

The House (November 13, 2002) passed Bush's HR 5701 Homeland Security Bill by 299-121. It was some 480 pages long –too long for them to read. Section 301 contains language similar to the Emergency Health Powers Act (MEHPA) which provides for unlimited powers –to vaccinate, to detain in quarantine facilities, etc. MEHPA grants these powers to state governors; the Homeland Security Act grants the same powers to the federal government. This section needs to be removed.

Agencies don't solve problems:

The legislation will combine 22 existing agencies and 170,000 federal employees to create a new government department with at least a \$35 billion annual budget request. Even with this reorganization there are no guarantees the USA will be any safer. According to Stephen Moore of the Cato Institute "...when we created the Department of Energy, that certainly didn't solve the energy crisis. We created the Education Department. That didn't solve the education problem. Indeed, you could argue these departments compounded rather than solved problems.... Agencies like the Immigration and Naturalization Service have deep-rooted structural problems."

Total Information Awareness

The Homeland Security Act combines Total Information Awareness–the sharing of information between government agencies and corporations–with exemptions from the Freedom of Information Act of all information "voluntarily" shared with the government. This fits with Benito Mussolini's definition of fascism: "...the merger of state and corporate power." (See: Ivins, Molly; "Where 'information' begins and civil liberties end, The Seattle Times, Nov. 25, 2002).

Unlimited federal powers

Section 301 is alarmingly familiar, reading like the MEHPA that so many have worked so hard to defeat this year. Instead of giving the unlimited powers to a governor, the powers will now be bestowed on the Secretary of HHS. Specifically, Section 304, Subsection C, "Administration of counter measures against smallpox," gives the Secretary of HHS these unchecked powers (pg. 76):
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1. He can declare an actual or POTENTIAL bio-terrorist or other kind of incident #63570.
2. He can administer counter measures to a category of individuals or everyone #63570.
3. He can continually extend the declaration without Congress's consent #63570.
4. Also, if you are harmed, you cannot sue or take any other civil remedy.

This section will give the Secretary unlimited power to define a real or potential threat, to take any measures he decides, and to do it for as long as he wants. In addition, Sections 1714 to 1717 grant legal immunity to manufacturers of all vaccines, including Eli Lilly, maker of the mercury-based vaccine preservative, thimerosal. These sections must be deleted until we have an honest accounting of how much power they would give the Secretary.

Questions to be answered

1. Is it really necessary for us to be willing to give up all our rights and freedoms in exchange for nebulous security?
2. What conditions must exist for the HHS Secretary to declare a state of emergency? What constitutes a

“potential” incident

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3. Are there any checks and balances to the Secretary’s powers?
4. With reduced public access to information (through the FOIA process) how will the broader concerns of privacy and civil liberties be addressed?
5. Will the sharing of information –including medical records– between corporations and government be monitored to prevent abuse?
6. Will the provision that grants liability protection for pharmaceutical companies against law suits for mercury-based vaccine preservatives be removed? (President Bush is now in the process of trying to get all information suppressed about Autism and vaccinations.)
7. Will the vaccination plan for emergency workers be pursued carefully to avoid unnecessary consequences?
8. What counter measures will be taken in a declared emergency? Forced smallpox immunizations? Detention in quarantine facilities? Misdemeanor charges for doctors who don’t follow orders?
9. Will freedom of religion and freedom of conscience exemptions be granted to patients and health care providers?
10. Will patients–especially those with chronic ailments–have access to the doctor of their choice, to determine the medical risk of vaccination? What about informed consent for new vaccines?
11. Will identification technology–such as voice recognition, retina scans and micro chipping–be used en masse against U.S. citizens without consideration for privacy rights and civil liberties? For more information, please see their website at: <http://www.darpa.mil/iao/>)
12. How will the service and enforcement functions of the Immigration and Naturalization Service be coordinated?
13. How will the workplace rights of Homeland Defense Department employees be addressed? Will there be adequate safeguards for employee rights?
14. How will the Homeland Defense Department be funded?

