

**AMENDMENT TO RULES COMM. PRINT 118–10**  
**OFFERED BY MR. GALLAGHER OF WISCONSIN**

At the end of title XVIII, add the following:

1 **Subtitle D—Strengthening Tools to**  
2 **Counter the Use of Human**  
3 **Shields Act**

4 **SEC. 1861. SHORT TITLE.**

5 This subtitle may be cited as the “Strengthening  
6 Tools to Counter the Use of Human Shields Act”.

7 **SEC. 1862. STATEMENT OF POLICY.**

8 It shall be the policy of the United States to fully  
9 implement and enforce sanctions against terrorist organi-  
10 zations and other malign actors that use innocent civilians  
11 as human shields.

12 **SEC. 1863. MODIFICATION AND EXTENSION OF SANC-**  
13 **TIONING THE USE OF CIVILIANS AS DE-**  
14 **FENSELESS SHIELDS ACT.**

15 (a) IN GENERAL.—Section 3 of the Sanctioning the  
16 Use of Civilians as Defenseless Shields Act (Public Law  
17 115–348; 50 U.S.C. 1701 note) is amended—

18 (1) by redesignating subsections (e), (f), (g),  
19 (h), and (i) as subsections (f), (g), (h), (i), and (j),  
20 respectively; and

1           (2) by inserting after subsection (d) the fol-  
2           lowing:

3           “(e) CONGRESSIONAL REQUESTS.—Not later than  
4           120 days after receiving a request from the chairman and  
5           ranking member of one of the appropriate congressional  
6           committees with respect to whether a foreign person meets  
7           the criteria of a person described in subsection (b) or (c),  
8           the President shall—

9                   “(1) determine if the person meets such cri-  
10           teria; and

11                   “(2) submit a written justification to the chair-  
12           man and ranking member detailing whether or not  
13           the President imposed or intends to impose sanc-  
14           tions described in subsection (b) or (c) with respect  
15           to such person.”.

16           (b) SUNSET.—Section 5 of the Sanctioning the Use  
17           of Civilians as Defenseless Shields Act (Public Law 115–  
18           348; 50 U.S.C. 1701 note) is amended by striking “De-  
19           cember 31, 2023” and inserting “December 31, 2030”.

20           (c) SEVERABILITY.—The Sanctioning the Use of Ci-  
21           vilians as Defenseless Shields Act (Public Law 115–348;  
22           50 U.S.C. 1701 note) is amended by adding at the end  
23           the following:

1 **“SEC. 6. SEVERABILITY.**

2 “If any provision of this Act, or the application of  
3 such provision to any person or circumstance, is found to  
4 be unconstitutional, the remainder of this Act, or the ap-  
5 plication of that provision to other persons or cir-  
6 cumstances, shall not be affected.”.

7 (d) **EXCEPTION RELATING TO IMPORTATION OF**  
8 **GOODS.—**

9 (1) **IN GENERAL.—**A requirement to block and  
10 prohibit all transactions in all property and interests  
11 in property under section 5(a) of the Sanctioning the  
12 Use of Civilians as Defenseless Shields Act (Public  
13 Law 115–348; 50 U.S.C. 1701 note) by reason of  
14 the amendments made by this section shall not in-  
15 clude the authority or a requirement to impose sanc-  
16 tions on the importation of goods.

17 (2) **GOOD DEFINED.—**In this subsection, the  
18 term “good” means any article, natural or manmade  
19 substance, material, supply or manufactured prod-  
20 uct, including inspection and test equipment, and ex-  
21 cluding technical data.

22 **SEC. 1864. MULTINATIONAL CENTERS OF EXCELLENCE.**

23 (a) **FINDINGS.—**Congress finds the following:

24 (1) The use of civilians to shield military objec-  
25 tives from lawful attack or to deliberately cause civil-

1       ian casualties is a war crime commonly referred to  
2       as the use of human shields.

3           (2) United States law and the Department of  
4       Defense's Law of War Manual explicitly prohibit  
5       United States service members from using human  
6       shields. By contrast, terrorists and other non-state  
7       actors, including al-Qaeda, Hamas, Hezbollah, the  
8       Islamic State, and the Taliban, have repeatedly used  
9       human shields.

10          (3) The Supreme Allied Commander Europe  
11       (SACEUR) in 2019 formally requested that NATO  
12       member states enhance their capacity and coordina-  
13       tion in countering the use of human shields.

14          (4) The SACEUR further stated that "[t]his  
15       practice poses great challenges and limitations to the  
16       effective planning and execution of NATO oper-  
17       ations and missions, as Allied forces and Partners  
18       are forced to choose between not taking action  
19       against legitimate military targets or seeing their ac-  
20       tions, and the overall mission, delegitimized". The  
21       SACEUR concluded that enhanced member state ca-  
22       pacity, and improved cooperation, in countering the  
23       use of human shields "would decidedly become a  
24       major and substantial contribution to the better

1       planning and conduct of NATO operations and mis-  
2       sions”.

3           (5) United States leadership in promoting joint  
4       exercises, doctrine development, education, and  
5       training related to countering the use of human  
6       shields would help encourage NATO to more  
7       robustly implement this important recommendation  
8       by the SACEUR.

9       (b) STATEMENT OF POLICY.—It shall be the policy  
10      of the United States to promote the integration of joint  
11      exercises, doctrine development, education, and training  
12      on countering the use of human shields into multinational  
13      centers of excellence.

14      (c) REPORT ON COUNTERING THE USE OF HUMAN  
15      SHIELDS.—Section 344 of title 10, United States Code,  
16      is amended—

17           (1) by redesignating subsection (f) as sub-  
18      section (g); and

19           (2) by inserting after subsection (e) the fol-  
20      lowing:

21      “(f) REPORT ON COUNTERING THE USE OF HUMAN  
22      SHIELDS.—The Secretary of Defense shall submit to the  
23      congressional defense committees, the Committee on For-  
24      eign Affairs of the House of Representatives, and the  
25      Committee on Foreign Relations of the Senate on an an-

1 nual basis a report on participation of members of the  
2 armed forces and Department of Defense civilian per-  
3 sonnel in any multinational center of excellence for the  
4 purposes described in paragraphs (1) and (2) of sub-  
5 section (a) related to countering the use of human shields  
6 during the prior year.”.

