

116TH CONGRESS
2D SESSION

S. 1310

AN ACT

To strengthen the participation of elected national legislators in the activities of the Organization of American States and reaffirm United States support for Organization of American States human rights and anti-corruption initiatives, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Organization of Amer-
3 ican States Legislative Engagement Act of 2020”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) The Charter of the Organization of Amer-
7 ican States establishes that “representative democ-
8 racy is an indispensable condition for the stability,
9 peace and development of the region”.

10 (2) Article 2 of the Inter-American Democratic
11 Charter of the Organization of American States af-
12 firms that “the effective exercise of representative
13 democracy is the basis for the rule of law and of the
14 constitutional regimes of the member states of the
15 Organization of American States”.

16 (3) Article 26 of the Inter-American Demo-
17 cratic Charter states that “the OAS will continue to
18 carry out programs and activities designed to pro-
19 mote democratic principles and practices and
20 strengthen a democratic culture in the Hemisphere”.

21 (4) In accordance with the OAS Charter and
22 the Inter-American Democratic Charter, the OAS
23 General Assembly, OAS Permanent Council, and
24 OAS Secretariat have established a wide range of co-
25 operative agreements with domestic and inter-

1 national organizations, including national legislative
2 institutions.

3 (5) In 2004, OAS General Assembly Resolution
4 2044 (XXXIV–O/04) appealed for the “strengthen-
5 ing of legislatures, as well as inter-parliamentary
6 cooperation on key items of the inter-American
7 agenda, with a view, in particular, to generating ini-
8 tiatives to fight corruption, poverty, inequality, and
9 social exclusion”.

10 (6) In 2005, OAS General Assembly Resolution
11 2095 (XXXV–O/05) called on the OAS Secretariat
12 to “invite [. . .] the presidents or speakers of the
13 national legislative institutions of the Americas, i.e.,
14 congresses, parliaments, or national assemblies,
15 [. . .] to attend a special meeting of the Permanent
16 Council [. . .] for the initiation of a dialogue on top-
17 ics on the hemispheric agenda”.

18 (7) In 2014 and 2015, the OAS Secretariat ex-
19 panded its engagement with elected national legisla-
20 tors from OAS member states by convening two
21 meetings of presidents of national legislatures, first
22 in Lima, Peru and subsequently in Santiago, Chile.

23 (8) However, no permanent procedures exist to
24 facilitate the participation of elected national legisla-
25 tors from OAS member states in OAS activities.

1 (9) The Organization for Security and Co-oper-
2 ation in Europe (OSCE) Parliamentary Assembly
3 has proven successful at strengthening inter-par-
4 liamentary cooperation among its member states.

5 **SEC. 3. SENSE OF CONGRESS.**

6 It is that sense of Congress that—

7 (1) elected national legislators play an essential
8 role in the exercise of representative democracy in
9 the Americas, including by—

10 (A) promoting economic freedom and re-
11 spect for property rights;

12 (B) promoting the rule of law and com-
13 bating corruption;

14 (C) defending human rights and funda-
15 mental freedoms; and

16 (D) advancing the principles and practices
17 expressed in the Charter of the Organization of
18 American States, the American Declaration on
19 the Rights and Duties of Man, and the Inter-
20 American Democratic Charter;

21 (2) establishing procedures and mechanisms to
22 facilitate the participation of elected national legisla-
23 tors from OAS member states in OAS activities
24 could contribute to the promotion of democratic

1 principles and practices and strengthen a democratic
2 culture in the Western Hemisphere;

3 (3) increasing and strengthening the participa-
4 tion of elected national legislators from OAS mem-
5 ber states in OAS activities could advance the prin-
6 ciples and proposals expressed in section 4 of the
7 Organization of American States Revitalization and
8 Reform Act of 2013 (Public Law 113–41; 127 Stat.
9 549);

10 (4) the OAS General Assembly, OAS Perma-
11 nent Council, and OAS Secretariat should take steps
12 to facilitate greater participation of elected national
13 legislators from OAS member states in OAS activi-
14 ties;

15 (5) the OAS Permanent Council resolutions ti-
16 tled “Guidelines for the Participation of Civil Society
17 in OAS Activities” and “Strategies for Increasing
18 and Strengthening Participation by Civil Society Or-
19 ganizations in OAS Activities” should serve as im-
20 portant references for efforts to bolster the partici-
21 pation of elected national legislators from OAS
22 member states in OAS activities; and

23 (6) the successful experience of the Organiza-
24 tion for Security and Co-operation in Europe Par-

1 liamentary Assembly should serve as a model to the
2 OAS in creating a similar mechanism.

