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CHILD SUPPORT DISTRIBUTION ACT OF 2000

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Statement of HON. RON PAUL OF TEXAS

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- Mr. Speaker, I appreciate the opportunity to explain why I must oppose H.R. 4678, the Child Support Distribution Act. While I applaud the sections of the bill providing increased flexibility to states to ensure that child support payments go to benefit children, rather than government bureaucrats, other provisions of H.R. 4678 present grave dangers to individual liberty, privacy, constitutional government and the sanctity of the American family.

- I am particularly disturbed by the language expanding the use of the National Directory of New Hires, popularly known as the 'new hires database', in order to more effectively administer the unemployment compensation system and deny visas and residency to non-citizens who are delinquent in child support payments. Identifying persons who are failing to fulfill their legal obligation to pay child support is a worthy goal, as an OB-GYN who has delivered over four thousand babies in my over thirty year medical career, words cannot express the contempt I

hold for those who would refuse to support their children. Similarly, preventing fraud in the unemployment program is obviously important to the nation's employers and employees whose taxes finance the unemployment insurance system.

- However much I share the goals meant to be accomplished by the expanded uses of the database, I must remind my colleagues that the road to serfdom, like the road to hell, is paved with noble purposes and good intentions. Expanding the use of the new hires database brings us closer to the day when the database is a universal tracking system allowing government officials easy access to every individual's employment and credit history. Providing the government with that level of power to track citizens is to invite abuse of individual liberties.

- The threat of the expansion of the new hires database is magnified by the fact that it uses on the social security number, which has become for all intents and purposes a de facto national ID number. In addition to threatening liberty, forcing Americans to divulge their uniform identifier for inclusion in a database also facilitates the horrendous crime of identity theft. In order to protect American citizens from both private and public criminals I have introduced legislation, H.R. 220, restricting the use of the social security number to purposes related to social security administration so that the government cannot establish databases linked by a common identifier.

- I would also remind my colleagues that the federal government has no constitutional authority to be involved in the collection of child support, much less invade the privacy of every citizen in order to ferret out a few wrongdoers. Constitutionally, there are only three federal crimes: treason, counterfeiting, and piracy on the high seas. For Congress to authorize federal involvement in any other law enforcement issue is a violation on the limits on Congressional power contained in Article 1, section 8 and the 10th Amendment of the United States Constitution. No less an authority than Chief Justice William Renhquist has stated that Congress is creating too many federal laws and infringing on the proper police powers of the states.

- In a free society, constitutional limits on government power and the liberty of citizens must never

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- be sacrificed to increase the efficiency of any government program, no matter how noble the program's goal. Again I ask my colleagues to keep in mind that the dangerous road toward the loss of liberty begins when members of Congress put other goals ahead of our oath to preserve the Constitution and protect the liberty of our constituents.

- While the expanded use of the new hires database provides sufficient justification for constitutionalists to oppose this bill, H.R. 4678 also must be opposed as it furthers the intrusion of the federal government into family life through the use of federal funds to support 'fatherhood programs.' Mr. Speaker, the federal government is neither constitutionally authorized nor institutionally competent to promote responsible fatherhood. In fact, by leveling taxes on responsible parents to provide special programs for irresponsible parents the federal government is punishing responsible fathers!

- Federal programs promoting responsible fatherhood are another example of how the unintended consequences of government interventions are used to justify further expansions of state power. After all, it was the federal welfare state which undermined the traditional family as well as the ethic of self-responsibility so vital to maintaining a free society. In particular, the welfare state has promoted the belief that the government (re: taxpayer) has the primary responsibility for child-rearing, not the parents. When a large number of citizens view parenting as proper function of the central state it is inevitable that there will be an increase in those who fail to fulfill their obligations as parents. Without the destructive effects of the welfare state, there

would be little need for federal programs to promote responsible fatherhood.

- Instead of furthering federal involvement in the family, Congress should stop pumping the narcotic of welfare into America's communities by defunding federal bureaucracies and returning responsibility for providing assistance to those institutions best able to provide help without fostering an ethic of irresponsibility and dependancy: private charities and churches.

- Certain of my colleagues will say that this bill does promote effective charity through expansion of the `charitable choice' program where taxpayer funds are provided to `faith-based' institutions in order to administer certain welfare programs. While I have no doubt that churches are better able to foster strong families than federal bureaucrats, I am concerned that providing taxpayer funding for religious institutions will force the institutions to water-down their message--thus weakening the very feature that makes these institutions effective in the first place!

- Furthermore, providing taxpayers dollars to secular institutions violates the rights of taxpayers not to be forced to subsidize beliefs that may offend them. As Thomas Jefferson said `To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors is sinful and tyrannical.'

- In conclusion, H.R. 4678, the Child Support Distribution Act, violates the Constitution by expanding the use of the new hires database, thus threatening the liberty and privacy of all Americans, as well as by expanding the federal role in family in the misguided belief that the state can somehow promote responsible fatherhood. By expanding the so-called `charitable choice' program this bill also violates the conscience of millions of taxpayers and runs the risk of turning effective religious charities into agents of the welfare state. It also furthers the

federalization of crime control by increasing the federal role in child support despite the fact that the federal government has no constitutional authority in this area. I therefore urge my colleagues to reject this bill and return responsibility for America's children to states, local communities and, most importantly, parents.