for DOD efforts to build the capacity of foreign partner forces for counterterrorism and certain other purposes.³⁰ Under evolving authorities, DOD has funded and implemented programs in countries, such as Niger, that have generally received relatively limited State Department-administered security assistance resources.³¹ Niger has become a top beneficiary in Africa of DOD “global train and equip” programs for counterterrorism purposes, with about \$170 million in planned funding cumulatively notified to Congress to date.³²

The influx of DOD security cooperation resources for these programs has been accompanied by congressional concerns as to their effectiveness, and with the ability of fragile states to absorb and maintain U.S.-origin equipment and capabilities. Such concerns have been expressed in recent strategy and reporting requirements, and in directives related to monitoring-and-evaluation, that have been enacted in defense authorization measures (e.g., §1211 and §1278 of P.L. 113-291; §1202 of P.L. 114-92; and §1205 and §1273 of P.L. 114-328). Reflecting similar concerns,

builds trust in Niger: FAN trains with U.S. 3rd Special Forces Group Airborne,” March 16, 2017.

²⁸ See Office of the Secretary of Defense, *Fiscal Year (FY) 2018 President’s Budget*, Justification for Base Funded Contingency Operations and the Overseas Contingency Operations Transfer Fund (OCOTF), July 2017. The budget document notes that this operation has changed its name from the previous terminology, Operation Enduring Freedom-Trans Sahara (OEF-TS) but does not clarify the new name.

²⁹ See, e.g., GAO Report, *Combatting Terrorism: U.S. Efforts in Northwest Africa Would Be Strengthened By Enhanced Program Management*, Report to the Senate Committee on Foreign Relations, June 2014.

³⁰ Congress first authorized DOD, on a temporary basis, to train and equip foreign militaries globally for counterterrorism and certain other purposes under §1206 of the FY2006 National Defense Authorization Act or NDAA (P.L. 109-163). Congress codified the authority in the FY2015 NDAA (P.L. 113-291) under 10 U.S.C. 2282, and, through that legislation and the defense appropriations measure for the same year (P.L. 113-235), established a Counterterrorism Partnerships Fund (CTPF), which provided an influx of funding resources for such activities focusing on Africa and the Middle East. The FY2017 NDAA (P.L. 114-328) expanded and consolidated DOD’s “global train and equip” authority, along with various others, under §333 (“Foreign security forces: authority to build capacity”). Separately, Congress has authorized DOD to “provide support to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing military operations by United States special operations forces to combat terrorism,” under §1208 of the FY2005 NDAA (P.L. 108-375), which was codified in the FY2017 NDAA as 10 U.S.C. 127e. For background on DOD security cooperation authorities, see CRS In Focus IF10040, *DOD Train and Equip Authorities to Counter the Islamic State*, by Nina M. Serafino; CRS Report R44444, *Security Assistance and Cooperation: Shared Responsibility of the Departments of State and Defense*, by Nina M. Serafino; and CRS In Focus IF10582, *Security Cooperation Issues: FY2017 NDAA Outcomes*, by Liana W. Rosen.

³¹ See testimony by CRS Specialist in African Affairs Lauren Ploch Blanchard before the Senate Foreign Relations Committee, Subcommittee on Africa and Global Health Policy, “Security Assistance in Africa,” June 4, 2015.

³² CRS analysis of DOD congressional notifications for “Section 1206,” “Section 2282,” and “Section 333” programs.

Congress has directed DOD to conduct foreign “defense institution building” (DIB) activities in countries receiving DOD-administered security cooperation for certain purposes, including counterterrorism, under Section 333(c)(4) of P.L. 114-328.³³ Among other issues, recent trends have also raised challenges with regard to DOD’s global force management (as discussed below).

DOD support to French military operations in the Sahel has been another area that Congress has encouraged through legislation. Notably, the FY2016 NDAA authorized DOD to “provide support to the national military forces of allied countries for counterterrorism operations in Africa,” including “logistic support, supplies, and services,” on a nonreimbursable basis. Finally, Congress has authorized funds for the Air Force’s construction of the facility in Agadez, which is being pursued by active duty military personnel.³⁴

Is the U.S. military presence in Niger related to the 2001 Authorization for Use of Military Force (AUMF)?

With regard to U.S. Armed Forces operating in Niger, President Obama first notified Congress, “consistent with the War Powers Resolution,”³⁵ of a deployment of U.S. Armed Forces to that country on February 22, 2013, stating:

This deployment will provide support for intelligence collection and will also facilitate intelligence sharing with French forces conducting operations in Mali, and with other partners in the region.... The recently deployed forces have deployed with weapons for the purpose of providing their own force protection and security.³⁶

Providing an explanation of applicable constitutional and/or legislative authority, President Obama stated that he had directed the deployment “pursuant to my constitutional authority to conduct U.S. foreign relations and as Commander in Chief and Chief Executive” but did not cite other authority, such as the 2001 Authorization for Use of Military Force (AUMF; P.L. 107-40; 50 U.S.C. §1541 note), which Congress passed after the September 11, 2001, terrorist attacks against the United States.³⁷ Subsequent notifications updating Congress on the status of U.S. Armed Forces in Niger and elsewhere in West Africa—including a letter issued by President Trump,

³³ In addition to DOD-administered DIB programs (which predate this legislation), DOD has also participated in the State Department-led Security Governance Initiative, which includes Niger as one of six initial focus countries (see White House, “Fact Sheet: Security Governance Initiative,” August 6, 2014). The Trump Administration, in its FY2018 budget request, did not request any funds for SGI, but the program has continued to date.

