Congressman Ron Paul U.S. House of Representatives June 27, 2002

Is America a Police State?

Mr. Speaker:

Most Americans believe we live in dangerous times, and I must agree. Today I want to talk about how I see those dangers and what Congress ought to do about them.

Of course, the Monday-morning quarterbacks are now explaining, with political overtones, what we should have done to prevent the 9/11 tragedy. Unfortunately, in doing so, foreign policy changes are never considered.

I have, for more than two decades, been severely critical of our post-World War II foreign policy. I have perceived it to be not in our best interest and have believed that it presented a serious danger to our security.

For the record, in January of 2000 I stated the following on this floor:

Our commercial interests and foreign policy are no longer separate...as bad as it is that average Americans are forced to subsidize such a system, we additionally are placed in greater danger because of our arrogant policy of bombing nations that do not submit to our wishes. This generates hatred directed toward America ...and exposes us to a greater threat of terrorism, since this is the only vehicle our victims can use to retaliate against a powerful military state...the cost in terms of lost liberties and unnecessary exposure to terrorism is difficult to assess, but in time, it will become apparent to all of us that foreign interventionism is of no

benefit to American citizens, but instead is a threat to our liberties.

Again, let me remind you I made these statements on the House floor in January 2000. Unfortunately, my greatest fears and warnings have been borne out.

I believe my concerns are as relevant today as they were then. We should move with caution in this post-9/11 period so we do not make our problems worse overseas while further undermining our liberties at home.

So far our post-9/11 policies have challenged the rule of law here at home, and our efforts against the al Qaeda have essentially come up empty-handed. The best we can tell now, instead of being in one place, the members of the al Qaeda are scattered around the world, with more of them in allied Pakistan than in Afghanistan. Our efforts to find our enemies have put the CIA in 80 different countries. The question that we must answer some day is whether we can catch enemies faster than we make new ones. So far it appears we are losing.

As evidence mounts that we have achieved little in reducing the terrorist threat, more diversionary tactics will be used. The big one will be to blame Saddam Hussein for everything and initiate a major war against Iraq, which will only generate even more hatred toward America from the Muslim world.

But, Mr. Speaker, my subject today is whether America is a police state. I'm sure the large majority of Americans would answer this in the negative. Most would associate military patrols, martial law and summary executions with a police state, something obviously not present in our everyday activities. However, those with knowledge of Ruby Ridge, Mount Carmel and other such incidents may have a different opinion.

The principal tool for sustaining a police state, even the most militant, is always economic control and punishment by denying disobedient citizens such things as jobs or places to live, and by levying fines and imprisonment. The military is more often used in the transition phase to a totalitarian state. Maintenance for long periods is usually accomplished through economic controls on commercial transactions, the use of all property, and political dissent. Peaceful control through these efforts can be achieved without storm troopers on our street corners.

Terror and fear are used to achieve complacency and obedience, especially when citizens are deluded into believing they are still a free people. The changes, they are assured, will be minimal, short-lived, and necessary, such as those that occur in times of a declared war. Under these conditions, most citizens believe that once the war is won, the restrictions on their liberties will be reversed. For the most part, however, after a declared war is over, the return to normalcy is never complete. In an undeclared war, without a precise enemy and therefore no precise ending, returning to normalcy can prove illusory.

We have just concluded a century of wars, declared and undeclared, while at the same time responding to public outcries for more economic equity. The question, as a result of these policies, is: "Are we already living in a police state?" If we are, what are we going to do about it? If we are not, we need to know if there's any danger that we're moving in that direction.

Most police states, surprisingly, come about through the democratic process with majority support. During a crisis, the rights of individuals and the minority are more easily trampled, which is more likely to condition a nation to become a police state than a military coup. Promised benefits initially seem to exceed the cost in dollars or lost freedom. When people face terrorism or great fear- from whatever source- the tendency to demand economic and physical security over liberty and self-reliance proves irresistible. The masses are easily led to believe that security and liberty are mutually exclusive, and demand for security far exceeds that for liberty.

