

UNITED STATES NAVAL STATION GUANTANAMO BAY
PRESERVATION ACT

APRIL 15, 2016.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. ROYCE, from the Committee on Foreign Affairs,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 4678]

[Including cost estimate of the Congressional Budget Office]

The Committee on Foreign Affairs, to whom was referred the bill (H.R. 4678) to prohibit modification, abrogation, abandonment, or other related actions with respect to United States jurisdiction and control over United States Naval Station, Guantanamo Bay, Cuba, without congressional action, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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BACKGROUND AND PURPOSE

For over a century, the United States Naval Station at Guantanamo Bay, Cuba, has been a critical asset for the defense of the United States and our promotion of stability and humanitarian welfare in the Western Hemisphere. The legal history of the base has its origins in acts of Congress. United States jurisdiction and control over the base is derived not from a treaty, but from 1903 lease agreements with Cuba that were both authorized and required by Congress, a fact that was expressly recognized by the President who signed them.

For decades, the repressive Castro regime has publicly demanded that the United States return the Guantanamo base to Cuba, a demand most recently reiterated by President Raul Castro during a March 21, 2016, press conference with President Obama in Havana. During that meeting, President Castro again demanded the return of Guantanamo as a “necessary” prerequisite to the normalization of relations with the United States.

Although U.S. officials have stated that the United States “has no plans” to alter any of the arrangements regarding the base, that is not the same thing as categorically pledging that the United States will not do so. The Obama administration has previously made dramatic shifts in U.S. policy toward Cuba without prior consultation with Congress. For example, when then-Deputy National Security Advisor Tony Blinken was asked in November 2014 whether any policy changes toward Cuba were under consideration, he assured Congress that “anything that in the future might be done on Cuba would be done in full consultation” with Congress, “with the real meaning of the word consultation.”¹ Yet less than a month later, *without* any such consultation, the administration announced the reestablishment of U.S. diplomatic relations with Cuba and the release of convicted Cuban spies, which apparently had resulted from more than a year of secret administration negotiations with the Castro regime.

H.R. 4678 does not categorically prohibit the return of the Guantanamo base or the renegotiation of the lease, but makes clear that Congress must affirmatively authorize any action that would affect or impair the jurisdiction or control that the United States has exercised over the Naval Station for more than 112 years.

U.S. Naval Station Guantanamo Bay Remains Indispensable

Senior United States military leaders have consistently voiced strong support for maintaining U.S. Naval Station Guantanamo Bay, calling it “indispensable” and “essential,” and noting its strategic value for military basing and logistics, disaster relief, humanitarian work, terrorist detention, and counter-narcotics purposes.

On February 29, 2016, Secretary of Defense Ashton B. Carter, discussing the base, stated that “it’s a strategic location, we’ve had it for a long time, it’s important to us, and we intend to hold on to it.”

On March 12, 2015, Commander of United States Southern Command, General John Kelly, testified that the United States facilities at Naval Station Guantanamo Bay “are indispensable to the Departments of Defense, Homeland Security, and State’s oper-

ational and contingency plans.” General Kelly noted that, “As the only permanent U.S. military base in Latin America and the Caribbean, its location provides persistent U.S. presence and immediate access to the region, as well as supporting a layered defense to secure the air and maritime approaches to the United States.”

In testimony before Congress in 2012, then-Commander of United States Southern Command, General Douglas Fraser, stated that “the strategic capability provided by U.S. Naval Station Guantanamo Bay remains essential for executing national priorities throughout the Caribbean, Latin America, and South America.”

The utility of the base is not merely military, but also humanitarian. Following a 1991 coup in Haiti that prompted a mass exodus of people by boat, U.S. Naval Station Guantanamo Bay provided a location for temporary housing and the orderly adjudication of asylum claims outside of the continental United States. In 2010, the base was a critical hub for the provision of humanitarian disaster relief following the devastating earthquakes in Haiti.