³⁴ FY2016 NDAA (P.L. 114-92), Title XXIII--Air Force Military Construction, §2301 (b). These funds were specifically requested by the Air Force; see U.S. Department of the Air Force, *Military Construction Program Fiscal Year (FY) 2016 Budget Estimates*, February 2015.

³⁵ Section 4 of the War Powers Resolution (P.L. 93-148; 50 U.S.C. §1543) requires the President, absent a relevant declaration of war from Congress, to notify Congress within 48 hours after introducing U.S. armed forces “into hostilities or situations where imminent involvement in hostilities is clearly indicated by the circumstances,” or, short of hostilities, introducing U.S. combat-equipped armed forces into a foreign country. See CRS Report R42699, *The War Powers Resolution: Concepts and Practice*, by Matthew C. Weed.

³⁶ Subsequent periodic presidential notifications to Congress have continued to make mention of U.S. armed forces in Niger, maintaining the original purpose for their deployment while reporting incremental increases in troop numbers, from 100 in February 2013 to 575 in December 2016, and to 645 in the most recent periodic report of June 2017.

³⁷ See CRS Report R43983, *2001 Authorization for Use of Military Force: Issues Concerning Its Continued Application*, by Matthew C. Weed.

“consistent with the War Powers Resolution,” in June 2017—also have not specifically referred to 2001 AUMF authority as the legislative basis for a deployment to Niger.³⁸

Questions that Congress may pose to the Administration include whether armed extremist groups operating in Niger that reportedly have links to Al Qaeda and the Islamic State might therefore be considered “associated forces” of the terrorist groups responsible for the 9/11 attacks. Members of Congress may also consider new legislative language to address U.S. military operations in Niger and elsewhere in Africa.

What is the state of U.S.-Niger relations and aid?

U.S.-Niger diplomatic ties have grown as successive Administrations have come to see the country as a bulwark against terrorism in the Sahel, and as a result of efforts by Congress and the Obama Administration to expand U.S. food security assistance to poor countries in Africa.³⁹ Secretary of State Rex Tillerson, in an August 2017 statement recognizing Niger’s National Day, pledged to “continue to work with Niger to encourage economic growth, assist with counterterrorism efforts, and support a vibrant civil society.”⁴⁰ In his Senate confirmation hearing in early October, U.S. Ambassador to Niger-Designate Eric Whitaker stated that, “If confirmed, I’ll draw upon my experience to expand the strong partnership between Niger and the United States of America as we continue to work together toward our mutual goals of combating extremism throughout the region, strengthening democratic governance and respect for fundamental freedoms, and fostering inclusive economic growth and prosperity.”⁴¹

Niger has been a top recipient of U.S. security assistance in Africa over the past decade. A number of programs administered by the State Department and DOD aim to improve Niger’s capacity to counter terrorism, secure its borders, and participate in international peacekeeping operations. Niger has also received security sector assistance under the Security Governance Initiative, launched by the Obama Administration, centered on Niger’s national security framework and effective use of defense resources.

U.S. officials have described Niger’s military as relatively effective by regional standards, and Niger’s human rights record has not been as severely troubled as those of other key U.S. counterterrorism partners in West Africa, such as Nigeria and Cameroon.⁴² Executive branch officials have nonetheless periodically expressed concern that high levels of U.S. security assistance for Niger, which has no bilateral USAID mission and has generally received relatively little assistance for development or democracy promotion, could have negative unintended consequences. Possibly reflecting, in part, an effort to address a perceived imbalance between military and civilian engagement with Niger, USAID-administered regional aid funding for Niger

³⁸ White House Office of the Press Secretary, “Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate,” June 6, 2017.”

³⁹ On food security initiatives involving the Sahel and other regions, see CRS Report R44216, *The Obama Administration’s Feed the Future Initiative*, by Marian L. Lawson, Randy Schnepf, and Nicolas Cook; and CRS In Focus IF10475, *Global Food Security Act of 2016 (P.L. 114-195)*, by Sonya Hammons.

⁴⁰ State Department, press statement, “Niger’s National Day,” August 4, 2017.

⁴¹ Senate Foreign Relations Committee hearing on ambassadorial nominations, October 3, 2017.

⁴² Niger’s security forces have nonetheless been accused of some abuses in the course of counterterrorism operations, notably in connection with a long-running state of emergency imposed on the Boko Haram-affected Diffa region in the southeast. The State Department human rights report for 2016 notes several areas of concern, including “security force killings of civilians and abuse of detainees; arbitrary arrest and detention, prolonged pretrial detention; executive interference in the judiciary; forcible dispersal of demonstrators; and restrictions on freedoms of press and assembly.”

increased during the latter years of the Obama Administration, and in 2016, the United States and Niger signed a \$437 million Millennium Challenge Corporation (MCC) Compact focusing on agricultural development. Ambassador-designate Whitaker also said during his confirmation hearing that, “I will be consulting with AFRICOM as well [to] get a better handle on their programs, and trying to make sure we have some greater balance in our relationship.”⁴³

Niger’s continued eligibility to receive MCC assistance is contingent on its respect for democratic norms and the effectiveness of its anticorruption efforts. Notably, the U.S.-based organization Freedom House, whose research helps determine MCC eligibility, downgraded Niger’s political rights rating in 2017 due to “repressive conditions surrounding the 2016 presidential and legislative elections, including harassment of the opposition, as well as alleged irregularities in the balloting itself.”⁴⁴ The new rating will presumably be reflected in future MCC scorecards.

