

AMENDMENT TO H.R. 1960

OFFERED BY MR. ANDREWS OF NEW JERSEY

In section 2901(a), strike “\$247,400,000” and insert “\$186,400,000”.

In section 2901, add at the end the following:

1 (d) LIMITATION ON THE AVAILABILITY OF FUNDS
2 FOR CONSTRUCTION OF INFRASTRUCTURE TO SUPPORT
3 JOINT TASK FORCE, GUANTANAMO.—

4 (1) LIMITATION.—None of the funds authorized
5 to be appropriated by this section may be obligated
6 or expended to construct new infrastructure that
7 supports Joint Task Force Guantanamo until the
8 Secretary of Defense submits to the congressional
9 defense committees an assessment that includes each
10 of the following:

11 (A) A description of each of the following
12 costs, broken down by fiscal year, for each of
13 fiscal years 2002 through 2013:

14 (i) The costs of constructing the per-
15 manent and temporary infrastructure to
16 support the detention operations at such
17 Naval Station.

1 (ii) The costs of facility repair,
2 sustainment, maintenance, and operation
3 of all infrastructure supporting the deten-
4 tion operations at such Naval Station.

5 (iii) The costs of military personnel,
6 civilian personnel, and contractors associ-
7 ated with the detention operations at such
8 Naval Station.

9 (iv) The costs of operation and main-
10 tenance, shown for each military depart-
11 ment and account, associated with carrying
12 out military commissions for individuals
13 detained at such Naval Station.

14 (v) The costs associated with the Of-
15 fice of the Deputy Assistant Secretary of
16 Defense (Rule of Law and Detainee Pol-
17 icy), the Periodic Review Services, and
18 studies and task forces funded by the De-
19 partment of Defense that relate to the de-
20 tention operations at such Naval Station.

21 (vi) Any other costs associated with
22 supporting the detention operations at
23 such Naval Station.

24 (B) A master plan for the continuation of
25 detention operations by Joint Task Force

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1 Guantanamo, at United States Naval Station,
2 Guantanamo Bay, Cuba, during the time period
3 beginning on the date of the enactment of this
4 Act and ending on the date of the 66th birth-
5 day of the youngest individual who is detained
6 at United States Naval Station, Guantanamo
7 Bay, Cuba, on the date of the enactment of this
8 Act, including—

9 (i) a description of any infrastructure
10 projects that the Secretary determines are
11 required for the continuation of such de-
12 tention operations, including new require-
13 ments and replacement of existing infra-
14 structure;

15 (ii) an estimate of the total military
16 personnel, civilian personnel, and con-
17 tractor costs associated with the continu-
18 ation of such detention operations;

19 (iii) an estimate of the total operation
20 and maintenance costs associated with the
21 continuation of such detention operations;

22 (iv) an estimate of the total costs as-
23 sociated with carrying out military com-
24 missions for individuals detained at such
25 Naval Station; and

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1 (v) an estimate of any other costs as-
2 sociated with the continuation of such de-
3 tention operations.

4 (C) A cost estimate, itemized by construc-
5 tion project, of the infrastructure investments
6 identified in the master plan described in sub-
7 paragraph (B).

8 (D) A detailed estimate of the annual costs
9 projected to repair, sustain, and maintain the
10 facilities that are in use by Joint Task Force,
11 Guantanamo, as of the date of the enactment of
12 this Act, or are identified in the master plan de-
13 scribed in subparagraph (B).

14 (2) WAIVER.—The Secretary of Defense may
15 waive the limitation under paragraph (1) if the Sec-
16 retary submits to the congressional defense commit-
17 tees certification in writing that the construction of
18 a specific infrastructure project is necessary to—

19 (A) protect the life or health of members
20 of the United States Armed Forces assigned to
21 Joint Task Force Guantanamo;

22 (B) ensure the secure and humane deten-
23 tion of individuals detained by Joint Task
24 Force Guantanamo Bay at United States Naval
25 Station, Guantanamo Bay, Cuba; or

1 (C) meet a legal obligation of the United
2 States for the detention of individuals con-
3 sistent with common Article 3 of the Geneva
4 Conventions.

