



Written by [Joe Wolverton, II, J.D.](#) on September 6, 2012

Michigan's Allegan County Passes Anti-NDAA Resolution

The [Tenth Amendment Center \(TAC\)](#) reports that "last week, the Allegan County, Michigan, Board of Commissioners passed a resolution opposing federal kidnapping powers."

The powers referred to in the TAC article are those included in relevant provisions of the National Defense Authorization Act (NDAA) [signed into law on December 31, 2011](#) by President Barack Obama.



Section 1021 of that act authorizes the president to send the armed forces to indefinitely detain: a person who was a part of or substantially supported al-Qaeda, the Taliban, or associated forces that are engaged in hostilities against the United States or its coalition partners, including any person who has committed a belligerent act or has directly supported such hostilities in aid of such enemy forces.

[Despite an attempt by Congressman Justin Amash \(R-Mich.\) to remove them](#), the indefinite detention provisions remain intact in the 2013 version of the bill.

Allegan County's resolution rejects these pernicious provisions. The resolution reads:

THEREFORE BE IT RESOLVED that the Allegan County Board of Commissioners condemns in no uncertain terms Sections 1021 and 1022 of the 2012 NDAA as they purport to:

- 1) Repeal Posse Comitatus and authorize the President of the United States to utilize the Armed Forces of the United States to police the United States of America,
- 2) Indefinitely detain persons captured within the United States of America without charge until the end of hostilities as purportedly authorized by the 2001 Authorization for Use of Military Force,
- 3) Subject persons captured within the United States of America to military tribunals, and
- 4) Transfer persons captured within the United States of America to a foreign country or foreign entity

TAC reports that "the resolution overwhelmingly passed 8-3."

In [a letter to the editor of the Allegan County News](#), Allegan County Commissioner Bill Sage explained the purpose of the resolution:

In order to protect these [constitutional] rights, it is time for Michiganders to speak up against this unconstitutional federal law.

On July 26, I presented the Allegan Liberty Preservation Resolution to the Allegan County Board of Commissioners with the intent of passing support for State Rep. Tom McMillin's Michigan Liberty Bill, HB 5768, which makes it illegal in the state of Michigan for any official of the state, be they National Guard or any other official, to assist in the investigation or arrest of any citizen of Michigan in connection to sections 1021 and 1022 of the NDAA.



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The resolution also states that all agencies of Allegan County up to and including the Allegan County Sheriff Department and all police departments in the jurisdiction of Allegan County are instructed to decline requests from federal agencies acting under detention powers of Sections 1021 and 1022 of the NDAA that could infringe upon county residents' constitutional rights.

It should be of the first priority of all our elected officials, from the governor, U.S. Senate, Congress, states senate, state representatives, right down the line to the board of commissioners, to aggressively defend our country and constitution in every avenue possible.

The Michigan Liberty Bill referred to by Sage was introduced to the state legislature by State Representative Tom McMillin on June 14. McMillin's measure would prevent the arrest and indefinite detention of citizens of his state under the authority of relevant provisions of the NDAA. According to the [text of the legislation](#):

No agency of this state, no political subdivision of this state, no employee of an agency of this state or a political subdivision of this state acting in his or her official capacity, and no member of the Michigan national guard on official state duty shall aid an agency of the armed forces of the United States in any investigation, prosecution, or detention of any person pursuant to 50 USC 1541, as provided by the federal national defense authorization act for fiscal year 2012.

As adopted, the Allegan County Commission's resolution requires:

all agencies of Allegan County up to and including Allegan County Sheriff Department and all police departments in the jurisdiction of Allegan County to decline requests by federal agencies acting under detention powers of Sections 1021 and 1022 of the National Defense Authorization Act of 2012 that could infringe upon residents' freedom of speech, religion, assembly, privacy, rights to counsel, or other rights not here explicitly enumerated as well as their safety from harm committed by politically powerful domestic enemies of the Constitution.

Earlier Sage aided the passage of the resolution by his commission colleagues by forming a "citizens' action committee" called WOLF PAC. WOLF stands for "We the people Of Liberty and Freedom."

[According to the group's website](#), WOLF PAC is dedicated to supporting "our Great Republic" through lobbying to:

1. Support and strengthen the Constitution.
2. Decrease and or eliminate bureaucracies.
3. Support and reinstate the 10th Amendment.
4. Shrink the size of Federal and State Government.
5. Separate Corporation and State.
6. Separate Union Influence and State

Referring specifically to the NDAA, a [WOLF PAC press release states](#):

With the threat to every citizen of our great country falling prey to being arrested in the middle of the night, local immediate action must be taken to safeguard those constitutional rights to the citizens of the Great State of Michigan. For the first time in history, we must call on our elected officials to uphold their "Oath of Office" to defend the Constitution from enemies foreign and domestic.



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By passing its anti-NDAA resolution, Allegan County now proudly joins several other state and local authorities taking a stand against the federal government's use of the NDAA to abolish centuries old due process and habeas corpus protections.

The New American will continue to chronicle all measures nationwide opposing the unconstitutional indefinite detention provisions of the NDAA.



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