

AMENDMENT TO H.R. 5136, AS REPORTED**OFFERED BY MR. ROGERS OF MICHIGAN AND
MR. CULBERSON OF TEXAS**

Page 406, after line 4, insert the following:

1 **SEC. 1038. REQUIREMENT OF CERTIFICATION BEFORE PRO-**
2 **VIDING MIRANDA WARNINGS TO SUSPECTED**
3 **TERRORISTS.**

4 (a) **REQUIREMENT.**—Notwithstanding any other pro-
5 vision of law, no officer or employee of the Federal Gov-
6 ernment may provide a person in the custody of an ele-
7 ment of the Department of Defense or the intelligence
8 community who is a foreign national and an enemy bellig-
9 erent with the warnings of constitutional rights described
10 in *Miranda v. Arizona*, 384 U.S. 436 (U.S. 1966), until
11 the Secretary of Defense, the Secretary of Homeland Se-
12 curity, the Director of the Central Intelligence Agency,
13 and the Director of the National Counterterrorism Center
14 each certify that such person has provided such element
15 with all intelligence information in the possession of such
16 person.

17 (b) **DEFINITIONS.**—In this section:

18 (1) The term “foreign national” means an indi-
19 vidual who is not a citizen or national of the United
20 States.

1 (2) The term "enemy belligerent" includes a
2 privileged belligerent against the United States and
3 an unprivileged enemy belligerent, as those terms
4 are defined in section 948a of title 10, United States
5 Code, as amended by section 1802 of this Act.

