

AMENDMENT TO _____
OFFERED BY MRS. TORRES OF CALIFORNIA

At the end of title XIII of division A, add the following:

1 **Subtitle D—Central American**
2 **Women and Children Protection**
3 **Act of 2021**

4 **SEC. 1331. SHORT TITLE.**

5 This subtitle may be cited as the “Central American
6 Women and Children Protection Act of 2021”.

7 **SEC. 1332. FINDINGS.**

8 Congress finds the following:

9 (1) The Northern Triangle countries of El Sal-
10 vador, Guatemala, and Honduras have among the
11 highest homicide rates in the world. In 2020, there
12 were—

13 (A) 19.7 homicides per 100,000 people in
14 El Salvador;

15 (B) 15.4 homicides per 100,000 people in
16 Guatemala; and

17 (C) 37.6 homicides per 100,000 people in
18 Honduras.

1 (2) El Salvador, Guatemala, and Honduras are
2 characterized by a high prevalence of drug- and
3 gang-related violence, murder, and crimes involving
4 sexual- and gender-based violence against women
5 and children, including domestic violence, child
6 abuse, and sexual assault.

7 (3) In 2019, El Salvador, Guatemala, and Hon-
8 duras were all listed among the 7 countries in the
9 Latin America and Caribbean region with the high-
10 est rates of femicides (the intentional killing of
11 women or girls because of their gender). In 2019—

12 (A) 113 women in El Salvador were vic-
13 tims of femicide;

14 (B) 160 women in Guatemala were victims
15 of femicide; and

16 (C) 299 women in Honduras were victims
17 of femicide or violent homicide.

18 (4) In 2015, El Salvador and Honduras were
19 among the top 3 countries in the world with the
20 highest child homicides rates, with more than 22
21 and 32 deaths per 100,000 children, respectively, ac-
22 cording to the nongovernmental organization Save
23 the Children.

1 (5) Thousands of women, children, and families
2 from El Salvador, Guatemala, and Honduras fled
3 unsafe homes and communities in 2019.

4 (6) Violent crimes against women and children
5 are generally assumed to be substantially under-re-
6 ported because the majority of victims lack safe ac-
7 cess to protection and justice.

8 (7) Impunity for perpetrators of violence
9 against women is rampant in El Salvador, Guate-
10 mala, and Honduras. There was a 5 percent convic-
11 tion rate for violence against women in El Salvador
12 in 2016 and 2017. The impunity level for violence
13 against women in Guatemala was 97.05 percent in
14 2018. In 2018, there was an impunity rate of 95
15 percent for violence against women in Honduras.

16 (8) According to a study conducted by the
17 Woodrow Wilson International Center for Schol-
18 ars—

19 (A) childhood experiences with domestic vi-
20 olence in Latin America are a major risk factor
21 for future criminal behavior; and

22 (B) 56 percent of incarcerated women and
23 59 percent of incarcerated men surveyed experi-
24 enced intra-familial violence during childhood.

1 **SEC. 1333. WOMEN AND CHILDREN PROTECTION COM-**
2 **PACTS.**

3 (a) **AUTHORIZATION TO ENTER INTO COMPACTS.—**
4 The President, in coordination with the Secretary of State
5 and the Administrator of the United States Agency for
6 International Development, is authorized to enter into
7 multi-year, bilateral agreements of not longer than 6 years
8 in duration, developed in conjunction with the govern-
9 ments of El Salvador, Guatemala, and Honduras (referred
10 to in this subtitle as “Compact Countries”). Such agree-
11 ments shall be known as Women and Children Protection
12 Compacts (referred to in this subtitle as “Compacts”).

13 (b) **PURPOSE.—**Each Compact shall—

14 (1) set out the shared goals and objectives of
15 the United States and the government of the Com-
16 pact Country; and

17 (2) be aimed at strengthening the Compact
18 Country’s efforts—

19 (A) to strengthen criminal justice and civil
20 court systems to protect women and children
21 and serve victims of domestic violence, sexual
22 violence, and child exploitation and neglect, and
23 hold perpetrators accountable;

24 (B) to secure, create, and sustain safe
25 communities, building on best practices to pre-

1 vent and deter violence against women and chil-
2 dren;

3 (C) to ensure that schools are safe and
4 promote the prevention and early detection of
5 domestic abuse against women and children
6 within communities; and

7 (D) to increase access to high-quality, life-
8 saving health care, including post-rape and dig-
9 nity kits, psychosocial support, and dedicated
10 spaces and shelters for gender-based violence
11 survivors, in accordance with international
12 standards.

