

112TH CONGRESS
1ST SESSION

H. R. 3368

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2011

Mr. MCGOVERN (for himself, Mr. LEWIS of Georgia, Mr. JACKSON of Illinois, Mr. HOLT, Mr. FRANK of Massachusetts, Ms. WOOLSEY, Mr. PRICE of North Carolina, Ms. CLARKE of New York, Mr. CAPUANO, Ms. LEE of California, Mr. MCDERMOTT, Mr. CARNAHAN, Ms. MOORE, Mr. GRIJALVA, Ms. SCHAKOWSKY, Mr. HONDA, Mr. MARKEY, Mr. WELCH, Mr. SERRANO, Mr. FARR, Mr. POLIS, and Mr. NADLER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To suspend the authority for the Western Hemisphere Institute for Security Cooperation (the successor institution to the United States Army School of the Americas) in the Department of Defense, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Latin America Military
5 Training Review Act”.

1 **SEC. 2. SUSPENSION OF AUTHORITY FOR WESTERN HEMI-**
2 **SPHERE INSTITUTE FOR SECURITY CO-**
3 **OPERATION.**

4 (a) SUSPENSION OF INSTITUTE.—The Secretary of
5 the Army shall suspend the operation of the Western
6 Hemisphere Institute for Security Cooperation until the
7 submission of the report under section 4(e).

8 (b) SUSPENSION OF AUTHORITY.—The authority of
9 the Secretary of Defense to operate an education and
10 training facility under section 2166 of title 10, United
11 States Code, is suspended until the submission of the re-
12 port under section 4(e).

13 (c) LIMITATION ON ESTABLISHMENT OF NEW EDU-
14 CATION AND TRAINING FACILITY.—No training or edu-
15 cation facility may be established in the Department of
16 Defense for Latin American military personnel (as a suc-
17 cessor to the United States Army School of the Americas,
18 the Western Hemisphere Institute for Security Coopera-
19 tion, or otherwise) until the submission of the report under
20 section 4(e).

21 **SEC. 3. JOINT CONGRESSIONAL TASK FORCE.**

22 (a) ESTABLISHMENT.—There is established a joint
23 congressional task force to conduct an assessment of the
24 kind of education and training that is appropriate for the
25 Department of Defense to provide to military personnel
26 of Latin American nations.

1 (b) COMPOSITION.—The task force shall be composed
2 of eight Members of Congress, of whom two each shall
3 be designated by the Speaker of the House of Representa-
4 tives, the minority leader of the House of Representatives,
5 the majority leader of the Senate, and the minority leader
6 of the Senate.

7 (c) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, the task force shall submit
9 to Congress a report on the assessment conducted under
10 subsection (a). The report shall include—

11 (1) a critical assessment of courses, curriculum,
12 and procedures appropriate for education and train-
13 ing of military personnel of Latin American nations;
14 and

15 (2) an evaluation of the effect of such education
16 and training on the performance of Latin American
17 military personnel in the areas of human rights and
18 adherence to democratic principles and the rule of
19 law.

20 (d) DEFINITION.—In this section, the term “Mem-
21 ber” includes a Delegate to, or Resident Commissioner in,
22 Congress.

1 **SEC. 4. COMMISSION TO INVESTIGATE HUMAN RIGHTS**
2 **ABUSES AT THE UNITED STATES ARMY**
3 **SCHOOL OF THE AMERICAS.**

4 (a) **ESTABLISHMENT.**—There is established a com-
5 mission to investigate the activities of the United States
6 Army School of the Americas and its successor institution,
7 the Western Hemisphere Institute for Security Coopera-
8 tion.

9 (b) **MEMBERSHIP.**—

10 (1) **APPOINTMENT.**—The commission shall be
11 composed of eight members, of whom two each shall
12 be appointed by the Speaker of the House of Rep-
13 resentatives, the minority leader of the House of
14 Representatives, the majority leader of the Senate,
15 and the minority leader of the Senate.

16 (2) **QUALIFICATIONS.**—Members of the commis-
17 sion shall be selected from among individuals with
18 knowledge and experience in foreign military train-
19 ing and international human rights who are not offi-
20 cers or employees of the Federal Government.

21 (3) **DEADLINE FOR APPOINTMENT.**—The mem-
22 bers of the commission shall be appointed not later
23 than 60 days after the date of the enactment of this
24 Act.

25 (4) **VACANCIES.**—Any vacancy of the commis-
26 sion shall not affect the powers of the commission

1 and shall be filled in the manner in which the origi-
2 nal appointment was made.

3 (5) CHAIRPERSON; VICE CHAIRPERSON.—The
4 Chairperson and Vice Chairperson of the commission
5 shall be elected by the members.

6 (6) COMPENSATION.—Members of the commis-
7 sion shall serve without pay.

8 (7) TRAVEL EXPENSES.—Each member of the
9 commission shall receive travel expenses, including
10 per diem in lieu of subsistence, in accordance with
11 applicable provisions under subchapter I of chapter
12 57 of title 5, United States Code.

13 (c) POWERS.—

14 (1) HEARINGS AND SESSIONS.—The commis-
15 sion may, for the purpose of carrying out this sec-
16 tion, hold hearings, sit and act at times and places,
17 take testimony, and receive evidence as the commis-
18 sion considers appropriate.

19 (2) INFORMATION FROM FEDERAL AGENCIES.—
20 The commission may secure directly from any Fed-
21 eral department or agency such information as the
22 commission considers necessary to carry out the pro-
23 visions of this section. Upon request of the Chair-
24 person of the commission, the head of such depart-

1 ment or agency shall furnish such information to the
2 commission.

3 (d) INVESTIGATION.—Not later than two years after
4 the date on which all members of the commission have
5 been appointed, the commission shall complete an inves-
6 tigation into the activities of the United States Army
7 School of the Americas and its successor institution, the
8 Western Hemisphere Institute for Security Cooperation.
9 The investigation shall—

10 (1) identify those individuals responsible for
11 drafting or approving manuals for use at either such
12 institution advocating tactics that violate inter-
13 national law or the laws of the United States;

14 (2) determine how such manuals were used in
15 training conducted by either such institution;

16 (3) determine the effect of such training; and

17 (4) identify those individuals responsible for
18 teaching such tactics.

19 (e) REPORT.—Not later than 30 days after the com-
20 pletion of the investigation under subsection (d), the com-
21 mission shall submit to Congress and the Secretary of De-
22 fense a report containing the results of the investigation
23 and recommendations for actions in response to any viola-
24 tions of human rights to which training at the United
25 States Army School of the Americas or its successor insti-

1 tution, the Western Hemisphere Institute for Security Co-
2 operation, contributed.

3 (f) TERMINATION.—The commission shall terminate
4 30 days after the date of the submission of the report
5 under subsection (e).

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