

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

At the appropriate place in subtitle B of title XIII,
insert the following:

1 **SEC. ____ . CONDITIONS ON MILITARY COOPERATION WITH**
2 **TUNISIAN MILITARY AND SECURITY SERV-**
3 **ICES.**

4 (a) DEFENSE COOPERATION.—Except as provided in
5 subsection (c), funds authorized to be appropriated pursu-
6 ant to section 333 of title 10, United States Code, may
7 not be made available for Tunisia until the date on which
8 the Secretary of Defense certifies to the appropriate con-
9 gressional committees that—

10 (1) Tunisia has ceased the use of military
11 courts to try civilian defendants; and

12 (2) no military personnel or assets are being
13 used to prevent Tunisian legislators from accessing
14 the Tunisian parliament building.

15 (b) SECURITY SERVICES.—The prohibition under
16 section 660(a) of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2420(a)) shall apply with respect to Tunisia until
18 the date on which the Secretary of State certifies to the
19 appropriate congressional committees that Tunisian state

1 security forces under the authority of the Ministry of Inte-
2 rior have—

3 (1) taken concrete steps to prevent the use of
4 excessive force against protesters and respect free-
5 dom of assembly;

6 (2) taken appropriate steps to investigate and
7 punish past instances of excessive use of force
8 against protesters; and

9 (3) ensured that such forces are not infringing
10 upon the rights of Tunisians to free expression and
11 assembly.

12 (c) EXCEPTIONS.—A certification described in sub-
13 section (a) shall not be required with respect to funds au-
14 thorized to be appropriated by this Act or otherwise made
15 available to the Department of Defense for programs in
16 Tunisia relating to border security, specifically at ports
17 of entry, or nonproliferation programs.

18 (d) WAIVER.—The President may waive the certifi-
19 cation requirements under subsections (a) and (b) with re-
20 spect to specific assistance if, not later than 60 days be-
21 fore the assistance is to be provided, the President submits
22 to the appropriate congressional committees a justification
23 that the waiver is in the national security interest of the
24 United States.

1 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—

2 . In this section, the term “appropriate congressional com-

3 mittees” means—

4 (1) the Committee on Armed Services and the
5 Committee on Foreign Relations of the Senate; and

6 (2) the Committee on Armed Services and the
7 Committee on Foreign Affairs of the House of Rep-
8 resentatives.