Once it's discovered that the desire for both economic and physical security that prompted the sacrifice of liberty inevitably led to the loss of prosperity and no real safety, it's too late. Reversing the trend from authoritarian rule toward a freer society becomes very difficult, takes a long time, and entails much suffering. Although dissolution of the Soviet empire was relatively non-violent at the end, millions suffered from police suppression and economic deprivation in the decades prior to 1989.

But what about here in the United States? With respect to a police state, where are we and where are we going?

Let me make a few observations:

Our government already keeps close tabs on just about everything we do and requires official permission for nearly all of our activities.

One might take a look at our Capitol for any evidence of a police state. We see: barricades, metal detectors, police, military soldiers at times, dogs, ID badges required for every move, vehicles checked at airports and throughout the Capitol. The people are totally disarmed, except for the police and the criminals. But worse yet, surveillance cameras in Washington are everywhere to ensure our safety.

The terrorist attacks only provided the cover for the do-gooders who have been planning for a long time before last September to monitor us "for our own good." Cameras are used to spy on our drug habits, on our kids at school, on subway travelers, and on visitors to every government building or park. There's not much evidence of an open society in Washington, DC, yet most folks do not complain- anything goes if it's for government-provided safety and security.

If this huge amount of information and technology is placed in the hands of the government to catch the bad guys, one naturally asks, What's the big deal? But it should be a big deal, because it eliminates the enjoyment of privacy that a free society holds dear. The personal information of law-abiding citizens can be used for reasons other than safety- including political reasons. Like gun control, people control hurts law-abiding citizens much more than the law-breakers.

Social Security numbers are used to monitor our daily activities. The numbers are given at birth, and then are needed when we die and for everything in between. This allows government record keeping of monstrous proportions, and accommodates the thugs who would steal others' identities for criminal purposes. This invasion of privacy has been compounded by the technology now available to those in government who enjoy monitoring and directing the activities of others. Loss of personal privacy was a major problem long before 9/11.

Centralized control and regulations are required in a police state. Community and individual state regulations are not as threatening as the monolith of rules and regulations written by Congress and the federal bureaucracy. Law and order has been federalized in many ways and

we are moving inexorably in that direction.

Almost all of our economic activities depend upon receiving the proper permits from the federal government. Transactions involving guns, food, medicine, smoking, drinking, hiring, firing, wages, politically correct speech, land use, fishing, hunting, buying a house, business mergers and acquisitions, selling stocks and bonds, and farming all require approval and strict regulation from our federal government. If this is not done properly and in a timely fashion, economic penalties and even imprisonment are likely consequences.

Because government pays for much of our health care, it's conveniently argued that any habits or risk-taking that could harm one's health are the prerogative of the federal government, and are to be regulated by explicit rules to keep medical-care costs down. This same argument is used to require helmets for riding motorcycles and bikes.

Not only do we need a license to drive, but we also need special belts, bags, buzzers, seats and environmentally dictated speed limits- or a policemen will be pulling us over to levy a fine, and he will be toting a gun for sure.

The states do exactly as they're told by the federal government, because they are threatened with the loss of tax dollars being returned to their state- dollars that should have never been sent to DC in the first place, let alone used to extort obedience to a powerful federal government.

Over 80,000 federal bureaucrats now carry guns to make us toe the line and to enforce the thousands of laws and tens of thousands of regulations that no one can possibly understand. We don't see the guns, but we all know they're there, and we all know we can't fight "City Hall," especially if it's "Uncle Sam."

All 18-year-old males must register to be ready for the next undeclared war. If they don't, men with guns will appear and enforce this congressional mandate. "Involuntary servitude" was banned by the 13th Amendment, but courts don't apply this prohibition to the servitude of draftees or those citizens required to follow the dictates of the IRS- especially the employers of the country, who serve as the federal government's chief tax collectors and information gatherers. Fear is the tool used to intimidate most Americans to comply to the tax code by

making examples of celebrities. Leona Helmsley and Willie Nelson know how this process works.

