

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide for implementation of the Civilian Harm Incident Response Guidance.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.**

## **H. R. 815**

To amend title 38, United States Code, to make certain improvements relating to the eligibility of veterans to receive reimbursement for emergency treatment furnished through the Veterans Community Care program, 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 Ms. WARREN (for herself, Mr. VAN HOLLEN, Mr. WELCH, and Mr. MERKLEY) to the amendment (No. \_\_\_\_ ) proposed by Mrs. MURRAY

Viz:

1       On page 61, between lines 14 and 15, insert the fol-  
2       lowing:

3       **SEC. 709. IMPLEMENTATION OF THE CIVILIAN HARM INCI-**  
4                                   **DENT RESPONSE GUIDANCE.**

5       (a) ALLOCATION OF FUNDING.—Of the amount ap-  
6       propriated by this Act, \$10,000,000 shall be made avail-  
7       able to the Department of State for implementation by  
8       the Bureau of Democracy, Human Rights, and Labor, in

1 coordination with the Bureau of Political-Military Affairs,  
2 of the Civilian Harm Incident Response Guidance, with  
3 a priority on investigating reports of civilian harm caused  
4 by United States-origin weapons in conflict areas during  
5 the one-year period ending on the date of the enactment  
6 of this Act.

7 (b) PUBLICATION OF CIVILIAN HARM INCIDENT RE-  
8 SPONSE GUIDANCE.—The Secretary of State shall publish  
9 the text of the Civilian Harm Incident Response Guidance  
10 on a publicly accessible website in unclassified form.

11 (c) ANNUAL REPORT.—Not later than 90 days after  
12 the date of the enactment of this Act, and annually there-  
13 after, the Secretary of State shall submit to the appro-  
14 priate congressional committees a report summarizing all  
15 civilian harm events considered in the preceding year  
16 under the Civilian Harm Incident Response Guidance, in-  
17 cluding the location, summary of investigation, and find-  
18 ings.

19 (d) REPORTS ON CIVILIAN HARM EVENTS IN VIOLA-  
20 TION OF INTERNATIONAL LAW.—Not later than 30 days  
21 after the Secretary of State determines that United  
22 States-origin weapons have been used in a civilian harm  
23 event in violation of international law, the Secretary of  
24 State shall submit to the appropriate congressional com-  
25 mittees an unclassified report that includes—

1           (1) a description of the civilian harm event, in-  
2           cluding the nature of the violation, the perpetrator,  
3           and the event’s location;

4           (2) a description of the Department of State’s  
5           investigation of the civilian harm event;

6           (3) a description of all United States defense  
7           articles or services used in the civilian harm event;

8           (4) the authority under which a transfer of  
9           such defense articles or services occurred; and

10          (5) a description of measures that the Depart-  
11          ment of State has taken to ensure accountability for  
12          and nonrecurrence of such harm.

13          (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
14          FINED.—In this section, the term “appropriate congres-  
15          sional committees” means—

16               (1) the Committee on Foreign Relations, the  
17               Committee on Armed Forces, and the Committee on  
18               Appropriations of the Senate; and

19               (2) the Committee on Foreign Affairs, the  
20               Committee on Armed Forces, and the Committee on  
21               Appropriations of the House of Representatives.