

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide for a reduction in the amount of assistance provided to foreign countries that lose control of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, who are transferred to such countries during fiscal year 2017.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.**

**S. 2943**

To authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. LANKFORD  
(for himself and Mr. KIRK)

Viz:

1       At the end of subtitle D of title X, add the following:  
2 **SEC. 1031. REDUCTION IN ASSISTANCE FOR FOREIGN**  
3                   **COUNTRIES LOSING CONTROL OF TRANS-**  
4                   **FEREES FROM UNITED STATES NAVAL STA-**  
5                   **TION, GUANTANAMO BAY, CUBA, DURING FIS-**  
6                   **CAL YEAR 2017.**

7       (a) REDUCTION IN ASSISTANCE.—Notwithstanding  
8 any other provision of this Act, the amount of assistance

1 provided during fiscal year 2017 to a foreign country to  
2 which an individual detained at Guantanamo is trans-  
3 ferred or released during the period beginning on October  
4 1, 2016, and ending on September 30, 2017, shall be—

5 (1) the aggregate amount otherwise available  
6 for United States assistance for such country during  
7 fiscal year 2017; minus

8 (2) \$10,000,000 or an amount equal to 10 per-  
9 cent of the amount described in paragraph (1),  
10 whichever is less, for each individual so transferred  
11 or released who, during such period—

12 (A) escapes from confinement by the coun-  
13 try or otherwise ceases to be under the custody  
14 or control of the country; or

15 (B) reengages in international terrorism.

16 (b) DEFINITIONS.—In this section:

17 (1) The term “individual detained at Guanta-  
18 namo” means any individual located at United  
19 States Naval Station, Guantanamo Bay, Cuba, as of  
20 October 1, 2009, who—

21 (A) is not a citizen of the United States or  
22 a member of the Armed Forces of the United  
23 States; and

24 (B) is—

1 (i) in the custody or under the control  
2 of the Department of Defense; or

3 (ii) otherwise under detention at  
4 United States Naval Station, Guantanamo  
5 Bay, Cuba.

6 (2) The term “international terrorism”—

7 (A) has the meaning given the term in sec-  
8 tion 2331 of title 18, United States Code; and

9 (B) does not include any act of war (as de-  
10 fined in that section).