Economic threats against business establishments are notorious. Rules and regulations from the EPA, the ADA, the SEC, the LRB, OSHA, etc. terrorize business owners into submission, and those charged accept their own guilt until they can prove themselves innocent. Of course, it turns out it's much more practical to admit guilt and pay the fine. This serves the interest of the authoritarians because it firmly establishes just who is in charge.

Information leaked from a government agency like the FDA can make or break a company within minutes. If information is leaked, even inadvertently, a company can be destroyed, and individuals involved in revealing government-monopolized information can be sent to prison. Even though economic crimes are serious offenses in the United States, violent crimes sometimes evoke more sympathy and fewer penalties. Just look at the O.J. Simpson case as an example.

Efforts to convict Bill Gates and others like him of an economic crime are astounding, considering his contribution to economic progress, while sources used to screen out terrorist elements from our midst are tragically useless. If business people are found guilty of even the suggestion of collusion in the marketplace, huge fines and even imprisonment are likely consequences.

Price fixing is impossible to achieve in a free market. Under today's laws, talking to, or consulting with, competitors can be easily construed as "price fixing" and involve a serious crime, even with proof that the so-called collusion never generated monopoly-controlled prices or was detrimental to consumers.

Lawfully circumventing taxes, even sales taxes, can lead to serious problems if a high-profile person can be made an example.

One of the most onerous controls placed on American citizens is the control of speech through politically correct legislation. Derogatory remarks or off-color jokes are justification for firings, demotions, and the destruction of political careers. The movement toward designating penalties based on the category to which victims belong, rather the nature of the crime itself, has the

thought police patrolling the airways and byways. Establishing relative rights and special penalties for subjective motivation is a dangerous trend.

All our financial activities are subject to "legal" searches without warrants and without probable cause. Tax collection, drug usage, and possible terrorist activities "justify" the endless accumulation of information on all Americans.

Government control of medicine has prompted the establishment of the National Medical Data Bank. For efficiency reasons, it is said, the government keeps our medical records for our benefit. This, of course, is done with vague and useless promises that this information will always remain confidential- just like all the FBI information in the past!

Personal privacy, the sine qua non of liberty, no longer exists in the United States. Ruthless and abusive use of all this information accumulated by the government is yet to come. The Patriot Act has given unbelievable power to listen, read, and monitor all our transactions without a search warrant being issued after affirmation of probably cause. "Sneak and peak" and blanket searches are now becoming more frequent every day. What have we allowed to happen to the 4th amendment?

It may be true that the average American does not feel intimidated by the encroachment of the police state. I'm sure our citizens are more tolerant of what they see as mere nuisances because they have been deluded into believing all this government supervision is necessary and helpful- and besides they are living quite comfortably, material wise. However the reaction will be different once all this new legislation we're passing comes into full force, and the material comforts that soften our concerns for government regulations are decreased. This attitude then will change dramatically, but the trend toward the authoritarian state will be difficult to reverse.

What government gives with one hand- as it attempts to provide safety and security- it must, at the same time, take away with two others. When the majority recognizes that the monetary cost and the results of our war against terrorism and personal freedoms are a lot less than promised, it may be too late.

I'm sure all my concerns are unconvincing to the vast majority of Americans, who not only are seeking but also are demanding they be made safe from any possible attack from anybody,

ever. I grant you this is a reasonable request.

The point is, however, there may be a much better way of doing it. We must remember, we don't sit around and worry that some Canadian citizen is about to walk into New York City and set off a nuclear weapon. We must come to understand the real reason is that there's a difference between the Canadians and all our many friends and the Islamic radicals. And believe me, we're not the target because we're "free and prosperous".

The argument made for more government controls here at home and expansionism overseas to combat terrorism is simple and goes like this: "If we're not made safe from potential terrorists, property and freedom have no meaning." It is argued that first we must have life and physical and economic security, with continued abundance, then we'll talk about freedom.

It reminds me of the time I was soliciting political support from a voter and was boldly put down: "Ron," she said, "I wish you would lay off this freedom stuff; it's all nonsense. We're looking for a Representative who will know how to bring home the bacon and help our area, and you're not that person." Believe me, I understand that argument; it's just that I don't agree that is what should be motivating us here in the Congress.

