

AMENDMENT TO RULES COMMITTEE PRINT 116-

19

OFFERED BY MR. SCHIFF OF CALIFORNIA

At the end of subtitle D of title X, insert the following:

1 **SEC. 10___ . AUTHORITY FOR ARTICLE III JUDGES TO TAKE**
2 **CERTAIN ACTIONS RELATING TO INDIVID-**
3 **UALS DETAINED AT UNITED STATES NAVAL**
4 **STATION, GUANTANAMO BAY, CUBA.**

5 (a) USE OF VIDEO TELECONFERENCING.—

6 (1) IN GENERAL.—A judge of a United States
7 District Court shall have jurisdiction to take any of
8 the following actions by video conferencing with
9 respect to an individual detained at Guantanamo:

10 (A) Accept a plea to a charge under the
11 laws of the United States.

12 (B) Enter a judgment of conviction and
13 sentence the individual for a charge upon which
14 the individual is convicted as a result of such a
15 plea.

16 (2) CONSENT.—An action specified in para-
17 graph (1) or (2) may be taken by video teleconfer-
18 encing only with the consent of the individual

1 (b) VENUE.—A judge of a United States District
2 Court may act by video teleconferencing under subsection
3 (a) only where such District Court maintains venue con-
4 cerning the offense alleged.

5 (c) TRANSFER TO SERVE SENTENCE OF IMPRISON-
6 MENT.—The Attorney General may transfer to a foreign
7 country an offender who is convicted of an offense by rea-
8 son of a plea entered into as described in subsection (a)
9 and who is under a sentence of imprisonment resulting
10 from such conviction. Any such transfer shall be made for
11 the purpose of the offender serving the sentence imposed
12 on him, and shall be made under chapter 306 of title 18,
13 United States Code, without regard to the provisions of
14 section 4107 and subsections (a) and (b) of section 4100
15 of that title.

16 (d) DEFINITIONS.—In this section:

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

21 (A) is not a national of the United States
22 (as defined in section 101(a)(22) of the Immi-
23 gration and Nationality Act (8 U.S.C.
24 1101(a)(22)) or a member of the Armed Forces
25 of the United States; and

1 (B) is—

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

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

7 (2) The terms “imprisonment”, “offender”,
8 “sentence”, and “transfer” have the meanings given
9 to those terms in section 4101 of title 18, United
10 States Code.

