

110TH CONGRESS
1ST SESSION

S. 1249

To require the President to close the Department of Defense detention facility
at Guantanamo Bay, Cuba, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 30, 2007

Mrs. FEINSTEIN introduced the following bill; which was read twice and
referred to the Committee on Armed Services

A BILL

To require the President to close the Department of Defense
detention facility at Guantanamo Bay, Cuba, 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,*

3 **SECTION 1. REQUIRED CLOSURE OF GUANTANAMO BAY DE-**
4 **TENTION FACILITY.**

5 (a) CLOSURE OF DETENTION FACILITY.—Not later
6 than one year after the date of the enactment of this
7 Act—

8 (1) the President shall close the Department of
9 Defense detention facility at Guantanamo Bay,
10 Cuba; and

3 (A) transferred to a military or civilian de-
4 tention facility in the United States and
5 charged with a violation of United States or
6 international law and tried in an Article III
7 court or military legal proceeding before a regu-
8 larly-constituted court;

9 (B) transferred to a military or civilian de-
10 tention facility in the United States without
11 being charged with a violation of law if the de-
12 tainee may be held as an enemy combatant or
13 detained pursuant to other legal authority as
14 Congress may authorize;

15 (C) transferred to an international tribunal
16 operating under the authority of the United
17 Nations with jurisdiction to hold trials of such
18 individuals;

19 (D) transferred to their country of citizen-
20 ship or a different country for further legal
21 process, provided that such country provides
22 adequate assurances that the individual will not
23 be subject to torture or cruel, inhuman, or de-
24 grading treatment; or

25 (E) released from any further detention.

1 (b) IMMIGRATION STATUS.—The transfer of an indi-
2 vidual under subsection (a) shall not be considered an
3 entry into the United States for purposes of immigration
4 status.

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