



AMENDMENT NO. \_\_\_\_\_

Calendar No. \_\_\_\_\_

Purpose: To prohibit the transfer of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to foreign countries or entities in the Western Hemisphere.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

**S. 2943**

To authorize appropriations for fiscal year 2017 for military  
se, for military  
of the Depart-  
itary personnel  
other purposes.

**AMENDMENT Nº 4197**

By

Rubio

To:

S. 2943

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Page(s)

GPO: 2010 63-070 (mac)

\_\_\_\_\_ and

printed

Mr. RUBIO

Viz:

- 1 At the end of subtitle D of title X, add the following:
- 2 **SEC. 1031. PROHIBITION ON TRANSFER OF INDIVIDUALS**
- 3 **DETAINED AT UNITED STATES NAVAL STA-**
- 4 **TION, GUANTANAMO BAY, CUBA, TO FOREIGN**
- 5 **COUNTRIES OR ENTITIES IN THE WESTERN**
- 6 **HEMISPHERE.**
- 7 (a) PROHIBITION.—An individual detained at Guan-
- 8 tanamo may not be transferred to a foreign country or
- 9 a foreign entity in the Western Hemisphere.

1 (b) CONSTRUCTION.—The prohibition in subsection  
2 (a) in connection with the transfer of an individual de-  
3 tained at Guantanamo is in addition to any other require-  
4 ment or limitation on the transfer by law.

5 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-  
6 FINED.—In this section, the term “individual detained at  
7 Guantanamo” means an individual located at United  
8 States Naval Station, Guantanamo Bay, Cuba, as of Octo-  
9 ber 1, 2009, who—

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

15 (2) is—

16 (A) in the custody or under the control of  
17 the Department of Defense; or

18 (B) otherwise detained at United States  
19 Naval Station, Guantanamo Bay.