

**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. \_\_\_\_ . MODIFICATION TO CERTAIN PROVISIONS OF LAW**  
2 **RELATING TO LIMITATION ON ASSISTANCE**  
3 **TO FOREIGN SECURITY FORCES.**

4 (a) LIMITATION ON ASSISTANCE TO SECURITY  
5 FORCES.—Section 620M(e) of the Foreign Assistance Act  
6 of 1961 (22 U.S.C. 2378d(e)) is amended—

7 (1) by striking paragraph (2);

8 (2) by redesignating paragraph (1) as para-  
9 graph (2); and

10 (3) by inserting before paragraph (2) (as redес-  
11 igned) the following:

12 “(1) In this section—

13 “(A) the term ‘appropriate congressional  
14 committees’ means the Committee on Foreign  
15 Relations and the Committee on Appropriations  
16 of the Senate, and the Committee on Foreign  
17 Affairs and the Committee on Appropriations of  
18 the House of Representatives;

19 “(B) the term ‘credible information’ means  
20 information that, considering the source of such

1 information and the surrounding circumstances,  
2 supports a reasonable belief that a violation has  
3 occurred;

4 “(C) the term ‘gross violation of human  
5 rights’ includes any war crime (as such term is  
6 defined in section 2441 of title 18, United  
7 States Code).”.

8 (b) PROHIBITION ON USE OF FUNDS FOR ASSIST-  
9 ANCE TO UNITS OF FOREIGN SECURITY FORCES THAT  
10 HAVE COMMITTED A GROSS VIOLATION OF HUMAN  
11 RIGHTS.—Section 362 of title 10, United States Code, is  
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1), by inserting after  
15 “equipment,” the following: “operational sup-  
16 port,”;

17 (B) in paragraph (2), by inserting after  
18 “equipment,” the following: “operational sup-  
19 port,”; and

20 (C) by adding at the end the following:

21 “(3) With respect to amounts made available to the  
22 Department of Defense for operational support for a unit  
23 of a foreign security force if prior vetting of such unit is  
24 not possible, vetting of such unit shall be conducted con-  
25 currently with such operational support, and—

1           “(A) vetting of such unit shall be completed not  
2 later than 30 days after initiation of such oper-  
3 ational support; and

4           “(B) if derogatory information is discovered re-  
5 lated to such unit, such operational support shall  
6 cease.”; and

7           (2) by adding at the end the following:

8           “(f) DEFINITIONS.—In this section—

9           “(1) the term ‘credible information’ means in-  
10 formation that, considering the source of such infor-  
11 mation and the surrounding circumstances, supports  
12 a reasonable belief that a violation has occurred;

13           “(2) the term ‘gross violation of human rights’  
14 includes any war crimes (as such term is defined in  
15 section 2441 of title 18, United States Code); and

16           “(3) the term ‘operational support’ includes op-  
17 erations and activities of United States armed forces  
18 with, alongside, or in combination with forces of  
19 non-North Atlantic Treaty Organization members  
20 pursuant to or authorized under—

21           “(A) an acquisition and cross-servicing  
22 agreement under subchapter I of chapter 138 of  
23 this title;

1           “(B) security cooperation and programs  
2 and activities of the Department of Defense as  
3 defined in section 301(7) of this title;

4           “(C) an authorization for use of United  
5 States Armed Forces under the War Powers  
6 Resolution (50 U.S.C. 1541 et seq.);

7           “(D) section 127e of this title (relating to  
8 support of special operations to combat ter-  
9 rorism); or

10           “(E) section 1202 of the National Defense  
11 Authorization Act for Fiscal Year 2018 (Public  
12 Law 115–91; 131 Stat. 1639; relating to sup-  
13 port of special operations for irregular war-  
14 fare).”.

