

**AMENDMENT TO H.R. 5743, AS REPORTED
OFFERED BY MR. HOLT OF NEW JERSEY**

At the end of title V, add the following new section:

1 **SEC. 504. PROHIBITION ON ASSASSINATION.**

2 (a) PROHIBITION.—A person acting within the scope
3 of employment with an element of the intelligence commu-
4 nity or on behalf of an element of the intelligence commu-
5 nity may not engage in, or conspire to engage in, the as-
6 sassination of a United States person, unless—

7 (1) such United States person is directly en-
8 gaged in combat operations in armed conflict against
9 the United States; and

10 (2) the Director of National Intelligence and
11 the Attorney General have certified to the congres-
12 sional intelligence committees that the United States
13 lacks the ability to otherwise apprehend such United
14 States person, except this clause shall not apply in
15 a case where there is an imminent threat of bodily
16 harm or death to a United States citizen or an em-
17 ployee or asset of the United States Government by
18 such United States person.

19 (b) INVESTIGATION.—The Inspector General of the
20 Office of the Director of National Intelligence shall inves-

1 tigate any incident involving an allegedly inadvertent in-
2 jury or death of a United States person attributable to
3 activities conducted in accordance with subsection (a) to
4 determine whether such injury or death was inadvertent
5 and shall submit to the congressional intelligence commit-
6 tees a report containing the findings of the investigation,
7 unless such findings will serve as the basis for a criminal
8 prosecution.

9 (c) DEFINITIONS.—In this section:

10 (1) ASSASSINATION.—The term “assassination”
11 means the intentional targeted killing of a human
12 being.

13 (2) UNITED STATES PERSON.—The term
14 “United States person” has the meaning given such
15 term in section 101 of the Foreign Intelligence Sur-
16 veillance Act of 1978 (50 U.S.C. 1801).

