

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 4310
OFFERED BY MR. GOODLATTE OF VIRGINIA**

At the end of subtitle D of title X, add the following
new section:

1 **SEC. 1044. DISPOSITION OF UNITED STATES CITIZENS DE-**
2 **TAINED IN THE UNITED STATES.**

3 Section 1021 of the National Defense Authorization
4 Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.
5 1562)—

6 (1) in subsection (c), by striking “The disposi-
7 tion” and inserting “Except as provided in sub-
8 section (g), the disposition”; and

9 (2) by adding at the end the following new sub-
10 sections:

11 “(g) DISPOSITION OF UNITED STATES CITIZENS DE-
12 TAINED IN THE UNITED STATES.—

13 “(1) UNITED STATES CITIZENS DETAINED PUR-
14 SUANT TO THE AUTHORIZATION FOR USE OF MILI-
15 TARY FORCE OR THE FISCAL YEAR 2012 OR 2013
16 NATIONAL DEFENSE AUTHORIZATION ACTS.—In the
17 case of a United States citizen who is detained in
18 the United States, or a territory or possession of the

1 United States, pursuant to the Authorization for
2 Use of Military Force, this Act, or the National De-
3 fense Authorization Act for Fiscal Year 2013, dis-
4 position under the law of war shall occur imme-
5 diately upon the United States citizen coming into
6 custody of the Federal Government and shall only
7 mean the immediate transfer of the United States
8 citizen for trial and proceedings by a court estab-
9 lished under Article III of the Constitution of the
10 United States or by an appropriate State court.
11 Such trial and proceedings shall have all the due
12 process as provided for under the Constitution of the
13 United States.

14 “(2) PROHIBITION ON TRANSFER TO MILITARY
15 CUSTODY.—No United States citizen detained, cap-
16 tured, or arrested in the United States, or a terri-
17 tory or possession of the United States, may be
18 transferred to the custody of the Armed Forces for
19 detention under the Authorization for Use of Mili-
20 tary Force, this Act, or the National Defense Au-
21 thorization Act for Fiscal Year 2013.

22 “(h) RULE OF CONSTRUCTION.—This section shall
23 not be construed to authorize the detention of a United
24 States citizen within the United States, or a territory or
25 possession of the United States, under the Authorization

1 for Use of Military Force, this Act, or the National De-
2 fense Authorization Act for Fiscal Year 2013.”.

