



Written by [Alex Newman](#) on August 2, 2017

Citing Indefinite Detention Without Trial, Sen. Paul Delays NDAA

In an effort to secure protections for the U.S. Constitution and the inalienable rights of Americans, Senator Rand Paul (R-Ky.; shown) last week blocked a controversial effort by Senate leaders to advance the giant National Defense Authorization Act (NDAA). The effort is expected to delay the bill until at least September. Big Government-supporting “Republicans in Name Only” (RINOs), globalists, and neocons hoping to rush the bill through without discussion, such as Senator John McCain (R-Ariz.), were outraged by the move. But among liberty-minded Americans, Paul’s efforts to protect constitutional liberties received widespread praise.



Specifically, Senator Paul is hoping to add two important amendments to the NDAA. The first one would [prohibit the indefinite detention of American citizens by the military or other arms of the federal government](#), something Congress purported to authorize in 2012 in a previous NDAA. The other amendment being sought by the liberty-minded Kentucky senator deals with the so-called “Authorizations for the Use of Military Force.” Also known as AUMF, the scheme was invented by the feds in a bid to fight illegal wars without actually having to declare war, as required under the U.S. Constitution. Both indefinite detention and the AUMF have been criticized by non-establishment conservatives as well as some liberals, despite support from the establishment.

Under Senate rules, Senate Majority Leader Mitch McConnell, a Republican from Kentucky, was hoping to move the massive “defense” bill forward after the failure of the ObamaCare repeal last week. Democrats, including Senate Minority Leader Chuck Schumer (D-N.Y.), were willing to go along with the scheme to move the legislation without debate or discussion. But when Senate leaders tried to obtain “unanimous consent” to move it along, Paul objected, thereby stalling the effort. Paul said little, but his communications director, Sergio Gor, explained the senator’s reason for holding up the bill was to insert the “bipartisan amendments, one on ending indefinite detention and one on AUMFs.” Apparently Paul is seeking a sunset clause on the AUMF, which has been exploited to justify endless war all over the globe. “He looks forward to working with leadership and the committee to get this done soon,” Gor said.

Senator McCain, [currently facing nationwide fury among Americans for saving ObamaCare last week after campaigning against it](#), was apoplectic with Paul for trying to protect the Constitution. “For 55 years in a row, Congress has passed the National Defense Authorization Act,” [said McCain](#), dishonestly seeking to equate support for the bill with support for the troops. “This legislation is more vital than ever. Global terrorist networks, increasing great power competition with Russia and China, malign Iranian influence spreading across the Middle East, a North Korean dictator racing to acquire missiles that can hit the United States with nuclear weapons — the threats to our national security have not



Written by [Alex Newman](#) on August 2, 2017

been more complex or daunting than at any time in the past seven decades.”

“The highest responsibility of every member of Congress is to do what they think is right for the nation,” McCain said after praising the Senate Armed Services Committee he chairs for being “bipartisan” in its efforts to approve the bill, without allowing for the possibility that Paul may think protecting the Constitution (and obeying his oath of office) is what is right for the nation. “It is unfortunate that one senator chose to block consideration of a bill our nation needs right now, the National Defense Authorization Act. We must uphold our solemn obligation to provide for the common defense and give our men and women in uniform the training, equipment, and resources they need to defend the nation.”

But despite McCain’s dishonest insinuations, Paul has given many indications that he believes upholding the Constitution is what is right for the nation. On [June 7, for example, Senator Paul introduced the Sixth Amendment Preservation Act \(S.1300\)](#) that would “prohibit the indefinite detention of persons by the United States.” Under the measure, no person could be imprisoned or otherwise detained by the federal government except in a manner consistent with the U.S. Constitution. “A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a person apprehended in the United States,” reads the legislation, which is currently sitting in the Senate Judiciary Committee.