That's not the way it works. Freedom does not preclude security. Making security the highest priority can deny prosperity and still fail to provide the safety we all want.

The Congress would never agree that we are a police state. Most members, I'm sure, would argue otherwise. But we are all obligated to decide in which direction we are going. If we're moving toward a system that enhances individual liberty and justice for all, my concerns about a police state should be reduced or totally ignored. Yet, if, by chance, we're moving toward more authoritarian control than is good for us, and moving toward a major war of which we should have no part, we should not ignore the dangers. If current policies are permitting a serious challenge to our institutions that allow for our great abundance, we ignore them at great risk for future generations.

That's why the post-9/11 analysis and subsequent legislation are crucial to the survival of those institutions that made America great. We now are considering a major legislative proposal dealing with this dilemma- the new Department of Homeland Security- and we must decide if it

truly serves the interests of America.

Since the new department is now a forgone conclusion, why should anyone bother to record a dissent? Because it's the responsibility of all of us to speak the truth to our best ability, and if there are reservations about what we're doing, we should sound an alarm and warn the people of what is to come.

In times of crisis, nearly unanimous support for government programs is usual and the effects are instantaneous. Discovering the error of our ways and waiting to see the unintended consequences evolve takes time and careful analysis. Reversing the bad effects is slow and tedious and fraught with danger. People would much prefer to hear platitudes than the pessimism of a flawed policy.

Understanding the real reason why we were attacked is crucial to crafting a proper response. I know of no one who does not condemn the attacks of 9/11. Disagreement as to the cause and the proper course of action should be legitimate in a free society such as ours. If not, we're not a free society.

Not only do I condemn the vicious acts of 9/11, but also, out of deep philosophic and moral commitment, I have pledged never to use any form of aggression to bring about social or economic changes.

But I am deeply concerned about what has been done and what we are yet to do in the name of security against the threat of terrorism.

Political propagandizing is used to get all of us to toe the line and be good "patriots," supporting every measure suggested by the administration. We are told that preemptive strikes, torture, military tribunals, suspension of habeas corpus, executive orders to wage war, and sacrificing privacy with a weakened 4th Amendment are the minimum required to save our country from the threat of terrorism.

Who's winning this war anyway?

To get popular support for these serious violations of our traditional rule of law requires that people be kept in a state of fear. The episode of spreading undue concern about the possibility of a dirty bomb being exploded in Washington without any substantiation of an actual threat is a good example of excessive fear being generated by government officials.

To add insult to injury, when he made this outlandish announcement, our Attorney General was in Moscow. Maybe if our FBI spent more time at home, we would get more for the money we pump into this now- discredited organization. Our FBI should be gathering information here at home, and the thousands of agents overseas should return. We don't need these agents competing overseas and confusing the intelligence apparatus of the CIA or the military.

I'm concerned that the excess fear, created by the several hundred al Qaeda functionaries willing to sacrifice their lives for their demented goals, is driving us to do to ourselves what the al Qaeda themselves could never do to us by force.

So far the direction is clear: we are legislating bigger and more intrusive government here at home and are allowing our President to pursue much more military adventurism abroad. These pursuits are overwhelmingly supported by Members of Congress, the media, and the so-called intellectual community, and questioned only by a small number of civil libertarians and anti-imperial, anti-war advocates.

The main reason why so many usually levelheaded critics of bad policy accept this massive increase in government power is clear. They, for various reasons, believe the official explanation of "Why us?" The several hundred al Qaeda members, we were told, hate us because: "We're rich, we're free, we enjoy materialism, and the purveyors of terror are jealous and envious, creating the hatred that drives their cause. They despise our Christian-Judaic values and this, is the sole reason why they are willing to die for their cause." For this to be believed, one must also be convinced that the perpetrators lied to the world about why they attacked us.

The al Qaeda leaders say they hate us because:

-We support Western puppet regimes in Arab countries for commercial reasons and against the wishes of the populace of these countries.

