

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:

1 **SEC. 12___ . LIMITATION ON AVAILABILITY OF FUNDS FOR**
2 **PERU PENDING CERTIFICATION.**

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

14 (1) the Secretary of Defense, in consultation
15 with the Secretary of State, submits to the appro-
16 priate congressional committees the certification de-
17 scribed in subsection (b), including a comprehensive

1 evaluation and the justification for such certifi-
2 cation; and

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

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

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

10 (2) All repression of peaceful protesters and in-
11 digenous communities in Peru has ceased.

12 (3) An in-depth investigation into the mass
13 killings of protesters in Peru beginning in December
14 2022, conducted by an Interdisciplinary Group of
15 Independent Experts, has concluded and those iden-
16 tified responsible pursuant to such investigation
17 have been prosecuted.

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

20 (5) Civil liberties are being fully respected by
21 the Government of Peru, including the right to peace-
22 ful protest.

23 (6) The Government of Peru is promoting a di-
24 verse, tolerant society where individuals of all back-
25 grounds (and in particular, the substantial indige-

1 nous population in Peru) are respected and wel-
2 comed into all aspects of political, social, cultural,
3 and economic life in Peru, including by ceasing the
4 stigmatization of indigenous and rural protesters.

5 (7) A thorough, independent review has been
6 conducted, and the results of such review made pub-
7 lically available, regarding the practices of the na-
8 tional police of Peru and the military of Peru, as
9 well as the liability of civilian leadership for failing
10 to prevent excessive violence, the mistreatment of de-
11 tainees, and the stigmatization of indigenous pro-
12 testers in Peru.

13 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
14 FINED.—In this section, the term “appropriate congres-
15 sional committees” means—

16 (1) the Committee on Armed Services and the
17 Committee on Foreign Affairs of the House of Rep-
18 resentatives; and

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

