

AMENDMENT TO RULES COMM. PRINT 118-36
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 2025 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
18 evaluation and the justification for such certifi-
19 cation; and

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

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

6 (1) Free and fair presidential and congressional
7 elections have been held in Peru and the separation
8 of powers inherent in democracy is being respected.

9 (2) The Peruvian Executive and Congress are
10 not acting to obstruct justice in any corruption cases
11 pending against their members.

12 (3) Freedom of the press, including the rights
13 of independent media, are being fully respected, and
14 journalists are not being harassed or obstructed
15 from exercising their basic rights. Media outlets,
16 journalists, and human rights organizations are no
17 longer subjected to violent harassment and physical
18 threats with impunity by far-right groups.

19 (4) The repression of peaceful protesters and
20 indigenous communities in Peru, as well as the crim-
21 inalization of speech, has ceased, and the Govern-
22 ment of Peru is promoting a diverse, tolerant society
23 where individuals of all backgrounds (and in par-
24 ticular, the substantial indigenous population in

1 Peru) are respected and welcomed into all aspects of
2 political, social, cultural, and economic life in Peru.

3 (5) An in-depth investigation into the mass
4 killings of protesters in Peru beginning in December
5 2022, conducted by an Interdisciplinary Group of
6 Independent Experts, has concluded and those iden-
7 tified responsible pursuant to such investigation
8 have been prosecuted.

9 (6) A thorough, independent review has been
10 conducted, and the results of such review made pub-
11 licly available, regarding the practices of the national
12 police of Peru and the military of Peru, as well as
13 the liability of civilian leadership for failing to pre-
14 vent excessive violence, the mistreatment of detain-
15 ees, and the stigmatization of indigenous protesters
16 in Peru.

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

20 (1) the Committee on Armed Services and the
21 Committee on Foreign Affairs of the House of Rep-
22 resentatives; and

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