-This partnership allows a military occupation, the most confrontational being in Saudi Arabia, that offends their sense of pride and violates their religious convictions by having a foreign military power on their holy land. We refuse to consider how we might feel if China's navy occupied the Gulf of Mexico for the purpose of protecting "their oil" and had air bases on U.S. territory.

-We show extreme bias in support of one side in the fifty-plus-year war going on in the Middle East.

What if the al Qaeda is telling the truth and we ignore it? If we believe only the official line from the administration and proceed to change our whole system and undermine our constitutional rights, we may one day wake up to find that the attacks have increased, the numbers of those willing to commit suicide for their cause have grown, our freedoms are diminished, and all this has contributed to making our economic problems worse. The dollar cost of this "war" could turn out to be exorbitant, and the efficiency of our markets can be undermined by the compromises placed on our liberties.

Sometimes it almost seems that our policies inadvertently are actually based on a desire to make ourselves "less free and less prosperous"- those conditions that are supposed to have prompted the attacks. I'm convinced we must pay more attention to the real cause of the attacks of last year and challenge the explanations given us.

The question that one day must be answered is this:

What if we had never placed our troops in Saudi Arabia and had involved ourselves in the Middle East war in an even-handed fashion. Would it have been worth it if this would have prevented the events of 9/11?

If we avoid the truth, we will be far less well off than if we recognize that just maybe there is some truth in the statements made by the leaders of those who perpetrated the atrocities. If

they speak the truth about the real cause, changing our foreign policy from foreign military interventionism around the globe supporting an American empire would make a lot of sense. It could reduce tensions, save money, preserve liberty and preserve our economic system.

This, for me, is not a reactive position coming out of 9/11, but rather is an argument I've made for decades, claiming that meddling in the affairs of others is dangerous to our security and actually reduces our ability to defend ourselves.

This in no way precludes pursuing those directly responsible for the attacks and dealing with them accordingly- something that we seem to have not yet done. We hear more talk of starting a war in Iraq than in achieving victory against the international outlaws that instigated the attacks on 9/11. Rather than pursuing war against countries that were not directly responsible for the attacks, we should consider the judicious use of Marque and Reprisal.

I'm sure that a more enlightened approach to our foreign policy will prove elusive. Financial interests of our international corporations, oil companies, and banks, along with the military-industrial complex, are sure to remain a deciding influence on our policies.

Besides, even if my assessments prove to be true, any shift away from foreign militarism- like bringing our troops home- would now be construed as yielding to the terrorists. It just won't happen. This is a powerful point and the concern that we might appear to be capitulating is legitimate.

Yet how long should we deny the truth, especially if this denial only makes us more vulnerable? Shouldn't we demand the courage and wisdom of our leaders to do the right thing, in spite of the political shortcomings?

President Kennedy faced an even greater threat in October 1962, and from a much more powerful force. The Soviet/Cuban terrorist threat with nuclear missiles only 90 miles off our shores was wisely defused by Kennedy's capitulating and removing missiles from Turkey on the Soviet border. Kennedy deserved the praise he received for the way he handled the nuclear standoff with the Soviets. This concession most likely prevented a nuclear exchange and proved that taking a step back from a failed policy is beneficial, yet how one does so is crucial. The answer is to do it diplomatically- that's what diplomats are supposed to do.

Maybe there is no real desire to remove the excuse for our worldwide imperialism, especially our current new expansion into central Asia or the domestic violations of our civil liberties. Today's conditions may well be exactly what our world commercial interests want. It's now easy for us to go into the Philippines, Columbia, Pakistan, Afghanistan, or wherever in pursuit of terrorists. No questions are asked by the media or the politicians- only cheers. Put in these terms, who can object? We all despise the tactics of the terrorists, so the nature of the response is not to be questioned!

A growing number of Americans are concluding that the threat we now face comes more as a consequence of our foreign policy than because the bad guys envy our freedoms and prosperity. How many terrorist attacks have been directed toward Switzerland, Australia, Canada, or Sweden? They too are rich and free, and would be easy targets, but the Islamic fundamentalists see no purpose in doing so.

