

AMENDMENT TO RULES COMMITTEE PRINT 117–

54

OFFERED BY MR. KHANNA OF CALIFORNIA

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

1 **SEC. 10___. RESOURCES TO IMPLEMENT DEPARTMENT OF**
2 **DEFENSE POLICY ON CIVILIAN HARM IN CON-**
3 **NECTION WITH UNITED STATES MILITARY**
4 **OPERATIONS.**

5 (a) **PURPOSE.**—The purpose of this section is to fa-
6 cilitate fulfillment of the requirements in section 936 of
7 the John S. McCain National Defense Authorization Act
8 for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.
9 134 note).

10 (b) **PERSONNEL.**—Not later than 180 days after the
11 date of the enactment of this Act, the Secretary of Defense
12 shall do the following:

13 (1) Assign within each of the United States
14 Central Command, the United States Africa Com-
15 mand, the United States Special Operations Com-
16 mand, the United States European Command, the
17 United States Southern Command, the United
18 States Indo-Pacific Command, and the United

1 States Northern Command not fewer than two per-
2 sonnel who shall have primary responsibility for the
3 following in connection with military operations un-
4 dertaken by such command:

5 (A) Providing guidance and oversight re-
6 lating to prevention of and response to harm to
7 civilians, promotion of observance of human
8 rights, and the protection of civilians and civil-
9 ian infrastructure, including ensuring imple-
10 mentation of the policy of the Department of
11 Defense on harm to civilians resulting from
12 United States military operations.

13 (B) Overseeing civilian harm prevention,
14 mitigation, and response functions on behalf of
15 the commander of such command.

16 (C) Receiving reports of harm to civilians
17 and conducting assessments and investigations
18 relating to such harm.

19 (D) Analyzing incidents and trends with
20 respect to harm to civilians, identifying lessons
21 learned, and ensuring that lessons learned are
22 incorporated into updated command guidance
23 and practices.

24 (E) Offering condolences and amends for
25 harm to civilians, including ex gratia payments.

1 (F) Ensuring the integration of activities
2 relating to civilian harm prevention, mitigation,
3 and response, the protection of civilians, and
4 promotion of observance of human rights in se-
5 curity cooperation activities.

6 (G) Working with the Center for Excel-
7 lence established under section 184 of title 10,
8 United States Code, as added by section 1085.

9 (H) Consulting with non-governmental or-
10 ganizations on civilian harm and human rights
11 matters.

12 (2) Assign within the Office of the Under Sec-
13 retary of Defense for Policy not fewer than two per-
14 sonnel who shall have primary responsibility for im-
15 plementing and overseeing implementation by the
16 components of the Department of Defense of De-
17 partment policy on harm to civilians resulting from
18 United States military operations.

19 (3) Assign within the Joint Staff not fewer
20 than two personnel who shall have primary responsi-
21 bility for the following:

22 (A) Overseeing implementation by the com-
23 ponents of the Department of Defense of De-
24 partment policy on harm to civilians resulting
25 from United States military operations.

1 (B) Developing and sharing in the imple-
2 mentation of such policy.

3 (C) Communicating operational guidance
4 on such policy.

5 (c) TRAINING, SOFTWARE, AND OTHER REQUIRE-
6 MENTS.—

7 (1) IN GENERAL.—In each of fiscal years 2023
8 through 2025, the Secretary of Defense and each
9 Secretary of a military department may obligate and
10 expend, from amounts specified in paragraph (2),
11 not more than \$5,000,000 for the following:

12 (A) Training related to civilian harm pre-
13 vention, mitigation, and response.

14 (B) Information technology equipment,
15 support and maintenance, and data storage, in
16 order to implement the policy of the Depart-
17 ment relating to harms to civilians resulting
18 from United States military operations as re-
19 quired by section 936 of the John S. McCain
20 National Defense Authorization Act for Fiscal
21 Year 2019.

22 (2) FUNDS.—The funds for a fiscal year speci-
23 fied in this subparagraph are funds as follows:

24 (A) In the case of the Secretary of De-
25 fense, amounts authorized to be appropriated

1 for such fiscal year for operation and mainte-
2 nance, Defense-wide.

3 (B) In the case of a Secretary of a military
4 department, amounts authorized to be appro-
5 priated for such fiscal year for operation and
6 maintenance for the components of the Armed
7 Forces under the jurisdiction of such Secretary.

