

## HR 4892

### Enemy Belligerent Interrogation, Detention, and Prosecution Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Mar 19, 2010

**Current Status:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

**Latest Action:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. (Apr 26, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/house-bill/4892>

### Sponsor

**Name:** Rep. McKeon, Howard P. "Buck" [R-CA-25]

**Party:** Republican • **State:** CA • **Chamber:** House

### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

| Committee                                 | Chamber | Activity    | Date         |
|---|---------|-------------|--------------|
| Armed Services Committee                  | House   | Referred To | Mar 19, 2010 |
| Intelligence (Permanent Select) Committee | House   | Referred To | Mar 19, 2010 |
| Judiciary Committee                       | House   | Referred to | Apr 26, 2010 |

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

| Bill       | Relationship | Last Action   |
|------------|--------------|---|
| 111 S 3081 | Related bill | Mar 4, 2010: Read twice and referred to the Committee on the Judiciary. |

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. 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 Secretary of Defense and the Director of National Intelligence to hold, interrogate, or transport an unprivileged enemy belligerent to avoid compromising intelligence activities.

Requires the Director of National Intelligence, in consultation with members of the intelligence community, the Director of the Central Intelligence Agency (CIA), and the Federal Bureau of Investigation (FBI), to coordinate the interrogation and status determination of high value detainees. Designates certain individuals held in military custody as "high value detainees," based upon the potential threat such individuals pose for an attack on the United States, its civilians, or military personnel, the potential intelligence value of such individuals, or membership in al Qaeda, an affiliated terrorist group, or any other designated terrorist organization. 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 such enemy belligerent has engaged or which the individual has purposely and materially supported.

## **Actions Timeline**

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- **Apr 26, 2010:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Mar 19, 2010:** Introduced in House
- **Mar 19, 2010:** Referred to House Intelligence (Permanent)
- **Mar 19, 2010:** Referred to House Armed Services
- **Mar 19, 2010:** Referred to the Committee on Intelligence (Permanent Select), and in addition to the Committees on Armed Services, and the Judiciary, 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.
- **Mar 19, 2010:** Referred to House Judiciary