

RESOLUTION #2018-31

STATE OF SOUTH CAROLINA)

**COUNTY OF LAURENS) RESTORING CONSTITUTIONAL GOVERNANCE
RESOLUTION OF LAURENS COUNTY, SOUTH CAROLINA**

WHEREAS, Laurens County, South Carolina, is not a “battlefield” subject to the “laws of war”; and

WHEREAS, Federal Judge Katherine Forrest has ruled Section 1021 of the 2012 National Defense Authorization Act (“NDAA”) is unconstitutional; and

WHEREAS, the United States Supreme Court has ruled that neither Congress nor the President can constitutionally authorize the detention and/or disposition of any person in the United States or citizen of the United States “under the law of war” who is not serving “in the land or naval forces, or in the Militia, when in actual service in time of War or public danger”; and

WHEREAS, for the purposes of this Resolution, the terms “arrest”, “capture”, “detention under the law of war”, “disposition under the law of war”, and “law of war” are used in the same sense and shall have the same meaning as such terms have in the 2012 NDAA, Section 1021;

THEREFORE, BE IT RESOLVED, that notwithstanding any treaty, federal, state, or local law or authority, enacted or claimed, including, but not limited to, an authorization for use of military force, NDAA, or any similar law or authority enacted or claimed by Congress or the Office of the President directed at any person in Laurens County, South Carolina, who is not serving “in the land or naval forces, or in the Militia, when in actual service in time of War or public danger”, Laurens County Council believes it to be improper, unlawful, and unconstitutional to:

- a. Arrest or capture any person in Laurens County with the intent of “detention under the law of war”, or
- b. Actually subject a person in Laurens County to “disposition under the law of war”, or
- c. Subject any person to targeted killing in Laurens County; and

BE IT FURTHER RESOLVED that Laurens County requests the South Carolina Legislature recognize the duty of the State of South Carolina to interpose itself between unconstitutional usurpations by the federal government or its agents and the people of this state, as well as the duty to defend the unalienable natural rights of the people, all of which is consistent with our oaths to defend the Constitution of the United States and the Constitution of South Carolina against all enemies, foreign and domestic; and

BE IT FURTHER RESOLVED that Laurens County requests our Congressional delegation commence immediately with efforts to repeal the unconstitutional sections of the 2012 NDAA, to wit, sections 1021 and 1022, and any other section or provision that will have the same or substantially the same effect on any person in the United States not serving “in the land or naval forces, or in the Militia, when in actual service in time of War or public danger”; and

BE IT FINALLY RESOLVED that Laurens County requests our Congressional delegation introduce, support, and secure the passage of legislation that clearly states Congress not only does not authorize, but in fact prohibits the use of military force, military detention, military trial, extraordinary rendition, or any other power of the “law of war” against any person in the United States not serving “in the land or naval forces, or in the Militia, when in actual service in time of War or public danger”.

(Signature page attached)