

111TH CONGRESS  
2D SESSION

# S. 2977

To prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2010

Mr. GRAHAM (for himself, Mr. LIEBERMAN, Mr. WEBB, Mr. MCCAIN, Mrs. LINCOLN, Mr. BENNETT, Mr. CHAMBLISS, Ms. COLLINS, Mr. McCONNELL, Mr. CORNYN, Mr. SESSIONS, Mr. BARRASSO, Mr. CORKER, Mr. KYL, Mr. COBURN, Mr. GRASSLEY, Mr. VITTER, Mr. HATCH, Mr. JOHANNES, Mr. ROBERTS, Mr. ALEXANDER, Mr. PRYOR, and Mr. THUNE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To prohibit the use of Department of Justice funds for the prosecution in Article III courts of the United States of individuals involved in the September 11, 2001, terrorist attacks.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON USE OF DEPARTMENT OF**  
 2 **JUSTICE FUNDS FOR PROSECUTION IN ARTI-**  
 3 **CLE III COURTS OF INDIVIDUALS INVOLVED**  
 4 **IN THE SEPTEMBER 11, 2001, TERRORIST AT-**  
 5 **TACKS.**

6 (a) PROHIBITION ON USE OF FUNDS FOR PROSECU-  
 7 TION OF 9/11 TERRORISTS IN ARTICLE III COURTS.—  
 8 None of the funds appropriated or otherwise made avail-  
 9 able for the Department of Justice may be obligated or  
 10 expended to commence or continue the prosecution in an  
 11 Article III court of the United States of an individual de-  
 12 scribed in subsection (b) for any offense that may be pros-  
 13 ecuted by military commission under chapter 47A of title  
 14 10, United States Code (as amended by the Military Com-  
 15 missions Act of 2009 (title XVIII of Public Law 111–84)).

16 (b) COVERED INDIVIDUALS.—An individual described  
 17 in this subsection is an individual suspected of planning,  
 18 authorizing, organizing, committing, or aiding the attacks  
 19 on the United States and its citizens that occurred on Sep-  
 20 tember 11, 2001, who—

21 (1) is not a citizen of the United States; and

22 (2) is subject to jurisdiction under chapter 47A  
 23 of title 10, United States Code (as amended by the  
 24 Military Commissions Act of 2009).

25 (c) ARTICLE III COURT OF THE UNITED STATES DE-  
 26 FINED.—In this section, the term “Article III court of the

1 United States'' means a court of the United States estab-  
2 lished under Article III of the Constitution of the United  
3 States.

