

HR 1076

Detention of Enemy Combatants Act

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Mar 3, 2005

Current Status: Executive Comment Requested from DOD.

Latest Action: Executive Comment Requested from DOD. (Apr 6, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/1076>

Sponsor

Name: Rep. Schiff, Adam B. [D-CA-29]

Party: Democratic • **State:** CA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	House	Referred To	Mar 3, 2005
Judiciary Committee	House	Referred to	Apr 4, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Detention of Enemy Combatants Act - Authorizes the detention of a U.S. person or resident (excluding a prisoner of war) as an enemy combatant if that individual is an al Qaeda member or knowingly cooperated with an al Qaeda member in planning, authorizing, committing, aiding, or abetting a terrorist act against the United States. Directs the Secretary of Defense to prescribe, publish, and report the standards, process, and criteria: (1) to be used in determining that an American citizen or lawful resident is an enemy combatant; and (2) for that individual's detention.

Requires rules for the detention of enemy combatants to: (1) establish clear standards and procedures that meet specified requirements, including preserving the Government's ability to detain those who may threaten the United States; and (2) guarantee timely access to judicial review and permit the detainee access to counsel.

Authorizes a U.S. person to be detained as an enemy combatant only while there is in effect a presidential certification that: (1) the U.S. armed forces are in a state of armed conflict with al Qaeda and an investigation, prosecution, or post-trial proceeding regarding such person is ongoing; or (2) detention is warranted to prevent such individual from aiding persons attempting to commit terrorist acts against the United States.

Grants the U.S. District Court for the District of Columbia exclusive jurisdiction to review any detention under this Act.

Requires that detainees be: (1) detained at an appropriate location; (2) treated humanely; (3) afforded adequate food, water, shelter, clothing, and medical treatment; (4) sheltered under hygienic conditions; and (5) allowed the free exercise of religion consistent with specified requirements.

Actions Timeline

- **Apr 6, 2005:** Executive Comment Requested from DOD.
- **Apr 4, 2005:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Mar 3, 2005:** Introduced in House
- **Mar 3, 2005:** Introduced in House
- **Mar 3, 2005:** Sponsor introductory remarks on measure. (CR E351)
- **Mar 3, 2005:** Referred to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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