

AMENDMENT TO RULES COMM. PRINT 117-54
OFFERED BY MR. MALINOWSKI OF NEW JERSEY

At the end of title LVIII, add the following:

1 **SEC. 58__.** **IMPLEMENTATION OF OVERSIGHT REQUIRE-**
2 **MENTS.**

3 (a) **IN GENERAL.**—The Secretary of State shall, sub-
4 ject to the availability of appropriations—

5 (1) elevate the consideration of human rights
6 and civilian protection in policy-making on United
7 States arms transfers and security assistance;

8 (2) increase the scope and depth of human
9 rights and civilian harm assessments, due diligence,
10 and other pre-decisional risk assessments, including
11 those required by law on proposed United States se-
12 curity assistance and license applications; and

13 (3) increase the number of full-time equivalent
14 staff at the Bureau of Political-Military Affairs
15 (PM) and the Bureau of Democracy, Human Rights,
16 and Labor (DRL) of the Department of State
17 tasked specifically to—

18 (A) assess risks that potential and con-
19 tinuing United States arms transfers will con-
20 tribute to or facilitate human rights abuses, ci-

1 vilian harm, violations of international humani-
2 tarian law, and the escalation of conflict, in-
3 cluding pursuant to sections 116, 502, 502B,
4 505, and 620H of the Foreign Assistance Act
5 of 1961 (22 U.S.C. 2151n, 2302, 2304, 2314,
6 and 2378);

7 (B) assess whether United States security
8 assistance programs, including arms transfers,
9 associate the United States with governments
10 that deny to their people internationally recog-
11 nized human rights and fundamental freedoms,
12 pursuant to section 502B of the Foreign Assist-
13 ance Act of 1961 (22 U.S.C. 2304);

14 (C) advise decision-makers on the human
15 rights and civilian harm risks of United States
16 arms transfers, including risk mitigation op-
17 tions; and

18 (D) monitor the use of United States-ori-
19 gin defense articles and defense services in pos-
20 sible human rights violations, violations of
21 international humanitarian law, civilian harm
22 incidents, and corruption, and recommend op-
23 tions for accountability and consequence man-
24 agement, including those required pursuant to

1 chapter 3A of the Arms Export Control Act (22
2 U.S.C. 2785).

3 (b) IMPLEMENTATION PLAN.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Sec-
6 retary of State shall submit to the appropriate con-
7 gressional committees an implementation plan that
8 includes a process and procedure for implementing
9 and utilizing funds made available to carry out this
10 section in order to implement the priorities specified
11 in subsection (a).

12 (2) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES DEFINED.—In this subsection, the term “ap-
14 propriate congressional committees” means—

15 (A) the Committee on Appropriations and
16 the Committee on Foreign Affairs of the House
17 of Representatives; and

18 (B) the Committee on Appropriations and
19 the Committee on Foreign Affairs of the Sen-
20 ate.

21 (c) DIRECTIVE.—Not later than 90 days after the
22 date on which the Secretary of State submits the imple-
23 mentation plan required by subsection (b), the Secretary
24 shall issue a written directive to implement this section,
25 which shall take effect on the date of its issuance.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated \$20,000,000 for fiscal year 2023 and
4 each year thereafter to carry out this section.

5 (2) OFFSET.—Notwithstanding the amounts set
6 forth in the funding tables in division D, the amount
7 authorized to be appropriated for operation and
8 maintenance, Defense-wide, as specified in the cor-
9 responding funding table in section 4301, for Oper-
10 ation and Maintenance, Defense wide is hereby re-
11 duced by \$20,000,000.

