

AMENDMENT TO H.R. 4173

OFFERED BY MR. CULBERSON OF TEXAS

Page 1279, after line 9, insert the following:

1 TITLE VIII—OTHER MATTERS

2 SEC. 9001. PROHIBITIONS RELATING TO INDIVIDUALS DE-
3 TAINED AT NAVAL STATION, GUANTANAMO
4 BAY, CUBA.

5 (a) PROHIBITION.—The President or the President’s
6 designee may not—

7 (1) transfer any individual detained at Guanta-
8 namo to a facility located in any State; or

9 (2) release such an individual into the United
10 States.

11 (b) PROHIBITION ON TRIAL IN CIVILIAN COURTS.—
12 The Attorney General may not prosecute in any civilian
13 court—

14 (1) any individual detained at Guantanamo; or
15 (2) any individual designated as an enemy com-
16 batant.

17 (c) PROHIBITION ON TRIAL OF MEMBERS OF THE
18 INTELLIGENCE COMMUNITY AND THE ARMED FORCES.—
19 The Attorney General may not prosecute or try for any

1 alleged offense relating to the interrogation of a terrorist
2 at a location outside the United States—

3 (1) any member of the Armed Forces; or

4 (2) any member of the Intelligence Community,
5 as that term is defined in section 3(4) of the Na-
6 tional Security Act of 1947 (50 U.S.C. 401a(4)).

7 (d) PROHIBITION ON PROSECUTIONS RELATING TO
8 MIRANDA WARNINGS.—The Attorney General may not
9 prosecute or try any member of the Armed Forces for any
10 alleged offense relating to the failure to inform an indi-
11 vidual designated as an enemy combatant of any rights
12 the individual may or may not have, consistent with *Mi-*
13 *randa v. Arizona* (384 U.S. 436 (1966)).

14 (e) DEFINITIONS.—For the purposes of this section:

15 (1) The term “individual detained at Guanta-
16 namo” means an individual who, as of the date of
17 the enactment of this Act, is detained at Naval Sta-
18 tion, Guantanamo Bay, Cuba.

19 (2) The term “State” includes the District of
20 Columbia, the Commonwealth of Puerto Rico, the
21 Virgin Islands, Guam, American Samoa, the Com-
22 monwealth of the Northern Mariana Islands, and
23 any other territory or possession of the United
24 States.

