



Senate Intergovernmental Operations Committee

Senator Scott Wagner

Chairman

Erin K. Marsicano, *Executive Director*

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Summary of Senate Bill 999, P.N. 1270

Prime Sponsor: Folmer

A. Synopsis

Establishes the Liberty Preservation Act and prohibits certain individuals from providing support in the implementation of the National Defense Authorization Act of 2012.

B. Bill Summary

This legislation would prohibit employees, including public officials and agents, of the Commonwealth, a political subdivision of the Commonwealth, or a corporation providing services to the Commonwealth from providing material support or participating in the implementation of sections 1021 and 1022 of the National Defense Authorization Act (NDAA).

The Attorney General is directed to report to the Governor and General Assembly if a Federal agency or agent attempts to implement sections 1021 and 1022.

A violation would be classified as a misdemeanor and conviction would result in a fine of not more than \$500 and/or imprisonment for not more than six months.

C. Background

The NDAA is an annual federal law establishing the budget and expenditures of the United States Department of Defense. Each year's act also includes the enactment of various other laws relating to the defense of our country. The NDAA of 2012 provided statutory authority for the President to order the military to seize and detain people indefinitely, including on American soil through:

Section 1021. Affirmation of authority of the Armed Forces of the United States to detain covered persons pursuant to the Authorization for Use of Military Force*.

Sec. 1022. Military custody for foreign al-Qaeda terrorists.

**Established following September 11, 2001; authorizes President "to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order to prevent any future acts of international terrorism against the United States by such nations, organizations or persons."*