

AMENDMENT NO. _____ Calendar No. _____

Purpose: To ensure that Congress advises and consents to the provision of any security assistance to a foreign country that is taking corrective steps to bring to justice members of security forces engaged in gross violations of human rights or in a pattern of sexual exploitation or abuse while serving in a United Nations peacekeeping operation.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. _____

To authorize appropriations for the Department of State for fiscal year 2017, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PAUL

Viz:

1 Beginning on page 14, strike line 20 and all that fol-
2 lows through “SPECIFIED.—” on page 16, line 1, and in-
3 sert the following:

4 **SEC. 103. WITHHOLDING OF ASSISTANCE OR SALES.**

5 (a) STATEMENT OF UNITED STATES POLICY.—It is
6 the policy of the United States that—

7 (1) bilateral military assistance to security
8 forces should not be provided to any unit of the se-
9 curity forces of a foreign country that has engaged

1 in a gross violation of human rights, including en-
2 forcement of blasphemy laws, religious persecution,
3 forced imprisonment, trafficking in persons, or in a
4 pattern of sexual exploitation or abuse while serving
5 in a United Nations peacekeeping operation;

6 (2) no funds shall be obligated or expended to
7 finance directly any assistance to the government of
8 any country whose duly elected head of government
9 is deposed by military coup d'état or decree or, after
10 the date of enactment of this Act, a coup d'état or
11 decree in which the military plays a decisive role;
12 and

13 (3) assistance withheld from a government pur-
14 suant to paragraphs (1) and (2) may be resumed in
15 accordance with subsection (c).

16 (b) CLARIFICATION.—A gross violation of human
17 rights referred to in section 620M of the Foreign Assist-
18 ance Act of 1961 (22 U.S.C. 2378d) shall include any
19 gross violation of human rights committed by a unit, in-
20 cluding enforcement of blasphemy laws, religious persecu-
21 tion, forced imprisonment, trafficking in persons, or a pat-
22 tern of sexual exploitation or abuse.

23 (c) WITHHOLDING OF ASSISTANCE OR SALES.—The
24 Secretary shall—

1 (1) withhold any or all of the military assist-
2 ance to security forces described in subsection (e)
3 from any unit of the security forces of a foreign
4 country for which the Secretary has determined that
5 credible evidence exists that the unit has engaged in
6 a pattern of sexual exploitation or abuse, including
7 while serving on a United Nations peacekeeping op-
8 eration; and

9 (2) continue to withhold such assistance or
10 sales until—

11 (A) effective steps have been taken—

12 (i) to investigate, identify, and punish
13 such exploitation or abuse; and

14 (ii) to prevent similar incidents from
15 occurring in the future;

16 (B) the Secretary certifies to the appro-
17 priate congressional committees that the gov-
18 ernment of such country has taken the steps
19 described in subparagraph (A); and

20 (C) Congress enacts a joint resolution ap-
21 proving of such assistance.

22 (d) SUSPENSION OF ASSISTANCE OR SALES.—

23 (1) CONGRESSIONAL DISAPPROVAL.—The Sec-
24 retary shall withhold any or all of the military as-
25 sistance to security forces described in subsection (e)

1 from a unit of the security forces of a foreign coun-
2 try if Congress enacts a joint resolution disapproving
3 such assistance.

4 (2) CONTENTS OF RESOLUTION.—For the pur-
5 pose of paragraph (1), “joint resolution” means only
6 a joint resolution the matter after the resolving
7 clause of which is as follows: “That Congress dis-
8 approves the provision of military assistance de-
9 scribed in section 103(e) of the Department of State
10 Authorization Act, Fiscal Year 2017 to
11 _____ .” (the blank space identifying the
12 relevant unit of the security forces of a country).

13 (3) REFERRAL TO COMMITTEE.—A resolution
14 described in paragraph (2) introduced in the House
15 of Representatives shall be referred to the Com-
16 mittee on Foreign Affairs of the House of Rep-
17 resentatives. A resolution described in paragraph (2)
18 introduced in the Senate shall be referred to the
19 Committee on Foreign Relations of the Senate. Such
20 a resolution may not be reported before the 8th day
21 after its introduction.