The Trump Administration has proposed changes to foreign aid that could have implications for bilateral ties, if implemented. In its FY2018 foreign aid budget request, the Administration proposed to eliminate the global Food for Peace program under P.L. 480 Title II, through which Niger received \$33.8 million in food aid in FY2016 (latest available), and to decrease other bilateral aid for Niger to \$1.6 million, from \$3.1 million in FY2016. These figures, however, do not encompass MCC-administered funding or funds administered via USAID regional initiatives.

Where else in Africa are U.S. military personnel deployed?

General Dunford, in his October 23 press conference, stated that there are about 6,000 U.S. troops deployed in Africa, including personnel charged with guarding U.S. diplomatic facilities.⁴⁵ The vast majority are reportedly positioned in Djibouti, the only country in Africa to host an enduring U.S. military “forward operating site.”⁴⁶ News reports, citing DOD sources, indicate that the 6,000 figure includes an estimated 1,000 members of Special Operations Forces, including those involved in advise-and-assist missions in various countries.⁴⁷

In his 2017 Posture Statement, AFRICOM Commander General Thomas D. Waldhauser stated that the command was operating in support of the following five “Lines of Efforts.”⁴⁸

- Neutralize al-Shabaab and transition the security responsibilities of the African Union Mission in Somalia (AMISOM) to the Federal Government of Somalia;
- Degrade violent extremist organizations in the Sahel [and] Maghreb and contain instability in Libya;
- Contain and degrade Boko Haram;

⁴³ Senate Foreign Relations Committee hearing on ambassadorial nominations, October 3, 2017.

⁴⁴ Freedom House, “Niger Profile,” *Freedom in the World 2017*, January 2017.

⁴⁵ This figure presumably does not include any DOD civilian official, civilian intelligence community, or contractor personnel deployed in support of military activities.

⁴⁶ AFRICOM 2017 Posture Statement, March 2017.

⁴⁷ *Los Angeles Times*, “After Niger attack, a look at clandestine jihadis posing a growing danger to U.S. forces in Africa,” October 21, 2017.

⁴⁸ The Posture Statement was submitted as written testimony to the Senate Armed Services Committee for a hearing on CENTCOM and AFRICOM on March 9, 2017.

- Interdict illicit activity in the Gulf of Guinea and Central Africa with willing and capable African partners;
- Build peacekeeping, humanitarian assistance, and disaster response capacity of African partners.

Below is a list of countries where U.S. officials have publicly confirmed a U.S. military deployment. The list is not necessarily comprehensive.⁴⁹ U.S. news media, for example, have reported a U.S. military presence in several countries not listed below, such as Burkina Faso and Nigeria.⁵⁰ Furthermore, nearly every country in Africa hosts some U.S. military personnel presence, for example as part of the Defense Attaché Office, Office of Security Cooperation, and/or Marine Security Detachment at U.S. Embassies. (Such personnel would appear to be included in the overall 6,000-troop figure above.) In several African countries, a limited number of DOD personnel also serve as military staff officers in U.N. peacekeeping operations.⁵¹ The Defense Department also conducts regular joint combined exercises and training engagements, and periodic military exercises, with African partners, which involve the temporary deployment of U.S. military personnel to the continent.

- **Cameroon.** A letter submitted by the White House to House and Senate leadership in June 2017, “consistent with the War Powers Resolution” (henceforth, the June 2017 WPR report), stated, “In Cameroon, approximately 300 United States military personnel are also deployed, the bulk of whom are supporting United States airborne intelligence, surveillance, and reconnaissance operations in the region.”⁵²
- **Chad.** In his March 9, 2017, AFRICOM Posture Statement to the Senate Armed Services Committee, AFRICOM Commander General Waldhauser stated that the United States had assumed six-month rotational leadership of the Chad-based “Coordination and Liaison Cell,” which coordinates international support to the Nigerian-led Multinational Joint Task Force against Boko Haram.
- **Djibouti.** In his 2017 AFRICOM Posture Statement, General Waldhauser stated that U.S. forces “remain deployed to Djibouti, including for purposes of posturing for counterterrorism and counter-piracy operations in the Horn of Africa and Arabian Peninsula and contingency support for embassy security augmentation in East Africa.”
- **Kenya.** The June 2017 WPR report stated that, “Additional United States forces are deployed to Kenya to support counterterrorism operations in East Africa.”

⁴⁹ If U.S. military personnel were involved in activities in Africa that were designated clandestine (operations conducted in secrecy) or covert (concealment of the identity of the sponsoring entity), it is possible the total number of U.S. service-members would be higher.

⁵⁰ See, e.g., *New York Times*, “U.S. Plans to Put Advisors on Front Lines of Nigeria’s War on Boko Haram,” February 25, 2016; and *Washington Post*, “U.S. Expands Secret Intelligence Operations in Africa,” June 13, 2012.

