



**Upholding Human Rights Abroad Act Section-by-Section:**

**Section 1. Short Title:** “Upholding Human Rights Abroad Act”

**Section 2. Consideration of Human Rights Records of Recipients of Support of Special Operations to Combat Terrorism:** Amends Section 127e of Title 10 (which provides funding authority for special operation support to partner forces to combat terrorism) to:

- Require the Secretary of Defense to ensure that prior to a decision to provide support to entities, full consideration is given to any credible information available to the Department of State relating to violations of human rights by such entities
- Require congressional notifications to include the descriptions of steps taken to ensure support is consistent with US national security objections including good governance, rule of law, protection of civilians, and human rights; steps taken to ensure partners do not violate the laws of armed conflict, including the Geneva Conventions, including vetting, training, and investigations; and a description of the human rights record of the recipient
- Require biannual reports to include an assessment of how support advances U.S. national security priorities and aligns with other USG efforts in the country to address underlying risks of terrorism
- Prohibits use of funds if the Secretary of Defense has credible information that the unit has committed gross violation of human rights, which includes a waiver for extraordinary circumstance and an exemption if a government has taken corrective steps or such assistance is necessary for disaster relief or humanitarian missions
- Clarifies that nothing in the law shall be construed to constitute a specific statutory authorization for covert action, the introduction of US armed forces into hostilities, operations that the US Special Operations Forces are not otherwise authorized, or activities that are inconsistent with the laws of armed conflict

**Section 3. Consideration of Human Rights Records of Recipients of Support of Special Operations for Irregular Warfare:** Amends Section 1202 of the NDAA for FY2018 (which provides funding authority for special operation support to partner forces for irregular warfare) to:

- Require the Secretary of Defense to ensure that prior to a decision to provide support to entities, full consideration is given to any credible information available to the Department of State relating to violations of human rights by such entities
- Require congressional notifications to include a description of the human rights record of the recipient
- Require biannual reports to include an assessment of how support advances U.S. national security priorities and aligns with other USG interests in the country
- Prohibits use of funds if the Secretary of Defense has credible information that the unit has committed gross violation of human rights, which includes a waiver for extraordinary circumstance and an exemption if a government has taken corrective steps or such assistance is necessary for disaster relief or humanitarian missions