

AMENDMENT TO H.R. 5300
OFFERED BY MR. MCCORMICK OF GEORGIA

At the appropriate place, insert the following:

1 SEC. ____ . HUMANITARIAN THEFT ENFORCEMENT.

2 (a) **LIABILITY.**—Notwithstanding any other provision
3 or rule of law, any foreign person or entity responsible
4 for the unauthorized diversion or destruction of United
5 States humanitarian assistance, or humanitarian assist-
6 ance funded by the United States that is provided by an
7 international organization, is liable to the United States
8 for the value of such assistance: Provided, That the Sec-
9 retary of State, or the Secretary’s designee, shall have sole
10 discretion to determine whether a foreign person or entity
11 is responsible for such diversion or destruction and the
12 value of such assistance under this section.

13 (b) **RECOVERY.**—Where the Secretary of State deter-
14 mines that a foreign person or entity is responsible for
15 the unauthorized diversion or destruction of such assist-
16 ance, the Secretary of State should take appropriate steps
17 to recover the value of such assistance from the foreign
18 person or entity.

19 (c) **CREDITING OF FUNDS.**—Notwithstanding any
20 other provision of law, any funds received by the Depart-

1 ment of State pursuant to this section may be credited
2 to an appropriate account of the Department of State,
3 which shall remain available until expended: Provided,
4 That the Secretary of State may transfer such funds to
5 an appropriate account of another United States Govern-
6 ment agency if the diverted or destroyed assistance was
7 provided by such agency.

8 (d) WAIVER.—The Secretary of State may waive any
9 liability incurred pursuant to subsection (a) if the Sec-
10 retary determines that such a waiver is in the national
11 interest.

