



RESTORING CONSTITUTIONAL GOVERNANCE ACT OF SOUTH DAKOTA

- (1) 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, national defense authorization act, or any similar law or authority enacted or claimed by Congress or the Office of the President, it is unlawful for any person to:
 - a. arrest or capture any person in South Dakota, or citizen of South Dakota, “under the law of war,” or
 - b. actually subject a person in South Dakota to “disposition under the law of war,” or
 - c. use deadly force “under the laws of war” against any person in South Dakota, or intentionally subject any citizen of South Dakota for targeted killing or murder.
- (2) Section (1) does not prohibit the application of the UCMJ, including military detention and trial, in “cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger” to discipline service members who have violated the UCMJ and laws of war.
- (3) For the purposes of this Act, 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.
- (4) It is the determination of the State of South Dakota that South Dakota is not a “battlefield” subject to the “laws of war,” and that neither Congress nor the President can constitutionally apply the “laws of war” to any person in South Dakota, or citizen of South Dakota, 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.”
- (5) Any person in violation of this act shall be prosecuted under the South Dakota Criminal Code relating to, but not limited to, assault, battery, kidnapping, and/or murder, as applicable.

* * * **END** * * *

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The 2012 National Defense Authorization Act (NDAA) violates numerous provisions of the Constitution of the United States, including, but not limited to, the following:

- U.S. Constitution, Article I, Section 9, Clause 2**
- U.S. Constitution, Article II, Section I, Clause 8**
- U.S. Constitution, Article III, Section 2, Clause 3**
- U.S. Constitution, Article III, Section 3**
- U.S. Constitution, Article VI, Clause 2**
- U.S. Constitution, 1st Amendment**
- U.S. Constitution, 4th Amendment**
- U.S. Constitution, 5th Amendment**
- U.S. Constitution, 6th Amendment**
- U.S. Constitution, 8th Amendment**
- U.S. Constitution, 9th Amendment**
- U.S. Constitution, 10th Amendment**
- U.S. Constitution, 14th Amendment, Section 1**
- South Dakota Bill of Rights, Article VI, Section 5**
- South Dakota Bill of Rights, Article VI, Section 6**
- South Dakota Bill of Rights, Article VI, Section 7**
- South Dakota Bill of Rights, Article VI, Section 10**
- South Dakota Bill of Rights, Article VI, Section 11**
- South Dakota Bill of Rights, Article VI, Section 23**
- Oath of Office: U.S. Constitution, Article VI, Clause 3**
- Oath of Office: South Dakota Constitution, Article XXI, Section 3**

“In matters of power, let no more be heard of the confidence in man, but bind them down from mischief with the chains of the Constitution.”

- Thomas Jefferson

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REFERENCES AND SOURCE DOCUMENTS

NDAAs Resolutions for State Legislators, County Commissioners, Sheriffs, City Councils, etc...
<http://theintolerableacts.org/wordpress/nda-resolutions/>

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

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)

Judge Katherine Forrest places permanent injunction against NDAA in Hedges v. Obama
<http://theintolerableacts.org/docs/Hedges-v-Obama-Permanent-Injunction.pdf>



The Intolerable Acts ACTION CENTER is a project of [Patriot Coalition](#). The project logo is derived directly from [American history](#), particularly that relating to abuses of the colonists by King George. The "skull and crossbones" image is from a [1765 Stamp Act protest cartoon](#), which pre-dates the "*Intolerable (Coercive) Acts*" and is super-imposed over the actual hand-written Bill of Rights as proposed by the 1st Congress and sent to the States for ratification.

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