

AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MR. MCGOVERN OF
MASSACHUSETTS

At the end of subtitle G of title XII, add the following:

1 **SEC. __. REVIEW OF DEPARTMENT OF DEFENSE COMPLI-**
2 **ANCE WITH “PRINCIPLES RELATED TO THE**
3 **PROTECTION OF MEDICAL CARE PROVIDED**
4 **BY IMPARTIAL HUMANITARIAN ORGANIZA-**
5 **TIONS DURING ARMED CONFLICTS”.**

6 (a) STATEMENT OF CONGRESS.—Congress—

7 (1) affirms the importance of United States
8 leadership in ensuring global respect and protection
9 for all health care workers, vehicles and equipment,
10 and health care facilities, during times of armed con-
11 flict or other situations of violence;

12 (2) deeply regrets that health care workers, ve-
13 hicles and equipment, health care facilities, and the
14 sick and wounded are too often attacked, assaulted
15 or subjected to violence in and outside of situations
16 of armed conflict, and expresses support for health
17 care workers around the world providing impartial
18 care in and outside of armed conflict;

1 (3) affirms support for the right to freedom of
2 assembly and rejects the targeting, harming, or en-
3 dangering of health care workers, vehicles or equip-
4 ment, health care facilities, or the sick and wounded
5 during times of civil protest or unrest; and

6 (4) urges the United States Government to
7 strengthen its global leadership role to protect health
8 care in armed conflict and other situations of vio-
9 lence, in accordance with the Geneva Conventions of
10 1949 and United Nations Security Council Resolu-
11 tion 2286 of May 3, 2016, through—

12 (A) United States diplomatic channels;

13 (B) appropriately leveraging United States
14 security cooperation to ensure that United
15 States military partners protect health care;
16 and

17 (C) the development of practical guidance
18 for the United State Armed Forces on pro-
19 tecting health care in armed conflict and other
20 situations of violence.

21 (b) STATEMENT OF POLICY.—It is the policy of the
22 United States—

23 (1) to ensure that Department of Defense or-
24 ders and military guidance are consistent with inter-

1 national humanitarian law recognized by the United
2 States as binding by treaty or custom; and

3 (2) to encourage United States military part-
4 ners to integrate similar measures to protect health
5 care into the planning and conduct of operations.

6 (c) REVIEW.—

7 (1) IN GENERAL.—Not later than 60 days after
8 the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the appropriate congres-
10 sional committees the results of the review requested
11 on October 3, 2016, by then Secretary of Defense
12 Ashton Carter, of compliance of all relevant Depart-
13 ment of Defense orders, rules of engagement, direc-
14 tives, regulations, policies, practices, and procedures,
15 with the “Principles Related to the Protection of
16 Medical Care Provided by Impartial Humanitarian
17 Organizations During Armed Conflicts”.

18 (2) IF REVIEW NOT COMPLETED.—If such re-
19 view has not been completed, the Secretary of De-
20 fense—

21 (A) shall complete the review in accordance
22 with the original request; and

23 (B) shall, not later than 120 days after the
24 date of the enactment of this Act, provide the

1 results of the review to the appropriate congress-
2 sional committees.

3 (3) MATTERS TO BE INCLUDED.—Such review
4 shall include the following:

5 (A) A description of the Department of
6 Defense orders, rules of engagement, directives,
7 regulations, policies, practices, and procedures
8 that were reviewed, including checkpoint prac-
9 tices, hospital searches, precautions concerning
10 attacks on health care facilities that have lost
11 legal protection, treatment of the wounded and
12 sick, or any other guidance, and training or
13 standard operating procedures relating to the
14 protection of health care during armed conflict.

15 (B) An identification of any changes or ad-
16 justments to orders, guidance, policies, or pro-
17 cedures that were made as a result of such re-
18 view and a description of such changes or ad-
19 justments.

20 (4) DEFINITION.—In this subsection, the term
21 “appropriate congressional committees” means—

22 (A) the Committee on Foreign Affairs and
23 the Committee on Armed Services of the House
24 of Representatives; and

1 (B) the Committee on Foreign Relations
2 and the Committee on Armed Services of the
3 Senate.