13 (c) COMPACT ELEMENTS.—Each Compact shall—

14 (1) establish a 3- to 6-year cooperative strategy
15 and assistance plan for achieving the shared goals
16 and objectives articulated in such Compact;

17 (2) be informed by the assessments of—

18 (A) the areas within the Compact Country
19 experiencing the highest incidence of violence
20 against women and children;

21 (B) the ability of women and children to
22 access protection and obtain effective judicial
23 relief; and

24 (C) the judicial capacity to respond to re-
25 ports within the Compact Country of femicide,

1 sexual and domestic violence, and child exploi-
2 tation and neglect, and to hold the perpetrators
3 of such criminal acts accountable;

4 (3) seek to address the driving forces of vio-
5 lence against women and children, which shall in-
6 clude efforts to break the binding constraints to in-
7 clusive economic growth and access to justice;

8 (4) identify clear and measurable goals, objec-
9 tives, and benchmarks under the Compact to detect,
10 deter and respond to violence against women and
11 children;

12 (5) set out clear roles, responsibilities, and ob-
13 jectives under the Compact, which shall include a de-
14 scription of the anticipated policy and financial com-
15 mitments of the central government of the Compact
16 Country;

17 (6) seek to leverage and deconflict contributions
18 and complementary programming by other donors,
19 international organizations, multilateral institutions,
20 regional organizations, nongovernmental organiza-
21 tions, and the private sector, as appropriate;

22 (7) include a description of the metrics and in-
23 dicators to monitor and measure progress toward
24 achieving the goals, objectives, and benchmarks
25 under the Compact, including reductions in the prev-

1 alence of femicide, sexual assault, domestic violence,
2 and child abuse and neglect;

3 (8) provide for the conduct of an impact evalua-
4 tion not later than 1 year after the conclusion of the
5 Compact; and

6 (9) provide for a full accounting of all funds ex-
7 pended under the Compact, which shall include full
8 audit authority for the Office of the Inspector Gen-
9 eral of the Department of State, the Office of the
10 Inspector General of the United States Agency for
11 International Development, and the Government Ac-
12 countability Office, as appropriate.

13 (d) SUNSET.—The authority to enter into Compacts
14 under this subtitle shall expire on September 30, 2023.

15 **SEC. 1334. AUTHORIZATION OF ASSISTANCE.**

16 (a) ASSISTANCE.—The President, in coordination
17 with the Secretary of State and the Administrator of the
18 United States Agency for International Development, is
19 authorized to provide assistance under this section.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated \$25,000,000 for each of the
22 fiscal years 2022 and 2023 to carry out this subtitle.

23 (c) IMPLEMENTERS.—Assistance authorized under
24 subsection (a) may be provided through grants, coopera-
25 tive agreements, contracts or other innovative financing

1 instruments to civil society, international organizations, or
2 other private entities with relevant expertise.

3 (d) PROHIBITION ON FUNDING TO CENTRAL GOV-
4 ERNMENTS.—No funds appropriated pursuant to sub-
5 section (b) may be provided as direct budgetary support
6 to the Government of El Salvador, the Government of
7 Guatemala, or the Government of Honduras.

8 (e) SUSPENSION OF ASSISTANCE.—

9 (1) IN GENERAL.—The Secretary of State, in
10 coordination with the Administrator of the United
11 States Agency for International Development, may
12 suspend or terminate assistance authorized under
13 this subtitle if the Secretary determines that the
14 Compact Country or implementing entity—

15 (A) is engaged in activities that are con-
16 trary to the national security interests of the
17 United States;

18 (B) has engaged in a pattern of actions in-
19 consistent with the goals, objectives, commit-
20 ments, or obligations under the Compact; or

21 (C) has failed to make sufficient progress
22 toward meeting the goals, objectives, commit-
23 ments, or obligations under the Compact.

