

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

8 (a) FINDINGS.—Congress finds the following:

9 (1) The use of civilians to shield military objec-  
10 tives from lawful attack or to deliberately cause civil-  
11 ian casualties is a war crime commonly referred to  
12 as the use of human shields.

13 (2) United States law and the Department of  
14 Defense’s Law of War Manual explicitly prohibit  
15 United States service members from using human  
16 shields. By contrast, terrorists and other non-state  
17 actors, including al-Qaeda, Hamas, Hezbollah, the  
18 Islamic State, and the Taliban, have repeatedly used  
19 human shields.

20 (3) The Supreme Allied Commander Europe  
21 (SACEUR) in 2019 formally requested that NATO  
22 member states enhance their capacity and coordina-  
23 tion in countering the use of human shields.

24 (4) The SACEUR further stated that “[t]his  
25 practice poses great challenges and limitations to the  
26 effective planning and execution of NATO oper-

1 ations and missions, as Allied forces and Partners  
2 are forced to choose between not taking action  
3 against legitimate military targets or seeing their ac-  
4 tions, and the overall mission, delegitimized”. The  
5 SACEUR concluded that enhanced member state ca-  
6 pacity, and improved cooperation, in countering the  
7 use of human shields “would decidedly become a  
8 major and substantial contribution to the better  
9 planning and conduct of NATO operations and mis-  
10 sions”.

11 (5) United States leadership in promoting joint  
12 exercises, doctrine development, education, and  
13 training related to countering the use of human  
14 shields would help encourage NATO to more  
15 robustly implement this important recommendation  
16 by the SACEUR.

17 (b) STATEMENT OF POLICY.—It shall be the policy  
18 of the United States to promote the integration of joint  
19 exercises, doctrine development, education, and training  
20 on countering the use of human shields into multinational  
21 centers of excellence.

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

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

3           (2) by inserting after subsection (e) the fol-  
4           lowing:

5           “(f) REPORT ON COUNTERING THE USE OF HUMAN  
6 SHIELDS.—The Secretary of Defense shall submit to the  
7 congressional defense committees, the Committee on For-  
8 eign Affairs of the House of Representatives, and the  
9 Committee on Foreign Relations of the Senate on an an-  
10 nual basis a report on participation of members of the  
11 armed forces and Department of Defense civilian per-  
12 sonnel in any multinational center of excellence for the  
13 purposes described in paragraphs (1) and (2) of sub-  
14 section (a) related to countering the use of human shields  
15 during the prior year.”.

