

AMENDMENT TO H.R. 2701, AS REPORTED
OFFERED BY MR. INGLIS OF SOUTH CAROLINA

At the end of subtitle A of title V, add the following
new section:

1 **SEC. 505. PROHIBITION ON USE OF FUNDS TO PROVIDE MI-**
2 **RANDA WARNINGS TO CERTAIN PERSONS IN-**
3 **SIDE THE UNITED STATES.**

4 (a) **PROHIBITION.**—Except as provided in subsection
5 (b), none of the funds authorized to be appropriated by
6 this Act may be used to provide Miranda warnings to a
7 covered person.

8 (b) **DETERMINATION.**—

9 (1) **IN GENERAL.**—The Attorney General, in
10 consultation with the Secretary of Defense, the Di-
11 rector of National Intelligence, the Director of the
12 Central Intelligence Agency, and the Director of the
13 Federal Bureau of Investigation, shall determine
14 whether a covered person should be considered an
15 unprivileged enemy belligerent and subject to trial
16 under chapter 47A of title 10, United States Code.

17 (2) **MIRANDA.**—If the Attorney General, in ac-
18 cordance with paragraph (1), determines that a cov-
19 ered person should not be considered an unprivileged

1 enemy belligerent and subject to trial under chapter
2 47A of title 10, United States Code, the prohibition
3 under subsection (a) shall not apply with respect to
4 providing Miranda warnings to such covered person.

5 (c) REPORT.—Not later than seven days after the At-
6 torney General makes a determination under subsection
7 (b)(1) with respect to a particular covered person, the At-
8 torney General shall submit to Congress notice of such de-
9 termination.

10 (d) EFFECT OF DETERMINATION.—This section shall
11 not be construed to prohibit a covered person from chal-
12 lenging a determination of the Attorney General under
13 subsection (b)(1) in a Federal court.

14 (e) DEFINITIONS.—In this section:

15 (1) COVERED PERSON.—The term “covered
16 person” means a person who is—

17 (A) not a United States person;

18 (B) detained within the United States; and

19 (C) suspected of committing or attempting
20 to commit an offense that is triable under chap-
21 ter 47A of title 10, United States Code.

22 (2) MIRANDA WARNINGS.—The term “Miranda
23 warnings” means the warnings of constitutional
24 rights described in *Miranda v. Arizona*, 384 U.S.
25 436 (U.S. 1966).

1 (3) UNPRIVILEGED ENEMY BELLIGERENT.—
2 The term “unprivileged enemy belligerent” has the
3 meaning given the term in section 948a of title 10,
4 United States Code.