24 (2) REINSTATEMENT.—The President, in co-
25 ordination with the Secretary of State and the Ad-

1 administrator of the United States Agency for Inter-
2 national Development, may reinstate assistance sus-
3 pended or terminated pursuant to paragraph (1)
4 only if the Secretary certifies to the Committee on
5 Foreign Relations of the Senate and the Committee
6 on Foreign Affairs of the House of Representatives
7 that the Compact Country or implementing entity
8 has taken steps to correct each condition for which
9 assistance was suspended or terminated under para-
10 graph (1).

11 (3) NOTIFICATION AND REPORT.—Not later
12 than 15 days before suspending or terminating as-
13 sistance pursuant to paragraph (1), the Secretary, in
14 coordination with the Administrator of the United
15 States Agency for International Development, shall
16 notify the Committee on Foreign Relations of the
17 Senate and the Committee on Foreign Affairs of the
18 House of Representatives of the suspension or termi-
19 nation, including a justification for such action.

20 **SEC. 1335. CONGRESSIONAL NOTIFICATION.**

21 Not later than 15 days before entering into a Com-
22 pact with the Government of Guatemala, the Government
23 of Honduras, or the Government of El Salvador, the Sec-
24 retary of State, in coordination with the Administrator of
25 the United States Agency for International Development,

1 shall submit to the Committee on Foreign Relations of the
2 Senate and the Committee on Foreign Affairs of the
3 House of Representatives—

4 (1) a copy of the proposed Compact;

5 (2) a detailed summary of the cooperative strat-
6 egy and assistance plan required under section
7 1333(e); and

8 (3) a copy of any annexes, appendices, or imple-
9 mentation plans related to the Compact.

10 **SEC. 1336. COMPACT PROGRESS REPORTS AND BRIEFINGS.**

11 (a) **PROGRESS REPORT.**—Not later than 1 year after
12 entering into a Compact, and annually during the life of
13 the Compact, the President, in coordination with the Sec-
14 retary of State and the Administrator of the United States
15 Agency for International Development, shall submit a re-
16 port to the Committee on Foreign Relations of the Senate
17 and the Committee on Foreign Affairs of the House of
18 Representatives describing the progress made under the
19 Compact.

20 (b) **CONTENTS.**—The report under subsection (a)
21 shall include—

22 (1) analysis and information on the overall
23 rates of gender-based violence against women and
24 children in El Salvador, Guatemala, and Honduras,
25 including by using survivor surveys, regardless of

1 whether or not these acts of violence are reported to
2 government authorities;

3 (2) analysis and information on incidences of
4 cases of gender-based violence against women and
5 children reported to the authorities in El Salvador,
6 Guatemala, and Honduras, and the percentage of al-
7 leged perpetrators investigated, apprehended, pros-
8 ecuted, and convicted;

9 (3) analysis and information on the capacity
10 and resource allocation of child welfare systems in
11 El Salvador, Guatemala, and Honduras to protect
12 unaccompanied children;

13 (4) the percentage of reported violence against
14 women and children cases reaching conviction;

15 (5) a baseline and percentage changes in
16 women and children victims receiving legal and other
17 social services;

18 (6) a baseline and percentage changes in school
19 retention rates;

20 (7) a baseline and changes in capacity of police,
21 prosecution service, and courts to combat violence
22 against women and children;

23 (8) a baseline and changes in capacity of
24 health, protection, and other relevant ministries to
25 support survivors of gender-based violence; and

1 (9) independent external evaluation of funded
2 programs, including compliance with terms of the
3 Compacts by El Salvador, Guatemala, and Hon-
4 duras, and by the recipients of the assistance.

5 (c) BRIEFING.—Not later than 180 days after the
6 date of the enactment of this Act, the Secretary of State
7 and the Administrator of the United States Agency for
8 International Development shall provide a briefing to the
9 Committee on Foreign Relations of the Senate and the
10 Committee on Foreign Affairs of the House of Representa-
11 tives regarding—

12 (1) the data and information collected pursuant
13 to this section; and

14 (2) the steps taken to protect and assist victims
15 of domestic violence, sexual violence, and child ex-
16 ploitation and neglect.