For more information:

1. Read the text of Section 301, (1 page)
<http://www.aapsonline.org/confiden/page76.pdf2>.
2. Read the text of entire bill: <http://www.aapsonline.org/confiden/homeland.pdf> See also: Lemke, Les; “Homeland Security Bill (HR 505) trashes lawsuits pending against Eli Lilly and protects vaccine manufacturers,” The Watch Report, Dec. 3, 2002, See also: “Protection Money,” Health Sciences Institute, HSI e-alert, Dec. 2, 2002.
3. See the alternative bill to Homeland Security–Department of Peace
<http://www.house.gov/kucinich/action/peace.htm> (click 2nd link from top) or

<http://thomas.loc.gov/cgi-bin/query/z?c107:h.r.2459> Summary of Department of Peace Legislation

4. See the Web site of the Association of American Physicians & Surgeons, <http://www.aapsonline.org>

5. Moore, Stephen; "Homeland a megamerger mess," Nov. 24, 2002, <http://www.nydailynews.com/business/story/>

6. "Total Information Awareness (TIA) <http://www.epic.org>

7. "The Watch Report, Homeland Security," <http://www.twreport.com>

8. "Impact of final medical privacy rules questioned," <http://www.BenefitNews.com>

9. "How Congress Can Defend the Homeland AND Secure Our Civil Liberties," Nov. 14, 2002 Institute for Health Freedom, <http://www.infor@HealthFreedom.org>

What You Can do:

1. Contact your Member of Congress: <http://www.house.gov/writerep>

2. Contact the White House: www.president@whitehouse.gov

3. Encourage Congress to perform aggressive oversight to protect individuals' privacy rights and ensure the integrity of departments and agencies. Also, to ensure that potential abuses of the riders in this legislation are adequately addressed.

4. Support the reintroduction of Senator Schumer's Federal-Local Information Sharing Partnership Act(S.1615). This legislation is needed to remove the separate information sharing sections in the Homeland Security legislation that do not provide limitations on how personal information can be used, nor set procedural mechanisms to assure the government adheres to protections of privacy and civil liberties.

5. Contact Senator Maria Cantwell (D-WA) and thank her for her opposition to the Homeland Security Bill.

6. Contact the Association of American Physicians & Surgeons, to support their efforts to overturn or amend the Homeland Act, at 1601 N. Tucson Blvd. Suite 9, Tucson, AZ 85716 (800) 635-1196, Fax (520) 325-4230, <http://www.aapsonline.org>

7. Horowitz, Leonard G., DMD, MA, MPH; "Vaccine Injure, Homeland Security and Culpability, Nov. 02, Tetrahedron, LLC, Health Sciences Communications for People Around the World, PO Box 2033, Sandpoint, ID 83864, (208) 265-2775, <http://www.tetrahedrom.org>

8. "How will the new Homeland Security bill affect you?" Christian Science Monitor, Nov. 21, 2002, <http://csmmonitor.com>

9. "Congressmen Ron Paul's statement on Homeland Security", Nov. 18, 2002, <http://www.anitwar.com/paul/paul53.html>, <http://www.washingtonpost.com/wp-dyn/articles/A11934-2002Nov19.html>,

10. Dewar, Helen; "Senate Passes Homeland Security Bill Bush Calls Step 'Historic and Bold,'" Washington Post Nov. 20, 2002; Page A01
11. Cramer, Gary; "Smallpox Vaccine Madness," Nov. 19, 2002, <http://207.68.162.250/cgi-bin/linkrd?>
12. Zwillich, Ted; "US Government Asks Court to Seal Vaccine Records," Nov. 2002, Reuters Health
13. Bridis, Ted; "Internet Provisions in Security Bill," Associated Press, Nov. 19, 2002 <http://www.miami.com/mld/miami/news/nation/4554241.htm>
14. "Total Information Awareness (TIA)," <http://www.epic.org>
15. Press release: "VeriChip Corporation Launches National 'Get Chipped' Promotion," Oct. 24, 2002, <http://biz.yahoo.com/bw/021024/240321>
16. Shields, Maggie; "Thinner chips with everything," <http://news.bbc.co.uk/2/hi/technology/24045999>
17. Beaudoin, Diane C.; "Masons CHIP in to help fight child abductions," Oct. 25, 2002, <http://www.sentinelandenterprise.com>
18. Metcalf, Geoff; "Sci Fi Reality Creep," Nov. 4, 2002; <http://www.aim.org/publications>
19. Hertz, Noreena; THE SILENT TAKEOVER—Global Capitalism and the Death of Democracy, The Free Press, a Division of Simon and Schuster, 2001