

AMENDMENT TO H.R. ___

OFFERED BY MR. Berman

(Foreign Relations Authorization Act, Fiscal Year 2012)

At the appropriate place in the bill, insert the following:

1 **SEC. ___. LIMITATION ON FOREIGN ASSISTANCE TO SRI**

2 **LANKA.**

3 (a) **LIMITATION.**—

4 (1) **IN GENERAL.**—Except as provided in para-
5 graph (2), none of the funds made available to carry
6 out this Act may be used to provide assistance to Sri
7 Lanka unless a certification described in subsection
8 (b) is in effect.

9 (2) **EXCEPTION.**—The limitation on funds
10 under paragraph (1) shall not apply with respect to
11 democracy and governance assistance, humanitarian
12 assistance, and assistance for demining activities.

13 (b) **CERTIFICATION.**—A certification described in this
14 subsection is a certification submitted by the Secretary of
15 State to the appropriate congressional committees that
16 contains a determination of the Secretary of State that
17 the Government of Sri Lanka is making demonstrable
18 progress in the following areas:

1 (1) Accountability for those involved in viola-
2 tions of human rights and war crimes at the end of
3 Sri Lanka's civil war in May 2009, including by any
4 remaining members of the Liberation Tigers of
5 Tamil Eelam (LTTE).

6 (2) Reconciliation, including —

7 (A) the establishment of a mechanism to
8 account for events that occurred at the end of
9 the civil war;

10 (B) information from the government on
11 what happened to those missing at the end of
12 the civil war; and

13 (C) expeditious release of those remaining
14 in detention.

15 (3) Withdrawal of emergency regulations.

16 (4) An improved climate for freedom of the
17 press throughout the country.

18 (c) WAIVER.—The Secretary of State may waive the
19 limitation on funds under subsection (a) on a case-by-case
20 basis if the Secretary determines that it is in the national
21 interests of the United States to do so.

