AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

At the end of subtitle A of title XII, add the following new section:

SEC. 12. LIMITATION ON AVAILABILITY OF FUNDS FOR PERU PENDING CERTIFICATION.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2024 for the Department of Defense may be made available to establish or maintain any relationship between the Department of Defense and the Government of Peru (including any office or agent of such Government), to provide, authorize, or assist in any way in the transfer of defense articles, defense services, crowd control supplies, or any other supplies, to such Government, or to coordinate joint exercises with the military or police forces of such Government, until—

(1) the Secretary of Defense, in consultation with the Secretary of State, submits to the appropriate congressional committees the certification described in subsection (b), including a comprehensive
evaluation and the justification for such certification; and

(2) a period of 180-days has elapsed following the date of such submission.

(b) CERTIFICATION DESCRIBED.—The certification described in this subsection is a written certification that each of the following criteria has been met:

(1) Free and fair presidential and congressional elections have been held in Peru.

(2) All repression of peaceful protesters and indigenous communities in Peru has ceased.

(3) An in-depth investigation into the mass killings of protesters in Peru beginning in December 2022, conducted by an Interdisciplinary Group of Independent Experts, has concluded and those identified responsible pursuant to such investigation have been prosecuted.

(4) The criminalization of speech in Peru has ceased.

(5) Civil liberties are being fully respected by the Government of Peru, including the right to peaceful protest.

(6) The Government of Peru is promoting a diverse, tolerant society where individuals of all backgrounds (and in particular, the substantial indige-
nous population in Peru) are respected and welcomed into all aspects of political, social, cultural, and economic life in Peru, including by ceasing the stigmatization of indigenous and rural protesters.

(7) A thorough, independent review has been conducted, and the results of such review made publicly available, regarding the practices of the national police of Peru and the military of Peru, as well as the liability of civilian leadership for failing to prevent excessive violence, the mistreatment of detainees, and the stigmatization of indigenous protesters in Peru.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

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