

Washington D.C. – Today, Congressman Kevin McCarthy joined colleagues to introduce the Keep Terrorists Out of America Act (H.R. 2294). This legislation would require that the Administration seek and receive approval from a state’s governor and legislature before transferring or releasing terrorist detainees from Guantanamo to that particular state. Additionally, the bill would require the Administration to certify that the detainee(s) do not pose a security risk to the United States. Congressman McCarthy issued the following statement:

“Washington unilaterally deciding to transfer terrorist detainees from Guantanamo to our communities’ backyards is not a wise course of action, especially without the permission and cooperation of the states where terrorists could be held. That is why I supported a common sense plan that allows our states to be a part of this homeland security discussion and ensure our communities are safe.”

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H.R. 2294 [text](#)

Facts on the Keep Terrorists Out of America Act (Courtesy of the Office of the Republican Leader):

Governor & State Legislature Pre-Approval. The measure prohibits the Administration from transferring or releasing any terrorist detainees at Guantanamo Bay to any state without express approval from the state’s governor and legislature, and certifies to Congress that strict requirements have been met. For example, the Administration must certify to the respective governor and state legislature that the detainee does not pose a security risk to the United States. The certifications must be made 60 days before any transfer or release.

Presidential Certification Requirements. The measure prohibits the President from transferring or releasing a terrorist detainee into the United States unless he provides the following notification and certification to Congress regarding:

- The name of the detainee and transfer/release location in the United States.
- The release/transfer would not negatively impact continued prosecution of the detainee.
- The release/transfer would not negatively impact continued detention of the detainee.
- The ability of federal judges to release detainees into the United States.