AMENDMENT TO RULES COMM. PRINT 116–57
OFFERED BY MS. SPANBERGER OF VIRGINIA

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

SEC. 12. MODIFICATION TO REPORT ON CHANGES TO LEGAL AND POLICY FRAMEWORKS.

Section 1264 of the National Defense Authorization Act for Fiscal Year 2018 (50 U.S.C. 1549) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (A)(ii), by striking “; and” and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following new subparagraph:

“(C) the statutory and operational authorities, including any relevant executive orders, under which the United States Armed Forces were operating during any instance in which such Forces used lethal force, and an identification of the operational activities authorized under any such executive orders.”;

(2) in subsection (e)—
(A) in the first sentence, by striking “subsection (a)” and all that follows through “subsection (b)” and inserting “subsection (a), each notice required by subsection (b), and each interim report and interim notice required by subsection (c)”;

(B) in the second sentence, by striking “each report” and inserting “each report required by subsection (a) and interim report required by subsection (c)”;

(3) by redesignating subsection (e) (as amended by paragraph (1)) and subsection (d) as subsections (e) and (f), respectively; and

(4) by inserting after subsection (b) the following new subsections:

“(c) INTERIM REQUIREMENTS.—

“(1) RECURRING INTERIM REPORTS.—If, by March 1 of 2021 or any year thereafter, the President has not submitted to the appropriate congressional committees a report that meets the requirements of subsection (a), the Secretary of Defense and the Secretary of State shall each submit to the appropriate congressional committees, by March 30 of that year, an interim report containing the matters described in subsection (a)(2).
“(2) INTERIM NOTICE.—If at any time after the date of the enactment of this subsection, a notice described in subsection (b) has not been submitted to the appropriate congressional committees by the date that is 30 days after the date on which a change has been made to the legal and policy frameworks described in subsection (a)(1), the Secretary of Defense and the Secretary of State shall each submit to the appropriate congressional committees, not later than 45 days after the date of such change, a report containing the information described in subsection (b).

“(3) RULE OF CONSTRUCTION.—None of the interim requirements in this subsection may be construed to remove, alter, or affect the reporting and notice requirements imposed on the President by this section.

“(d) SUBMISSIONS IN 2021.—Each report submitted pursuant to subsection (a) or interim report submitted pursuant to subsection (c) in 2021 shall cover the period beginning on March 1, 2018, and ending on the date on which such report is submitted.”.