There's no purpose in targeting us unless there's a political agenda, which there surely is. To deny that this political agenda exists jeopardizes the security of this country. Pretending something to be true that is not is dangerous.

It's a definite benefit for so many to recognize that our $40 billion annual investment in intelligence gathering prior to 9/11 was a failure. Now a sincere desire exists to rectify these mistakes. That's good, unless, instead of changing the role for the CIA and the FBI, all the past mistakes are made worse by spending more money and enlarging the bureaucracies to do the very same thing without improving their efficiency or changing their goals. Unfortunately that is what is likely to happen.

One of the major shortcomings that led to the 9/11 tragedies was that the responsibility for protecting commercial airlines was left to the government, the FAA, the FBI, the CIA, and the INS. And they failed. A greater sense of responsibility for the owners to provide security is what was needed. Guns in the cockpit would have most likely prevented most of the deaths that occurred on that fateful day.

But what does our government do? It firmly denies airline pilots the right to defend their planes, and we federalize the security screeners and rely on F16s to shoot down airliners if they are hijacked.

Security screeners, many barely able to speak English, spend endless hours harassing pilots, confiscating dangerous mustache scissors, mauling grandmothers and children, and pestering Al Gore, while doing nothing about the influx of aliens from Middle-Eastern countries who are on designated watch lists.

We pump up the military in India and Pakistan, ignore all the warnings about Saudi Arabia, and plan a secret war against Iraq to make sure no one starts asking where Osama bin Laden is. We think we know where Saddam Hussein lives, so let's go get him instead.

Since our government bureaucracy failed, why not get rid of it instead of adding to it? If we had proper respect and understood how private property owners effectively defend themselves, we could apply those rules to the airlines and achieve something worthwhile.

If our immigration policies have failed us, when will we defy the politically correct fanatics and curtail the immigration of those individuals on the highly suspect lists? Instead of these changes, all we hear is that the major solution will come by establishing a huge new federal department- the Department of Homeland Security.

According to all the pundits, we are expected to champion this big-government approach, and if we don't jolly well like it, we will be tagged "unpatriotic." The fear that permeates our country cries out for something to be done in response to almost daily warnings of the next attack. If it's not a real attack, then it's a theoretical one; one where the bomb could well be only in the mind of a potential terrorist.

Where is all this leading us? Are we moving toward a safer and more secure society? I think not. All the discussions of these proposed plans since 9/11 have been designed to condition the American people to accept major changes in our political system. Some of the changes being made are unnecessary, and others are outright dangerous to our way of life.

There is no need for us to be forced to choose between security and freedom. Giving up freedom does not provide greater security. Preserving and better understanding freedom can. Sadly today, many are anxious to give up freedom in response to real and generated fears..

The plans for a first strike supposedly against a potential foreign government should alarm all Americans. If we do not resist this power the President is assuming, our President, through executive order, can start a war anyplace, anytime, against anyone he chooses, for any reason, without congressional approval. This is a tragic usurpation of the war power by the executive branch from the legislative branch, with Congress being all too accommodating.

Removing the power of the executive branch to wage war, as was done through our revolution and the writing of the Constitution, is now being casually sacrificed on the altar of security. In a free society, and certainly in the constitutional republic we have been given, it should never be assumed that the President alone can take it upon himself to wage war whenever he pleases.

The publicly announced plan to murder Saddam Hussein in the name of our national security draws nary a whimper from Congress. Support is overwhelming, without a thought as to its legality, morality, constitutionality, or its practicality. Murdering Saddam Hussein will surely generate many more fanatics ready to commit their lives to suicide terrorist attacks against us.

Our CIA attempt to assassinate Castro backfired with the subsequent assassination of our president. Killing Saddam Hussein, just for the sake of killing him, obviously will increase the threat against us, not diminish it. It makes no sense. But our warriors argue that someday he may build a bomb, someday he might use it, maybe against us or some yet-unknown target. This policy further radicalizes the Islamic fundamentalists against us, because from their viewpoint, our policy is driven by Israeli, not U.S. security interests.

