

**AMENDMENT TO H.R. 5136, AS REPORTED**  
**OFFERED BY MR. FRANKS OF ARIZONA**

Page 690, after line 8, insert the following (and making such technical and conforming changes as may be appropriate)::

1 **SEC. 3505. AMERICAN SERVICEMEMBERS' PROTECTION**

2 **AND THE INTERNATIONAL CRIMINAL COURT.**

3 (a) STATEMENT OF POLICY.—It shall be the policy  
4 of the United States to protect members of the United  
5 States Armed Forces, particularly those serving in Af-  
6 ghanistan and Iraq, from politically motivated prosecution  
7 by—

8 (1) refraining from participation in, or under-  
9 taking other actions that could legitimize, the Inter-  
10 national Criminal Court;

11 (2) providing no assistance to the International  
12 Criminal Court; and

13 (3) continuing to abstain from becoming a sig-  
14 natory to or ratifying the Rome Statute.

15 (b) PROHIBITION ON USE OF FUNDS.—No funds  
16 made available under this Act may be used for United  
17 States participation in the International Criminal Court  
18 or its attendant activities.

1 (c) REPORT.—No later than 90 days after enactment  
2 of this Act, the Secretary of Defense shall report to the  
3 Committee on Armed Services of the House of Represent-  
4 atives and the Committee on Armed Services of the Senate  
5 on how amendments to the Rome Statue adopted at the  
6 2010 International Criminal Court Review Conference will  
7 impact the United States military and United States-led  
8 coalition operations. The report shall specifically address  
9 action taken at the 2010 International Criminal Court Re-  
10 view Conference addressing the International Criminal  
11 Court’s jurisdiction over the crime of aggression.

