

AMENDMENT TO H.R. 5300
OFFERED BY M____.

Page 139, before line 21, insert the following (and redesignate accordingly):

1 (c) PROHIBITION WITH RESPECT TO EL SAL-
2 VADOR.—The United States may not enter into, renew,
3 or implement a nuclear cooperation agreement with the
4 Republic of El Salvador unless the Secretary of State cer-
5 tifies to the appropriate congressional committees that the
6 Government of El Salvador has taken demonstrable steps
7 to—

8 (1) end arbitrary detention associated with the
9 “state of exception” and reinstate due process guar-
10 antees, by—

11 (A) releasing individuals detained without
12 charge or trial under the ongoing “state of ex-
13 ception”;

14 (B) guaranteeing access to legal counsel,
15 habeas corpus, and fair trial rights consistent
16 with international standards;

17 (C) ceasing the practice of mass arrests
18 and trials without individualized evidence;

1 (D) releasing civil society leaders such as
2 attorney Ruth López; and

3 (E) ensuring transparency and oversight of
4 the penitentiary system, including the Ter-
5 rorism Confinement Center (CECOT), and in-
6 vestigate credible allegations of human rights
7 abuses, inhumane conditions, and lack of due
8 process in detention practices;

9 (2) end attacks on civil society and reject the
10 Foreign Agents Anti-NGO law, by—

11 (A) permitting independent civil society or-
12 ganizations, including journalists, human rights
13 and transparency groups, to operate free of
14 harassment, arbitrary taxation, or closure;

15 (B) ceasing the criminalization of non-gov-
16 ernmental organizations receiving foreign fund-
17 ing; and

18 (C) guaranteeing freedom of expression
19 and end all forms of intimidation, censorship,
20 or reprisals against critical voices in the media,
21 academia, and civil society;

22 (3) investigate and disclose relations with crimi-
23 nal organizations, including—

24 (A) cooperating with credible international
25 or independent investigations into alleged nego-

1 tiations between Salvadoran officials and
2 transnational criminal groups such as MS-13
3 and Barrio 18; and

4 (B) prosecuting officials implicated in such
5 arrangements in accordance with Salvadoran
6 law and international anti-corruption standards;
7 and

8 (4) enhance government transparency and anti-
9 corruption measures such as—

10 (A) guaranteeing public access to govern-
11 ment records and proceedings by reinstating
12 and enforcing the Law on Access to Public In-
13 formation;

14 (B) prohibiting arbitrary classification of
15 public information as “reserved” or “confiden-
16 tial” without clear legal justification;

17 (C) publishing government contracts and
18 public procurement data; and

19 (D) restoring the independence and
20 resourcing of anti-corruption institutions, in-
21 cluding the Court of Auditors.

22 (d) WAIVER.—The Secretary may waive the require-
23 ment under subsection (c) for a period not to exceed 180
24 days if the Secretary certifies to the appropriate congres-
25 sional committees that—

1 (1) such waiver is in the vital national security
2 interest of the United States; and

3 (2) the Government of El Salvador has made
4 substantial progress toward meeting the criteria de-
5 scribed in subsection (a).

6 (e) REPORT.—Not later than 90 days after the date
7 of enactment of this Act, and annually thereafter until the
8 conditions in subsection (a) are met, the Secretary shall
9 submit to the appropriate congressional committees a re-
10 port on—

11 (1) the status of human rights in El Salvador,
12 with specific reference to arbitrary detentions, judi-
13 cial independence, and treatment of civil society;

14 (2) the use and legal justification of the state
15 of exception;

16 (3) the implementation and impact of the Anti-
17 NGO law described in subsection (a)(2);

18 (4) credible allegations of government negotia-
19 tions with MS-13 or other transnational criminal or-
20 ganizations; and

21 (5) the status of anti-corruption efforts in El
22 Salvador.

