MEMORANDUM

- TO: All Members of the House of Representatives FROM: American Civil Liberties Union Appeal for Justice Bill of Rights Defense Committee Center for Victims of Torture **Council on American-Islamic Relations Defending Dissent Foundation** Friends Committee on National Legislation General Board of Church & Society Human Rights First Japanese American Citizens League Just Foreign Policy National Religious Campaign Against Torture Physicians for Human Rights T ruah: The Rabbinic Call for Human Rights Win Without War
- **DATE:** June 12, 2013
- RE: Vote "YES" on the Amendment by Representatives Adam Smith (D-WA) and Chris Gibson (R-NY) Which Explicitly Bans Indefinite Detention and Military Commissions from the United States, and Repeals Section 1022 of the National Defense Authorization Act ("NDAA") of FY12; House Will Vote on the Smith-Gibson Amendment THIS WEEK

Our organizations strongly

Adam Smith (D-WA) and Chris Gibson (R-NY) will offer this week, during House floor consideration of the National Defense Authorization Act for Fiscal Year 2014 amendment will help protect American values and will be an important step towards restoring

The Smith-Gibson amendment would impose an explicit statutory ban on any president or other government official ordering the military to place anyone in the United States into indefinite detention without charge or trial, or from ordering anyone in the United States to be tried before a military commission. Such actions are already inconsistent with the Constitution and other laws, but the explicit statutory ban in the Smith amendment would ensure that no president or any other government official will ever try again to use these practices in the United States itself.

During consideration of the 2012 NDAA, particularly during the Senate debate on the legislation, several prominent senators urged the detention provisions in sections 1021 and 1022

consideration of the conference report for that year, House leaders promised to revise the legislation the following year, but failed to do so. The Smith-Gibson amendment is the *only* legislation that reinforces the c

whether a person is being held lawfully, but on its own, it does not require that a judge find that a person must be charged with a crime. not address the concern raised by your constituents and fueled by several senators during debate over the 2012 NDAA urging the military to indefinitely imprison persons in the United States itself that no president or government official should ever order the military to put persons in the United States into indefinite detention without charge or trial. The Smith-Gibbons amendment addresses this concern; not address it.

We strongly urge you to vote for the Smith-Gibson amendment to the NDAA this week. If you have any questions or concerns, please do not hesitate to contact any of our organizations.