

AMENDMENT TO RULES COMM. PRINT 117-13
OFFERED BY MR. MALINOWSKI OF NEW JERSEY

At the end of subtitle C of title XIII, insert the following:

1 **SEC. 13 ____ . LIMITATION ON ASSISTANCE TO THE TUNISIAN**
2 **MILITARY AND SECURITY SERVICES.**

3 (a) IN GENERAL.—The President may not provide
4 assistance, including Foreign Military Financing, Inter-
5 national Military Education Training, International Nar-
6 cotics and Control Law Enforcement, and authorities in
7 chapter 16 of title 10, United States Code, to the Tunisian
8 military and security services, and shall suspend or termi-
9 nate any pending Foreign Military Sales to Tunisia, until
10 the President certifies to Congress that the Government
11 of Tunisia has met the conditions described in subsection
12 (c).

13 (b) WAIVER.—The President may waive the limita-
14 tion on the provision of assistance under subsection (a)
15 if, not later than 60 days before the assistance is to be
16 provided, the President submits to the appropriate con-
17 gressional committees—

18 (1) a justification that the waiver is in the na-
19 tional security interest of the United States; and

1 (2) a certification that the recipients have met
2 the requirements of either section 620M of the For-
3 foreign Assistance Act of 1961 (22 U.S.C. 2378d), for
4 assistance funded through appropriations made
5 available to the Department of State, or section 362
6 of title 10, United States Code, for assistance fund-
7 ed through appropriations made available to the De-
8 partment of Defense.

9 (c) CONDITIONS.—The conditions described in this
10 subsection are that the Tunisian Government—

11 (1) has ended the state of emergency imposed
12 by President Saied on July 25, 2021;

13 (2) resumes the normal workings of the Tuni-
14 sian parliament;

15 (3) has named a new prime minister and al-
16 lowed for the formation of a government;

17 (4) has reasserted separation of powers and the
18 independence of the judiciary from executive pres-
19 sure and interference; and

20 (5) returns to a parliamentary democracy in
21 line with the 2014 constitution that respects demo-
22 cratic norms, the rule of law, and the civil, political,
23 and social rights of Tunisians.

- 1 (d) FORM.—The certification required by subsection
- 2 (a) shall be submitted in unclassified form but may include
- 3 a classified annex.

