

PAGE ONE OF FIVE

NDAA RESOLUTION FOR COUNTY COMMISSIONERS

From: Patriot Coalition National Director Jeff Lewis & Oath Keepers founder Stewart Rhodes.

“The Intolerable Acts” NDAA resolutions were prepared by Mr. Stewart Rhodes, Founder of Oath Keepers (oathkeepers.org) a Yale Law Graduate who specializes in the application of military law to civilians, and Mr. Richard D. Fry, a constitutional law attorney and General Counsel for Patriot Coalition (patriotcoalition.com). Boards who choose to endorse or adopt this (Patriot Coalition / Oath Keepers) “**P.C./O.K. NDAA RESOLUTION**” are requested to notify Stewart and Richard of your intent, and to identify it as such in any accompanying public statements or press releases.

We have also prepared a tutorial video which explains, clause by clause, the contents of the state resolution, which can be viewed at the Patriot Coalition’s Livestream Channel here: <http://livestream.com/WRCG>. (See: NDAA State Resolution)

If you have any questions, Stewart Rhodes can be reached at 702-353-0627 or by email at stewart.rhodes@oathkeepers.org, and Richard D. Fry can be reached at 816-853-8718 or by email at richard@patriotcoalition.com. Stewart and/or Richard would be happy to join you by telephone or by Skype. Jeff Lewis can be reached at: 252-876-9489, or by email at: Jeff@patriotcoalition.com.



“...I am committed against every thing which, in my judgment, may weaken, endanger, or destroy [the Constitution]... and especially against all extension of Executive power; and I am committed against any attempt to rule the free people of this country by the power and the patronage of the Government itself...” -Daniel Webster

PAGE TWO OF FIVE

This is being submitted to the County Commissioners of Huerfano County Colorado by Bruce Kettler of *We Are Change Huerfano*. I am requesting a hearing be scheduled with the County Commissioners on this matter as soon as possible. Please inform me of available date and time.

www.wearechangehuerfano.us



Telephone: 719-580-4832

Fax: 888-745-4342

P O Box 471

Walsenburg, CO 81089

USA

County Commissioners are urged to visit the above website for a partial history of Sheriffs and Counties countering federal tyranny.

Commissioners can see a documentary video about the originators of tyranny in the U.S., and written details of U.S. Constitution 10th Amendment case history, particularly with Sheriff Richard Mack's countering a Federal Law in his county, in the U.S. Supreme Court.

PAGE THREE OF FIVE

**RESOLUTION
OF THE BOARD OF COMMISSIONERS,
HUERFANO COUNTY, COLORADO**

**STANDING IN OPPOSITION TO THE PROVISIONS IN THE
NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR
2012 WHICH AUTHORIZE MILITARY DETENTION AND TRIAL OF
U.S. CITIZENS AND LAWFUL RESIDENTS IN DIRECT VIOLATION
OF THE UNITED STATES CONSTITUTION AND THE
CONSTITUTION AND BILL OF RIGHTS OF THE STATE OF
COLORADO.**

WHEREAS, on Dec. 15, 2011, on the 220th anniversary of the Bill of Rights, the United States Senate passed the Conference Report to House of Representative bill H.R. 1540, the "NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012 (NDAA),"

WHEREAS, on Dec. 31, 2011, President Barack Obama signed the Conference Report to House of Representative Bill H.R. 1540, the NDAA, into law,

WHEREAS, the NDAA contains numerous provisions repugnant to, and destructive of, the constitutions and Bill of Rights of the United States of America, and this state,

WHEREAS, the United States Constitution and the constitution of this state are infringed and/or usurped by provisions in the NDAA which authorize the application of: military force (including assassination), indefinite military detention without trial, military trial, and rendition to foreign countries and foreign entities of any person, including American citizens and lawful resident aliens, at the discretion of the President or a subordinate within the Department of Defense,

WHEREAS, the support in any way of a law considered unconstitutional is inconsistent with state officials' oath to support the U.S. Constitution.

WHEREAS, the citizens of this state, and the Republic, are entitled to protection under allegiance, and subject to the protection of the Constitution of the United States, anywhere in the world.

WHEREAS, according to the *New York Times*, on September 12, 2012 Federal Judge Katherine B. Forrest "...blocked the government from enforcing a controversial statute [NDAA] about the indefinite detention without trial of terrorism suspects. " Then, on October 2, 2012 a 3 judge panel, that had been appointed by Obama, ruled against Judge Forrest's decision.

