AMENDMENT TO RULES COMM. PRINT 116–19

OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle G of title XII, add the following:

SEC. ___. REPORT ON HOSTILITIES INVOLVING UNITED STATES ARMED FORCES.

(a) In general.—The President shall report to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives within 48 hours any incident in which United States Armed Forces are involved in an attack or hostilities, including in an offensive or defensive capacity, unless the President—

(1) reports the incident within 48 hours pursuant to section 4 of the War Powers Resolution (50 U.S.C. 1543); or

(2) has determined prior to the incident and reported pursuant to section 1264 of the National Defense Authorization Act for Fiscal Year 2018 (50 U.S.C. 1549) that the United States Armed Forces involved in the incident would be operating under specific statutory authorization, within the meaning
of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(b) Matters to be Included.—The report required by subsection (a) shall include, for each such incident—

(1) the statutory and operational authorities under which the United States Armed Forces were operating, including any relevant executive orders and an identification of the operational activities authorized under such executive orders;

(2) the date, location, duration, and other parties involved;

(3) a description of the United States Armed Forces involved and the mission of such Armed Forces;

(4) the numbers of any combatant casualties and civilian casualties; and

(5) any other information the President determines appropriate.

(c) Form.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.