3 **SEC. 4. STRENGTHENING PARTICIPATION OF ELECTED NA-**
4 **TIONAL LEGISLATORS AT THE OAS.**

5 (a) IN GENERAL.—The Secretary of State, acting
6 through the United States Mission to the Organization of
7 American States, should use the voice and vote of the
8 United States to support the creation of procedures for
9 the Organization of American States that—

10 (1) enhance the participation of democratically
11 elected national legislators from OAS member state
12 countries in OAS activities that advance the prin-
13 ciples of the Inter-American Democratic Charter and
14 the core values of the OAS consistent with the prin-
15 ciples and proposals expressed in section 4 of the
16 Organization of American States Revitalization and
17 Reform Act of 2013 (Public Law 113–41; 127 Stat.
18 549);

19 (2) create an annual forum for democratically
20 elected national legislatures from OAS member
21 states to discuss issues of hemispheric importance,
22 including regional efforts to defend human rights
23 and combat transnational criminal activities, corrup-
24 tion, and impunity;

1 (3) permit elected national legislators from
2 OAS member states to make presentations, con-
3 tribute information, and provide expert advice, as
4 appropriate, to the OAS Secretariat, OAS Perma-
5 nent Council, and OAS General Assembly about
6 OAS activities on issues of hemispheric importance;

7 (4) lead to the creation of a mechanism to regu-
8 larly facilitate the participation of elected national
9 legislators in OAS activities; and

10 (5) reinforce OAS Secretariat programs that
11 provide technical assistance for the modernization
12 and institutional strengthening of national legisla-
13 tures from OAS member states.

14 (b) EXPENSES.—The Secretary of State, acting
15 through the United States Mission to the Organization of
16 American States, as appropriate, shall seek to ensure that
17 expenses related to the procedures set forth in this Act
18 do not increase member quotas, assessed fees, or voluntary
19 contributions and that the Secretariat of the OAS shall
20 seek to ensure shared financial responsibilities among the
21 member states in facilitating the financial support nec-
22 essary to carry out this initiative.

1 **SEC. 5. SUPPORT FOR OAS HUMAN RIGHTS AND ANTI-COR-**
2 **RUPTION INITIATIVES.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that—

5 (1) the efforts of the OAS Secretary General
6 and Secretariat to combat corruption and impunity
7 in the Americas represent important contributions to
8 strengthening the rule of law and democratic govern-
9 ance in the Americas; and

10 (2) the United States should support efforts to
11 ensure the effectiveness and independence of OAS
12 initiatives to combat corruption and impunity in the
13 Americas.

14 (b) ANTI-CORRUPTION AND HUMAN RIGHTS PRO-
15 MOTION STRATEGY.—Not later than 180 days after the
16 date of the enactment of the Act, the Secretary of State
17 shall submit to the Committee on Foreign Relations of the
18 Senate and the Committee on Foreign Affairs of the
19 House of Representatives a strategy for supporting OAS
20 anti-corruption and human rights promotion efforts. The
21 strategy should include—

22 (1) an assessment of United States programs,
23 activities, and initiatives with the OAS to support
24 anti-corruption and human rights promotion in the
25 Americas;

1 (2) a summary of the steps taken by the United
2 States Mission to the OAS to strengthen anti-cor-
3 ruption and anti-impunity efforts in the Americas;

4 (3) an assessment of necessary reforms and ini-
5 tiatives to prioritize and reinforce the OAS Secretary
6 General and Secretariat's efforts to advance human
7 rights and combat corruption and impunity in the
8 Americas;

9 (4) a detailed plan to facilitate increased OAS
10 collaboration, as appropriate, with relevant stake-
11 holders, including elected national legislators and
12 civil society, in support of an approach to promote
13 human rights and combat transnational criminal ac-
14 tivities, corruption, and impunity in the Americas;
15 and

16 (5) a detailed plan for implementing the strat-
17 egy set forth in this section of the Act.

18 **SEC. 6. REPORTING REQUIREMENTS.**

19 (a) IN GENERAL.—Not later than one year after the
20 date of the enactment of this Act, the Secretary of State
21 shall submit to the Committee on Foreign Relations of the
22 Senate and the Committee on Foreign Affairs of the
23 House of Representatives a report on OAS processes, ini-
24 tiatives, and reforms undertaken to implement section 4,
25 actions taken to implement the strategy required under

1 section 5(b), and steps taken to implement the Organiza-
2 tion of American States Revitalization and Reform Act of
3 2013 (Public Law 113–41). The report should include—

4 (1) an analysis of the progress made by the
5 OAS to adopt and effectively implement reforms and
6 initiatives to advance human rights and combat cor-
7 ruption and impunity in the Americas; and

8 (2) a detailed assessment of OAS efforts to in-
9 crease stakeholder engagement to advance human
10 rights and combat corruption and impunity in the
11 Americas.

12 (b) BRIEFINGS.—Not later than one year after the
13 Secretary of State submits the report required under sub-
14 section (a), and annually thereafter for two additional
15 years, the Secretary shall provide to the Committee on
16 Foreign Relations of the Senate and the Committee on
17 Foreign Affairs of the House of Representatives a briefing
18 on the information required to be included in such report.

19 **SEC. 7. SENSE OF CONGRESS ON ELECTED NATIONAL LEG-**
20 **ISLATOR.**

21 It is the sense of Congress that an elected national
22 legislator participating in the activities outlined in this Act
23 should be an individual that—

24 (1) was elected as a result of periodic, free and
25 fair elections; and

1 (2) is not known to be under investigation or
2 convicted for corruption or transnational criminal
3 activities, including trafficking of people, goods, or
4 illicit narcotics, money-laundering, terrorist financ-
5 ing, acts of terrorism, campaign finance violations,
6 bribery, or extortion.

Passed the Senate December 10, 2020.

Attest:

Secretary.

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