

116TH CONGRESS
1ST SESSION

S. _____

To authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

IN THE SENATE OF THE UNITED STATES

Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. CORNYN, Mr. YOUNG, and Mr. KAINE) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Central American
5 Women and Children Protection Act of 2019”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The Northern Triangle countries of El Sal-
4 vador, Honduras, and Guatemala have among the
5 highest homicide rates in the world. In 2017, there
6 were 60 homicides per 100,000 people in El Sal-
7 vador, 43.6 homicides per 100,000 people in Hon-
8 duras, and 26.1 homicides per 100,000 people in
9 Guatemala.

10 (2) Guatemala, Honduras, and El Salvador are
11 characterized by a high prevalence of drug- and
12 gang-related violence, murder, and crimes involving
13 sexual- and gender-based violence. The region also
14 has high rates of domestic violence, child abuse, and
15 sexual assault.

16 (3) Central America ranks high among regions
17 of the world for female homicides. A combined 801
18 women were victims of homicide in El Salvador,
19 Honduras, and Guatemala in 2017 alone, according
20 to the United Nations Office of Drug Control and
21 Crime.

22 (4) El Salvador and Honduras are both among
23 the top 3 countries in the world with the highest
24 child homicides rates, with more than 22 and 32
25 deaths per 100,000 children respectively, according

1 to the nongovernmental organization Save the Chil-
2 dren.

3 (5) Thousands of women, children, and families
4 are fleeing unsafe homes and communities each
5 month in these countries due to surging violence.

6 (6) Violent crimes against women and children
7 are substantially under-reported because the major-
8 ity of victims lack safe access to protection and jus-
9 tice.

10 (7) Guatemala, Honduras, and El Salvador gov-
11 ernments allow impunity for perpetrators of violence
12 against women and children, with less than 10 per-
13 cent of reported cases resulting in conviction.

14 (8) According to a study conducted by the
15 Woodrow Wilson International Center for Scholars,
16 childhood experiences with domestic violence in
17 Latin America are a major risk factor for future
18 criminal behavior. Fifty-six percent of incarcerated
19 women and 59 percent of incarcerated men surveyed
20 experienced intra-familial violence during childhood.

21 **SEC. 3. WOMEN AND CHILDREN PROTECTION COMPACTS.**

22 (a) AUTHORIZATION TO ENTER INTO COMPACTS.—
23 The Secretary of State is authorized to enter into bilateral
24 agreements with the Governments of El Salvador, Guate-
25 mala, and Honduras (in this Act referred to as “Compact

1 Countries”) to be known as Women and Children Protec-
2 tion Compacts (in this Act referred to as “Compacts”),
3 for the purposes of—

4 (1) strengthening the Compact Countries’
5 criminal justice systems and civil protection courts
6 to protect women and children and serve victims of
7 domestic violence, sexual assault, and child abuse
8 and neglect and hold perpetrators accountable;

9 (3) securing, creating, and sustaining safe com-
10 munities, building on current place-based approaches
11 to prevent and deter violence against women and
12 children;

13 (4) ensuring schools are safe and promoting the
14 prevention and early detection of gender-based and
15 domestic abuse within communities in the Compact
16 Countries; and

17 (5) providing security within the region to fami-
18 lies and unaccompanied children fleeing domestic,
19 gang, or drug violence.

20 (b) COMPONENTS OF COMPACT.—A Compact shall
21 establish a 3 to 6 year plan for achieving shared objectives
22 articulated in Compacts, in furtherance of the purposes
23 of this Act, and shall include—

24 (1) identification of areas of highest incidence
25 of violence against women and children;

1 (2) evaluation of women and child victims' ac-
2 cess to protection and justice;

3 (3) evaluation of justice system capacity to re-
4 spond to reports of femicide, sexual assault, domes-
5 tic violence, and child abuse and neglect and to hold
6 perpetrators accountable;

7 (4) identification of measurable goals to protect
8 women and children to deter crimes against them
9 that the Compact commits to achieve during the
10 term of the Compact;

11 (5) indicators to monitor and measure progress
12 toward achieving these objectives, including reduc-
13 tions in prevalence of femicide, sexual assault, do-
14 mestic violence, and child abuse and neglect; and

15 (6) provisions to ensure funds provided under
16 the Compact may be fully accounted for with an
17 adequate audit trail.

