H. R. 996

To limit the use of cluster munitions.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2011

Mr. McGovern (for himself, Mr. Issa, and Mr. Boustany) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To limit the use of cluster munitions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Cluster Munitions Civilian Protection Act of 2011”.

SEC. 2. LIMITATION ON THE USE OF CLUSTER MUNITIONS.

No funds appropriated or otherwise available to any Federal department or agency may be obligated or expended to use any cluster munitions unless—

(1) the submunitions of the cluster munitions, after arming, do not result in more than 1 percent
unexploded ordnance across the range of intended
operational environments; and

(2) the policy applicable to the use of such clus-
ter munitions specifies that the cluster munitions
will only be used against clearly defined military tar-
gets and will not be used where civilians are known
to be present or in areas normally inhabited by civil-
ians.

SEC. 3. PRESIDENTIAL WAIVER.

The President may waive the requirement under sec-
tion 2(1) if, prior to the use of cluster munitions, the
President—

(1) certifies that it is vital to protect the secu-

rity of the United States; and

(2) not later than 30 days after making such
certification, submits to the appropriate congr-es-
sional committees a report, in classified form if nec-
essary, describing in detail—

(A) the steps that will be taken to protect
civilians; and

(B) the failure rate of the cluster muni-
tions that will be used and whether such muni-
tions are fitted with self-destruct or self-deacti-
vation devices.
SEC. 4. CLEANUP PLAN.

Not later than 90 days after any cluster munitions are used by a Federal department or agency, the President shall submit to the appropriate congressional committees a plan, prepared by such Federal department or agency, for cleaning up any such cluster munitions and submunitions which fail to explode and continue to pose a hazard to civilians.

SEC. 5. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term “appropriate congressional committees” means the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.