

**AMENDMENT TO H.R. 2397, AS REPORTED**  
**OFFERED BY MR. NUGENT OF FLORIDA**

At the end of the bill (before the short title), insert the following:

1       SEC. 10002. (a) During the fiscal year for which this  
2 Act makes appropriations and thereafter, except as other-  
3 wise provided in this section, it shall be unlawful for any  
4 entity within the Executive branch intentionally to use le-  
5 thal force outside the United States, without a prior judi-  
6 cial determination that such conduct is lawful, against a  
7 person known to that entity to be an American citizen,  
8 in any case where that conduct would violate the fifth arti-  
9 cle of amendment to the Constitution if the conduct took  
10 place inside the United States and there were no prior  
11 judicial determination authorizing that conduct.

12       (b) Subsection (a) does not apply to military action  
13 lawfully conducted in accordance with a congressional au-  
14 thorization for the use of military force or a declaration  
15 of war.

16       (c) Subsection (a) does not prohibit the use of lethal  
17 force to protect the country against an imminent threat  
18 to the United States or constrain the nation's inherent  
19 right to self defense, if the imminent threat is established

1 in the Executive's congressional notification of sensitive  
2 information required by section 1041 of the National De-  
3 fense Authorization Act for Fiscal Year 2014.

