

MYTH: “The NDAA’s indefinite detention language was not necessary.”

FACT: *These provisions are necessary to help our military fight terrorists and carry out their mission.*

The Authorization for Use of Military Force (AUMF), signed on September 18, 2001, authorizes the 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.” This provision allows our troops to detain members of the Taliban or al Qaeda (or those associated with them) on the battlefield, bring them into custody to gather additional intelligence, begin judicial proceedings, etc.

Under the AUMF the courts have determined that the 2001 resolution provides authority to detain individuals who support or are a part of al Qaeda, the Taliban, and associated forces. While the Bush and Obama Administrations have operated in a manner consistent with these rulings for the last 10 years, the resolution has never been codified into law.

As we transition out of Afghanistan, ensuring this authority is clearly defined is essential to the safety and well-being of our military personnel. Accordingly, the FY12 NDAA codified the AUMF into law. **SEC. 1021 AND 1022 WERE INCLUDED TO ENSURE NO AMERICAN CITIZENS WOULD BE AFFECTED BY THESE LAWS.**