

**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:

1 **SEC. \_\_. REVIEW OF DEPARTMENT OF DEFENSE COMPLI-**  
2 **ANCE WITH “PRINCIPLES RELATED TO THE**  
3 **PROTECTION OF HEALTH CARE PROVIDED**  
4 **BY IMPARTIAL HUMANITARIAN ORGANIZA-**  
5 **TIONS DURING ARMED CONFLICT”.**

6 (a) STATEMENT OF CONGRESS.—Congress—

7 (1) affirms the importance of United States  
8 leadership in ensuring global respect and protection  
9 for all health care workers, vehicles and equipment,  
10 and health care facilities, during times of armed con-  
11 flict or other situations of violence;

12 (2) deeply regrets that health care workers, ve-  
13 hicles and equipment, health care facilities, and the  
14 sick and wounded are too often attacked, assaulted  
15 or subjected to violence in and outside of situations  
16 of armed conflict, and expresses support for health  
17 care workers around the world providing impartial  
18 care in and outside of armed conflict;

1           (3) affirms support for the right to freedom of  
2           assembly and rejects the targeting, harming, or en-  
3           dangering of health care workers, vehicles or equip-  
4           ment, health care facilities, or the sick and wounded  
5           during times of civil protest or unrest; and

6           (4) urges the United States Government to  
7           strengthen its global leadership role to protect health  
8           care in armed conflict and other situations of vio-  
9           lence, in accordance with the Geneva Conventions of  
10          1949 and United Nations Security Council Resolu-  
11          tion 2286 of May 3, 2016, through—

12                   (A) United States diplomatic channels;

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

17                   (C) the development of practical guidance  
18           for the United State Armed Forces on pro-  
19           tecting health care in armed conflict and other  
20           situations of violence.

21          (b) STATEMENT OF POLICY.—It is the policy of the  
22          United States—

23                   (1) to ensure that Department of Defense or-  
24           ders and military guidance are consistent with inter-

1 national humanitarian law recognized by the United  
2 States as binding by treaty or custom; and

3 (2) to encourage United States military part-  
4 ners to integrate similar measures to protect health  
5 care into the planning and conduct of operations.

6 (c) REVIEW.—

7 (1) IN GENERAL.—Not later than 60 days after  
8 the date of the enactment of this Act, the Secretary  
9 of Defense shall submit to the appropriate congress-  
10 sional committees the results of the review requested  
11 on October 3, 2016, by then Secretary of Defense  
12 Ashton Carter, of compliance of all relevant Depart-  
13 ment of Defense orders, rules of engagement, direc-  
14 tives, regulations, policies, practices, and procedures,  
15 with the “Principles Related to the Protection of  
16 Health Care Provided by Impartial Humanitarian  
17 Organizations During Armed Conflict”.

18 (2) IF REVIEW NOT COMPLETED.—If such re-  
19 view has not been completed, the Secretary of De-  
20 fense—

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

23 (B) shall, not later than 120 days after the  
24 date of the enactment of this Act, provide the

1 results of the review to the appropriate congress-  
2 sional committees.

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

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

15 (B) An identification of any changes or ad-  
16 justments to orders, guidance, policies, or pro-  
17 cedures that were made as a result of such re-  
18 view and a description of such changes or ad-  
19 justments.

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

22 (A) the Committee on Foreign Affairs and  
23 the Committee on Armed Services of the House  
24 of Representatives; and

1 (B) the Committee on Foreign Relations  
2 and the Committee on Armed Services of the  
3 Senate.