⁵¹ The largest number of U.S. staff officers in a U.N. peacekeeping operation is in Mali (26 as of August 2017).

⁵² The White House, Office of the Press Secretary, “Text of a Letter from the President to the Speaker of the House of Representatives and the President Pro Tempore of the Senate,” June 6, 2017. Such reports cover “deployments of U.S. armed forces equipped for combat,” not all deployments of U.S. military personnel. For further information on the War Powers Resolution, see CRS Report R42699, *The War Powers Resolution: Concepts and Practice*, by Matthew C. Weed.

- **Libya.** The June 2017 WPR report noted several U.S. airstrike campaigns against ISIS targets in Libya since 2016, which it described as “conducted at the request of and with the consent of the Government of National Accord.”⁵³
- **Mali.** In his 2017 AFRICOM Posture Statement, General Waldhauser stated that “we continue to support France’s counterterrorism operations in Mali ... and seek to increase our synchronization and coordination with their efforts. Continued [U.S.] airlift and logistical support is essential to France’s efforts, and we must continue to provide this support if progress is to happen in this volatile region.”
- **Senegal.** A U.S.-Senegal bilateral defense access agreement was notified to the Senate in 2016, and was described by the then-U.S. Ambassador in remarks to the press.⁵⁴
- **Somalia.** The June 2017 WPR report stated that, “In Somalia, United States forces continue to counter the terrorist threat posed by al-Qa’ida and its Somalia-based associated force, al-Shabaab, and ISIS-Somalia. United States forces also advise, assist, and accompany regional forces, including Somali and African Union Mission in Somalia (AMISOM) forces, during counterterrorism operations.”
- **Tunisia.** General Waldhauser, during a press briefing on March 24, 2017, stated in response to a question, “flying intelligence, surveillance and reconnaissance drones out of Tunisia has been taking place for quite some time ... it’s not a secret base. And it’s not our base, it’s the Tunisians’ base.”⁵⁵
- **Central Africa.** The June 2017 WPR report noted that the six-year U.S. advisor mission to help regional forces counter the Lord’s Resistance Army, known as Operation Observant Compass, ended in April 2017 and that the approximately 410 military personnel who remained at that point deployed to the subregion—in Uganda, Central African Republic, South Sudan, and Democratic Republic of the Congo—were “conducting retrograde activities.” General Waldhauser also told reporters in April that, “We will continue to work with those countries with training and exercises ... we do not want to leave a void there.”⁵⁶ The future U.S. military footprint remains to be seen.

Medical evacuation: What is the “golden hour” and does it apply to troop deployments in Africa?

In the initial aftermath of the October 4 attack, news reports questioned whether DOD had adhered to a “golden hour standard” for medical evacuation.⁵⁷ The “golden hour” is described as the first 60 minutes following trauma or the onset of acute illness, where chances of a patient’s survival are considered greatest if advanced trauma life support can be provided. DOD notes that, “historically, wound data and casualty rates indicate that more than 90 percent of all casualties die

⁵³ See also CRS Report RL33142, *Libya: Transition and U.S. Policy*, by Christopher M. Blanchard.

⁵⁴ Reuters, “U.S. and Senegal Sign Defense Cooperation Deal,” May 2, 2016.

⁵⁵ Department of Defense news transcript, “Department of Defense Press Briefing on U.S. Africa Command by General Thomas D. Waldhauser, commander, U.S. Africa Command,” March 24, 2017.

⁵⁶ *The Cable*, “U.S. Will Keep Fighting Lord’s Resistance Army After All,” ForeignPolicy.com, April 21, 2017.

⁵⁷ *New York Times*, “Niger Attack Lays Bare U.S. Troops’ Long Wait for Medical Help in Africa,” October 10, 2017.

within the first hour of severe wounding without advanced trauma life support.”⁵⁸ U.S. military medical support is generally structured to meet this standard of one hour or less.⁵⁹

Transporting a soldier to advanced trauma care within 60 minutes is viewed, however, as a standard but not an absolute requirement. Lack of medical assets—particularly aerial medical evacuation—along with distances from the site of wounding or injury to a military medical facility, the tactical situation on the ground (e.g., hostile fire), the nature of the mission (e.g., clandestine or in a remote or denied area), and adverse weather might make the one hour advanced treatment standard difficult to achieve. In these instances, commanders may assume a greater degree of risk and possibly implement mitigation measures, such as providing additional on-the-spot medical support. AFRICOM officials have long bemoaned what they characterize as the “tyranny of distance” within the command’s area of operations, and, in the aftermath of the 2012 Benghazi attacks, have sought to improve the command’s ability to respond more rapidly to crises involving U.S. government personnel, while continuing to call for more resources.⁶⁰

In the case of the October 4 Niger ambush, at least one Special Forces medic (see below) was present, but he was killed during the ambush. DOD stated the two U.S. soldiers wounded during the ambush were medically evacuated by French air assets to Niamey during the firefight, and that this medical evacuation was “consistent with the casualty evacuation plan that was in place for this particular operation.”⁶¹

What are the broader implications of building partner capacity in Niger for DOD?