18 **SEC. 4. AUTHORIZATION OF ASSISTANCE.**

19 (a) ASSISTANCE.—The Secretary of State and the
20 Administrator of the United States Agency for Inter-
21 national Development are authorized to provide assistance
22 to assist the Government of El Salvador, the Government
23 of Guatemala, or the Government of Honduras if the
24 country enters into a Compact.

1 (b) PROHIBITION OF DIRECT ASSISTANCE.—No
2 funds provided pursuant to this Act shall be provided di-
3 rectly to the Governments of El Salvador, Guatemala, and
4 Honduras.

5 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated \$10,000,000 for each of fis-
7 cal years 2020, 2021, and 2022 to carry out this Act.

8 (d) SUSPENSION OF ASSISTANCE.—

9 (1) IN GENERAL.—The Secretary may suspend
10 or terminate assistance authorized by this Act to
11 any of the three countries if the Secretary deter-
12 mines that—

13 (A) the country’s government is engaged in
14 activities that are contrary to the national secu-
15 rity interests of the United States;

16 (B) the country or recipient entity has en-
17 gaged in a pattern of actions inconsistent with
18 the criteria used to determine the eligibility of
19 the country or entity, as the case may be; or

20 (C) the country or recipient entity has
21 failed to make sufficient progress to meet the
22 goals of the Compact.

23 (2) REINSTATEMENT.—The Secretary may re-
24 instate assistance for a country or entity suspended
25 or terminated under this paragraph only if the Sec-

1 retary certifies to Congress that the country or enti-
2 ty has taken steps to correcting each condition for
3 which assistance was suspended or terminated under
4 paragraph (1).

5 **SEC. 5. COMPACT PROGRESS REPORTS AND BRIEFING.**

6 (a) IN GENERAL.—The Secretary of State shall sub-
7 mit to Congress not later than September 30 of each fiscal
8 year covered by the authorization a joint report that con-
9 tains a detailed description of the implementation of the
10 Compacts during the prior year.

11 (b) CONTENTS.—The report under subsection (a) for
12 fiscal year 2022 shall include—

13 (1) information on the overall rates of gender-
14 based violence in the Northern Triangle countries,
15 including by using victimization surveys, regardless
16 of whether or not these acts of violence are reported
17 to government authorities;

18 (2) information on incidences of gender-based
19 violence cases reported to the authorities in the
20 Northern Triangle countries and the percentage of
21 perpetrators investigated, apprehended, prosecuted,
22 and convicted;

23 (3) information on the capacity and resource al-
24 location of child welfare systems in each Northern
25 Triangle country to protect unaccompanied children,

1 including runaways and refugee returnees in North-
2 ern Triangle countries;

3 (4) the percentage of reported violence against
4 women and children cases reaching conviction;

5 (5) a baseline and percentage changes in
6 women and children victims receiving legal and so-
7 cial services;

8 (6) a baseline and percentage changes in school
9 retention rates;

10 (7) a baseline and changes in capacity of police,
11 prosecution service, and courts to combat violence
12 against women and children; and

13 (8) independent external evaluation of funded
14 programs, including compliance with terms of the
15 Compacts by all parties.

16 (c) BRIEFING.—Not later than 180 days after the
17 date of the enactment of this Act, the Secretary of State
18 and the Administrator of the United States Agency for
19 International Development shall provide the Committee on
20 Foreign Relations of the Senate and the Committee on
21 Foreign Affairs of the House of Representatives a briefing
22 on the data and information collected pursuant to this sec-
23 tion and the steps taken to protect victims of domestic
24 violence, sexual assault, and child abuse and neglect.