Planned assassination, a preemptive strike policy without proof of any threat, and a vague definition of terrorism may work for us as long as we're king of the hill, but one must assume every other nation will naturally use our definition of policy as justification for dealing with their neighbors. India can justify a first strike against Pakistan, China against India or Taiwan, as well as many other such examples. This new policy, if carried through, will make the world much less safe.

This new doctrine is based on proving a negative, which is impossible to do, especially when we're dealing with a subjective interpretation of plans buried in someone's head. To those who suggest a more restrained approach on Iraq and killing Saddam Hussein, the war hawks retort, saying: "Prove to me that Saddam Hussein might not do something someday directly harmful to the United States." Since no one can prove this, the warmongers shout: "Let's march on Baghdad."

We all can agree that aggression should be met with force and that providing national security is an ominous responsibility that falls on Congress' shoulders. But avoiding useless and unjustifiable wars that threaten our whole system of government and security seems to be the more prudent thing to do.

Since September 11th, Congress has responded with a massive barrage of legislation not seen since Roosevelt took over in 1933. Where Roosevelt dealt with trying to provide economic security, today's legislation deals with personal security from any and all imaginable threats, at any cost- dollar or freedom-wise. These efforts include:

-The Patriot Act, which undermines the 4th Amendment with the establishment of an overly broad and dangerous definition of terrorism.

- The Financial Anti-Terrorism Act, which expands the government's surveillance of the financial transactions of all American citizens through increased power to FinCen and puts back on track the plans to impose "Know Your Customer" rules on all Americans, which had been sought after for years.

-The airline bailout bill gave $15 billion, rushed through shortly after 9/11.

- The federalization of all airline security employees.

-Military tribunals set up by executive order-undermining the rights of those accused- rights established as far back in history as 1215.

- Unlimited retention of suspects without charges being made, even when a crime has not been committed- a serious precedent that one day may well be abused.

- Relaxation of FBI surveillance guidelines of all political activity.

- Essentially monopolizing vaccines and treatment for infectious diseases, permitting massive quarantines and mandates for vaccinations.

Almost all significant legislation since 9/11 has been rushed through in a tone of urgency with reference to the tragedy, including the $190 billion farm bill as well as fast track.

Guarantees to all insurance companies now are moving quickly through the Congress. Increasing the billions already flowing into foreign aid is now being planned as our interventions overseas continue to grow and expand.

There's no reason to believe that the massive increase in spending, both domestic and foreign, along with the massive expansion of the size of the federal government, will slow any time soon. The deficit is exploding as the economy weakens. When the government sector drains the resources needed for capital expansion, it contributes to the loss of confidence needed for growth.

Even without evidence that any good has come from this massive expansion of government power, Congress is in the process of establishing a huge new bureaucracy, the Department of Homeland Security, hoping miraculously through centralization to make all these efforts productive and worthwhile.

There is no evidence, however, that government bureaucracy and huge funding can solve our nation's problems. The likelihood is that the unintended consequences of this new proposal will diminish our freedoms and do nothing to enhance our security.

Opposing currently proposed and recently passed legislation does not mean one is complacent about terrorism or homeland security. The truth is that there are alternative solutions to these problems we face, without resorting to expanding the size and scope of government at the expense of liberty.

As tempting as it may seem, a government is incapable of preventing crimes. On occasion, with luck it might succeed. But the failure to tip us off about 9/11, after spending $40 billion annually

on intelligence gathering, should have surprised no one. Governments, by nature, are very inefficient institutions. We must accept this as fact.

I'm sure that our intelligence agencies had the information available to head off 9/11, but bureaucratic blundering and turf wars prevented the information from being useful. But, the basic principle is wrong. City policeman can't and should not be expected to try to preempt crimes. That would invite massive intrusions into the everyday activities of every law-abiding citizen.

