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

SEC. __. CERTIFICATION RELATING TO ASSISTANCE FOR GUATEMALA.

(a) In General.—Prior to the transfer of any equipment by the Department of Defense to a joint task force of the Guatemalan military or national civilian police during fiscal year 2021, the Secretary of Defense shall certify to the appropriate congressional committees that such ministries have made a credible commitment to use such equipment only for the uses for which they were intended.

(b) Issuing Regulations.—Not later than 60 days after the date of the enactment of this Act, the Secretary of State, in coordination with the Administrator of the United States Agency for International Development and the Secretary of Defense, as appropriate, shall issue regulations requiring the inclusion of appropriate clauses for any new foreign assistance contracts, grants, and cooperative agreements covering the transfer of equipment to the Guatemalan military or national civilian police, to ensure that any equipment provided by the Department of De-
fense to the Guatemalan military or national civilian police
may be recovered if such equipment is used for purposes
other than those purposes for which it was provided.

(c) EXCEPTIONS AND WAIVER.—

(1) EXCEPTIONS.—Subsection (b) shall not
apply to humanitarian assistance, disaster assist-
ance, or assistance to combat corruption.

(2) WAIVER.—The Secretary of State or the
Secretary of Defense, on a case by case basis, may
waive the requirement under subsection (b) if the
Secretary of State or the Secretary of Defense cer-
tifies to the appropriate congressional committees
that such waiver is important to the national secu-

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

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

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