

AMENDMENT TO RULES COMMITTEE PRINT 116-

57

OFFERED BY MR. SMITH OF MISSOURI

At the end of subtitle D of title X, insert the following:

1 **SEC. 10___. PROHIBITION ON USE OF FUNDS FOR TRANS-**
2 **FER OR RELEASE OF INDIVIDUALS DETAINED**
3 **AT UNITED STATES NAVAL STATION, GUAN-**
4 **TANAMO BAY, CUBA, TO THE UNITED STATES.**

5 No amounts authorized to be appropriated or other-
6 wise made available for the Department of Defense may
7 be used during the period beginning on the date of the
8 enactment of this Act and ending on December 31, 2021,
9 to transfer, release, or assist in the transfer of or release
10 to or within the United States, its territories, or posses-
11 sions Khalid Sheikh Mohammed or any other detainee
12 who—

13 (1) is not a United States citizen or a member
14 of the Armed Forces of the United States; and

15 (2) is or was held on or after January 20,
16 2009, at United States Naval Station, Guantanamo
17 Bay, Cuba, by the Department of Defense.

1 **SEC. 10___ . PROHIBITION ON USE OF FUNDS TO CON-**
2 **STRUCT OR MODIFY FACILITIES IN THE**
3 **UNITED STATES TO HOUSE DETAINEES**
4 **TRANSFERRED FROM UNITED STATES NAVAL**
5 **STATION, GUANTANAMO BAY, CUBA.**

6 (a) IN GENERAL.—No amounts authorized to be ap-
7 propriated or otherwise made available for the Depart-
8 ment of Defense may be used during the period beginning
9 on the date of the enactment of this Act and ending on
10 December 31, 2021, to construct or modify any facility
11 in the United States, its territories, or possessions to
12 house any individual detained at Guantanamo for the pur-
13 poses of detention or imprisonment in the custody or
14 under the control of the Department of Defense.

15 (b) EXCEPTION.—The prohibition in subsection (a)
16 shall not apply to any modification of facilities at United
17 States Naval Station, Guantanamo Bay, Cuba.

18 (c) INDIVIDUAL DETAINED AT GUANTANAMO DE-
19 FINED.—In this section, the term “individual detained at
20 Guantanamo” has the meaning given that term in section
21 1034(f)(2) of the National Defense Authorization Act for
22 Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10
23 U.S.C. 801 note).

1 **SEC. 11. EXTENSION OF PROHIBITION ON USE OF FUNDS**
2 **TO CLOSE OR RELINQUISH CONTROL OF**
3 **UNITED STATES NAVAL STATION, GUANTA-**
4 **NAMO BAY, CUBA.**

5 Section 1036 of the National Defense Authorization
6 Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.
7 1551), as most recently amended by section 1045 of the
8 National Defense Authorization Act for Fiscal Year 2020
9 (Public Law 116–92), is further amended by striking “fis-
10 cal year 2018, 2019, or 2020” and inserting “fiscal years
11 2018 through 2021”.

