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(Date)

**MINUTES OF THE HOUSE VETERANS, MILITARY AND HOMELAND SECURITY  
COMMITTEE**

The meeting was called to order by Chairman Mario Goico at 1:00 PM on Wednesday, April 25, 2012 in Room 152-S of the Capitol.

All members were present except:

Representative Steven Johnson, Excused  
Representative Ann Mah, Excused

Committee staff present:

Mary Torrence, Office of the Revisor  
Dennis Hodgins, Legislative Research Department  
Rich Mergen, Committee Assistant

Conferees appearing before the Committee:

Baroness Waltraud Von Schwarzbek, Leawood, Kansas  
Dee Saddler, Deputy Director Patriot Coalition  
Sergey Vartanov  
Jay Atkins, Burlington, Kansas  
Larry Tawney, U.S. Army Ret., Flint Hills Tea Party Manhattan, Ks.  
Carl W. Enterkin, Andover, Kansas  
Paul Degener, U.S. Army Ret., November Patriots Capitol Liaison, Topeka, Ks.  
Richard D. Fry, General Counsel Patriot Coalition &  
Legal Team-The Intolerable Acts-No NDAA

Others in attendance:

See attached list.

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Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

Minutes of the HOUSE VETERANS, MILITARY AND HOMELAND SECURITY  
Committee at 1:00 PM on Wednesday, April 25, in 152-S of the Capitol.

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Hearing on: **HR 6025 – Supporting the efforts of the Operation Freedom Memorial Foundation, Inc., to establish a war memorial in Veterans Memorial Park in Wichita, Kansas.**

Hearing on: **HR 6021 - Standing in opposition to the provisions in the National Defense authorization act for fiscal year 2012 which authorize military detention and trial of United States citizens and lawful residents in direct violation of the United States Constitution and the constitution of this state.**

Chairman Goico called the meeting to order and announced that **HR 6025** would be the first order of business.

Chairman Goico spoke in support of **HR 6025**, provided some general information about the Operation Freedom Memorial project and efforts to have the memorial erected in Veterans Memorial Park, Wichita, Kansas. Chairman Goico advised there are no others individuals scheduled to testify, partly because of the resolutions recent addition to the agenda, and then opened the floor to others that might wish to testify. No other individuals in attendance to testify as proponent or opponent.

A few questions were presented by committee members about the proposed Operation Freedom Memorial, but nothing in opposition. More information about the Operation Freedom Memorial can be found at: [www.ofm-ks.com](http://www.ofm-ks.com).

*Representative Fawcett made a motion that **HR 6025** be passed favorably by the committee. Representative O'Brien seconded the motion and it passed on a voice vote.*

Chairman Goico opened the hearing on **HR 6021**, a resolution introduced by Representative Charlotte O'Hara that is related to the National Defense Authorization Act (NDAA). Chairman Goico provided general information regarding the concerns and introduced a document prepared by Jill Shelley (and others), Kansas Legislative Research Department, that details the entire issue. (Attachment #1)

Chairman Goico reminded everyone present that a House Resolution merely establishes a statement and/or position (on a particular issue) it doesn't change any law. Further, Chairman Goico asked if any of the people present could testify on the following day. Nobody volunteered.

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Chairman Goico announced that because of the number of conferees and individuals giving testimony, a five (5) minute limit would need to be enforced and would relax the committee rule requiring advance written testimony in order for a conferee to address the committee. However, written testimony from those addressing the committee is requested and needs to be submitted to the committee assistant.

Chairman Goico recognized Baroness Waltraud Von Schwarzbek, a proponent of **HR 6021**. Baroness Von Schwarzbek, who was born in Nazi Germany in 1942, taught well by her father and as she grew older had a good understanding of what was going on during that period. Baroness Von Schwarzbek became a US citizen in the 1970's and clearly sees the freedoms and privileges the US Constitution provides. Baroness Von Schwarzbek expressed concerns with the passing of 2012 NDAA as it relates to absolute power, unconstitutional, and will bring nothing but heartache. (No written testimony provided).

Chairman Goico recognized Dee Saddler, who fully supports **HR 6021** and opposing the 2012 National Defense Authorization Act. Ms. Saddler provided, in chronological order, various events, acts, and agreements that help support her concerns. (Attachment #2) (Written testimony provided after committee meeting)

Sergey Vartanov was a no show. (No written testimony provided)

Chairman Goico recognized Jill Shelley who made some brief remarks regarding the April 16, 2012 memo she prepared and presented to Representative Mario Goico (and other House Veterans, Military and Homeland Security committee members) regarding **HR 6021** and the National Defense Authorization Act for Fiscal Year 2012. (Attachment #1)

Chairman Goico recognized Jay Atkins who provided testimony in support of **HR 6021** and detailed various examples of his concerns and those related to Sections 1021 and 1022 of the 2012 NDAA and other items. (Attachment #3) (Written testimony provided after committee meeting)

Larry Tawney was recognized, but gave up his five (5) minutes of time to allow others to have more time for their testimony. (No written testimony provided).

Chairman Goico offered Representative Charlotte O'Hara (who was in the gallery and just about to leave for another committee meeting) an opportunity to make a few remarks. Representative O'Hara pointed out that it is extremely important for legislative body of the State of Kansas to

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say, we're going to draw a line in the sand, tell the federal government that we do not support this (2012 NDAA, etc), that we're going to stand up for the rights of the citizens of the State of Kansas. Representative O'Hara encouraged the committee to seriously consider passing this **HR 6021** out favorably. (No written testimony provided).

Chairman Goico recognized Carl W. Enterkin, retired Wichita PD and law enforcement officer (LEO) for 37 years. Mr. Enterkin related his many experiences as a LEO and working within the United States Constitution and laws of the State of Kansas and believes the passage of 2012 NDAA can erode our due process system. Mr. Enterkin has some real concerns regarding components of the Act and supports **HR 6021**. (Attachment #4)

Paul Degener was recognized, but determined to be a no show. (No written testimony provided).

Chairman Goico recognized Richard D. Fry who provided an overview of his involvement in this effort and support of **HR 6021** – opposing the 2012 National Defense Authorization Act which allows arrest, detention and rendition of America citizens without trial. Mr. Fry offered the availability of a power point regarding this issue. (Attachment #5)

Chairman Goico identified other proponents in support of **HR 6021** that include: Representative Charles Key, Oklahoma House of Representatives (Attachment #6); Representative Lora Hubbel, South Dakota House of Representatives (Attachment #7); and State Representative Dan Gordon, House of Representatives, the State of Rhode Island & Providence Plantations (Attachment #8), who provided written testimony only.

No opponents to **HR 6021** were scheduled to testify during this hearing.

Chairman Goico informed all committee members and those present in the gallery that a continuation of the hearing and possible action on **HR 6021** was scheduled for Thursday, April 26, 2012, 1:00 p.m. in Room 152-S of the State Capitol.

The meeting was adjourned at 2:15 p.m.