

S 3081

Enemy Belligerent Interrogation, Detention, and Prosecution Act of 2010

Congress: 111 (2009–2011, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Mar 4, 2010

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Mar 4, 2010)

Official Text: <https://www.congress.gov/bill/111th-congress/senate-bill/3081>

Sponsor

Name: Sen. McCain, John [R-AZ]

Party: Republican • State: AZ • Chamber: Senate

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Scott P. [R-MA]	R · MA		Mar 4, 2010
Sen. Chambliss, Saxby [R-GA]	R · GA		Mar 4, 2010
Sen. Inhofe, James M. [R-OK]	R · OK		Mar 4, 2010
Sen. LeMieux, George S. [R-FL]	R · FL		Mar 4, 2010
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Mar 4, 2010
Sen. Sessions, Jeff [R-AL]	R · AL		Mar 4, 2010
Sen. Vitter, David [R-LA]	R · LA		Mar 4, 2010
Sen. Wicker, Roger F. [R-MS]	R · MS		Mar 4, 2010
Sen. Thune, John [R-SD]	R · SD		Mar 5, 2010

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 5, 2010

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
111 HR 4892	Related bill	Apr 26, 2010: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

Enemy Belligerent Interrogation, Detention, and Prosecution Act of 2010 - Requires an individual who is suspected of engaging in hostilities against the United States or its coalition partners through an act of terrorism and who may be an unprivileged enemy belligerent to be placed in military custody for purposes of initial interrogation and determination of status. Allows the detention and interrogation of such individuals for a reasonable time after capture or coming into custody. Defines "unprivileged enemy belligerent" as an individual who: (1) has engaged in hostilities against the United States or its coalition partners; (2) has purposely and materially supported hostilities against the United States or its coalition partners; or (3) was a part of al Qaeda at the time of capture.

Authorizes the President to establish an interagency team composed of executive branch personnel with expertise in national security, terrorism, intelligence, interrogation, or law enforcement to interrogate an individual placed in military custody and to determine if such individual is an unprivileged enemy belligerent. Designates such team as a high-value detainee interrogation group.

Designates certain individuals in military custody as high value detainees based upon the potential threat such individuals pose for an attack on the United States, its citizens, or military personnel, the potential intelligence value of such individuals, or membership in al Qaeda or an affiliated terrorist group. Directs the high-value detainee interrogation group to conduct interrogations of such individuals and make preliminary determinations whether such individuals are unprivileged enemy belligerents. Deems as the paramount purpose of such interrogations the protection of U.S. civilians and facilities through thorough and professional interrogation for intelligence purposes.

Prohibits the use of Department of Justice (DOJ) appropriated funds to prosecute an unprivileged enemy belligerent in an Article III court.

Allows the detention of an unprivileged enemy belligerent without criminal charges or trial for the duration of hostilities against the United States or its coalition partners in which the individual has engaged or which the individual has purposely and materially supported.

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## **Actions Timeline**

- **Mar 4, 2010:** Introduced in Senate
- **Mar 4, 2010:** Sponsor introductory remarks on measure. (CR S1181-1182)
- **Mar 4, 2010:** Read twice and referred to the Committee on the Judiciary.