AMENDMENT TO RULES COMMITTEE PRINT 116–57

OFFERED BY MS. WATERS OF CALIFORNIA

At the end of subtitle E of title X, insert the following:

SEC. 10. PROHIBITION ON THE USAGE OF TEAR GAS AND OTHER RIOT CONTROL AGENTS AGAINST PEACEFUL PROTESTORS.

(a) PROHIBITION.—None of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021 may be used for any program, project, or activity, or any use of personnel or equipment, to conduct actions that injure, oppress, or otherwise restrict any person of any State, territory, or District in the free exercise or enjoyment of the right of the people peaceably to assemble, as secured by the First Amendment of the Constitution, through the use of riot control agents when such assembly is lawful, peaceful, and presents no clear or present danger of violence.

(b) RIOT CONTROL AGENT.—In this section, the term “riot control agent”—

(1) means any irritant agent that belongs to a class of agents collectively referred to as “tear gas”,

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which are chemical compounds that temporarily make people unable to function by causing irritation to the eyes, mouth, throat, lungs, and skin, as well as burns, asphyxiation, and other injuries; and

(2) includes chloroacetophenone (CN), chlorobenzylidenemalononitrile (CS), chloropicrin (PS), bromobenzyleyanide (CA), dibenzoxazepine (CR), oleoresin capsicum (OC), pelargonic acid vanillylamide (PAVA), and any derivatives or combinations thereof.