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AGRICULTURE, NUTRITION, AND FORESTRY
BUDGET
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FINANCE

December 13, 2011

Scott Boman
4877 Balfour Rd
Detroit, MI 48224

Dear Scott,

Thank you for contacting me about detainee provisions in the National Defense Authorization Act. I share your support for protecting civil liberties, which is why I believe the government's detainee policy should be codified in law.

I strongly believe that the President needs the power to keep Americans safe and that power should be used carefully and in accordance with the Constitution. Currently, the detainee policy is cobbled together from Presidential directives and Supreme Court cases. The policy has been developed ad-hoc since 2001, and is subject to change at the whim of a President. The National Defense Authorization Act only codifies into law what is currently U.S. policy.

I voted to ensure that only terrorists who are members of al-Qaeda and who commit an act of war against the United States can be detained. For the first time, detainees now have the right to a hearing before a judge with a defense lawyer present. The bill, which passed the Senate by a vote of 93-7, also protects the right of habeas corpus. In addition, I voted for an amendment, which passed, explicitly stating that nothing in the bill shall be construed to affect existing law related to U.S. citizens, lawful resident aliens, or any other persons who are captured in the U.S.

Thank you again for contacting me. As always, please continue to keep me informed about matters of concern to you and your family.

Sincerely,



Debbie Stabenow
United States Senator