U.S. Naval Station Guantanamo Bay is Rooted in Acts of Congress

The complex legal history of U.S. Naval Station Guantanamo Bay is uniquely rooted in acts of Congress in the period leading up to and following the 1898 Spanish-American War, which freed Cuba from colonial domination by Spain. In assessing that history, it is useful to recall the express constitutional powers of Congress:

- to provide for the common defense (Art. I, § 8, cl. 1);
- to provide and maintain a Navy (Art. I, § 8, cl. 13);
- to declare war (Art. I, § 8, cl. 11); and
- to make all necessary rules and regulations regarding U.S. territory or other property (Art. IV, § 3, cl. 2).

In 1895, Cuban forces led by José Martí resumed the fight for Cuban independence from Spain. The proximity of the violent conflict to the United States, the brutality of Spanish authorities toward the people of Cuba, and the distaste for European colonial involvement in the Western Hemisphere increased American sympathies for the Cuban cause. After the U.S. battleship *Maine* mysteriously exploded and sank in Havana harbor in February 1898, killing more than 260 U.S. sailors, a reluctant President McKinley was pushed to demand independence for Cuba.

By joint resolution approved on April 20, 1898, Congress recognized the independence of the people of Cuba and “directed and empowered” the President “to use the entire land and naval forces of the United States” to ensure that the Government of Spain “relinquish its authority and government in the island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters.” A successful amendment offered by Senator Henry Teller of Colorado to that joint resolution (commonly known as the “Teller Amendment”) disavowed any intention by the United States to exercise long-term sovereignty over Cuba, and expressed the determination that, after the island was pacified, the government of Cuba would be returned to its people.

The Government of Spain rejected the U.S. call for Cuban independence, President McKinley instituted a naval blockade of Havana, and Spain severed diplomatic relations with the United States.

On April 25, 1898, Congress declared war against Spain. After a decisive American victory in the months that followed, the United States and Spain signed the Treaty of Paris on December 10, 1898, which (upon ratification the following April) ended Spain's colonial empire in the Western Hemisphere. In that Treaty, Spain relinquished all claims of sovereignty over Cuba, and United States governance of Cuba was established.²

Nearly three years later, in an Act approved on March 2, 1901, Congress acted "in fulfillment of" the Teller Amendment by granting the President the authority to return "the government and control of the island of Cuba to its people" subject to eight express preconditions, in a statutory text that was commonly known as the "Platt Amendment."³ Those preconditions included securing a commitment from Cuba to sell or lease to the United States lands necessary for naval stations "to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense."⁴ That 1901 Act of Congress was specifically cited, and its preconditions (including the naval station leasing requirement) were incorporated verbatim, in both the 1901 Constitution of the Republic of Cuba and the Treaty of Relations between the United States of America and the Republic of Cuba signed at Havana on May 22, 1903.

According to the "views of the Executive Department of our Government" at the time, the Acts of Congress incorporating the Teller and Platt Amendments provided authority to the President that he did not otherwise possess, and also established "limitations upon the power of the Executive" in exercising that authority.⁵ The Teller Amendment ensured that United States could not annex Cuba, as it did Guam, Puerto Rico and the Philippines at the conclusion of the war that Congress had declared.⁶ The Platt Amendment established prerequisites (including securing a commitment from Cuba to sell or lease lands for a U.S. naval station) "which Congress has made a condition precedent to the President's leaving the government and control of the island of Cuba to its people."⁷

The essential role of Congress is manifest in the case of the Platt Amendment, where the executive branch recognized Congressional action as necessary, even though the draft text of the amendment had been written by Secretary of War Elihu Root, was approved by the President and his cabinet, and was personally handed by President McKinley to Senator Platt, who then offered the amendment at the request of the administration, with minor changes.⁸ Not only was action by Congress necessary but, once taken, it was binding upon the executive branch, to the extent that the President disclaimed the ability to end U.S. military governance of the island until those conditions had been satisfied. In a message approved by President McKinley, Secretary Root made this clear to the Cuban Constitutional Convention:

