

**AMENDMENT TO RULES COMM. PRINT 117-13**  
**OFFERED BY MRS. TORRES OF CALIFORNIA**

At the end of subtitle C of title XIII add the following:

1 **SEC. 13 \_\_\_\_ . RULE OF LAW AND DEMOCRATIC STABILITY IN**  
2 **CENTRAL AMERICA ACT.**

3 (a) SANCTIONS RELATING TO ACTS OF SIGNIFICANT  
4 CORRUPTION AND ANTI-DEMOCRATIC BEHAVIOR.—

5 (1) EXTENSION OF VISA SANCTIONS AGAINST  
6 PERSONS ENGAGING IN ACTS OF SIGNIFICANT COR-  
7 RUPTION.—Each person listed pursuant to the re-  
8 quirements of section 353(b) of the Department of  
9 State, Foreign Operations, and Related Programs  
10 Appropriations Act, 2021 (title III of division FF of  
11 Public Law 116-260, relating to targeted sanctions  
12 to fight corruption in El Salvador, Guatemala, and  
13 Honduras) or pursuant to any other provision of law  
14 requiring a report identifying foreign persons who  
15 the President, acting through the Secretary of State,  
16 determines to have knowingly engaged in actions  
17 that undermine democratic processes or institutions,  
18 or in significant corruption or obstruction of inves-  
19 tigation, and all immediate family members of such

1 person, shall be deemed to be ineligible for entry  
2 into the United States in the same manner and to  
3 the same extent as an official ineligible for such  
4 entry pursuant to section 7031(c) of division K of  
5 such Act.

6 (2) INTERNATIONAL COORDINATION.— The  
7 Secretary of State and Secretary of the Treasury  
8 shall seek to engage international partners and  
9 international institutions for information sharing  
10 and technical assistance for coordinated action, in-  
11 cluding economic sanctions, visa restrictions, or ad-  
12 ditional restrictions on security assistance or co-  
13 operation, against undemocratic, corrupt actors.

14 (b) LIMITATION ON ASSISTANCE WITH RESPECT TO  
15 EL SALVADOR, HONDURAS, OR GUATEMALA.—

16 (1) LIMITATION.—Funds authorized to be ap-  
17 propriated by this Act or otherwise made available  
18 for fiscal year 2022 for the Department of Defense  
19 or the Department of State may be obligated or ex-  
20 pended for assistance, including training and equip-  
21 ment, to a unit or member of the security forces of  
22 El Salvador, Honduras, or Guatemala only if such  
23 unit—

24 (A)(i) has had no credible allegation of sig-  
25 nificant corruption, including in its leadership,

1           within the five years prior to the date of the en-  
2           actment of this section;

3                   (ii) has had no credible allegation of  
4           impeding democratic processes within the  
5           five years prior to such date of enactment;  
6           and

7                   (iii) has had no credible allegation of  
8           threatening personnel of the United States  
9           Government or international organizations  
10          within the five years prior to such date of  
11          enactment; or

12                  (B) the government of such country has  
13          taken effective steps to hold accountable any  
14          person or unit of a security force credibly al-  
15          leged to have engaged in an activity described  
16          in clauses (i) through (iii) of subparagraph (A).

17                  (2) VETTING REPORT REQUIRED.—Not later  
18          than 60 days after providing any assistance de-  
19          scribed in paragraph (1), the Secretary of Defense,  
20          in coordination with the Secretary of State, shall  
21          submit to the congressional defense committees, the  
22          Committee on Foreign Affairs of the House of Rep-  
23          resentatives, and the Committee on Foreign Rela-  
24          tions of the Senate a report that—

1 (A) identifies the unit to which such assist-  
2 ance has been provided;

3 (B) describes the vetting process used; and

4 (C) describes how such assistance is im-  
5 pacting United States policy and how the rel-  
6 evant country is taking effective steps to pre-  
7 vent any misuse of such assistance.

8 (3) TRANSFER AUTHORITY.—The Secretary of  
9 Defense and the Secretary of State, respectively,  
10 may make available amounts withheld from obliga-  
11 tion or expenditure pursuant to the limitation under  
12 paragraph (1) for programs in El Salvador, Hon-  
13 duras, or Guatemala that do not support the central  
14 governments of such countries.

