

## S 3901

Military Commissions Act of 2006

**Congress:** 109 (2005–2007, Ended)

**Chamber:** Senate

**Policy Area:** Armed Forces and National Security

**Introduced:** Sep 14, 2006

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 611.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 611. (Sep 14, 2006)

**Official Text:** <https://www.congress.gov/bill/109th-congress/senate-bill/3901>

### Sponsor

**Name:** Sen. Warner, John [R-VA]

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

### Cosponsors

*No cosponsors are listed for this bill.*

### Committee Activity

Committee	Chamber	Activity	Date
Armed Services Committee	Senate	Reported Original Measure	Sep 14, 2006

### Subjects & Policy Tags

#### Policy Area:

Armed Forces and National Security

### Related Bills

Bill	Relationship	Last Action
109 HR 6166	Related bill	<b>Nov 13, 2006:</b> Read twice and referred to the Committee on Armed Services.
109 S 3930	Related bill	<b>Oct 17, 2006:</b> Became Public Law No: 109-366.
109 HR 6054	Related bill	<b>Sep 25, 2006:</b> Placed on the Union Calendar, Calendar No. 409.
109 S 3929	Related bill	<b>Sep 25, 2006:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 633.
109 S 3886	Related bill	<b>Sep 14, 2006:</b> Sponsor introductory remarks on measure. (CR S9577-9578)
109 S 3861	Related bill	<b>Sep 13, 2006:</b> Star Print ordered on the bill.

Military Commissions Act of 2006 - Authorizes the: (1) President to establish military commissions (commissions) to try alien unlawful enemy combatants engaged in hostilities against the United States for violations of the law of war and other triable offenses; (2) commissions to impose upon any person found guilty any sentence appropriate to the offense, including death or imprisonment for life; and (3) Secretary of Defense to carry out such sentences.

Amends the Uniform Code of Military Justice (UCMJ) to codify and establish procedures governing the use of commissions to try such combatants for violations of triable offenses. Makes eligible to serve on a commission any U.S. commissioned officer on active duty. Requires to be detailed to each commission a military judge, trial and military defense counsel, and reporters and interpreters. Requires at least five members in each commission.

Prescribes, with respect to each established commission, pre-trial and trial procedures, including charges, rules of evidence, pleas, opportunity to obtain witnesses and other evidence, and defenses. Requires: (1) a two-thirds commission member vote for conviction; (2) a three-fourths member vote for a sentence of life imprisonment or confinement of more than ten years; and (3) a unanimous vote by at least 12 members in a case in which the death penalty is sought.

Prescribes post-trial procedures and reviews of commission actions, including appeal by the United States, rehearings, and review by the U.S. Court of Appeals for the Armed Forces and the U.S. Supreme Court.

Outlines offenses triable by commissions.

Amends the federal criminal code to add certain actions to be considered violations of the War Crimes Act.

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## **Actions Timeline**

- **Sep 14, 2006:** Introduced in Senate
- **Sep 14, 2006:** Committee on Armed Services ordered to be reported an original measure.
- **Sep 14, 2006:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **Sep 14, 2006:** Committee on Armed Services. Original measure reported to Senate by Senator Warner. Without written report.
- **Sep 14, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 611.