"[L]et me recall the relation which the President bears to the so-called Platt Amendment. That statute having been enacted by the law-making power of the United States, the President is bound to execute it, and to execute it as it is. He cannot change or modify, add to or subtract from it. The executive action called for by the statute is the withdrawal of the army from Cuba, and the statute authorizes that action when, and only when, a government shall have been established under a

Constitution which contains, either in the body thereof or in an ordinance annexed thereto, certain definite provisions specified in the statute.”⁹

Pursuant to article VII of the Platt Amendment, the United States and Cuba negotiated and concluded lease agreements in 1903, which specified the area and the terms of United States jurisdiction and control over what became United States Naval Station, Guantanamo Bay, Cuba.¹⁰

When approving the Guantanamo naval station lease on October 2, 1903, President Theodore Roosevelt¹¹ cited the 1901 Act of Congress as providing his authority to do so:

“I, Theodore Roosevelt, President of the United States of America, having seen and considered the foregoing lease, do hereby approve the same, by virtue of the authority conferred by the seventh of the provisions defining the relations which are to exist between the United States and Cuba, contained in the Act of Congress approved March 2, 1901, entitled ‘An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1902.’”¹²

Today, the United States continues to exercise jurisdiction and control over Naval Station Guantanamo Bay pursuant to those 1903 lease agreements with Cuba. While the 1934 Treaty of Relations between the United States and Cuba (ratified with the consent of the Senate) did away with other, controversial aspects of the Platt Amendment as part of President Franklin Roosevelt’s “Good Neighbor Policy” toward the Western Hemisphere (see note 3), it deliberately did not supersede, abrogate, or modify the Guantanamo lease agreements, which Cuba and the United States chose to leave intact. Article III of that Treaty expressly notes that the stipulations of those 1903 bilateral agreements “shall continue in effect” until the United States and Cuba agree to modify them.¹³

In sum, the Act of Congress approved on March 2, 1901 required the acquisition of U.S. naval basing rights as an express condition of the authority that Congress gave the President to return governance of Cuba to the people of Cuba in the years following the Spanish-American War. The President made use of that authority, and completed his obligation to fulfill that condition by negotiating and executing the 1903 lease agreements, pursuant to which the United States continues to exercise jurisdiction and control over U.S. Naval Station Guantanamo Bay.

Any action by a subsequent President to impair that jurisdiction and control—such as by returning or abandoning the Guantanamo base—without express congressional authorization would nullify the U.S. naval station requirement of the Act of Congress approved on March 2, 1901, an institutional injury for which no legislative remedy exists.

For this reason, H.R. 4678 clearly states that:

“No action may be taken to modify, abrogate, or replace the stipulations, agreements, and commitments contained in the Guantanamo Lease Agreements, or to impair or abandon the jurisdiction and control of the United States over United States Naval Station, Guantanamo Bay, Cuba, unless specifically authorized or otherwise provided by—

(1) a statute that is enacted on or after the date of the enactment of this Act;

(2) a treaty that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act; or

(3) a modification of the Treaty Between the United States of America and Cuba signed at Washington, DC, on May 29, 1934, that is ratified with the advice and consent of the Senate on or after the date of the enactment of this Act.”

NOTES

¹*Nomination of Mr. Antony Blinken of New York, to be Deputy Secretary of State: Hearing before the Committee on Foreign Relations, United State Senate.* 113th Cong. (November 19, 2014).

²As a consequence of the Joint Resolution of April 20, 1898, which incorporated the Teller Amendment, Cuba was treated differently than the other colonies relinquished by Spain. In contrast, the United States asserted unqualified sovereignty over the Philippines, Puerto Rico, and Guam at the conclusion of the War.

