

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**10**

**OFFERED BY MS. JACOBS OF CALIFORNIA**

At the end of subtitle G of title X, insert the following:

**1 SEC. 10\_\_\_. REVIEW OF EXECUTE ORDERS PERMITTING**  
**2 USE OF FORCE.**

**3 (a) REVIEW.**—Not later than 60 days after the date  
**4 of the enactment of this Act, the Secretary of Defense**  
**5 shall review all execute orders permitting the United**  
**6 States Armed Forces to engage, or to direct partner forces**  
**7 to engage, in the use of lethal or potentially lethal force**  
**8 in order to ensure that all such orders specify by name—**

**9 (1) any location within a country where force**  
**10 may be used;**

**11 (2) the country or organization against which**  
**12 force may be used; and**

**13 (3) the law under which the use of force is au-**  
**14 thorized.**

**15 (b) REPORT.**—Not later than 180 days after the date  
**16 of the enactment of this Act, the Secretary shall submit**  
**17 to the congressional defense committees a report describ-**

1 ing the results of the review conducted under subsection  
2 (a). Such report shall include each of the following:

3 (1) The number of execute orders that had to  
4 be withdrawn or amended to ensure that they in-  
5 cluded sufficiently specific information on where,  
6 against whom, and on what legal basis force may be  
7 used.

8 (2) A comparison of the countries covered by  
9 the execute orders permitting the use of lethal or po-  
10 tentially lethal force and the full list of countries  
11 ever reported under section 1264 of the National  
12 Defense Authorization Act for Fiscal Year 2018 (50  
13 U.S.C. 1549) and section 1285 of the National De-  
14 fense Authorization Act for Fiscal Year 2020 (50  
15 U.S.C. 1550).

16 (3) A comparison of the countries and organiza-  
17 tions covered by the execute orders permitting the  
18 use of lethal or potentially lethal force and the full  
19 list of foreign forces, irregular forces, groups, or in-  
20 dividuals ever reported under section 1264 of the  
21 National Defense Authorization Act for Fiscal Year  
22 2018 (50 U.S.C. 1549) and section 1285 of the Na-  
23 tional Defense Authorization Act for Fiscal Year  
24 2020 (50 U.S.C. 1550).

1           (4) Any procedures the Secretary has imple-  
2           mented, or plans to implement, to ensure that exe-  
3           cute orders are drafted in a manner that reflects the  
4           legal limits on the authority of the United States  
5           Armed Forces to use lethal or potentially lethal  
6           force.

7           (c) **FORMAT OF REPORT.**—The report required by  
8           subsection (b) shall be submitted in unclassified form, but  
9           may include a classified annex. The unclassified portion  
10          of the report shall be made publicly available at the same  
11          time the report is submitted to the congressional defense  
12          committees.

