

## **Fact Sheet: New Law Allowing for Indefinite Military Detention of U.S. Citizens Without Charge or Trial, the National Defense Authorization Act of 2011 (NDAA)**

*Last revision: 1/10/2011*

- The National Defense Authorization Act of 2001 (NDAA) passed by the House and the Senate on Dec. 15, 2011, Bill of Rights Day, and signed by Obama in the late hours of New Year's Eve, allows for American citizens to be taken into military custody without charge or trial, for the "duration of hostilities" in the "War on Terror" for the first time in American history.

- The roll call votes for the House and Senate can be seen at links: Senate (86 "yes" - 13 "no") at <http://tinyurl.com/6noog9u> and House (283 "yes" - 136 "no") at <http://tinyurl.com/6nz4b8u>

- Forbes Magazine: "The NDAA authorizes the military to detain even US citizens under the broad new anti-terrorism provisions provided in the bill, once again without trial." (*"President Obama Signed the National Defense Authorization Act - Now What?"* by E.D. Kain, Forbes, 1/2/2011)

- ACLU: "President Obama's action today is a blight on his legacy because he will forever be known as the president who signed indefinite detention without charge or trial into law... Under the Bush administration, similar claims of worldwide detention authority were used to hold even a U.S. citizen detained on U.S. soil in military custody..." (*"President Obama Signs Indefinite Detention Bill Into Law,"* Press Release, ACLU, 12/31/2010 at <http://tinyurl.com/7oebus6> )

- There is a major campaign underway to deceive Americans into thinking NDAA does not apply to U.S. citizens. Rep. Justin Amash (R-MI) said the legislation was "carefully crafted to mislead the public." (*"U.S. Rep. Justin Amash opposes defense authorization bill,"* The Grand Rapids Press, 11/28/2010)

- In a Jan. 5, 2011 BBC report, Professor Jonathan Turley of the Georgetown University School of Law called Obama's signing statement to not use NDAA powers against U.S. citizens a "hollow promise" which nevertheless gives the president and future presidents "authoritarian powers" to lock up U.S. citizens without trial and even kill them. Youtube of interview at: <http://tinyurl.com/7ssg53d>

- Precise analysis of bill language at <http://tinyurl.com/6o46y4n> (*"Continuing Protests Against NDAA Indefinite Military Detention of U.S. Citizens. Recall Efforts On"* at DailyKos.com )

- The Washington Post has confirmed a secret list of Americans to be assassinated, reporting on Jan. 26, 2010: "The military's Joint Special Operations Command maintains a target list that includes several Americans... U.S. officials have said that the government is prepared to kill U.S. citizens who are believed to be involved in terrorist activities..." There is no way to determine who is on the list, as it is "classified." (*"U.S. military teams, intelligence deeply involved in aiding Yemen on strikes,"* Washington Post, by Dana Priest, Jan. 27, 2010)

- The only U.S. senators who voted against the NDAA are: Cardin (D-MD), Coburn (R-OK), Crapo (R-ID), DeMint (R-SC), Durbin (D-IL), Franken (D-MN), Harkin (D-IA), Lee (R-UT), Merkley (D-OR), Paul (R-KY), Risch (R-ID), Sanders (I-VT), Wyden (D-OR)

- The Oath of Office for U.S. senators and congressmen, required by the Constitution before assuming duties, and American military officers is: "I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic..." Thomas Jefferson said: "I consider trial by jury as the only anchor ever yet imagined by man, by which a government can be held to the principles of its constitution."

- Citizens have launched recall campaigns against senators and congressmen who voted for the NDAA. The states which presently have such recall laws are Arizona, Colorado, Louisiana, Michigan, Montana, Nevada, North Dakota, Oregon, Washington, and Wisconsin. States which do not can pass them. **For more information go to RecallTheTraitors.blogspot.com, and** <http://tinyurl.com/7mpmdbx>

**Opposition to the NDAA and the restoration of Americans' basic rights are not a partisan issue. Citizens from the left to the right of the spectrum have come together in outrage. For more information go to RecallTheTraitors.blogspot.com Please join the Facebook linked at this site.**