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For Background Only:

(U) On November 13, 2001, President Bush issued a Military Order authorizing the Secretary of Defense to detain certain non-U.S. citizens suspected of acts of international terrorism, and authorizing trial by military commission of those individuals under selected circumstances. The President found that the United States is in an armed conflict, and that the protection of United States citizens and property permits selected individuals in U.S. custody to be tried for violations of the laws of war. The Military Order further required the Secretary of Defense to issue such orders and regulations as may be necessary to prosecute detainees in military commissions including rules for the conduct of proceedings. The Secretary of Defense is expected to issue the procedures governing military commissions on March 21, 2002. The regulations issued by the Secretary of Defense will not prescribe any particular outcome or any specific judicial forum for any particular detainee.

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