

114TH CONGRESS
1ST SESSION

H. R. 137

To require an adequate process in preplanned lethal operations that deliberately target citizens of the United States or citizens of strategic treaty allies of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. ISSA introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Select Committee on Intelligence (Permanent Select) and the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require an adequate process in preplanned lethal operations that deliberately target citizens of the United States or citizens of strategic treaty allies of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Designating Require-
5 ments On Notification of Executive-ordered Strikes Act”
6 or “DRONES Act”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
4 **TEES.**—The term “appropriate congressional com-
5 mittees” means the Committee on the Judiciary, the
6 Committee on Foreign Relations, the Committee on
7 Armed Services, the Committee on Appropriations,
8 and the Committee on Homeland Security and Gov-
9 ernmental Affairs of the Senate and the Committee
10 on the Judiciary, the Committee on Foreign Affairs,
11 the Committee on Armed Services, the Committee
12 on Appropriations, and the Committee on Oversight
13 and Government Reform of the House of Represent-
14 atives.

15 (2) **PREPLANNED LETHAL OPERATION.**—The
16 term “preplanned lethal operation” does not include,
17 limit, or restrict actions taken in immediate self de-
18 fense or immediate defense of others by members of
19 the Armed Forces, law enforcement officers, or other
20 persons authorized to use lethal force in the execu-
21 tion of their duties.

22 (3) **STRATEGIC TREATY ALLY.**—The term
23 “strategic treaty ally” refers to a member nation of
24 the North Atlantic Treaty Organization, Japan, the
25 Republic of South Korea, and any other country

1 with which the United States has entered into a se-
2 curity treaty.

3 **SEC. 3. SCOPE OF ACT.**

4 (a) COVERED ENTITIES.—This Act applies to all
5 Federal departments and agencies and the Armed Forces.

6 (b) COVERED PREPLANNED LETHAL OPERATIONS.—
7 This Act only applies to preplanned lethal operations that
8 deliberately target a citizen of the United States or a cit-
9 izen of a strategic treaty ally of the United States.

10 **SEC. 4. LIMITATION ON PREPLANNED LETHAL OPER-**
11 **ATIONS TARGETING UNITED STATES CITI-**
12 **ZENS OR CITIZENS OF STRATEGIC TREATY**
13 **ALLIES.**

14 (a) LIMITATION.—A Federal department or agency
15 or the Armed Forces may not deliberately target a citizen
16 of the United States or a citizen of a strategic treaty ally
17 of the United States in a preplanned lethal operation un-
18 less the preplanned lethal operation is planned and exe-
19 cuted pursuant to a written determination signed person-
20 ally by the President—

- 21 (1) confirming the status of the targeted citizen
22 as an enemy combatant; and
23 (2) authorizing the deliberate lethal targeting of
24 the citizen based on an articulated need for the use
25 of such lethal force.

1 (b) CONGRESSIONAL NOTIFICATION.—Not later than
 2 30 days after making a determination under subsection
 3 (a), the President shall submit to the appropriate congres-
 4 sional committees a report, in classified form if nec-
 5 essary—

6 (1) certifying that the timing and details of the
 7 preplanned lethal operation were approved personally
 8 by the President; and

9 (2) describing in detail—

10 (A) the information used to determine that
 11 the targeted citizen is an enemy combatant; and

12 (B) the reasons why the use of lethal force
 13 was necessary.

14 (c) DELEGATION.—The President may not dele-
 15 gate—

16 (1) the final determination of enemy combatant
 17 status; and

18 (2) the final approval of timing and details of
 19 the execution of the preplanned lethal operation.

20 **SEC. 5. PROHIBITION ON PREPLANNED LETHAL OPER-**
 21 **ATIONS INSIDE THE TERRITORY OF THE**
 22 **UNITED STATES.**

23 Nothing in this Act may be construed to authorize
 24 any Federal department or agency or the Armed Forces
 25 to deliberately target a citizen of the United States or a

- 1 citizen of a strategic treaty ally in a preplanned lethal op-
- 2 eration inside the territory of the United States or any
- 3 location under the jurisdiction of the United States.