22 (4) DISCHARGE OF COMMITTEE.—If the com-
23 mittee to which is referred a resolution described in
24 paragraph (2) has not reported such resolution (or
25 an identical resolution) at the end of 15 calendar

1 days after its introduction, such committee shall be
2 deemed to be discharged from further consideration
3 of such resolution and such resolution shall be
4 placed on the appropriate calendar of the House in-
5 volved.

6 (5) FLOOR CONSIDERATION.—

7 (A) IN GENERAL.—When the committee to
8 which a resolution is referred has reported, or
9 has been deemed to be discharged (under para-
10 graph (4)) from further consideration of, a res-
11 olution described in paragraph (2), it is at any
12 time thereafter in order (even though a previous
13 motion to the same effect has been disagreed
14 to) for any Member of the respective House to
15 move to proceed to the consideration of the res-
16 olution, and all points of order against the reso-
17 lution (and against consideration of the resolu-
18 tion) are waived. The motion is highly privi-
19 leged in the House of Representatives and is
20 privileged in the Senate and is not debatable.
21 The motion is not subject to amendment, or to
22 a motion to postpone, or to a motion to proceed
23 to the consideration of other business. A motion
24 to reconsider the vote by which the motion is
25 agreed to or disagreed to shall not be in order.

1 If a motion to proceed to the consideration of
2 the resolution is agreed to, the resolution shall
3 remain the unfinished business of the respective
4 House until disposed of.

5 (B) DEBATE.—Debate on the resolution,
6 and on all debatable motions and appeals in
7 connection therewith, shall be limited to not
8 more than 10 hours, which shall be divided
9 equally between those favoring and those oppos-
10 ing the resolution. A motion further to limit de-
11 bate is in order and not debatable. An amend-
12 ment to, or a motion to postpone, or a motion
13 to proceed to the consideration of other busi-
14 ness, or a motion to recommit the resolution is
15 not in order. A motion to reconsider the vote by
16 which the resolution is agreed to or disagreed to
17 is not in order.

18 (C) VOTE ON FINAL PASSAGE.—Imme-
19 diately following the conclusion of the debate on
20 a resolution described in paragraph (2), and a
21 single quorum call at the conclusion of the de-
22 bate if requested in accordance with the rules of
23 the appropriate House, the vote on final pas-
24 sage of the resolution shall occur.

1 (D) RULINGS OF THE CHAIR ON PROCE-
2 DURE.—Appeals from the decisions of the Chair
3 relating to the application of the rules of the
4 Senate or the House of Representatives, as the
5 case may be, to the procedure relating to a res-
6 olution described in paragraph (2) shall be de-
7 cided without debate.

8 (6) COORDINATION WITH ACTION BY OTHER
9 HOUSE.—If, before the passage by one House of a
10 resolution of that House described in paragraph (2),
11 that House receives from the other House a resolu-
12 tion described in paragraph (2), then the following
13 procedures shall apply:

14 (A) The resolution of the other House shall
15 not be referred to a committee.

16 (B) With respect to a resolution described
17 in paragraph (2) of the House receiving the res-
18 olution—

19 (i) the procedure in that House shall
20 be the same as if no resolution had been
21 received from the other House; but

22 (ii) the vote on final passage shall be
23 on the resolution of the other House.

1 (7) RULES OF HOUSE OF REPRESENTATIVES
2 AND SENATE.—This subsection is enacted by Con-
3 gress—

4 (A) as an exercise of the rulemaking power
5 of the Senate and House of Representatives, re-
6 spectively, and as such it is deemed a part of
7 the rules of each House, respectively, but appli-
8 cable only with respect to the procedure to be
9 followed in that House in the case of a resolu-
10 tion described in paragraph (2), and it super-
11 sedes other rules only to the extent that it is in-
12 consistent with such rules; and

13 (B) with full recognition of the constitu-
14 tional right of either House to change the rules
15 (so far as relating to the procedure of that
16 House) at any time, in the same manner, and
17 to the same extent as in the case of any other
18 rule of that House.

19 (e) ASSISTANCE SPECIFIED.—