



## CONGRESSIONAL NOTIFICATION TRANSMITTAL SHEET

The Millennium Challenge Corporation (“MCC”) intends to terminate assistance under the Millennium Challenge Compact with the Government of Niger that was signed in December 2022. In addition to the enclosed notification, we have attached supplemental information regarding the planned termination of assistance.

The attached notification is being sent to Congress on June 11, 2024.

If you or your staff would like to arrange a meeting to discuss the planned termination of assistance, please contact Brian Forni at [ForniBJ@mcc.gov](mailto:ForniBJ@mcc.gov).

Sincerely,

/s/

Alice P. Albright  
Chief Executive Officer  
Millennium Challenge Corporation

Enclosure: As stated

**MILLENNIUM CHALLENGE CORPORATION  
CONGRESSIONAL NOTIFICATION**

June 11, 2024

In accordance with section 610(a)(2)(D) of the Millennium Challenge Act of 2003, as amended (the “Act”), this notification is to advise that the Millennium Challenge Corporation (“MCC”) intends to terminate assistance provided under section 605 of the Act to the Government of Niger under the Millennium Challenge Compact between MCC and the Government of Niger signed on December 14, 2022 (the “Compact”).

After consulting with the MCC Board of Directors and determining that the military’s actions against the democratically elected government in Niger, which began in July 2023, constitute a pattern of actions inconsistent with the criteria used to determine Niger’s eligibility for assistance, the Chief Executive Officer of MCC plans to terminate the assistance under the Compact pursuant to subsection 611(a)(2) of the Act.

MCC intends to reprogram \$302 million of funds from the Compact to the Zambia compact that is in the final stages of development. MCC will deliver notification in accordance with section 610(a)(2)(B)(i) of the Act regarding MCC’s intent to negotiate with Zambia in the coming weeks.

## SUPPLEMENTAL INFORMATION

### Summary

MCC's Board selected Niger as eligible to develop a concurrent compact for the purpose of regional economic integration in December 2018. The Board approved the compact (the "Niger Regional Transport Compact") on September 27, 2022, and MCC and the Government of Niger signed the compact grant agreement on December 14, 2022. MCC subsequently began the process of preparing for entry into force of the compact.

In July 2023, elements of the military of Niger overthrew the democratically elected government of Niger in a coup d'état. In response, in August, MCC paused all new activity on the 2016 Compact and all preparatory work on the Niger Regional Transport Compact.

On September 13, 2023, MCC suspended all MCC assistance to Niger based on the finding that the military's actions against the democratically elected government constituted a pattern of actions inconsistent with the criteria used to determine the eligibility of Niger for assistance, under section 611(a)(2) of the Millennium Challenge Act of 2003, as amended, and pursuant to MCC's Policy on Suspension and Termination. In accordance with section 611(c) of the Act, MCC notified Congress of the suspension on September 18, 2023. Following the suspension of assistance to Niger, no work has been done on the Niger Regional Transport Compact since August 2023.

Since last September, there has been limited progress to prepare for new elections and usher in a democratically elected government in Niger. The military leadership has not announced an official timeline to new elections and has indicated that a democratic transition could take up to three years. As a result, on June 3, 2024 MCC's Board of Directors concurred with the recommendation of the MCC Chief Executive Officer to terminate remaining assistance to Niger under the Niger Regional Transport Compact, under section 611(a)(2) of the Millennium Challenge Act of 2003, as amended, and pursuant to MCC's Policy on Suspension and Termination, based on the finding that the coup d'état constituted a pattern of actions inconsistent with the criteria used to determine the eligibility of Niger for assistance.

### **MCC's Actions Pursuant to the Act**

A critical component of MCC's mission is its strong commitment to democratic governance and the principles that underpin the agency's statutory eligibility criteria. Following the coup d'état, MCC initiated a review and analysis of the situation in Niger and the potential impacts on MCC assistance to the country, considering the various applicable U.S. statutory, regulatory, and policy provisions, as well as the terms of the compacts and related agreements.

MCC determined that the actions taken by the military against the democratically elected government in Niger represent a pattern of actions inconsistent with the criteria used to determine Niger's eligibility for assistance. The actions are contrary to the principles of democratic governance that underpin MCC's eligibility criteria, particularly political rights, civil liberties, and the rule of law. In accordance with section 611(a)(2) of the Act, and MCC's associated Policy on Suspension and Termination, MCC determined that termination of assistance to Niger was warranted.