

AMENDMENT TO RULES COMM. PRINT 116–57

OFFERED BY MRS. TORRES OF CALIFORNIA

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

1 **SEC. __. CERTIFICATION RELATING TO ASSISTANCE FOR**
2 **GUATEMALA.**

3 (a) IN GENERAL.—Prior to the transfer of any equip-
4 ment by the Department of Defense to a joint task force
5 of the Guatemalan military or national civilian police dur-
6 ing fiscal year 2021, the Secretary of Defense shall certify
7 to the appropriate congressional committees that such
8 ministries have made a credible commitment to use such
9 equipment only for the uses for which they were intended.

10 (b) ISSUING REGULATIONS.—Not later than 60 days
11 after the date of the enactment of this Act, the Secretary
12 of State, in coordination with the Administrator of the
13 United States Agency for International Development and
14 the Secretary of Defense, as appropriate, shall issue regu-
15 lations requiring the inclusion of appropriate clauses for
16 any new foreign assistance contracts, grants, and coopera-
17 tive agreements covering the transfer of equipment to the
18 Guatemalan military or national civilian police, to ensure
19 that any equipment provided by the Department of De-

1 fense to the Guatemalan military or national civilian police
2 may be recovered if such equipment is used for purposes
3 other than those purposes for which it was provided.

4 (c) EXCEPTIONS AND WAIVER.—

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

8 (2) WAIVER.—The Secretary of State or the
9 Secretary of Defense, on a case by case basis, may
10 waive the requirement under subsection (b) if the
11 Secretary of State or the Secretary of Defense cer-
12 tifies to the appropriate congressional committees
13 that such waiver is important to the national secu-
14 rity interests of the United States.

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

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

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

