

114TH CONGRESS  
2D SESSION

# S. 2788

To prohibit the closure of United States Naval Station, Guantanamo Bay, Cuba, to prohibit the transfer or release of detainees at that Naval Station to the United States, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 13, 2016

Mr. INHOFE (for himself, Mr. BARRASSO, Mr. COTTON, Mr. CRUZ, Mrs. ERNST, Mr. HATCH, Mr. ISAKSON, Mr. LANKFORD, Mr. MORAN, Mr. ROUNDS, Mr. RUBIO, Mr. SESSIONS, Mr. TILLIS, and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To prohibit the closure of United States Naval Station, Guantanamo Bay, Cuba, to prohibit the transfer or release of detainees at that Naval Station to 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,*

1 **SECTION 1. PROHIBITION ON CLOSURE OR ABANDONMENT**  
2 **OF UNITED STATES NAVAL STATION, GUAN-**  
3 **TANAMO BAY, CUBA.**

4 No amounts authorized to be appropriated or other-  
5 wise made available for any department or agency of the  
6 United States Government may be used—

7 (1) to close or abandon United States Naval  
8 Station, Guantanamo Bay, Cuba;

9 (2) to relinquish control of Guantanamo Bay to  
10 the Republic of Cuba; or

11 (3) to implement a material modification to the  
12 Treaty Between the United States of America and  
13 Cuba signed at Washington, DC, on May 29, 1934,  
14 that constructively closes United States Naval Sta-  
15 tion, Guantanamo Bay.

16 **SEC. 2. PROHIBITION ON TRANSFER OR RELEASE OF INDI-**  
17 **VIDUALS DETAINED AT UNITED STATES**  
18 **NAVAL STATION, GUANTANAMO BAY, CUBA,**  
19 **TO THE UNITED STATES.**

20 No amounts authorized to be appropriated or other-  
21 wise available for any department or agency of the United  
22 States Government may be used to transfer, release, or  
23 assist in the transfer or release to or within the United  
24 States, its territories, or possessions of Khalid Sheikh Mo-  
25 hammed or any other detainee who—

1           (1) is not a United States citizen or a member  
2 of the Armed Forces of the United States; and

3           (2) is or was held on or after January 20,  
4 2009, at United States Naval Station, Guantanamo  
5 Bay, Cuba, by the Department of Defense.

6 **SEC. 3. PUBLIC NOTICE ON RELEASE OF ANY DETAINEE RE-**  
7 **LEASED FROM UNITED STATES NAVAL STA-**  
8 **TION, GUANTANAMO BAY, CUBA.**

9           (a) PUBLIC NOTICE REQUIRED.—Not later than 21  
10 days before the transfer or release of such individual, the  
11 Secretary of Defense shall make available to the public  
12 a notice on the intended transfer or release of any indi-  
13 vidual currently detained at United States Naval Station,  
14 Guantanamo Bay, Cuba.

15           (b) ELEMENTS.—The notice under subsection (a) on  
16 an individual intended to be transferred or released shall  
17 include the following:

18           (1) The name of the individual.

19           (2) The location to which the individual will be  
20 transferred or released.

21           (3) A summary of the agreement, if any, made  
22 with the government or entity of the location accept-  
23 ing the individual after transfer or release.

- 1 (4) The actions being taken to mitigate the
- 2 risks of the transfer or release of the individual.

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