15 (4) REPORT ON NORTHERN TRIANGLE COUN-  
16 TRIES.—

17 (A) IN GENERAL.—Not later than 180  
18 days after the date of the enactment of this  
19 Act, the Secretary of Defense, in consultation  
20 with the Secretary of State, and shall submit to  
21 the appropriate congressional committees a re-  
22 port that includes the following:

23 (i) A description of any ongoing or  
24 planned activities in cooperation with the

1 security forces of the Northern Triangle  
2 countries.

3 (ii) An assessment of the adherence of  
4 the security forces of the Northern Tri-  
5 angle countries to human rights norms and  
6 the rule of law, and a description of any  
7 ongoing or planned activities between the  
8 United States and the Northern Triangle  
9 countries focused on protection of human  
10 rights and adherence to the rule of law, as  
11 well as the response by the Department to  
12 any serious violations of human rights or  
13 anti-democratic actions by the security  
14 forces of such countries.

15 (iii) A list of all United States train-  
16 ing and equipment provided to the security  
17 forces of the Northern Triangle countries  
18 within the 2 years prior to the date of the  
19 enactment of this Act, the number of in-  
20 spections of the use of such equipment  
21 that have occurred during that period, and  
22 the nature of those inspections.

23 (iv) An evaluation of the current vet-  
24 ting process used to ensure that any such  
25 equipment is not provided to a unit or in-

1           dividual that is ineligible to receive such  
2           equipment under paragraph (1).

3                   (v) A list of any such units or individ-  
4           uals that are credibly alleged to have en-  
5           gaged in serious violations of human  
6           rights, significant corruption, or anti-  
7           democratic activities that have received  
8           United States assistance within the two  
9           years prior to the date of the enactment of  
10          this Act.

11                   (vi) A list of any such units that are  
12          known to the Secretary to have used  
13          United States equipment for any purpose  
14          other than the purpose for which the  
15          equipment was provided by the United  
16          States.

17                   (B) FORM.—The report required by sub-  
18          paragraph (A) shall be submitted in unclassi-  
19          fied form, but may contain a classified annex.

20                   (C) DEFINITIONS.—In this paragraph—

21                           (i) the term “Northern Triangle coun-  
22          tries” means El Salvador, Honduras, and  
23          Guatemala; and

24                           (ii) the term “appropriate congres-  
25          sional committees” means the congres-

1                   sional defense committees, the Committee  
2                   on Foreign Affairs of the House of Rep-  
3                   resentatives, and the Committee on For-  
4                   eign Relations of the Senate.

5           (c) STATE DEPARTMENT FELLOWSHIPS FOR RULE  
6 OF LAW ACTIVITIES IN CENTRAL AMERICA.—

7           (1) ESTABLISHMENT.—There is established in  
8           the Department of State a fellowship program, to be  
9           known as the “Central American Network for De-  
10          mocracy”, to support a regional corps of civil soci-  
11          ety, activists, lawyers (including members of the ju-  
12          diary and prosecutors’ offices), journalists, and in-  
13          vestigators to leverage lessons learned in order to  
14          contribute to regional democracy and rule of law ac-  
15          tivities in Central America, including electoral and  
16          transition support, institutional reform, anti-corrup-  
17          tion investigations, and local engagement.

18          (2) REGIONAL AND INTERNATIONAL SUP-  
19          PORT.—The Secretary of State shall take such steps  
20          as may be necessary to obtain support for such fel-  
21          lowships from international foundations, regional  
22          and United States governmental and nongovern-  
23          mental organizations, and regional and United  
24          States universities.

1           (3) FOCUS; SAFETY.—Activities carried out  
2           under the fellowship—

3                   (A) should focus on coordination and con-  
4                   sultation with key bodies to continue their de-  
5                   mocracy efforts, including the Department of  
6                   Justice, Department of Treasury, Department  
7                   of State, the United States Agency for Inter-  
8                   national Development, the Organization of  
9                   American States, the Inter-American Court for  
10                  Human Rights, and the United Nations; and

11                  (B) may include strengthened protection  
12                  for the physical safety of individuals who must  
13                  leave their home country to participate in the  
14                  program, including assistance for temporary re-  
15                  location, English language learning, and mental  
16                  health support.

