

117TH CONGRESS
2D SESSION

S. 4907

To condition civil and military assistance to the Government of Colombia
on certain recurring certifications from the Secretary of State.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 21, 2022

Mr. CRUZ introduced the following bill; which was read twice and referred to
the Committee on Foreign Relations

A BILL

To condition civil and military assistance to the Government
of Colombia on certain recurring certifications from the
Secretary of State.

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 “Colombia Assistance
5 Used Transparently by Institutionalizing Oversight Now
6 Act of 2022” or the “CAUTION Act”.

7 **SEC. 2. CERTIFICATION REQUIREMENTS FOR CIVIL AND**
8 **MILITARY ASSISTANCE TO COLOMBIA.**

9 (a) CONDITIONS ON CIVIL AND MILITARY ASSIST-
10 ANCE.—Notwithstanding any other provision of law, no

1 civil or military assistance to Colombia may be obligated
2 or expended unless the Secretary of State certifies to the
3 appropriate congressional committees that, during the re-
4 porting period, the Government of Colombia—

5 (1) has not sought to erode cooperation with
6 the United States in the areas of military, intel-
7 ligence, and counter-terrorism;

8 (2) is asserting its sovereignty against the Gov-
9 ernments of Cuba, Iran, Nicaragua, the People’s Re-
10 public of China, and Venezuela, including by denying
11 all access to military or intelligence infrastructure to
12 those governments;

13 (3) has not taken significant steps to recognize,
14 legitimize, or engage any foreign terrorist organiza-
15 tion; and

16 (4) has not interfered with the Special Jurisdic-
17 tion for Peace’s efforts to investigate and, as appro-
18 priate, sentence current or former members of the
19 Revolutionary Armed Forces of Colombia who com-
20 mitted acts of terrorism or gross violations of human
21 rights.

22 (b) ADDITIONAL CONDITIONS ON CIVIL ASSIST-
23 ANCE.—Notwithstanding any other provision of law, no
24 civil assistance to Colombia may be obligated or expended
25 unless the Secretary of State certifies to the appropriate

1 congressional committees that, during the reporting pe-
2 riod, in addition to meeting the conditions described under
3 subsection (a), the Government of Colombia—

4 (1) is guaranteeing the rights, freedoms, and
5 responsibilities enshrined in the Colombian Constitu-
6 tion of 1991, including—

7 (A) freedom of expression;

8 (B) freedom of the press;

9 (C) the guarantee of due process;

10 (D) the right to private property and other
11 rights acquired in accordance with civil laws;
12 and

13 (E) protections against coercion of citizens
14 voting in elections;

15 (2) is significantly cooperating with the United
16 States Government to—

17 (A) reduce irregular migration, improve
18 border security, and combat human smuggling
19 and trafficking;

20 (B) target the cultivation, production,
21 processing, trafficking, distribution, commer-
22 cialization, financing, and selling of illicit drugs,
23 including opioids and cocaine; and

24 (C) counter the activities of criminal gangs
25 and transnational criminal organizations;

1 (3) is taking steps to ensure transparency and
 2 prevent corruption related to efforts by the Chinese
 3 Communist Party or the Government of the People’s
 4 Republic of China to acquire or invest in Colombian
 5 energy or raw materials sectors; and

6 (4) has not interfered in the transparency, op-
 7 eration, or independence of the Office of the Inspec-
 8 tor General of Colombia.

9 **SEC. 3. DEFINITIONS.**

10 In this Act:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
 12 TEES.—The term “appropriate congressional com-
 13 mittees” means the Committee on Foreign Relations
 14 of the Senate and the Committee on Foreign Affairs
 15 of the House of Representatives.

16 (2) CIVIL ASSISTANCE.—The term “civil assist-
 17 ance” means development assistance, International
 18 Narcotics Control and Law Enforcement (INCLE)
 19 program assistance, and Economic Support Fund
 20 assistance.

21 (3) MILITARY ASSISTANCE.—The term “mili-
 22 tary assistance” means foreign military financing
 23 (FMF), International Military and Education Train-
 24 ing (IMET), and Nonproliferation, Anti-terrorism,

1 Demining, and Related Programs (NADR) assist-
2 ance.

3 (4) FOREIGN TERRORIST ORGANIZATIONS.—

4 The term “foreign terrorist organization” means an
5 organization designated pursuant to section 219 of
6 the Immigration and Nationality Act (8 U.S.C.
7 1189) or Executive Order 13224 (50 U.S.C. 1701
8 note; relating to blocking property and prohibiting
9 transactions with persons who commit, threaten to
10 commit, or support terrorism).

11 (5) REPORTING TIME PERIOD.—The term “re-
12 porting time period” means since August 7, 2022, or
13 the previous 12 months, whichever is less.

14 **SEC. 4. TERMINATION AND SUNSET.**

15 The restrictions imposed by this Act shall terminate
16 on the date on which the President certifies to the appro-
17 priate congressional committees that Colombia has con-
18 ducted a free and fair election after the date of the enact-
19 ment of this Act.

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