The strategic rationale for which many U.S. soldiers are deployed to Niger is to assist local partners as they build their military capabilities and capacities. The September 11, 2001, terrorist attacks and the subsequent “global war on terror” provided the impetus for Congress and the executive branch to expand DOD’s security cooperation and assistance tools under the rubric of building partner capacity (BPC).⁶² According to the 2006 Quadrennial Defense Review (QDR), BPC was, in essence, a maximalist interpretation and employment of a concept normally executed by Special Operations Forces when working “by, with, and through” partner forces on the ground.⁶³ An increasing interest in BPC reflected assumptions that, much like Afghanistan

⁵⁸ Guy S. Strawder, “Transforming Combat Health Support,” *Joint Forces Quarterly*, Issue 41, 2nd Quarter 2006, pp. 60-67.

⁵⁹ Strawder, p. 61.

⁶⁰ Gen. Thomas Waldhauser, AFRICOM Posture Statement, March 9, 2017.

⁶¹ DOD Press Briefing by Gen. Dunford, October 23, 2017.

⁶² DOD initially used “BPC” to describe efforts the Department would undertake to strengthen its relationships with a wide variety of actors, to include state and local governments; other agencies and departments within the U.S. executive branch; nongovernmental organizations; private businesses; and the security institutions of foreign countries. See Department of Defense, *Building Partnership Capacity: QDR Execution Roadmap* (May 2006), p. 4. See CRS Report R44313, *What Is “Building Partner Capacity?” Issues for Congress*, coordinated by Kathleen J. McInnis.

⁶³ After the QDR’s publication, DOD issued an Execution Roadmap for Building Partner Capacity. In it, it argued that, “The nation’s strategic objectives are unattainable without a unified approach among capable partners at home and with key friends and allies abroad.... The Department of Defense requires a long-term, focused approach to build the capacity and capability of its mission-critical partnerships.” The roadmap defined BPC as “targeted efforts to improve the collective capabilities and performance of the Department of Defense and its partners,” and took a very wide approach to defining what, specifically constituted DoD partners. These included other departments and agencies of the U.S. Government, state and local governments, allies, coalition members, host nations, and other nations, multinational

before 9/11, fragile or “ungoverned” states could ultimately become areas in which terrorist groups could plan and execute attacks against the United States and its allies.

Over time, BPC has become a preferred, if not primary, means by which the United States could secure its interests—as well as a national security objective in its own right. Yet persistent challenges with U.S. BPC missions have led some observers to question the overall strategic efficacy of conducting them. Challenges associated with such efforts in Afghanistan and Iraq, in particular, have called into question whether these BPC programs can achieve their desired effects.⁶⁴ In the Sahel, as well, some DOD officials have negatively assessed the impact of certain types of BPC missions for counterterrorism purposes.⁶⁵ These questions become starker when juxtaposed against larger concerns that DOD is overstretched relative to the challenges with which it must grapple.⁶⁶

Who were the four U.S. soldiers killed in Niger on October 4?

On October 4, 2017, four U.S. soldiers reportedly participating in a joint U.S.-Nigerien train, advise, and assist reconnaissance mission were killed in southwest Niger, as a result of hostile fire. All the soldiers who were killed were assigned to 3rd Special Forces Group (Airborne) from Fort Bragg, North Carolina:⁶⁷

- Staff Sergeant Bryan C. Black, 35, of Puyallup, Washington, Military Occupation Specialty (MOS) 18D, Special Forces Medical Sergeant;
- Staff Sergeant Dustin M. Wright, 29, of Lyons, Georgia, MOS 18C Special Forces Engineer Sergeant;
- Staff Sergeant Jeremiah W. Johnson, 39, of Springboro, Ohio, MOS 74D Chemical, Biological, Radiological, and Nuclear Specialist; and
- Sergeant La David T. Johnson, 25, of Miami Gardens, Florida, MOS 91B Wheeled Vehicle Mechanic.

Two unidentified U.S. soldiers were also wounded in the attack. General Dunford stated on October 23 that Sergeant La David T. Johnson became missing in action (MIA) during the ambush and was killed on October 4, 2017, but that his body was not located until October 6, 2017, by Nigerien forces.⁶⁸ There has been a great deal of speculation as to why Sergeant Johnson’s remains were not located and evacuated until October 6, 2017, in response to which DOD officials note that an investigation of the incident is ongoing.⁶⁹

organizations, nongovernmental organizations and the private sector.

⁶⁴ See, for example, Rosa Brooks, “The Hard Lessons of Kunduz and Syria,” *Foreign Policy*, October 2, 2015, and Lawrence Korb, “Why the U.S. Military Can’t Succeed in Training Foreign Armies,” *Reuters*, October 5, 2015.

⁶⁵ See, e.g., DOD Joint Coalition Operational Analysis, *Mali: Building Partner Capacity and Countering AQIM: A Case Study*, February 22, 2013.

⁶⁶ U.S. Institute of Peace (USIP), National Defense Panel, *Ensuring a Strong U.S. Defense in the Future*, July 31, 2014.

⁶⁷ DOD Identifies Army Casualties Press Operations Release No: NR-347-17, Oct. 6, 2017; DOD Identifies Army Casualty Press Operations Release No: NR-349-17, Oct. 7, 2017; <http://thefallen.militarytimes.com/army-staff-sgt-jeremiah-w-johnson/6568722>; <http://thefallen.militarytimes.com/army-sgt-la-david-t-johnson/6568724>.

