

**R047-0708**

10 **A RESOLUTION CONCERNING THE UNITED STATES MILITARY COMMISSIONS ACT**

20 **WHEREAS:** The purpose of the United States Military Commissions Act is to try “alien unlawful enemy  
30 combatants engaged in hostilities against the United States for violations of the law of war”  
40 by using military commissions.

50 **WHEREAS:** These military commissions are not subject to certain provisions afforded in the United States  
60 Constitution; specifically the right to a speedy trial, the right against self-incrimination, and  
70 provisions for pre-trial investigation.

80 **WHEREAS:** The denial of pre-trial investigation for military commissions for “alien unlawful enemy  
90 combatants” restricts an individual from knowing what charges are brought against him or her  
100 and denies him or her the right to have counsel during the investigation.

110 **WHEREAS:** The Military Commissions Act allows for the denial of invocation of the Geneva Conventions  
120 as a source of rights by “alien unlawful enemy combatant[s].”

130 **WHEREAS:** The Military Commissions Act does not have jurisdiction over lawful enemy combatants.  
140 However, there is a discrepancy within the text of the Military Commissions Act concerning  
150 the distinction between a “lawful enemy combatant” and an “unlawful enemy combatant.” The  
160 term “alien” is not used to distinguish those subject to a military commission under this  
170 chapter and can, thereby, include citizens of the United States.

180 **THEREFORE BE IT RESOLVED:** That the Maryland Student Legislature urges the United States  
190 Congress to repeal the Military Commissions Act of 2006.

200 **MANDATES:** Nancy Pelosi, Speaker of the House  
210 Steny Hoyer, House Majority Leader  
220 John Boehner, House Minority Leader  
230 Harry Reid, Senate Majority Leader  
240 Mitch McConnell, Senate Minority Leader

**SPONSOR:**

Lauren Thomas  
McDaniel College