



# P A N D A

PEOPLE AGAINST THE NDAA

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## NDAA FOR BEGINNERS

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Sections 1021 & 1022 of the NDAA contain legalese sleights of hand which mislead and confuse. This helps simplify it. We can't cover ALL the issues in the NDAA on one page, just the most glaring.

### SECTION 1021 a

- Starts by reaffirming Authorization for Use of Military Force Act (AUMF) (passed 9/18/2001)
- In AUMF guilt is determined by the president alone-you are not found guilty in a court of law
- AUMF was limited to people believed (not proven) to be involved in 911.
- The AUMF allows the government to operate outside the constitution and set the stage for the Patriot Act & the NDAA. It removed due process for Americans and is unconstitutional.

### Section 1021b-Covered persons

- **b1&2** - Once people see Taliban/Al Qaeda/911 (TAQ) they stop reading-think doesn't apply to them- HOWEVER
- **Part b2 continues with "OR"** - which means being TAQ, etc. is no longer necessary (as opposed to "and"),
- So now, "**associated forces**" can be ANY group of people – Libertarian Party, Tea Party, Occupy. This section allows for Americans to be held w/o due process by the military.
- Use of the word "associated" confuses people. They think it says TAQ & associates. It doesn't.
- "Substantially supported" can mean agreeing with, donating to, marching with.....
- Hostilities or belligerent acts – open to interpretation. Demonstrations? Call for new election?
- **Coalition forces** –Who are they, by the way?

### Section 1021c

- **c1, 2, 3 & 4** You can be held indefinitely w/o trial by the military until hostilities end (who says when? Hostilities is undefined). An American can be removed to any foreign country.

### Section 1021d

1. Contradicts what they just did! It is intentionally confusing and misleading! This isn't a mistake.

- Does say they don't *INTEND* to change the law...not that they actually don't.

### Section 1021e

- Legally confusing point. Best to leave this one to the lawyers because:
- When this law was passed Congress couldn't agree what the law was. Both pro & con cited the Hamdi and Padilla cases as proving their point. Both can't be right.
- Padilla & Hamdi were Americans held under AUMF re 911, later cleared.

### Section 1022a

- **a1- Requires** military detention (the word "**shall**" removes all options).



# PANDA

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- **a2-** states “**Covered person**” *determined* to be TAQ/carried out attack against US, etc.
- *determined* - not found guilty in court. Since this law expands the President's powers under AUMF, he makes the final determination based on evidence that never sees the light of day.
- **a4** Lets the President make waivers solely on what HE deems to be “national security”
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## Section 1022b&c

- **b1&2** -Only removes the *REQUIREMENT* for military detention re Americans, et al, not the *option*.
- The option regarding military detention in Section 1022 **doesn't apply to Section 1021**.
- **c-2a** Lets the President pick whomever he chooses to do all this-accountable to no one but him

## POINTS TO REMEMBER

- Lawrence Wilkerson, chief counsel to Colin Powell called the NDAA the road to tyranny and stated it was done as a reaction to the Occupy movement and not terrorism.
- 40 retired Admirals & Generals signed a letter protesting what the NDAA does.
- Remember what happened to Richard Jewell after the 1996 Atlanta Olympic bombing which Clinton called an act of terrorism? He was arrested and all but convicted in the press but was found to be innocent. IF the NDAA was in place, he might still be in military detention.
- The Constitution was written to prevent anyone from being convicted based on emotion and unpopularity. AUMF, NDAA & the Patriot Act reverse this.
- Recall one does not have to be convicted of anything to be held under the NDAA.
- The Constitution compels the government to prove their case. The AUMF, the Patriot Act and the NDAA have removed this bar.
- Certain elements within the government are using the emotion of 911 to gradually convince Americans to surrender their civil rights.
- There is currently great discord in military and law enforcement circles as many in uniform state the NDAA violates the oath they took to uphold the Constitution and therefore will not obey; Others say I will just be following orders. Veterans & retirees have a special duty to speak up as they know those currently in uniform are less free to openly dissent and are most imperiled by the chaos this law will cause.



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- Nixon was put out of office for less than the government is doing today.
- Virginia has passed the first Anti-NDAA law already. Michael Chertoff & Ed Meese wrote a letter to VA Gov. McDonnell asking him to VETO the bill. Note: Michael Chertoff, former head of the DHS is part owner of the company who sells the body scanners to the TSA.
- **Have you noticed no one calls this a free country anymore?**

We the People demand the NDAA, Patriot Act and AUMF be repealed. Abolish the TSA & DHS  
Compel ALL government agencies to work within the confines of the Constitution only!

*Special thanks to*

Richard Fry, Legal Counsel

Patriot Coalition/PCOK Liaison [theintolerableacts.org](http://theintolerableacts.org)

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