

114TH CONGRESS
2D SESSION

S. 3351

To prohibit certain transfers of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to prohibit funds from being made available for the closure of that Naval Station, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2016

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

A BILL

To prohibit certain transfers of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to prohibit funds from being made available for the closure of that Naval Station, 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. SHORT TITLE.**

4 This Act may be cited as the “Keep Terrorists Off
5 the Battlefield Act”.

1 **SEC. 2. INDIVIDUAL DETAINED AT GUANTANAMO BAY DE-**
2 **FINED.**

3 In this Act, the term “individual detained at Guanta-
4 namo Bay” means any individual located at United States
5 Naval Station, Guantanamo Bay, Cuba, as of October 1,
6 2009, who—

7 (1) is not a national of the United States (as
8 defined in section 101(a)(22) of the Immigration
9 and Nationality Act (8 U.S.C. 1101(a)(22))) or a
10 member of the Armed Forces of the United States;
11 and

12 (2) is—

13 (A) in the custody or under the control of
14 the Department of Defense; or

15 (B) otherwise under detention at United
16 States Naval Station, Guantanamo Bay, Cuba.

17 **SEC. 3. PROHIBITION ON TRANSFER OF INDIVIDUALS DE-**
18 **TAINED AT GUANTANAMO BAY, CUBA.**

19 No amounts appropriated or otherwise made avail-
20 able for any department or agency of the United States
21 Government may be used to transfer an individual de-
22 tained at Guantanamo Bay—

23 (1) from the custody or control of the Depart-
24 ment of Defense to the custody or control of any
25 other department or agency of the United States
26 Government;

1 (2) to the custody or control of any country in
2 the Western Hemisphere or any entity within a
3 country in the Western Hemisphere; or

4 (3) to any country or entity that does not have
5 laws in effect that, as certified by the United States
6 Government, effectively prohibit acts of terrorism or
7 material support for acts of terrorism.

8 **SEC. 4. PROHIBITION ON FUNDING FOR CLOSURE OF**
9 **UNITED STATES NAVAL STATION, GUANTA-**
10 **NAMO BAY, CUBA.**

11 No amounts appropriated or otherwise made avail-
12 able for any department or agency of the United States
13 Government may be used to fund activities, envoys, or of-
14 fices to carry out activities to close United States Naval
15 Station, Guantanamo Bay, Cuba.

16 **SEC. 5. SENSE OF CONGRESS ON RETURN OF RELEASED IN-**
17 **DIVIDUALS WHO HAVE ENGAGED IN TER-**
18 **RORIST ACTIVITY.**

19 It is the sense of Congress that any individual who
20 was at any time an individual detained at Guantanamo
21 Bay and after the individual was released from detention
22 at Guantanamo Bay is suspected of or confirmed by the
23 United States intelligence community as having re-en-
24 gaged in terrorist activity should immediately be arrested

- 1 and returned to detention at United States Naval Station,
- 2 Guantanamo Bay, Cuba.

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