AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MR. MCGOVERN OF MASSACHUSETTS

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

SEC. 1. REVIEW OF DEPARTMENT OF DEFENSE COMPLIANCE WITH “PRINCIPLES RELATED TO THE PROTECTION OF HEALTH CARE PROVIDED BY IMPARTIAL HUMANITARIAN ORGANIZATIONS DURING ARMED CONFLICT”.

(a) STATEMENT OF CONGRESS.—Congress—

(1) affirms the importance of United States leadership in ensuring global respect and protection for all health care workers, vehicles and equipment, and health care facilities, during times of armed conflict or other situations of violence;

(2) deeply regrets that health care workers, vehicles and equipment, health care facilities, and the sick and wounded are too often attacked, assaulted or subjected to violence in and outside of situations of armed conflict, and expresses support for health care workers around the world providing impartial care in and outside of armed conflict;
(3) affirms support for the right to freedom of assembly and rejects the targeting, harming, or endangering of health care workers, vehicles or equipment, health care facilities, or the sick and wounded during times of civil protest or unrest; and

(4) urges the United States Government to strengthen its global leadership role to protect health care in armed conflict and other situations of violence, in accordance with the Geneva Conventions of 1949 and United Nations Security Council Resolution 2286 of May 3, 2016, through—

(A) United States diplomatic channels;

(B) appropriately leveraging United States security cooperation to ensure that United States military partners protect health care; and

(C) the development of practical guidance for the United State Armed Forces on protecting health care in armed conflict and other situations of violence.

(b) Statement of Policy.—It is the policy of the United States—

(1) to ensure that Department of Defense orders and military guidance are consistent with inter-
national humanitarian law recognized by the United States as binding by treaty or custom; and

(2) to encourage United States military partners to integrate similar measures to protect health care into the planning and conduct of operations.

(e) REVIEW.—

(1) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees the results of the review requested on October 3, 2016, by then Secretary of Defense Ashton Carter, of compliance of all relevant Department of Defense orders, rules of engagement, directives, regulations, policies, practices, and procedures, with the “Principles Related to the Protection of Health Care Provided by Impartial Humanitarian Organizations During Armed Conflict”.

(2) IF REVIEW NOT COMPLETED.—If such review has not been completed, the Secretary of Defense—

(A) shall complete the review in accordance with the original request; and

(B) shall, not later than 120 days after the date of the enactment of this Act, provide the
results of the review to the appropriate congressional committees.

(3) MATTERS TO BE INCLUDED.—Such review shall include the following:

(A) A description of the Department of Defense orders, rules of engagement, directives, regulations, policies, practices, and procedures that were reviewed, including checkpoint practices, hospital searches, precautions concerning attacks on health care facilities that have lost legal protection, treatment of the wounded and sick, or any other guidance, and training or standard operating procedures relating to the protection of health care during armed conflict.

(B) An identification of any changes or adjustments to orders, guidance, policies, or procedures that were made as a result of such review and a description of such changes or adjustments.

(4) DEFINITION.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and
(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.