

AMENDMENT TO RULES COMM. PRINT 119–33
OFFERED BY MS. OCASIO-CORTEZ OF NEW YORK

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

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 2027 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) The rights of Peruvians to peacefully as-
7 semble, protest, and express dissent are being fully
8 respected.

9 (2) The repression of peaceful protesters and
10 indigenous communities, as well as the criminaliza-
11 tion of speech, has ceased.

12 (3) The Government of Peru has taken effective
13 measures to ensure that those responsible for the
14 mass killings and other serious human rights viola-
15 tions committed against protesters beginning in De-
16 cember 2022 are held fully accountable under Peru-
17 vian law.

18 (4) The Government of Peru has demonstrated
19 that members of the armed forces and police who
20 have committed violations of human rights are being
21 held accountable.

22 (5) The Peruvian executive branch and congress
23 are not acting to obstruct justice in any corruption
24 cases pending against their members.

1 (6) Freedom of the press, including the rights
2 of independent media, are being fully respected, and
3 journalists are not being harassed or obstructed
4 from exercising their basic rights.

5 (7) Media outlets, journalists, and human
6 rights organizations are no longer subjected to vio-
7 lent harassment and physical threats with impunity
8 by far-right groups.

9 (8) An in-depth investigation into the mass
10 killings of protesters in Peru beginning in December
11 2022, conducted by an Interdisciplinary Group of
12 Independent Experts, has concluded and those iden-
13 tified responsible pursuant to such investigation
14 have been prosecuted.

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

23 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
24 DEFINED.—In this section, the term “appropriate con-
25 gressional committees” means—

- 1 (1) the Committee on Armed Services and the
- 2 Committee on Foreign Relations of the Senate; and
- 3 (2) the Committee on Armed Services and the
- 4 Committee on Foreign Affairs of the House of Rep-
- 5 resentatives.

