

# Bipartisan Alliance Forms Against Obama's Dictatorship

June 13—Republican Sen. Rand Paul (Ky.), along with Republican Reps. Justin Amash (Mich.), Thomas Massie (Ky.), Mick Mulvaney (S.C.), Mark Sanford (S.C.), and Louis Gohmert (Tex.), held an extraordinary news conference yesterday on Capitol Hill, along with civil libertarian and former Deputy Assistant Attorney General Bruce Fein and leaders of the ACLU and other civil liberties organizations.

Senator Paul has filed the "Fourth Amendment Restoration Act of 2013," which is summarized in its opening as a bill "to stop the National Security Agency from spying on citizens of the United States." The bill is accompanied by a bipartisan bill in the House of Representatives called the LIBERT-E Act, co-sponsored by Amash and senior Democrat John Conyers (Mich.), the ranking member of House Judiciary Committee. The Amash-Conyers bill will be officially filed on June 14. In a joint op-ed published today in the *Huffington Post*, Conyers and Amash state, "Americans deserve to be safe and free. Their elected representatives regardless of political party or ideology should work together to protect their privacy."

In parallel to these legislative initiatives, Paul is also filing a class-action lawsuit against the Obama Administration for its violation of the Fourth Amendment rights of American citizens. Some 250,000 co-plaintiffs signed on within the first 48 hours, and Paul intends for that number to increase rapidly to tens of millions.

## The Policy of the British Crown

In his opening remarks, Paul declared that the mass surveillance of American citizens not suspected of any wrongdoing, is a gross violation of the U.S. Constitution. He stated that our Founding Fathers rejected the Writs of Assistance issued by the British Crown pursuant to "general warrants" against the entire colonial population, which specified no particulars of the persons or places to be searched, or prior proof of wrong-

doing. He stated that the Founding Fathers crafted the Fourth Amendment to prevent such violations of liberty, and that they would be equally horrified to see the actions of this government now, which extend clearly beyond the scope of that Amendment. He noted that it's not even clear whether this surveillance program has worked to defend the safety of the American people, citing the Boston Marathon bombing among other cases. He concluded by asking: If we know the Administration has gone at least this far, how much further have they actually gone? What other Constitutional violations are they committing now? "Enough, is enough!" he concluded. "We want our Constitution back!"

Representative Massie followed, saying that we cannot accept the premise that our government can lie to us for our own good. If we accept that premise, we will never get to the truth about the IRS targeting of American citizens, or what actually happened at the U.S. mission in Benghazi, Libya. We have been lied to by this government, he said. The Fourth Amendment explicitly outlaws the mass surveillance of Americans.

Amash then spoke, declaring that the government has no right under the law to collect data on every American citizen. He again cited the case of British colonial governors issuing blanket general warrants, and stated that the Fourth Amendment outlaws such practice today. He announced that he and Conyers would be introducing their bill into the House of Representatives, and that it was necessary for leaders to rally the American people to defend their rights, if we are to defeat this program and save the Constitution.

Laura Murphy, director of the Washington, D.C., office of the American Civil Liberties Union (ACLU), thanked Paul for his leadership in defending the Fourth Amendment, and announced that the ACLU is filing a lawsuit, *ACLU v. Clapper*, based on the First Amend-



EIRNS/Matthew Ogden

*The Obama Administration's defiling of the Constitution brought together members of the House and Senate with civil libertarians, to announce the introduction of Sen. Ron Paul's (at the podium) bill, the "Fourth Amendment Restoration Act of 2013." Behind Paul (l. to r.): Reps. Justin Amash, Thomas Massie, and Louis Gohmert; ACLU spokesman Laura Murphy, and civil libertarian Bruce Fein.*

ment's guarantees of free speech and freedom of assembly. She said that the ACLU's work depends on the confidentiality with which people, including Congressmen, can approach and consult it. That confidentiality has been violated; with the Administration's dragnet of surveillance, the principle of confidentiality exists no more. She said that the days of closed-door briefings and secret court orders must end. Under this Administration's secret interpretation, Section 215 of the Patriot Act can apply not only to telephone and Internet communications, but to all personal information, bar none: tax records, medical records, library records, gun purchases, etc.

### Lies and More Lies

Representative Mulvaney also applauded Senator Paul, stating that all avenues must be pursued to stop this violation of Americans' rights. He said that while the White House had promised Congress that it would not "push the envelope" on the language included in Section 215 of the Patriot Act, the "gray area" had allowed a secret interpretation that Congress never intended. We must not be fooled again, he declared. The government loses all moral authority when it violates the public trust. He concluded by denouncing the claim

that liberty must be counterposed to security, stating that this dichotomy is a false choice. These two principles are not zero-sum.

Representative Gohmert began his remarks by pointing out the extraordinary diversity of those gathered at the podium in common cause. Here I am, Rep. Louis Gohmert, he said, standing beside the ACLU! I never thought I'd see the day. Politics makes strange bedfellows, they say. Well, this is not politics; this is principle! This invasion of Americans' rights is beyond precedent in our history and cannot be tolerated.

Gohmert detailed how he was lied to by two successive administrations on this matter, and that he takes it personally. In 2005, when he was first elected, the Patriot Act came up for renewal. He was severely troubled by the language he saw in Sections 206 and 215, and pushed to include "sunset" provisions for those two sections, to ensure that they would not be made permanent. After desperate attempts to get Bush Administration officials to respond, he related how he got intimidating calls from the Bush White House and the Department of Justice, telling him to drop his "sunset" provisions, which would force Section 215 to end after a period of years unless Congress renewed it. The more

they pushed, the more concerned I got, he said, and those telephone calls convinced him that such “sunset-ting” was indeed required. He ultimately succeeded in securing it.

However, he was promised by Bush Administration officials that, unless Americans are communicating with foreign terrorists, they had nothing to worry about—a line that he himself used repeatedly on the floor of Congress. Now he knows that he was lied to, and that there have been radical changes in the interpretation of the Patriot Act that was presented to Congress at the time they passed it. “Some in the Administration say we’re not yet in an Orwellian state,”—here Gohmert was interrupted by laughter from the audience and the other speakers—“but of course we are!” The government collects the most personal data from millions of Americans—now we have reason to believe they’re using it for political purposes, he said. This information was used by the IRS to persecute political enemies. The government can come into your home, your car; their eye can follow you everywhere, even if you’re guilty of nothing. We should be scared. If you’re not scared, you’re wrong. Benjamin Franklin’s message has now come home to roost: If

we give up liberty for the sake of security, we deserve neither.

Bruce Fein continued on that theme in his remarks, citing Revolutionary War leader James Otis (1725-83), who denounced the British Crown’s Writs of Assistance for “general warrants” in 1761, and that this led to the American Revolution. “From Valley Forge to Omaha Beach,” Fein said, “our soldiers have given their ‘last full measure of devotion’ to protect our republican principles.” We have now become a state almost unrecognizable in the eyes of our Founders. We have become imperialistic, “going abroad in search of monsters to destroy,” just as John Quincy Adams warned. This is not the republic our Founders intended. Fein ridiculed the “wooden interpretations” of the Constitution which argue that since the authors of that document never mentioned telephones in the Fourth Amendment, it must be legal to wiretap Americans’ telephone calls. He concluded by declaring that we must return the Fourth Amendment to what it was intended to be when ratified, and defend our great republic from becoming the victim of the Roman Emperor Caligula who we see ruling us today.

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