

112TH CONGRESS
1ST SESSION

S. 209

To prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, and certain other enemy belligerents to the United States.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

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

A BILL

To prohibit the use of funds to transfer individuals detained by the United States at Naval Station, Guantanamo Bay, Cuba, and certain other enemy belligerents to the United States.

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. PROHIBITION ON USE OF FUNDS TO TRANSFER**
4 **INDIVIDUALS DETAINED AT GUANTANAMO**
5 **BAY, CUBA, AND CERTAIN OTHER ENEMY**
6 **BELLIGERENTS TO THE UNITED STATES.**

7 (a) PROHIBITION.—None of the funds appropriated
8 or otherwise made available to any Federal department or

1 agency may be used to transfer any individual described
2 in subsection (b) to the United States.

3 (b) INDIVIDUAL DESCRIBED.—An individual de-
4 scribed in this subsection is any individual who is—

5 (1) detained by the United States at Naval Sta-
6 tion, Guantanamo Bay, Cuba; or

7 (2) a foreign national who is—

8 (A) captured or detained outside the
9 United States as an enemy belligerent; and

10 (B) in the custody or under the effective
11 control of the Department of Defense.

12 (c) DEFINITIONS.—For purposes of this section:

13 (1) The term “foreign national” means an indi-
14 vidual who is not a citizen or national of the United
15 States.

16 (2) The term “enemy belligerent” includes a
17 privileged belligerent and an unprivileged enemy bel-
18 ligerent, as such terms are defined by section 948a
19 of title 10, United States Code.

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