⁶⁸ DOD Press Briefing by Gen. Dunford, October 23, 2017.

⁶⁹ *Ibid.*

What do we know about the alleged perpetrators of the October 4 attack?

As of October 26, no one has publicly claimed responsibility for the October 4 attack. DOD officials have identified the perpetrators as local militants “affiliated” with the Islamic State organization (IS or ISIS/ISIL).⁷⁰ Given the location of the attack, analysts have interpreted the term as referring to the so-called Islamic State-Greater Sahara (IS-GS), a militant faction formerly associated with the Algerian-led regional network AQIM.⁷¹

IS-GS emerged in May 2015, when Abu Walid al Sahrawi, a leader in the Movement for Unity and Jihad in West Africa (MUJAO after its French acronym)—itself a splinter faction of AQIM—pledged allegiance to the Islamic State. In September-October 2016, the group reportedly carried out three relatively sophisticated attacks, two deadly assaults on local security forces in Burkina Faso and an attempted prison break in Niger on the outskirts of Niamey.⁷² The “core” Islamic State organization subsequently appeared to recognize the IS-GS pledge of allegiance in a public release in October 2016, although IS leadership apparently has not referred to a full “province” in the Sahel region, as it has with affiliated groups in Nigeria and Libya, for example. The degree of antagonism and/or coordination between Al Qaeda and Islamic State affiliates in West Africa is a matter of debate. While the two franchises may compete for recruits and prominence, some analysts see evidence of possible cooperation.⁷³

Al Sahrawi’s nationality is unclear; some news sources allege that he is a refugee from the disputed territory of Western Sahara. MUJAO, the group in which Al Sahrawi first rose to prominence, was formed in 2011 as a Malian- and Mauritanian-led dissident faction of AQIM. In 2012, after the collapse of state institutions in northern Mali, MUJAO asserted control over Mali’s Gao region (bordering Niger), where it appointed local administrators, security forces, and judges. During that year, AQIM and other AQIM-related groups asserted control over other parts of northern Mali and generally coexisted. In 2013, amid France’s military intervention in Mali, MUJAO joined with another AQIM splinter faction led by longtime AQIM figure—and periodic AQIM rival—Mokhtar bel Mokhtar to form Al Murabitoun. Al Sahrawi’s 2015 split from Al Murabitoun took place around the same time that the latter group was undertaking a rapprochement with AQIM, culminating in the formation of a new Al Qaeda-aligned coalition in Mali in early 2017 (known as *Jama’at Nusrat al Islam wal Muslimeen* or “Group for Supporting Islam and Muslims,” aka JNIM).⁷⁴ (See chronology in the **Appendix**.)

Since its pledge to the Islamic State in May 2015, observers have attributed to IS-GS a number of attacks against local targets, including local security forces, officials, teachers, and prisons, in the

⁷⁰ Voice of America, “Pentagon Blames Islamic State in Deadly Attack on US Forces in Niger,” October 11, 2017; Gen. Dunford, remarks on October 23, 2017, op. cit.

⁷¹ References to an Islamic State affiliate initially led to some speculation about potential involvement in the attack by Boko Haram, which is active in southeastern Niger and whose leadership pledged allegiance to the Islamic State in 2015. Based on the location of the October 4 attack and other open source information, a direct link to Boko Haram appears unlikely. As of 2012, elements of Boko Haram reportedly maintained a relationship with elements of AQIM and its offshoots in Mali, but the nature of the current relationship, if any, between Boko Haram—which split into two factions in 2016—and groups operating along the Niger/Mali border is unclear.

⁷² See Jason Warner, “Sub-Saharan Africa’s Three ‘New’ Islamic State Affiliates,” *CTC Sentinel*, January 23, 2017.

⁷³ See, e.g., Caleb Weiss, “Islamic State’s Sahara Branch Claims First Attack in Burkina Faso,” *Long War Journal*, September 4, 2016.

⁷⁴ See CRS In Focus IF10172, *Al Qaeda in the Islamic Maghreb (AQIM) and Related Groups*, by Alexis Arieff.

triborder region joining Niger, Mali, and Burkina Faso. Some news reports indicate that the group is holding a Romanian national kidnapped in Burkina Faso in April 2015—a kidnapping for which MUJAO claimed responsibility—and that it may be holding the American kidnapped in Niger in October 2016, an incident that no group has publicly claimed.⁷⁵ IS-GS has openly claimed responsibility for a small handful of attacks, making its involvement in various attacks and its broader level of activity difficult to ascertain.

Niger’s Interior Minister Mohamed Bazoum stated in a media interview on October 19 that those who carried out the attack were “youths under the influence of Abu Walid al Sahrawi” who were based in the Niger/Mali border region.⁷⁶ Possibly reflecting the extremely complex nature of militant allegiances in the subregion, Bazoum also suggested that the assailants were loyal to Iyad ag Ghali, a Malian national who heads the Al Qaeda-aligned JNIM, although some analysts portray JNIM and IS-GS as rivals rather than allies. The Interior Minister indicated in his remarks that Niger’s government had yet to identify the precise assailants.