PAGE FOUR OF FIVE

WHEREAS, in El Paso County Colorado a resolution to nullify the unconstitutional NDAA provisions was passed and signed by the County Commissioners with support from the El Paso County Sheriff's office. The Virginia legislature overwhelmingly passed a law that forbids state agencies from cooperating with any federal attempt to exercise the indefinite detention without due process provisions written into sections 1021 and 1022 of the National Defense Authorization Act.

THEREFORE, it is resolved that the Huerfano County Board of Commissioners reject all unconstitutional parts of the NDAA for Fiscal Year 2012 (NDAA), and in particular, regarding this resolution, sections 1021 and 1022, in contravention of the Rights of the People and sovereignty of this state and exceed the Constitution's limits of authority granted the federal government, and demand the Legislature and governor of this state by resolution direct this state's Congressional delegation to immediately commence efforts to repeal aforementioned sections, which are repugnant to the sovereign rights of the citizens of this state and are usurpations of authority by the federal government,

BE IT FURTHER RESOLVED, the board of commissioners directs the sheriff of this county to develop and implement a policy consistent with this resolution, including interposing the sheriff's department in defense of the unalienable Rights of the People.

BE IT FURTHER RESOLVED, the Legislature and Governor of this state are directed, in pursuance of their oaths of office, and their duty to protect the Constitution, to enact laws prohibiting any official, employee, agent, or citizen of this state, or any other person, or of any of its subdivisions, from aiding, abetting, assisting, enforcing, or in any way supporting any official, employee, or agent of the United States Government, including any of its military forces or paramilitary forces under its direction or control, from enforcing or applying sections 1021 and 1022 of the NDAA, or any part thereof, against any person within this state, including citizens and lawful resident aliens, including by capturing or arresting such individuals, and establishing that all who violate such law be subject to criminal penalties,

BE IT FURTHER RESOLVED, the Legislature and Governor of this state are directed, in pursuance of their oaths of office, and their duty to protect the Constitution, to enact laws prohibiting any official, employee, or agent of the United States Government, including any of its military forces or paramilitary forces under its direction or control, or that of any foreign military or foreign entity from enforcing or applying sections 1021 and 1022 of the NDAA, or any part thereof, against any person within this state including citizens and lawful resident aliens, including by capturing or arresting such individuals, and establishing that all who violate such laws be subject to criminal penalties.

PAGE FIVE OF FIVE

REFERENCES AND SOURCE DOCUMENTS

P.C.O.K. NDAA RESOLUTION FOR COLORADO LEGISLATORS

<http://patriotcoalition.com/docs/NDAA-CO-RES.pdf>

P.C.O.K. (FULL VERSION) NDAA SHERIFF RESOLUTION

<http://oathkeepers.org/oath/ndaa/ndaa-docs/NDAA-SHERIFF-RES.PDF>

P.C.O.K. (SHORT VERSION) NDAA SHERIFF RESOLUTION

<http://oathkeepers.org/oath/ndaa/ndaa-docs/NDAA-SHERIFF-SRES.PDF>

HR1540 Conference Report as Approved by the United States Congress

<http://www.gpo.gov/fdsys/pkg/CREC-2011-12-12/pdf/CREC-2011-12-12-pt1-PgH8356-5.pdf>

Alternate source: <http://patriotcoalition.com/docs/HR1540conf.pdf>

Authorization of Use of Military Force (See bottom of page 6 for final version as signed into law.)

<http://patriotcoalition.com/docs/Authorization-of-Use-of-Military-Force.pdf>

President Obama's Signing Statement: Dec. 31, 2011

<http://www.whitehouse.gov/the-press-office/2011/12/31/statement-president-hr-1540>

Declaration of Independence: (See Freedom Documents tab)

http://nccs.net/freedom_defined/index.htm?const.html&2

Constitution of the United States of America: (See Freedom Documents tab)

http://www.nccs.net/freedom_defined/index.htm?const.html&2

Constitution of the Great State of Colorado

<http://patriotcoalition.com/docs/CO-Constitution.pdf>

House Voting Record for final version of 2012 NADA

<http://clerk.house.gov/evs/2011/roll932.xml>

Senate Voting Record for final version of 2012 NADA

http://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=112&session=1&vote=00230

2012 NDAA, SECTIONS: 1021, 1022, 1023

[http://patriotcoalition.com/docs/NDAA FOR FISCAL YEAR 2012 \(1021-1022-1023\).doc](http://patriotcoalition.com/docs/NDAA FOR FISCAL YEAR 2012 (1021-1022-1023).doc)

Video explanation of state resolution by Patriot Coalition general counsel Richard D. Fry

<http://livestream.com/WRCG> (See: NDAA State Resolution)