But that's exactly what our recent legislation is doing. It's a wrong-headed goal, no matter how wonderful it may sound. The policemen in the inner cities patrol their beats, but crime is still rampant. In the rural areas of America, literally millions of our citizens are safe and secure in their homes, though miles from any police protection. They are safe because even the advantage of isolation doesn't entice the burglar to rob a house when he knows a shotgun sits inside the door waiting to be used. But this is a right denied many of our citizens living in the inner cities.

The whole idea of government preventing crime is dangerous. To prevent crimes in our homes or businesses, government would need cameras to spy on our every move; to check for illegal drug use, wife beating, child abuse, or tax evasion. They would need cameras, not only on our streets and in our homes, but our phones, internet, and travels would need to be constantly monitored- just to make sure we are not a terrorist, drug dealer, or tax evader.

This is the assumption now used at our airports, rather than allowing privately owned airlines to profile their passengers to assure the safety for which the airline owners ought to assume responsibility. But, of course, this would mean guns in the cockpit. I am certain that this approach to safety and security would be far superior to the rules that existed prior to 9/11 and now have been made much worse in the past nine months.

This method of providing security emphasizes private-property ownership and responsibility of the owners to protect that property. But the right to bear arms must also be included. The fact that the administration is opposed to guns in the cockpit and the fact that the airline owners are more interested in bailouts and insurance protection mean that we're just digging a bigger hole for ourselves- ignoring liberty and expecting the government to provide something it's not capable of doing.

Because of this, in combination with a foreign policy that generates more hatred toward us and multiplies the number of terrorists that seek vengeance, I am deeply concerned that Washington's efforts so far sadly have only made us more vulnerable. I'm convinced that the newly proposed Department of Homeland Security will do nothing to make us more secure, but it will make us all a lot poorer and less free. If the trend continues, the Department of Homeland Security may well be the vehicle used for a much more ruthless control of the people by some future administration than any of us dreams. Let's pray that this concern will never materialize.

America is not now a ruthless authoritarian police state. But our concerns ought to be whether we have laid the foundation of a more docile police state. The love of liberty has been so diminished that we tolerate intrusions into our privacies today that would have been abhorred just a few years ago. Tolerance of inconvenience to our liberties is not uncommon when both personal and economic fear persists. The sacrifices being made to our liberties will surely usher in a system of government that will please only those who enjoy being in charge of running other people's lives.

Mr. Speaker, what, then, is the answer to the question: "Is America a Police State?" My answer is: "Maybe not yet, but it is fast approaching." The seeds have been sown and many of our basic protections against tyranny have been and are constantly being undermined. The post-9/11 atmosphere here in Congress has provided ample excuse to concentrate on safety at the expense of liberty, failing to recognize that we cannot have one without the other.

When the government keeps detailed records on every move we make and we either need advance permission for everything we do or are penalized for not knowing what the rules are, America will be declared a police state. Personal privacy for law-abiding citizens will be a thing of the past. Enforcement of laws against economic and political crimes will exceed that of violent crimes (just look at what's coming under the new FEC law). War will be the prerogative of the administration. Civil liberties will be suspended for suspects, and their prosecution will not be carried out by an independent judiciary. In a police state, this becomes common practice rather than a rare incident.

Some argue that we already live in a police state, and Congress doesn't have the foggiest notion of what they're dealing with. So forget it and use your energy for your own survival. Some advise that the momentum towards the monolithic state cannot be reversed. Possibly that's true, but I'm optimistic that if we do the right thing and do not capitulate to popular fancy and the incessant war propaganda, the onslaught of statism can be reversed.

To do so, we as a people will once again have to dedicate ourselves to establishing the proper role a government plays in a free society. That does not involve the redistribution of wealth through force. It does not mean that government dictates the moral and religious standards of the people. It does not allow us to police the world by involving ourselves in every conflict as if it's our responsibility to manage a world American empire.

But it does mean government has a proper role in guaranteeing free markets, protecting voluntary and religious choices and guaranteeing private property ownership, while punishing those who violate these rules- whether foreign or domestic.

In a free society, the government's job is simply to protect liberty- the people do the rest. Let's not give up on a grand experiment that has provided so much for so many. Let's reject the police state.