³The provisos governing the return of sovereignty to Cuba were added by an amendment offered by Senator Orville Platt of Connecticut that was incorporated in the Act of March 2, 1901, “An Act Making appropriation for the support of the Army for the fiscal year ending June thirtieth, nineteen hundred and two” (Chapter 803; 31 Stat. 898). Certain aspects of the Platt Amendment—such as the limitations on Cuba’s ability to conclude treaties with foreign powers, and Cuba’s prospective consent to future intervention by the United States to preserve Cuban independence—were controversial among those who viewed them as undue constraints on Cuban sovereignty. Eventually, those provisions were abrogated by the 1934 Treaty of Relations between the United States and Cuba, as ratified with the consent of the U.S. Senate, as part of President Franklin Roosevelt’s “Good Neighbor Policy” toward the Western Hemisphere. As discussed below, Cuba and the United States expressly chose to continue the Guantanamo leasing arrangements, which the 1934 Treaty expressly left intact.

⁴The Act of March 2, 1901 (Chapter 803; 31 Stat. 898) states in relevant part:

“That in fulfillment of the declaration contained in the joint resolution approved April twentieth, eighteen hundred and ninety-eight . . . the President is hereby authorized to ‘leave the government and control of the island of Cuba to its people’ so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:

. . .

VII. That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.”

⁵Instructions from Secretary of War Elihu Root to Major General Leonard Wood, Military Governor of Cuba (February 9, 1901), reprinted in *Annual Reports of the War Department for the Fiscal Year Ended June 30, 1901* (Washington, DC: Government Printing Office, 1901), 43.

⁶As directed by Secretary Root, Governor Wood explained to the Cuban Constitutional Convention that “The limitations of the power of the Executive Department of our government by the Resolution of Congress of April 20, 1898 [i.e., the Teller Amendment], are such, that the final determination upon the whole subject may ultimately rest in Congress,” and thus no views of executive branch officials “can be construed as in any way committing the United States to any policy which should properly be determined by Congress.” Letter of General Leonard Wood, Military Governor of Cuba, to Dr. Diego Tamayo, President of the Committee on Relations of the Cuban Constitutional Convention (February 21, 1901), printed in *Civil Report*

of Brigadier General Leonard Wood, *Military Governor of Cuba, for the Period from January 1st to December 31st 1901* (Government Printing Office), 10.

⁷ Report of the Secretary of War (November 27, 1901), printed in *Annual Reports of the War Department for the Fiscal Year Ended June 30, 1901* (Washington, DC: Government Printing Office, 1901), 49.

⁸ Editorial Comment, “The Origin and Purpose of the Platt Amendment,” *American Journal of International Law* 8 (1914), 585–91. Secretary Root’s original language, which closely tracks the eventual text of the Platt Amendment, also can be found in his February 9, 1901 instructions to Major-General Leonard Wood, the Military Governor of Cuba, reprinted in *Annual Reports of the War Department for the Fiscal Year Ended June 30, 1901* (Washington, DC: Government Printing Office, 1901), 46.

⁹ Letter of Secretary of War Elihu Root to Major General Leonard Wood, Military Governor of Cuba (May 31, 1901), printed in *Civil Report of Brigadier General Leonard Wood, Military Governor of Cuba, for the Period from January 1st to December 31st 1901* (Washington, DC: Government Printing Office), 18. See also “The Cubans Were Warned: Advised by Secretary Root Their Action Would Be Rejected.” *The New York Times*, June 2, 1901.

¹⁰ Specifically, the Agreement Between the United States of America and the Republic of Cuba for the Lease to the United States of Lands in Cuba for coaling and naval stations, signed by the President of the United States on February 23, 1903, and the Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed by the President of the United States on October 2, 1903.

¹¹ After the assassination of President McKinley, his Vice President, Theodore Roosevelt, was sworn in as the 26th President of the United States on September 14, 1901.

¹² Lease to the United States by the Government of Cuba of Certain Areas of Land and Water for Naval or Coaling Stations, signed by the President of the United States on October 2, 1903.

¹³ Treaty of Relations between the United States of America and the Republic of Cuba, 48 Stat. 1682, TS 866 (1934).

