

**Amendment to H.R. 3908, as Reported**  
**Offered by Mr. Gilman of New York**  
**(for himself, Mr. Goss, Mr. Delahunt, and Mr. Farr of**  
**California)**

Page 9, after line 4, insert the following:

1                                   CHAPTER 5

2                                   GENERAL PROVISIONS—THIS TITLE

3           SEC. 1501. (a) CONDITIONS ON MILITARY ASSIST-

4 ANCE FOR COLOMBIA.—

5                                   (1) CERTIFICATION.—None of the funds appro-

6                                   priated in this title for military assistance may be

7                                   made available to the Government of Colombia until

8                                   the President submits to the Congress a certification

9                                   that—

10                                  (A) the Government of Colombia has

11                                  agreed to and is implementing a strategy to

12                                  eliminate Colombia’s total coca and opium

13                                  poppy production by 2005 through a mix of al-

14                                  ternative development programs; manual eradi-

15                                  cation; aerial spraying of chemical herbicides;

16                                  tested, environmentally safe mycoherbicides;

1 and the destruction of illicit narcotics labora-  
2 tories on Colombian territory;

3 (B) the head of the Colombian Armed  
4 Forces has been granted and is exercising au-  
5 thority that is identical to that held by the head  
6 of the Colombian National Police to summarily  
7 dismiss Colombian Armed Forces personnel for  
8 gross violations of human rights;

9 (C) the Colombian Armed Forces are co-  
10 operating with civilian authorities in inves-  
11 tigating Colombian Armed Forces personnel  
12 where credible evidence exists of gross violations  
13 of human rights, and, if those investigations re-  
14 sult in indictments, the Colombian Armed  
15 Forces are cooperating with civilian authorities  
16 in prosecuting and punishing such personnel in  
17 the civilian courts; and

18 (D) the Colombian Armed Forces are de-  
19 veloping and deploying in their field units a  
20 Judge Advocate General Corps to investigate  
21 Colombian Armed Forces personnel for gross  
22 violations of human rights.

23 (2) WAIVER.—The President may waive the  
24 limitation in paragraph (1) if the President deter-

1 mines that the waiver is required by extraordinary  
2 circumstances.

3 (b) MONITORING.—Of the funds made available  
4 under this title—

5 (1) up to \$1,500,000 shall be made available to  
6 provide comprehensive law of war training and to  
7 support the development of a judge advocate general  
8 corps to investigate Colombian Armed Forces per-  
9 sonnel who are credibly alleged to have committed  
10 gross violations of human rights;

11 (2) up to \$250,000 shall be made available to  
12 enhance the United States Embassy's capabilities to  
13 monitor the use of United States assistance to Co-  
14 lombian Armed Forces to investigate reports of  
15 gross violations of human rights involving United  
16 States assistance; and

17 (3) up to \$250,000 shall be made available to  
18 enhance the United States Embassy's capabilities to  
19 monitor the role of the Revolutionary Armed Forces  
20 of Colombia (FARC), the National Liberation Army  
21 (ELN), or the United Colombian Self Defense orga-  
22 nization (AUC) in criminal acts against American  
23 citizens and property, including, but not limited to,  
24 kidnapping, extortion, murder, and terrorist acts.

1           SEC. 1502. (a) DENIAL OF VISAS FOR PERSONS  
2 CREDIBLY ALLEGED TO HAVE AIDED AND ABETTED CO-  
3 LOMBIAN INSURGENT AND PARAMILITARY GROUPS.—  
4 None of the funds appropriated or otherwise made avail-  
5 able in this or any other Act for any fiscal year for the  
6 Department of State may be used to issue visas to any  
7 person who has been credibly alleged to have provided di-  
8 rect or indirect support to the Revolutionary Armed  
9 Forces of Colombia (FARC), the National Liberation  
10 Army (ELN), or the United Colombian Self Defense orga-  
11 nization (AUC), including conspiracy to allow, facilitate,  
12 or promote the illegal activities of such groups.

13           (b) EXEMPTION.—Subsection (a) shall not apply if  
14 the Secretary of State finds, on a case-by-case basis, that  
15 the entry into the United States of a person who would  
16 otherwise be excluded under this section is necessary for  
17 medical reasons, or to permit the prosecution of such per-  
18 son in the United States, or the person has cooperated  
19 fully with the investigation of crimes committed by individ-  
20 uals associated with the Revolutionary Armed Forces of  
21 Colombia (FARC), the National Liberation Army (ELN),  
22 or the United Colombian Self Defense organization  
23 (AUC).

1           (c) WAIVER.—The President may waive the limita-  
2   tion in subsection (a) if the President determines that the  
3   waiver is in the national interest.