

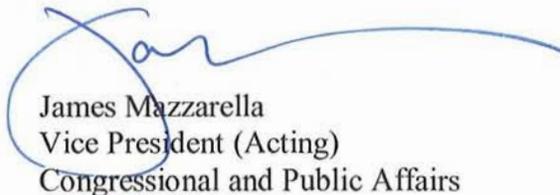


CONGRESSIONAL NOTIFICATION TRANSMITTAL SHEET

We wish to inform you that the Millennium Challenge Corporation ("MCC") has decided to suspend assistance to Niger, as set forth in the attached notification, based on a determination that the Government of the Republic of Niger has engaged in a pattern of actions inconsistent with the criteria used to determine the eligibility for MCC assistance. We have also attached for your reference supplemental information regarding MCC's decision to suspend assistance to Niger.

Members of MCC's staff are available to meet with you at your convenience to discuss this suspension. If you or your staff would like to arrange a meeting, please contact Ellona Fritschie (Senate) or Erin Kolodjeski (House of Representatives) at (202) 521-3850. The attached notification is being sent to the Congress on December 17, 2009.

Sincerely,

A handwritten signature in blue ink, appearing to read "James", is written over a circular stamp or seal. The signature is fluid and extends to the right.

James Mazarella
Vice President (Acting)
Congressional and Public Affairs

**MILLENNIUM CHALLENGE CORPORATION
CONGRESSIONAL NOTIFICATION**

December 17, 2009

This notification is submitted under the heading "Millennium Challenge Corporation" of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 to advise that the Millennium Challenge Corporation ("MCC") has decided to suspend MCC's assistance to the Republic of Niger under the program authorized under section 616 of the Millennium Challenge Act of 2003, as amended (the "Threshold Program").

SUPPLEMENTAL INFORMATION REGARDING SUSPENSION OF NIGER THRESHOLD PROGRAM

Background

On January 30, 2008, MCC approved assistance to the Republic of Niger under section 616 of the Millennium Challenge Act of 2003, as amended, for a three-year, \$23,066,914 program to improve Niger's policy performance in the areas measured by four of MCC's eligibility indicators – *Girls Primary Education Completion Rates*, *Control of Corruption*, *Business Start-Up* and *Land Rights and Access* (the "Niger Threshold Program"). The United States Agency for International Development and the Government of Niger signed an assistance agreement governing the implementation of the Niger Threshold Program on March 17, 2008. The program is focused on improving the quality of, and access to, education for girls in Niger; improving local governance and reducing corruption through increased transparency and civil society engagement; and improving the business environment by streamlining business creation and access to land procedures.

Recent Political Events

Over the past eight months the Government of Niger has engaged in a pattern of actions inconsistent with MCC's eligibility criteria. Specifically, President Tandja and the Government of Niger have taken several undemocratic actions to extend the presidential term beyond the limit imposed by the constitution of Niger and to consolidate power. President Tandja dissolved parliament, dismissed and replaced the constitutional court, which had determined that a proposed referendum to extend his presidential term was illegal, conducted this disputed referendum and granted the president unlimited opportunity for re-election, and held elections to replace the parliamentary members removed when the president dissolved parliament. In addition, the Government of Niger has brought charges against several leaders of nongovernmental organizations and journalists expressing critical views, as well as over 120 members of the opposition, including members of parliament and other politicians.

Conclusion

These actions represent a pattern of actions inconsistent with the principles captured by MCC's *Political Rights*, *Civil Liberties*, and *Voice and Accountability* eligibility indicators. MCC's eligibility criteria require a commitment to "just and democratic governance, including a demonstrated commitment to promote political pluralism, equality and the rule of law...[and] encourage transparency and accountability of government."

In accordance with existing MCC policy, because the pattern of actions taken by the Government of Niger is inconsistent with this commitment and MCC's eligibility criteria, MCC has decided to suspend the Niger Threshold Program effective December 31, 2009.