

Brown, Corrine	Hoyer	Payne
Butterfield	Inslee	Pelosi
Capps	Israel	Peterson (MN)
Capuano	Jackson (IL)	Pomeroy
Cardin	Jefferson	Price (NC)
Cardoza	Johnson, E. B.	Rahall
Carnahan	Jones (NC)	Reyes
Carson	Jones (OH)	Ross
Case	Kanjorski	Rothman
Chandler	Kaptur	Roybal-Allard
Clay	Kennedy (RI)	Ruppersberger
Clyburn	Kildee	Rush
Conyers	Kilpatrick (MI)	Ryan (OH)
Cooper	Kind	Sabo
Costa	Kucinich	Salazar
Costello	Langevin	Sánchez, Linda
Cramer	Lantos	T.
Crowley	Larsen (WA)	Sanchez, Loretta
Cuellar	Larson (CT)	Sanders
Cummings	Leach	Schakowsky
Davis (AL)	Lee	Schiff
Davis (CA)	Levin	Schwartz (PA)
Davis (IL)	Lipinski	Scott (GA)
Davis (TN)	Lofgren, Zoe	Scott (VA)
DeFazio	Lowe	Serrano
DeGette	Lynch	Sherman
Delahunt	Maloney	Skelton
DeLauro	Markey	Slaughter
Dicks	Matheson	Smith (WA)
Dingell	Matsui	Snyder
Doggett	McCarthy	Solis
Doyle	McCollum (MN)	Spratt
Edwards	McDermott	Stark
Emanuel	McGovern	Stupak
Engel	McIntyre	Tanner
Eshoo	McKinney	Tauscher
Etheridge	McNulty	Taylor (MS)
Evans	Meek (FL)	Thompson (CA)
Farr	Meeks (NY)	Thompson (MS)
Filner	Michaud	Tierney
Ford	Miller (NC)	Towns
Frank (MA)	Miller, George	Udall (CO)
Gilchrest	Mollohan	Udall (NM)
Gonzalez	Moore (KS)	Van Hollen
Gordon	Moore (WI)	Velázquez
Green, Al	Moran (VA)	Visclosky
Green, Gene	Murtha	Wasserman
Grijalva	Nadler	Schultz
Gutierrez	Napolitano	Waters
Harman	Neal (MA)	Watson
Hastings (FL)	Oberstar	Watt
Hersteth	Obey	Waxman
Higgins	Olver	Weiner
Hinche	Ortiz	Wexler
Hinojosa	Owens	Woolsey
Holden	Pallone	Wu
Holt	Pascarell	Wynn
Honda	Pastor	
Hooley	Paul	

NOT VOTING—16

Castle	Johnson (CT)	Oxley
Cleaver	Lewis (GA)	Rangel
Culberson	Marshall	Strickland
Davis (FL)	Meehan	Weldon (PA)
Fattah	Millender-	
Jackson-Lee	McDonald	
(TX)	Ney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1322

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO SECRETARY OF STATE

Mr. BARRETT of South Carolina, from the Committee on International Relations, submitted a privileged report (Rept. No. 109-689) on the resolution (H. Res. 985) directing the Secretary of State to provide to the House of Representatives certain documents in the possession of the Secretary of

State relating to the report submitted to the Committee on International Relations of the House of Representatives on July 28, 2006, pursuant to the Iran and Syria Nonproliferation Act, which was referred to the House Calendar and ordered to be printed.

PERSONAL EXPLANATION

Ms. WOOLSEY. Mr. Speaker, on September 21, I inadvertently voted “aye” on rollcall 470, the Appalachian Regional Development Act Amendments of 2006. Please let the RECORD reflect that I enter a “no” vote on this rollcall.

MILITARY COMMISSIONS ACT OF 2006

Mr. HUNTER. Mr. Speaker, pursuant to House Resolution 1042, I call up the bill (H.R. 6166) to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1042, the amendment printed in House Report 109-688 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 6166

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Military Commissions Act of 2006”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Construction of Presidential authority to establish military commissions.
- Sec. 3. Military commissions.
- Sec. 4. Amendments to Uniform Code of Military Justice.
- Sec. 5. Treaty obligations not establishing grounds for certain claims.
- Sec. 6. Implementation of treaty obligations.
- Sec. 7. Habeas corpus matters.
- Sec. 8. Revisions to Detainee Treatment Act of 2005 relating to protection of certain United States Government personnel.
- Sec. 9. Review of judgments of military commissions.
- Sec. 10. Detention covered by review of decisions of Combatant Status Review Tribunals of propriety of detention.

SEC. 2. CONSTRUCTION OF PRESIDENTIAL AUTHORITY TO ESTABLISH MILITARY COMMISSIONS.

The authority to establish military commissions under chapter 47A of title 10, United States Code, as added by section 3(a), may not be construed to alter or limit the authority of the President under the Constitution of the United States and laws of the United States to establish military commissions for areas declared to be under martial law or in occupied territories should circumstances so require.

SEC. 3. MILITARY COMMISSIONS.

(a) MILITARY COMMISSIONS.—

(1) IN GENERAL.—Subtitle A of title 10, United States Code, is amended by inserting after chapter 47 the following new chapter:

“CHAPTER 47A—MILITARY COMMISSIONS

“Subchapter
 “I. General Provisions 948a
 “II. Composition of Military Commissions 948h
 “III. Pre-Trial Procedure 948q
 “IV. Trial Procedure 949a
 “V. Sentences 949s
 “VI. Post-Trial Procedure and Review of Military Commissions 950a
 “VII. Punitive Matters 950p

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.
 “948a. Definitions.
 “948b. Military commissions generally.
 “948c. Persons subject to military commissions.
 “948d. Jurisdiction of military commissions.
 “948e. Annual report to congressional committees.

“§ 948a. Definitions

“In this chapter:

“(1) UNLAWFUL ENEMY COMBATANT.—(A) The term ‘unlawful enemy combatant’ means—

“(i) a person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant (including a person who is part of the Taliban, al Qaeda, or associated forces); or

“(ii) a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.

“(B) CO-BELLIGERENT.—In this paragraph, the term ‘co-belligerent’, with respect to the United States, means any State or armed force joining and directly engaged with the United States in hostilities or directly supporting hostilities against a common enemy.

“(2) LAWFUL ENEMY COMBATANT.—The term ‘lawful enemy combatant’ means a person who is—
 “(A) a member of the regular forces of a State party engaged in hostilities against the United States;

“(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

“(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.

“(3) ALIEN.—The term ‘alien’ means a person who is not a citizen of the United States.

“(4) CLASSIFIED INFORMATION.—The term ‘classified information’ means the following:

“(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.

“(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

“(5) GENEVA CONVENTIONS.—The term ‘Geneva Conventions’ means the international conventions signed at Geneva on August 12, 1949.

“§ 948b. Military commissions generally

“(a) PURPOSE.—This chapter establishes procedures governing the use of military