In 2012, the State Department designated MUJAO and two of its founders as Specially Designated Global Terrorists under Executive Order 13224. (One of the two founders was subsequently killed in a French strike in Mali.) The State Department designated Al Murabitoun (aka Al Mulathamun) in 2013 as a Foreign Terrorist Organization. Abu Walid al Sahrawi is not individually designated for U.S. sanctions.

Outlook and Issues for Congress

For many Members of Congress, the events of October 4 and their aftermath have highlighted broad issues and challenges related to the effective congressional oversight of U.S. military deployments, U.S. counterterrorism policy in remote regions, and executive-legislative branch information sharing. Some issues and questions for congressional consideration include the following:

- **Counterterrorism Strategy.** On October 23, 2017, Joint Chiefs of Staff Chairman General Joseph Dunford stated, “our soldiers were operating in Niger to build capacity of local forces to defeat violent extremism in West Africa. Their presence is part of a global strategy.” What is the current U.S. global counterterrorism strategy and how does the presence of troops in Niger support this strategy? Through what means are DOD’s counterterrorism activities in Africa coordinated with those of other federal entities, including the State Department, intelligence community, and law enforcement? What alternatives exist to the deployment of U.S. military personnel on advise and assist missions?
- **Train, Advise, and Assist Missions.** What is the policy and legal framework for the deployment of U.S. military personnel to work “by, with, and through” partner nation forces in locations, such as Niger, where there is no U.S. “active, direct combat operation”?⁷⁷ What are the appropriate rules of engagement and roles for U.S. military personnel serving in such missions? Are new reporting or notification requirements needed for congressional oversight of such activities?

⁷⁵ AP, “Jihadist ambush on US forces shows new danger in Sahel,” October 19, 2017.

⁷⁶ Radio France Internationale (RFI), “Mohamed Bazoum: «La plupart des repentis de Boko Haram sont sincères»,” October 19, 2017.

⁷⁷ AFRICOM, “Why the U.S. Military is in Niger,” October 20, 2017.

- **Framework for Military Engagement in the Sahel.** Is the legal and policy framework for U.S. military activities in the Sahel appropriate given the region's threat profile and its level of importance for U.S. national security? What might be the potential unintended consequences of an expanding U.S. military presence in the area, and how are current activities structured to avoid or mitigate them?
- **Impact of Building Partner Capacity.** Are U.S. "building partner capacity" (BPC) activities having their intended effect in Niger and elsewhere in the Sahel? How should Congress evaluate the potential risk, reward, and opportunity costs of such activities? What are the implications of Congress's expansion and consolidation of DOD's authority to conduct a range of "building partner capacity" activities under the FY2015 and FY2017 National Defense Authorization Acts (NDAAs, P.L. 113-291 and P.L. 114-328, respectively)? What considerations should be taken into account by Members of Congress when authorizing and overseeing U.S. counterterrorism capacity-building activities that may take place in countries such as Niger—that is, fragile, impoverished states with a history of military coups and internal conflicts? What are the potential unintended consequences of U.S. counterterrorism assistance in such settings?
- **Military Posture.** Successive Commanders of U.S. Africa Command (AFRICOM) have requested additional resources for contingency planning (including personnel recovery) and intelligence, surveillance, and reconnaissance activities in support of missions in Africa.⁷⁸ Is the military posture in the Sahel adequate and suited to the missions in which U.S. forces are engaged, as well as the security and logistical environment in the region? What new capabilities and assets might AFRICOM require, if any? At what cost should they be provided relative to other priorities? To what extent might the current set of DOD missions or prospective future missions require changes to the U.S. military posture in the region—including new assets, new access to host-nation airfields and ports, updates to any status-of-forces agreements, and changes to supply chains?
- **Contingencies: Role of Allies and Other Actors.** What role do allied countries, such as France, play in enabling U.S. military missions in the Sahel, including contingency planning? How are U.S. military activities coordinated with those of these allied forces? What role do military contractors play?
- **DOD Global Force Management.** Are deployments of U.S. military personnel for BPC missions creating strains on U.S. forces globally? Has the strategic focus on BPC come at the expense of other national security priorities? Is DOD making appropriate planning and force structure decisions to be able to respond to multiple contingencies affecting BPC missions, if necessary? To what extent might DOD need to adjust its force planning construct due to these considerations?

⁷⁸ Gen. Thomas Waldhauser, AFRICOM Posture Statement, March 9, 2017.

Appendix. Chronology

Table A-1. Chronology: Selected Reported Islamist Group Attacks Targeting Western Personnel in the Sahel, and Significant Other Contextual Events