HEARINGS

March 23, 2016, full committee hearing on “The Administration’s Plan to Close the Guantanamo Bay Detention Facility: At What Foreign Policy and National Security Cost?” (Mr. Lee Wolosky, Special Envoy for Guantanamo Closure, U.S. Department of State; Mr. Paul M. Lewis, Special Envoy for Guantanamo Closure, U.S. Department of Defense); and

February 25, 2016, full committee hearing on “Strengthening U.S. Leadership in a Turbulent World: The FY 2017 Foreign Affairs Budget.”

COMMITTEE CONSIDERATION

On March 16, 2016, the Foreign Affairs Committee marked up H.R. 4678 pursuant to notice, in open session. After committee debate, H.R. 4678 was agreed to by voice vote, and was ordered favorably reported by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of rules of the House of Representatives, the committee reports that findings and recommendations of the committee, based on oversight activities under clause 2(b)(1) of House Rule X, are incorporated in the descriptive portions of this report, particularly in the “Background and Purpose” section.

NEW BUDGET AUTHORITY, TAX EXPENDITURES, AND FEDERAL
MANDATES

In compliance with clause 3(c)(2) of House Rule XIII and the Unfunded Mandates Reform Act (P.L. 104–4), the committee adopts as its own the estimate of new budget authority, entitlement authority, tax expenditure or revenues, and Federal mandates contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 11, 2016.

Hon. EDWARD R. ROYCE, *Chairman,*
Committee on Foreign Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4678, the United States Naval Station Guantanamo Bay Preservation Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte, who can be reached at 226–2840.

Sincerely,

KEITH HALL.

Enclosure

cc: Honorable Eliot L. Engel
Ranking Member.

H.R. 4678—United States Naval Station Guantanamo Bay Preservation Act.

As ordered reported by the House Committee on Foreign Affairs on March 16, 2016

H.R. 4678 would prohibit the President from modifying, repealing, or replacing the current lease agreement for the U.S. Naval Station in Guantanamo Bay, Cuba, unless authorized to do so by the Congress through legislation, a new treaty ratified by the Senate, or a modification of the existing U.S. treaty with Cuba that would be ratified by the Senate. The Administration has stated that it does not intend to leave the naval base or alter the terms of the current lease agreement; therefore, CBO estimates that implementing the bill would have no effect on the federal budget.

Pay-as-you-go procedures do not apply because enacting H.R. 4678 would not affect direct spending or revenues. CBO estimates that enacting H.R. 4678 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 4678 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Sunita D'Monte. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

DIRECTED RULE MAKING

Pursuant to clause 3(c) of House Rule XIII, as modified by section 3(i) of H.Res. 5 during the 114th Congress, the committee notes that H.R. 4678 contains no directed rule-making provisions.

NON-DUPLICATION OF FEDERAL PROGRAMS

Pursuant to clause 3(c) of House Rule XIII, as modified by section 3(g)(2) of H.Res. 5 during the 114th Congress, the committee states that no provision of this bill establishes or reauthorizes a program of the Federal Government known to be duplicative of another Federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 4678 is intended to ensure that Congress plays its proper constitutional role in any decision affecting the disposition of the United States Naval Station at Guantanamo Bay, Cuba, which has its origins in acts of Congress. It states clearly that no action may be taken to modify the Guantanamo base lease agreements, or otherwise impair the jurisdiction or control of the United States over that base, unless specifically authorized by Congress, either by statute or by Senate consent to a new treaty.

CONGRESSIONAL ACCOUNTABILITY ACT

H.R. 4678 does not apply to terms and conditions of employment or to access to public services or accommodations within the legislative branch.

NEW ADVISORY COMMITTEES

H.R. 4678 does not establish or authorize any new advisory committees.

EARMARK IDENTIFICATION

H.R. 4678 contains no congressional earmarks, limited tax benefits, or limited tariff benefits as described in clauses 9(e), 9(f), and 9(g) of House Rule XXI.

PRESIDENTIAL SIGNATURE PAGE OF THE 1903 LEASE TO THE UNITED STATES BY THE GOVERNMENT OF CUBA OF CERTAIN AREAS OF LAND AND WATER FOR NAVAL OR COALING STATIONS

I, Theodore Roosevelt, President of the United States of America, having seen and considered the foregoing lease, do hereby approve the same, by virtue of the authority conferred by the seventh of the provisions defining the relations which are to exist between the United States and Cuba, contained in the Act of Congress approved March 2, 1901, entitled "An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1902."