17           (d) REPORTS AND BRIEFING REQUIRED.—

18                   (1) ANNUAL PROGRESS REPORT.—

19                           (A) IN GENERAL.—Not later than 180  
20                           days after the date of the enactment of this  
21                           Act, and annually thereafter, the Secretary of  
22                           State shall submit to Congress a report entitled  
23                           “Rule of Law and Democratic Stability in Cen-  
24                           tral America,” that includes—



1 (i) a description of the efforts of the  
2 Department of State, working with the  
3 United States Agency for International  
4 Development, to address whole-of-govern-  
5 ment approaches to counter democratic de-  
6 ficiencies or backsliding, endemic corrup-  
7 tion, efforts to weaken the rule of law, and  
8 attacks against independent media and  
9 civil society organizations that threaten po-  
10 litical instability and prevent equitable de-  
11 velopment opportunities in the preceding  
12 year; and

13 (ii) a description of all economic sanc-  
14 tions, visa restrictions, or other measures  
15 taken by the United States to achieve the  
16 goals described in paragraph (1), and the  
17 impact of such actions.

18 (B) FORM; PUBLICATION.—

19 (i) FORM.—The report required by  
20 subparagraph (A) shall be submitted in  
21 unclassified form but may include a classi-  
22 fied annex.

23 (ii) PUBLICATION.—The unclassified  
24 portion of each report required by subpara-  
25 graph (A) shall be made publicly available

1           by the committee or committees of Con-  
2           gress receiving such report.

3           (2) INCLUSION OF CORRUPTION CONCERNS IN  
4           OTHER REPORTING.—The Secretary of State shall  
5           include consideration of measures against corruption  
6           in the context of all required reporting with respect  
7           to human rights, including in the annual Country  
8           Reports on Human Rights Practices submitted pur-  
9           suant to section 116 of the Foreign Assistance Act  
10          of 1961 (22 U.S.C. 2151n).

11          (3) INTERNATIONAL FINANCIAL INSTITUTION  
12          FUNDING ASSESSMENT.—Not later than 90 days  
13          after the date of the enactment of this Act, the Sec-  
14          retary of State shall submit to Congress a review of  
15          all United States funding made available to inter-  
16          national financial institutions in the previous fiscal  
17          year that includes a determination whether any such  
18          funding has been provided to any individual or any  
19          institution led by an individual credibly alleged to  
20          have engaged in acts of corruption or the obstruc-  
21          tion of democratic processes or institutions. Such re-  
22          view shall also include a description of the actions  
23          taken in the instance that funds are misused,  
24          abused, or assessed to be misused, abused, or other-  
25          wise used for corrupt or undemocratic actions, and

1       how the public procurement process played a role in  
2       the matter.

3               (4) CENTRAL AMERICA INTELLIGENCE ASSESS-  
4       MENT.—Not later than 90 days after the date of the  
5       enactment of this Act, the Secretary of State, in co-  
6       ordination with the Director of National Intelligence  
7       and the heads of other applicable Federal depart-  
8       ments and agencies shall conduct and submit to  
9       Congress an intelligence assessment examining im-  
10      proper influence or interference by persons com-  
11      prising corrupt power structures and illicit networks,  
12      such as organized crime, over the security sector, ju-  
13      dicial sector, legislative bodies, and public finance  
14      and procurement processes in Central American  
15      countries, in order to prioritize investigations of in-  
16      dividuals who play a significant role in enabling high  
17      level corruption and obstruction of democratic proc-  
18      esses, including—

19               (A) current or former officials of the secu-  
20      rity sector or the justice sector, including offi-  
21      cials of any sector or ministry involved in the  
22      selection of prosecutors or other judicial offi-  
23      cers, who have willfully cooperated or colluded  
24      with such corrupt structures or illicit networks;

1 (B) private citizens, entities, and non-  
2 governmental organizations involved in—

3 (i) the bribery of or threats against,  
4 personnel of the justice sector, journalists,  
5 or activists; or

6 (ii) the misuse of disciplinary pro-  
7 ceedings and formal and informal sanc-  
8 tions with respect to the justice sector with  
9 the intention of harassing, punishing, or  
10 otherwise interfering with the legitimate  
11 exercise of a judge's professional activities

12 (C) any other persons directly involved in,  
13 financing, or otherwise supporting, the activities  
14 described in subparagraph (A) or (B).