Dan Johnson, founder of People Against NDAA (PANDA), praised the bill, saying he was “very happy” it was introduced and that he hoped it would bring more attention to the issues. “The Sixth Amendment Preservation Act, not only does it repeal the NDAA, which we’d always been concerned about, it actually repeals the underlying authority for the National Defense Authorization Act, which was the 2001 Authorization for Use of Military Force, and it changes the law passed after the Japanese-American detention [of World War II],” [he told *The New American* in a recent interview](#). “It used to say, unless an act of Congress says you can detain people, you can’t detain people. Under Rand’s bill, it would say that unless it’s consistent with the Constitution, you can’t detain people.”

Senator Paul has been a long time foe of the radical indefinite detention provisions first authorized five years ago. In [an interview with *The New American*](#), Paul even acknowledged the irony of it all as the Senate shortly thereafter voted to arm al-Qaeda in Syria — the very same people that the indefinite detention provision was ostensibly aimed at targeting. “I tried to make the point that there is a remarkable irony in the fact that in the original Authorization for Military Force (AUMF) in 2001, Congress authorized the military to go after al-Qaeda; now they have voted to arm them,” Paul said, [referring to a Senate vote to arm Syrian “rebels”](#) who even [official U.S. military documents have acknowledged were led by al-Qaeda](#).

It is also not the first time the U.S. government’s lawless interventionism has produced disaster, Paul noted. “We already have trouble with a similar program in Afghanistan. Enemies of America will lie and then shoot Americans in the back. In Syria, the rebels will do the same thing,” Paul said. “They will say, “I love America” so that they will get a weapon. They will then use those weapons against the very people [the United States] who gave them to them. The irony is that the U.S. is now on the same side as al-Qaeda. We should remember that we were responsible for arming radical Islamists in the 1980s.” Since those remarks, President Donald Trump [has officially ended U.S. programs supporting Syrian jihadists](#), but the point remains valid.

Conservatives, constitutionalists, libertarians, anti-war activists, supporters of civil liberties, and other



Written by [Alex Newman](#) on August 2, 2017

non-establishment forces all across the political spectrum have rallied around Senator Paul's efforts to preserve constitutional protections. However, the establishment wing of both political parties, and the military-industrial complex with its swarms of tax-funded lobbyists, are fuming. Americans who believe the federal government must obey the Constitution should work with their elected officials to demand a ban on the illegal "indefinite detention" and AUMF scheming. After all, the Constitution is not going to enforce itself if voters do not demand that it be upheld.

Photo of Sen. Rand Paul: AP Images

Alex Newman is a correspondent for The New American, covering economics, education, politics, and more. He can be reached at anewman@thenewamerican.com. Follow him on Twitter [@ALEXNEWMAN_JOU](#) or on [Facebook](#).

Related articles:

[Obama Signs 2013 NDAA: May Still Arrest, Detain Citizens Without Charge](#)

[DOJ Seeks Dismissal of Case Challenging NDAA Indefinite Detention](#)

[Amendments to NDAA Expand Presidential War-making Power; Allow Congress to "Support" Rather Than "Declare" War](#)

[Rand Paul Bill Would Repeal Indefinite Detention Provision of NDAA](#)

[Exclusive Interview With Sen. Rand Paul](#)

[RINOs Stop ObamaCare Repeal in Senate, but Fight Continues](#)

[Group Plans Protest Against NDAA](#)

[U.S. Intel: Obama Coalition Supported Islamic State in Syria](#)

[California Senate Committee Unanimously Passes Anti-NDAA Bill; Flaws Remain](#)

[Should Pres. Obama be Detained for Violating the NDAA?](#)



Subscribe to the New American

Get exclusive digital access to the most informative, non-partisan truthful news source for patriotic Americans!

Discover a refreshing blend of time-honored values, principles and insightful perspectives within the pages of "The New American" magazine. Delve into a world where tradition is the foundation, and exploration knows no bounds.

From politics and finance to foreign affairs, environment, culture, and technology, we bring you an unparalleled array of topics that matter most.



What's Included?

- 24 Issues Per Year
- Optional Print Edition
- Digital Edition Access
- Exclusive Subscriber Content
- Audio provided for all articles
- Unlimited access to past issues
- Coming Soon! Ad FREE
- 60-Day money back guarantee!
- Cancel anytime.

[Subscribe](#)