

# Congress to Vote on **EXPLICITLY** Creating a Police State

By [Washington's Blog](#)

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If You Thought Police Brutality Was Bad ... Wait Until You See What Congress Wants to Do Next Week

The police brutality against peaceful protesters in [Berkeley](#), [Davis](#), [Oakland](#) and elsewhere is bad enough.

But next week, Congress will vote on explicitly creating a police state.

The ACLU's Washington legislative office [explains](#):

The Senate is gearing up for a vote on Monday or Tuesday that goes to the very heart of who we are as Americans. The Senate will be voting on a bill that will direct American military resources not at an enemy shooting at our military in a war zone, but at American citizens and other civilians far from any battlefield — even people in the United States itself.

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The Senate is going to vote on whether Congress will give this president—and every future president — the power to order the military to pick up and imprison without charge or trial civilians anywhere in the world.

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The power is so broad that even U.S. citizens could be swept up by the military and the military could be used far from any battlefield, even within the United States itself. [The worldwide indefinite detention without charge or trial provision](#) is in S. 1867, the National Defense Authorization Act bill, which will be on the Senate floor on Monday.

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I know it sounds incredible. New powers to use the military worldwide, even within the United States? Hasn't anyone told the Senate that Osama bin Laden is dead, that the president is pulling all of the combat troops out of Iraq and trying to figure out how to get combat troops out of Afghanistan too? And American citizens and people picked up on American or Canadian or British streets being sent to military prisons indefinitely without even being charged with a crime. Really? Does anyone think this is a good idea? And why now?

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In support of this harmful bill, Sen. Lindsey Graham (R-S.C.) explained that the

bill will “basically say in law for the first time that the homeland is part of the battlefield” and people can be imprisoned without charge or trial “American citizen or not.” Another supporter, Sen. Kelly Ayotte (R-N.H.) also declared that the bill is needed because “America is part of the battlefield.”

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The senators pushing the indefinite detention proposal have made their goals very clear that they want an okay for a worldwide military battlefield, that even extends to your hometown.

### Part of an Ongoing Trend

While this is shocking, it is not occurring in a vacuum. Indeed, it is part of a [30 year-long process](#) of militarization inside our borders and a destruction of the American concepts of limited government and separation of powers.

As I [pointed out](#) in May:

The ACLU [noted](#) yesterday [that] Congress is proposing handing permanent, world-wide war-making powers to the president – including the ability to make war within the United States:

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As I [noted](#) in 2008:

An article in the [Army Times](#) reveals that the 3rd Infantry Division’s 1st Brigade Combat Team will be redeployed from Iraq to domestic operations within the United States.

The unit will soon be under the day-to-day control of US Army North, the Army service component of Northern Command. The Army Times reports this new mission marks the first time an active unit has been given a dedicated assignment to Northern Command. The paper says the Army unit may be called upon to help with “civil unrest” and “crowd control”.

The soldiers are learning to use so-called “nonlethal weapons” designed to subdue unruly or dangerous individuals and crowds.

This violates posse comitatus and the Constitution. But, hey, we’re in a “national emergency”, so who cares, right?

(We’re [still in a declared state of national emergency](#)).

I [noted](#) a couple of months later:

Everyone knows that deploying [20,000 troops on U.S. soil](#) violates [Posse Comitatus](#) and the Constitution.

And everyone understands that staging troops within the U.S. to [“help out with civil unrest and crowd control”](#) increases the danger of overt martial law.

But no one is asking an obvious question: Does the government’s

own excuse for deploying the troops make any sense?

## Other Encroachments On Civil Rights Under Obama

As bad as Bush was, the truth is that, in many ways, freedom and constitutional rights are under attack even more than during the Bush years.

[For example:](#)

Obama has presided over the most draconian crackdown on leaks in our history — even more so than Nixon.

As Marjorie Cohen – professor at Thomas Jefferson School of Law and past president of the National Lawyers Guild – [writes](#) at the American Constitution Society for Law and Policy:

Army Pfc. Bradley Manning, who is facing court-martial for leaking military reports and diplomatic cables to WikiLeaks, is being held in solitary confinement in Quantico brig in Virginia. Each night, he is forced to strip naked and sleep in a gown made of coarse material. He has been made to stand naked in the morning as other inmates walked by and looked. As journalist Lance Tapley documents in his chapter on torture in the supermax prisons in The United States and Torture, solitary confinement can lead to hallucinations and suicide; it is considered to be torture. Manning's forced nudity amounts to humiliating and degrading treatment, in violation of U.S. and international law.