15 (5) QUARTERLY BRIEFINGS.—

16 (A) IN GENERAL.—The Secretary of State  
17 shall provide quarterly briefings, including in  
18 classified form as appropriate, to the appro-  
19 priate congressional committees to discuss the  
20 strategy of the Department to leverage all  
21 United States tools, including non-public and  
22 public visa restrictions or revocations, economic  
23 sanctions, asset forfeitures, or criminal charges,  
24 to sanction the foreign persons described in  
25 subparagraph (B), any actions taken in the pre-

1           ceding quarter against corrupt and undemo-  
2           cratic foreign persons, and the outcome of such  
3           actions to date. Such briefings shall also include  
4           a discussion of actions proposed to be taken in  
5           the forthcoming quarter with respect to such  
6           persons.

7           (B) TARGETED FOREIGN NATIONALS.—  
8           The foreign persons described in this subpara-  
9           graph are the following:

10           (i) Foreign persons identified in the  
11           intelligence assessment required by para-  
12           graph (4), including persons providing ma-  
13           terial support for acts of significant cor-  
14           ruption such as influence peddling, illicit  
15           enrichment, abuse of power, or acts that  
16           serve to protect and maintain impunity.

17           (ii) Foreign persons engaging in a  
18           pattern or practice of threatening justice  
19           sector personnel, witnesses, victims or their  
20           representatives in an official proceeding,  
21           including through direct communications,  
22           public defamation campaigns, or the inten-  
23           tional misuse of legal process to harass  
24           such persons with the purpose or effect of  
25           intimidating and obstructing the judicial

1 process, except that speech, including  
2 through social media, that would be pro-  
3 tected in the United States under the First  
4 Amendment to the United States Constitu-  
5 tion may not be construed to constitute  
6 such a pattern or practice.

7 (iii) Foreign persons providing a thing  
8 of value in exchange for an official act, in-  
9 cluding—

10 (I) providing campaign funds for  
11 the purpose of securing lax enforce-  
12 ment of the law or access to public re-  
13 sources; or

14 (II) supporting appointment to  
15 an official post in exchange for favor-  
16 able treatment.

17 (iv) Foreign persons obstructing jus-  
18 tice in human rights or corruption inves-  
19 tigation or prosecutions, including by fil-  
20 ing legal claims for an improper purpose  
21 such as to harass, delay or increase the  
22 cost of litigation.

23 (v) Foreign persons repressing free  
24 speech, assembly, or organization.

1 (vi) Foreign persons threatening or  
2 committing violence or intimidation against  
3 investigators, activists, journalists, or  
4 human rights defenders.

5 (vii) Foreign persons committing ac-  
6 tions or policies that undermine democratic  
7 processes or institutions.

8 (viii) Foreign persons attempting to  
9 manipulate elections or suppress votes, in-  
10 cluding through the misuse of administra-  
11 tive resources, corrupt interference in the  
12 regulation or administration of elections,  
13 intimidation at the polls, or the intentional  
14 publication of false information pertaining  
15 to elections, candidates, or parties.

16 (ix) Foreign persons interfering in  
17 any election for public office in Central  
18 America or in the United States, including  
19 official candidate selection processes or  
20 campaign finance.

21 (x) Foreign officials or groups pro-  
22 viding financial support or indirect support  
23 to any other person engaged in one or  
24 more of the activities described in this  
25 paragraph.

1           (e) AUTHORIZATION OF APPROPRIATIONS TO SUP-  
2 PORT RULE OF LAW AND ANTI-CORRUPTION ACTIVI-  
3 TIES.—There is authorized to be appropriated  
4 \$10,000,000 for the Secretary of State and the Adminis-  
5 trator of the United States Agency for International De-  
6 velopment to strengthen the rule of law, combat corrup-  
7 tion, consolidate democratic governance, and protect and  
8 defend human rights, including for activities carried out  
9 with respect to Central American countries.

