

## S 2718

### Due Process Guarantee Act

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Sep 13, 2021

**Current Status:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure:

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S6458-6459; text: CR S6459) (Sep 13, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/2718>

### Sponsor

**Name:** Sen. Feinstein, Dianne [D-CA]

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

### Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Collins, Susan M. [R-ME]	R · ME		Sep 13, 2021
Sen. Cruz, Ted [R-TX]	R · TX		Sep 13, 2021
Sen. Lee, Mike [R-UT]	R · UT		Sep 13, 2021
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Sep 13, 2021

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Sep 13, 2021

### Subjects & Policy Tags

#### Policy Area:

Crime and Law Enforcement

### Related Bills

*No related bills are listed.*

## **Due Process Guarantee Act**

This bill limits the detention authority of the United States.

Current law prohibits the indefinite detention of a U.S. citizen unless it is authorized by an act of Congress.

This bill prohibits the indefinite detention of a U.S. citizen or lawful permanent resident unless it is authorized by an act of Congress that (1) is consistent with the Constitution, and (2) expressly authorizes the detention.

Additionally, the bill specifies that no U.S. citizen or lawful permanent resident who is apprehended in the United States may be imprisoned or otherwise detained without charge or trial unless such imprisonment or detention is expressly authorized by an act of Congress.

Finally, it specifies that a general authorization to use military force or similar measure, on its own, does not authorize the indefinite detention of a person who is arrested in the United States.

## **Actions Timeline**

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- **Sep 13, 2021:** Introduced in Senate
- **Sep 13, 2021:** Read twice and referred to the Committee on the Judiciary. (Sponsor introductory remarks on measure: CR S6458-6459; text: CR S6459)