Nevertheless, President Barack Obama defended Manning's treatment, saying, "I've actually asked the Pentagon whether or not the procedures . . . are appropriate. They assured me they are." Obama's deference is reminiscent of President George W. Bush, who asked "the most senior legal officers in the U.S. government" to review the interrogation techniques. "They assured me they did not constitute torture," Bush said.

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After State Department spokesman P.J. Crowley criticized Manning's conditions of confinement, the White House forced him to resign. Crowley had said the restrictions were "ridiculous, counterproductive and stupid." It appears that Washington is more intent on sending a message to would-be whistleblowers than on upholding the laws that prohibit torture and abuse.

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Torture is commonplace in countries strongly allied with the United States. Vice President Omar Suleiman, Egypt's intelligence chief, was the lynchpin for Egyptian torture when the CIA sent prisoners to Egypt in its extraordinary rendition program. A former CIA agent observed, "If you want a serious interrogation, you send a prisoner to Jordan. If you want them to be tortured, you send them to Syria. If you want someone to disappear – never to see them again – you send them to Egypt." In her chapter in The United States and Torture, New Yorker journalist Jane Mayer cites Egypt as the most common destination for suspects

rendered by the United States.

As I [pointed out](#) in March:

Former constitutional law teacher Glenn Greenwald says that – in his defense of state secrecy, illegal spying, preventative detention, harassment of whistleblowers and other issues of civil liberties – Obama is even [worse than Bush](#).

Indeed, [Obama has authorized “targeted assassinations” against U.S. citizens](#). Even Bush didn’t openly do something so abhorrent to the rule of law.

Obama is [trying to expand spying well beyond the Bush administration’s programs](#). Indeed, the Obama administration is [arguing](#) that citizens should never be able to sue the government for illegal spying.

Obama’s indefinite detention policy is an [Orwellian nightmare](#), which will [create more terrorists](#).

Furthermore – as hard as it is for Democrats to believe – the disinformation and propaganda campaigns launched by Bush have only increased under Obama. See [this](#) and [this](#).

And as I [pointed out](#) last year:

According to [Department of Defense training manuals](#), protest is considered “low-level terrorism”. And see [this](#), [this](#) and [this](#).

An [FBI memo](#) also labels peace protesters as “terrorists”.

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A 2003 FBI memo describes protesters’ use of videotaping as an “intimidation” technique, even though – as the [ACLU](#) points out – “Most mainstream demonstrators often use videotape during protests to document law enforcement activity and, more importantly, deter police from acting outside the law.” The FBI appears to be objecting to the use of cameras to document unlawful behavior by law enforcement itself.

The Internet has been [labeled](#) as a breeding ground for terrorists, with anyone who questions the government’s versions of history being especially equated with terrorists.

Government agencies such as FEMA are [allegedly teaching](#) that the Founding Fathers should be considered terrorists.

The government is also using anti-terrorism laws to keep people from learning what pollutants are in their own community. See [this](#), [this](#), [this](#) and [this](#).

[Claims of “national security”](#) are also used to keep basic financial information – such as who got bailout money – secret. That might not bode for particularly warm and friendly treatment for someone persistently demanding the release of such information.

The state of Missouri [tried to label](#) as terrorists current Congressman Ron Paul and his supporters, former Congressman Bob Barr, libertarians in general, anyone who holds gold, and a host of other people.

And according to a [law school professor](#) and former president of the National Lawyers Guild, pursuant to the Military Commissions Act:

Anyone who ... speaks out against the government's policies could be declared an "unlawful enemy combatant" and imprisoned indefinitely. That includes American citizens.

Obama has refused to reverse these practices.

There Is Still a Chance to Stop It

The ACLU [notes](#) that there is some hope:

But there is [a way to stop this dangerous legislation](#). Sen. Mark Udall (D-Colo.) is offering the [Udall Amendment](#) that will delete the harmful provisions and replace them with a requirement for an orderly Congressional review of detention power. The Udall Amendment will make sure that the bill matches up with American values.

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The solution is the [Udall Amendment](#); a way for the Senate to say no to indefinite detention without charge or trial anywhere in the world where any president decides to use the military. Instead of simply going along with a bill that was drafted in secret and is being jammed through the Senate, [the Udall Amendment](#) deletes the provisions and sets up an orderly review of detention power. It tries to take the politics out and put American values back in.

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Now is the time to stop this bad idea. [Please urge your senators to vote YES on the Udall Amendment to the National Defense Authorization Act.](#)

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