AMENDMENT TO RULES COMMITTEE PRINT 117–13

OFFERED BY MS. JACOBS OF CALIFORNIA

At the end of subtitle D of title X, insert the following:

SEC. 10. CONSIDERATION OF HUMAN RIGHTS RECORDS OF RECIPIENTS OF SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e of title 10, United States Code, is amended—

(1) in subsection (c)(2) by adding at the end of the following new subparagraph—

“(D) The processes through which the Secretary shall ensure that, prior to a decision to provide any support to foreign forces, irregular forces, groups, or individuals, full consideration is given to any credible information relating to violations of human rights by such entities.”.

(2) in subsection (d)(2)—

(A) in subparagraph (H), by inserting “, including the promotion of good governance and rule of law and the protection of civilians and human rights” before the period at the end;
(B) in subparagraph (I)—

(i) by striking the period at the end

and inserting “or violations of the Geneva

Conventions of 1949, including—”; and

(ii) by adding at the end the following

new clauses:

“(i) vetting units receiving such sup-

port for violations of human rights;

“(ii) providing human rights training

to units receiving such support; and

“(iii) providing for the investigation of

allegations of violations of human rights

and termination of such support in cases

of credible information of such violations.”;

and

(C) by adding at the end the following new

subparagraph:

“(J) A description of the human rights

record of the recipient, including for purposes

of section 362 of this title, and any relevant at-

tempts by such recipient to remedy such

record.”;

(3) in subsection (i)(3) by adding at the end the

following new subparagraph:
“(I) An assessment of how support provided under this section advances United States national security priorities and aligns with other United States Government efforts to address underlying risk factors of terrorism and violent extremism.”; and

(4) by adding at the end the following new subsection:

“(j) PROHIBITION ON USE OF FUNDS.—(1) Except as provided in paragraphs (2) and (3), no funds may be used to provide support to any foreign forces, irregular forces, groups, or individuals if the Secretary of Defense has credible information that the unit has committed a gross violation of human rights.

“(2) The Secretary of Defense may waive the prohibition under paragraph (1) if the Secretary determines that the waiver is required by extraordinary circumstances.

“(3) The prohibition under paragraph (1) shall not apply with respect to the foreign forces, irregular forces, groups, or individuals of a country if the Secretary of Defense determines that—

“(A) the government of such country has taken all necessary corrective steps; or
“(B) the support is necessary to assist in disaster relief operations or other humanitarian or national security emergencies.”.