	Mauritania, Mali, Niger, Chad, Burkina Faso
2003	A faction of the Algerian-led Salafist Group for Preaching and Combat (GSPC) seizes 32 Western tourists in southern Algeria, holds them in Mali.
2006-2007	<i>Abdelmalek Droukdel, aka Abu Musab Abdul Wadud, who assumed leadership of the GSPC in 2004, pledges allegiance to Osama bin Laden and renames the group Al Qaeda in the Islamic Maghreb (AQIM).</i>
Dec. 2007	AQIM claims responsibility for killing four French tourists in Mauritania.
Feb. 2008	AQIM claims responsibility for an attack on the Israeli embassy in Mauritania.
Dec. 2008	AQIM kidnaps two Canadian diplomats in Niger.
May 2009	AQIM executes UK national who was kidnapped in Niger and reportedly held in Mali.
Jun. 2009	AQIM claims responsibility for killing a U.S. citizen in Nouakchott, Mauritania, accusing him of seeking to convert Muslims to Christianity.
Aug. 2009	AQIM claims a suicide bombing near the French embassy in Mauritania.
Dec. 2009	AQIM kidnaps two Italian citizens in Mauritania.
Jul. 2010	AQIM executes a French hostage, who was kidnapped in Niger and held in Mali, following a failed French-Mauritanian raid to free him.
Sep. 2010	AQIM kidnaps seven foreign hostages at a uranium facility in Arlit, northern Niger.
Jan. 2011	AQIM kidnaps two French nationals in Niamey, Niger; both are killed during a French military rescue attempt.
Oct. 2011	<i>Mauritanian and Malian members of AQIM announce formation of a breakaway faction, the Movement for Unity and Jihad in West Africa (known as MUJAO after its French acronym).</i>
Nov. 2011	AQIM kidnaps five European nationals in northern and eastern Mali, and kills a sixth.
Jun.-Dec. 2012	<i>As Malian state institutions collapse amid a separatist insurgency and military coup, AQIM, MUJAO, and Malian-led Ansar al Dine assert control over much of northern Mali, impose harsh punishments under a strict interpretation of “sharia” law, and destroy historic and cultural sites in Timbuktu.</i>
Nov. 2012	MUJAO kidnaps a European tourist in western Mali.
late 2012	<i>Mokhtar bel Mokhtar splits from AQIM, forms Al Mulathamun.</i>
Jan. 2013	<i>France deploys its military to Mali to oust Islamist militants from the north. The U.S. military provides logistical support.</i>
May 2013	Al Mulathamun and MUJAO carry out simultaneous attacks in several locations in northern Niger, including a mine operated by a French firm, killing at least 20.
Jul. 2013	<i>U.N. Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) begins operating, absorbing a previous African-led military operation.</i>
Aug. 2013	<i>Al Mulathamun merges with MUJAO to form Al Murabitoun.</i>
Nov. 2013	Two French journalists are kidnapped and killed in the city of Kidal in northern Mali, by unidentified assailants.

Jun. 2014	<i>The Islamic State in Iraq and Syria declares a global “caliphate.”</i>
Jul. 2014	<i>France announces Operation Barkhane, an enduring multicountry military deployment in the Sahel for counterterrorism operations. U.S. logistical and intelligence support continues.</i>
Mar. 2015	Al Murabitoun gunman kills five, including two European nationals, in an attack on a restaurant in Bamako, Mali.
Apr. 2015	Abu Walid Al Sahrawi announces his group is holding a Romanian hostage kidnapped in Burkina Faso.
May 2015	<i>MUJAO faction led by Al Sahrawi pledges allegiance to the Islamic State. The group later comes to be known as Islamic State-Greater Sahara. Bel Mokhtar reiterates allegiance to Al Qaeda.</i>
Jun. 2015	<i>White House spokesman confirms that Mokhtar bel Mokhtar was “the target of a counterterrorism strike that was taken in Libya,” referring to Bel Mokhtar as “an Al Qaeda associated terrorist” and “the operational leader” of Al Murabitoun.^a Bel Mokhtar reportedly survives the attack.</i>
Nov. 2015	Al Murabitoun and AQIM attack a hotel in Bamako, Mali, seizing about 170 hostages; at least 20 people are killed, including a U.S. citizen.
Jan. 2016	A Swiss nun is kidnapped in Mali; AQIM later claims responsibility.
Jan. 2016	Al Murabitoun and AQIM attack a hotel and restaurant in Ouagadougou, Burkina Faso, killing 30 people, including a U.S. citizen. Separately, an elderly Australian couple is kidnapped in northern Burkina Faso.
Apr. 2016	Three French soldiers are killed by an improvised explosive device in Mali.
Oct. 2016	American citizen Jeffery Woodke is seized at his home in western Niger by unidentified assailants. He remains held by an unidentified group.
Oct. 2016	<i>The news agency of the “core” Islamic State organization recognizes Al Sahrawi’s pledge of allegiance.</i>
Nov. 2016	<i>Mokhtar Bel Mokhtar is reportedly targeted in a French air strike in Libya.</i>
Mar. 2017	<i>Malian-led Islamist armed groups announce merger with AQIM’s Sahel-based cells and Al Murabitoun to form Jama’at Nusrat al Islam wal Muslimeen (“Group for Supporting Islam and Muslims,” or JNIM).</i>
Apr. 2017	JNIM claims responsibility for an ambush on French troops in Mali in which one French soldier is killed.
Jun. 2017	Gunmen lay siege to a resort popular with Westerners and Malians near Bamako, Mali, killing at least five people; JNIM claims responsibility for the attack.
Aug. 2017	JNIM claims responsibility for a series of attacks on French forces in Mali.
Aug. 2017	At least 18 people are killed in an unclaimed attack on a restaurant in Ouagadougou, Burkina Faso.
Oct. 2017	Four U.S. military personnel are killed in an unclaimed attack in western Niger, which some attribute to Al Sahrawi’s Islamic State-Greater Sahara.

a. White House News Briefing, June 15, 2015.

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