Washington, October 2, 1903.

Theodore Roosevelt

(Courtesy of the National Archives)

DISSENTING VIEWS

H.R. 4678, the U.S. Naval Station at Guantanamo Bay Preservation Act, is unnecessary legislation. I respectfully dissent and urge opposition to the bill.

While I agree with both President Barack Obama and President George W. Bush that the United States must close the detention facility at Guantanamo Bay, I believe that the Naval Station at Guantanamo Bay serves a number of worthy, national security purposes. As just one example, after the devastating earthquake in Haiti in 2010, the Naval Station was used as a critical logistical hub for our response.

This legislation prohibits any changes to existing United States control over the U.S. Naval Station at Guantanamo Bay without congressional action through (1) legislation; (2) a new treaty ratified by the Senate; or (3) a modification of the existing treaty also ratified by the Senate.

This bill is unnecessary as President Obama has made it clear that he has no plans to alter the current lease agreement over the U.S. Naval Station at Guantanamo Bay with the Cuban Government.

In preparation for committee consideration of H.R. 4678, I sent a letter to President Obama asking if his administration had any plans to return the Naval Station at Guantanamo Bay to the Cuban Government. On March 11, 2016, I received a response from Department of State Assistant Secretary for Legislative Affairs Julia Frifield stating that, "The Administration has no plans to alter the existing lease treaty, payments and other arrangements with Cuba related to the Guantanamo Bay Naval Station." This letter is attached.

The letter further explains that the Guantanamo Bay Naval Station will continue to serve an important role for the United States, even after the detention facility closes, including in support of "U.S. Coast Guard and other agency counter-drug and migrant interdiction activities."

The Committee on Foreign Affairs considered H.R. 4678 immediately prior to President Obama's March 20–22, 2016, trip to Cuba with a goal of politicizing the issue. During this trip, President Obama continued to ignore tired, decades-old demands from the Cuban Government that the United States return the Naval Station at Guantanamo Bay. There is no plan nor has there ever been any plan to return the Naval Station at Guantanamo Bay to the Cuban Government.

Democrats and Republicans in Congress agree that the United States base at Guantanamo Bay serves several key, national security purposes. But, that does not mean that we need unnecessary legislation solely intended to undermine our President. President Obama has been clear that he does not intend to return the Naval

Station at Guantanamo Bay to the Cuban Government, and we should take his commitment at face value.

For the above reasons, I strongly oppose H.R. 4678 and urge my colleagues to join me in opposition.

ELIOT L. ENGEL.



The Honorable
Eliot L. Engel
House of Representatives
Washington, DC 20515

United States Department of State
Washington, D.C. 20520

MAR 11 2016

Dear Mr. Engel:

Thank you for your letter of March 10 to President Obama regarding the Naval Station at Guantanamo Bay in Cuba. We have been asked to respond on the President's behalf.

The Administration has no plans to alter the existing lease treaty, payments, and other arrangements with Cuba related to the Guantanamo Bay Naval Station. However, the President remains committed to closing the detention facility at Guantanamo. Even after the detention facility closes, the Naval Station will continue to host the "steady-state" migrant facility operated by the Departments of State and Homeland Security; provide land and logistical support for a mass migration contingency; and support U.S. Coast Guard and other agency counter-drug and migrant interdiction activities.

While the Cuban government regularly raises the Guantanamo Bay Naval Station in bilateral discussions with the Department of State, we have been clear with the Cuban government that the United States has no plans to alter any of the arrangements concerning the base.

We hope this information is useful. Please do not hesitate to let us know if we can be of further assistance on this or any other matter.

Sincerely,

A handwritten signature in cursive script that reads "Julia Frifield".

Julia Frifield
Assistant Secretary
Legislative Affairs