

By Trish Turner. From [Fox News](#) | Original Article.

If a bipartisan group of senators gets its way, the U.S. prison facility at [Guantanamo](#) Bay, Cuba (Gitmo) will remain open indefinitely, this in the face of recent comments from Attorney General Eric Holder that he remains committed to closing it, a bipartisan goal that has since eluded the administration.

Lawmakers told reporters Wednesday that the treasure trove of intelligence material found at Usama bin Laden's compound in Pakistan makes it all the more urgent that it be made clear in U.S. law where captured unprivileged enemy belligerents are to be taken.

Sens. Lindsey Graham, R-S.C., [Joe Lieberman](#), I-Conn., and Kelly Ayotte, R-N.H., introduced legislation Wednesday that states that the naval station "shall be a location for the detention of individuals in the custody or under the control of the Department of Defense who have engaged in, or supported, hostilities against the United States or its coalition partners on behalf of [al Qaeda](#), the Taliban, or an affiliated group."

"There is no pathway forward when it comes to closing Guantanamo in the foreseeable future. It's not going to happen," said Graham, a military lawyer who has long maintained that the prison should be closed, though he has recently changed his view saying that no alternative detention facility has emerged.

Lieberman said, "The bottom line is, Guantanamo is still open and will remain open as far as we can see forward, and we need it to remain open. Once we acknowledge that reality in law ... we can turn out attention to taking action that is focused on another goal which is using the prison as best we can to keep our country safe."

Also in support was Sen. [Jim Webb](#), D-Va. But notably missing from the group was Sen. [John McCain](#), top Republican on the Armed Services Committee. The Arizona senator's spokeswoman, Brooke Buchanan, told Fox News that the senator remains committed to closing the prison. McCain has said repeatedly that Gitmo should eventually be shuttered, noting that it is a recruiting tool for terrorists.

Concerns among the bipartisan group of lawmakers gathered Wednesday, all members of the Armed Services Committee, grew after a number of Administration officials, including Joint Chiefs Chairman Admiral Mike Mullen, recently indicated that there was no good answer to the question of where a captured high-value terrorist would be taken. Graham said it could result in a loss of intelligence if prisoners have to be transferred to another country for detention and interrogation.

"What does a war fighter do tomorrow if we're fortunate enough...to capture someone that we need to hold?" Graham asked. "The options are getting limited for our Special Forces. Without a jail, they are pushed to kill people that they would otherwise like to capture."

The senator said he was not referencing bin Laden, however, who was killed recently in Pakistan by [Navy SEALs](#).

As for criticism from the international community and human rights organizations, like Amnesty International, who have repeatedly called for the closure of the detention center and an end to indefinite detention, Graham, calling Gitmo "the best-run military facility in the world," said, "It has been reformed. I'm not worried about that. What I am worried about is not having a prison. If you are worried about human rights, the worst thing you can do is to not have a viable prison."

Ayotte, a former state attorney general, said she has been in a lot of U.S. prisons in her time, and added, "Some facilities in the U.S. are not as nice."

The legislation also permanently limits the transfer of detainees to foreign countries and dries up funding for any future facility that might be built or refurbished on U.S. soil. Congress has already forbidden the later action through the appropriations process, a fact the senators said gave more weight to their legislation.

Lieberman charged that keeping Guantanamo open would "increase the homeland security of the American people" and said clarification in the law is needed urgently.

"I believe that the new intelligence collected in the raid on bin Laden's compound ... increases

the likelihood that more terrorists will be captured in the near future," Lieberman said. "We're going to want to have a safe, first rate facility in which we can house these people in order to keep them off battlefield and gain intelligence from them."

The independent senator also said he would soon introduce legislation that re-authorizes some "enhanced interrogation techniques" that were outlawed early on by the Obama administration, though he gave no details. Staff said a bill could be unveiled as early as this week.

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