

S 3614

Unprivileged Combatant Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Armed Forces and National Security

Introduced: Jun 29, 2006

Current Status: Read twice and referred to the Committee on Armed Services. (text of measure as introduced: CR S6797

Latest Action: Read twice and referred to the Committee on Armed Services. (text of measure as introduced: CR S6797-6801) (Jun 29, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/3614>

Sponsor

Name: Sen. Specter, Arlen [R-PA]

Party: Republican • **State:** PA • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Referred To	Jun 29, 2006

Subjects & Policy Tags

Policy Area:

Armed Forces and National Security

Related Bills

No related bills are listed.

Unprivileged Combatant Act of 2006 - Authorizes the President to establish military commissions (commissions) for the trial of unprivileged combatants. Defines an "unprivileged combatant" as an individual who: (1) has been designated as an enemy combatant by a Combatant Status Review Tribunal; or (2) a field tribunal determines is not entitled to the protections of the Geneva Convention, and has assisted in, attempted, or conspired in taking up arms against the United States.

Establishes exclusive commission jurisdiction to hear any matter involving an unprivileged combatant who has been detained by the Department of Defense (DOD) for not less than 180 consecutive days at Guantanamo Bay, Cuba. Allows a commission to hear any criminal prosecution involving international terrorism and violations of the law of war. Gives the U.S. Court of Military Appeals exclusive jurisdiction of appeals in such matters, with final review by the U.S. Supreme Court via writ of certiorari.

Prescribes commission requirements, including at least 12 members, three military officers, and one military judge.

Requires: (1) the Secretary of Defense to develop a complete listing of all persons being detained by DOD at Guantanamo Bay that the government wishes to continue to detain as an unprivileged combatant; and (2) the list to be updated every 60 days.

Directs DOD, within 30 days after a suspected unprivileged combatant has been detained, to conduct a field tribunal to determine whether the detainee is an unprivileged combatant and whether the detainee is entitled to the rights afforded under the Geneva Convention. Requires a detainee to be released and repatriated to the appropriate country unless a classification tribunal board finds that: (1) the detainee is a threat to U.S. national security; or (2) there are reasonable grounds to believe that, if released, the detainee would take up arms against the United States. Requires rehearings for each detainee at least every 180 days.

Provides classification tribunal procedures, procedures for criminal prosecution, and trial procedures for unprivileged combatants.

Actions Timeline

- **Jun 29, 2006:** Introduced in Senate
- **Jun 29, 2006:** Sponsor introductory remarks on measure. (CR S6796-6797, S6801)
- **Jun 29, 2006:** Read twice and referred to the Committee on Armed Services. (text of measure as introduced: CR S6797-6801)