HON. RON PAUL OF TEXAS BEFORE THE US HOUSE OF REPRESENTATIVES October 8, 2004

The 9-11 Intelligence Bill: More Bureaucracy, More Intervention, Less Freedom

Mr. Speaker, the 9/11 Recommendations Implementation Act (HR 10) is yet another attempt to address the threat of terrorism by giving more money and power to the federal bureaucracy. Most of the reforms contained in this bill will not make America safer, though they definitely will make us less free. HR 10 also wastes American taxpayer money on unconstitutional and ineffective foreign aid programs. Congress should make America safer by expanding liberty and refocusing our foreign policy on defending *this* nation's vital interests, rather than expanding the welfare state and wasting American blood and treasure on quixotic crusades to “democratize” the world.

Disturbingly, HR 10 creates a *de facto* national ID card by mandating new federal requirements that standardize state-issued drivers licenses and birth certificates and even require including biometric identifiers in such documents. State drivers license information will be stored in a national database, which will include information about an individual's driving record!

Nationalizing standards for drivers licenses and birth certificates, and linking them together via a national database, creates a national ID system pure and simple. Proponents of the national ID understand that the public remains wary of the scheme, so they attempt to claim they’re merely creating new standards for existing state IDs. Nonsense! This legislation imposes federal standards in a federal bill, and it creates a federalized ID regardless of whether the ID itself is still stamped with the name of your state. It is just a matter of time until those who refuse to carry the new licenses will be denied the ability to drive or board an airplane. Domestic travel restrictions are the hallmark of authoritarian states, not free republics.

The national ID will be used to track the movements of American citizens, not just terrorists. Subjecting every citizen to surveillance actually diverts resources away from tracking and apprehending terrorists in favor of needless snooping on innocent Americans. This is what happened with "suspicious activity reports" required by the Bank Secrecy Act. Thanks to BSA mandates, federal officials are forced to waste countless hours snooping through the private financial transactions of innocent Americans merely because those transactions exceeded

$10,000.

Furthermore, the federal government has no constitutional authority to require law-abiding Americans to present any form of identification before engaging in private transactions (e.g. getting a job, opening a bank account, or seeking medical assistance). Nothing in our Constitution can reasonably be construed to allow government officials to demand identification from individuals who are not suspected of any crime.

HR 10 also broadens the definition of terrorism contained in the PATRIOT Act. HR 10 characterizes terrorism as acts intended "to influence the policy of a government by intimidation or coercion." Under this broad definition, a scuffle at an otherwise peaceful pro-life demonstration might allow the federal government to label the sponsoring organization and its members as terrorists. Before dismissing these concerns, my colleagues should remember the abuse of Internal Revenue Service power by both Democratic and Republican administrations to punish political opponents, or the use of the Racketeer Influenced and Corrupt Organizations (RICO) Act on anti-abortion activists. It is entirely possible that a future administration will use the new surveillance powers granted in this bill to harm people holding unpopular political views.

Congress could promote both liberty *and* security by encouraging private property owners to take more responsibility to protect themselves and their property. Congress could enhance safety by removing the roadblocks thrown up by the misnamed Transportation Security Agency that prevent the full implementation of the armed pilots program. I cosponsored an amendment with my colleague from Virginia, Mr. Goode, to do just that, and I am disappointed it was ruled out of order.

I am also disappointed the Financial Services Committee rejected my amendment to conform the regulations governing the filing of suspicious activities reports with the requirements of the US Constitution. This amendment not only would have ensured greater privacy protection, but it also would have enabled law enforcement to better focus on people who truly pose a threat to our safety.

Immediately after the attack on September 11, 2001, I introduced several pieces of legislation designed to help fight terrorism and secure the United States, including a bill to allow airline pilots to carry firearms and a bill that would have expedited the hiring of Federal Bureau of Investigation (FBI) translators to support counterterrorism investigations and operations. I also introduced a bill to authorize the president to issue letters of marque and reprisal to bring to

justice those who committed the attacks of September 11, 2001, and other similar acts of war planned for the future.

The foreign policy provisions of HR 10 are similarly objectionable and should be strongly opposed. I have spoken before about the serious shortcomings of the 9/11 Commission, upon whose report this legislation is based. I find it incredible that in the 500-plus page report there is not one mention of how our interventionist foreign policy creates enemies abroad who then seek to harm us. Until we consider the root causes of terrorism, beyond the jingoistic explanations offered thus far, we will not defeat terrorism and we will not be safer.

Among the most ill-considered foreign policy components of H.R. 10 is a section providing for the United States to increase support for an expansion of the United Nations “Democracy Caucus.” Worse still, the bill encourages further integration of that United Nations body into our State department. The last thing we should do if we hope to make our country safer from terrorism is expand our involvement in the United Nations.

This bill contains a provision to train American diplomats to be more sensitive and attuned to the United Nations, the Organization for Security and Cooperation in Europe (OSCE) -- which will be in the US to monitor our elections next month -- and other international non-governmental organizations (NGOs). Even worse, this legislation actually will create an “ambassador-at-large” position solely to work with non-governmental organizations overseas. It hardly promotes democracy abroad to accord equal status to NGOs, which, after all, are un-elected foreign pressure groups that, therefore, have no popular legitimacy whatsoever. Once again, we are saying one thing and doing the opposite.

This bill also increases our counterproductive practice of sending United States’ taxpayer money abroad to prop up selected foreign media, which inexplicably are referred to as “independent media.” This is an unconstitutional misuse of tax money. Additionally, does anyone believe that citizens of countries where the US subsidizes certain media outlets take kindly to, or take seriously, such media? How would Americans feel if they knew that publications taking a certain editorial line were financed by foreign governments? We cannot refer to foreign media funded by the US government as “independent media.” The US government should never be in the business of funding the media, either at home or abroad.

Finally, I am skeptical about the reorganization of the intelligence community in this legislation. In creating an entire new bureaucracy, the National Intelligence Director, we are adding yet

another layer of bureaucracy to our already bloated federal government. Yet, we are supposed to believe that even more of the same kind of government that failed us on September 11, 2001 will make us safer. At best, this is wishful thinking. The constitutional function of our intelligence community is to protect the United States from foreign attack. Ever since its creation by the National Security Act of 1947, the Central Intelligence Agency (CIA) has been meddling in affairs that have nothing to do with the security of the United States. Considering the CIA's overthrow of Iranian leader Mohammed Mossadeq in the 1950s, and the CIA's training of the Muhajadin jihadists in Afghanistan in the 1980s, it is entirely possible the actions of the CIA abroad have actually made us less safe and more vulnerable to foreign attack. It would be best to confine our intelligence community to the defense of our territory from foreign attack. This may well mean turning intelligence functions over to the Department of Defense, where they belong.

For all of these reasons, Mr. Speaker, I vigorously oppose HR 10. It represents the worst approach to combating terrorism -- more federal bureaucracy, more foreign intervention, and less liberty for the American people.