

## House passes HR 1955: Time to start watching what you think

By a 404 to 6 vote, the House today passed H.R. 1955: The Violent Radicalization and Homegrown Terrorism Prevention Act of 2007. This foreshadows America's first thought crime legislation in nearly a century and, as noted below, its overwhelming bipartisan support is tripping early alarms on both the right and left. You will notice that the language is so vague that it makes any truly serious dissent, including this little media summit, potentially vulnerable to its definitions. You may also note the irony that 1955 marked a US free speech renaissance after McCarthy's witch hunt was dismantled the previous year. - Ed.

### HOUSE PASSES THOUGHT CRIME PREVENTION BILL

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10-25-2007

The U.S. House of Representatives recently passed HR 1955 titled the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007. This bill is one of the most blatant attacks against the Constitution yet and actually defines thought crimes as homegrown terrorism. If passed into law, it will also establish a commission and a Center of Excellence to study and defeat so called thought criminals. Unlike previous anti-terror legislation, this bill specifically targets the civilian population of the United States and uses vague language to define homegrown terrorism. Amazingly, 404 of our elected representatives from both the Democrat and Republican parties voted in favor of this bill. There is little doubt that this bill is specifically targeting the growing patriot community that is demanding the restoration of the Constitution. (Continued in Read more...)

### JANE HARMAN'S WAR ON THE FIRST AMENDMENT

- The Politics of Paranoia  
By Col. DAN SMITH  
counterpunch.org  
October 25, 2007

Congresswoman Jane Harman has introduced legislation--H.R. 1955: "Violent Radicalization and Homegrown Terrorism"--that is expected to be referred to the House Rules Committee for assignment of floor time for debate by the House. This is a bill that is unneeded, unwise, and unfortunately will pass and be signed into law as it purports to be part of the response to 9/11 and the global war on terror. (Continued in Read more...)

By a 404 to 9 vote, the House today passed H.R. 1955: The Violent Radicalization and Homegrown Terrorism Prevention Act of 2007 . This is America's first thought crime legislation in nearly a century and as noted below its overwhelming bipartisan support is tripping alarms on both the left and right. You will note that the language is so vague that it makes any serious dissent, including this summit, vulnerable to this law. - Ed. HOUSE PASSES THOUGHT CRIME PREVENTION BILL

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First let's take a look at the definitions of violent radicalization and homegrown terrorism as defined in Section 899A of the bill.

The definition of violent radicalization uses vague language to define this term of promoting any belief system that the government considers to be an extremist agenda. Since the bill doesn't specifically define what an extremist belief system is, it is entirely up to the interpretation of the government. Considering how much the government has done to destroy the Constitution they could even define Ron Paul supporters as promoting an extremist belief system. Literally, the government according to this definition can define whatever they want as an extremist belief system. Essentially they have defined violent radicalization as thought crime. The definition as defined in the bill is shown below.

`(2) VIOLENT RADICALIZATION- The term `violent radicalization' means the process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically based violence to advance political, religious, or social change.

The definition of homegrown terrorism uses equally vague language to further define thought crime. The bill includes the planned use of force or violence as homegrown terrorism which could be interpreted as thinking about using force or violence. Not only that but the definition is so vaguely defined, that petty crimes could even fall into the category of homegrown terrorism. The definition as defined in the bill is shown below.

`(3) **HOMEGROWN TERRORISM-** The term `homegrown terrorism' means the use, planned use, or threatened use, of force or violence by a group or individual born, raised, or based and operating primarily within the United States or any possession of the United States to intimidate or coerce the United States government, the civilian population of the United States, or any segment thereof, in furtherance of political or social objectives.

Section 899B of the bill goes over the findings of Congress as it pertains to homegrown terrorism. Particularly alarming is that the bill mentions the Internet as a main source for terrorist propaganda. The bill even mentions streams in obvious reference to many of the patriot and pro-constitution Internet radio networks that have been formed. It also mentions that homegrown terrorists span all ages and races indicating that the Congress is stating that everyone is a potential terrorist. Even worse is that Congress states in their findings that they should look at draconian police states like Canada, Australia and the United Kingdom as models to defeat homegrown terrorists. Literally, these findings of Congress fall right in line with the growing patriot community.

The biggest joke of all is that this section also says that any measure to prevent violent radicalization and homegrown terrorism should not violate the constitutional rights of citizens. However, the definition of violent radicalization and homegrown terrorism as they are defined in section 899A are themselves unconstitutional. The Constitution does not allow the government to arrest people for thought crimes, so any promises not to violate the constitutional rights of citizens are already broken by their own definitions.

`SEC. 899B. FINDINGS. `The Congress finds the following:

`(1) The development and implementation of methods and processes that can be utilized to prevent violent radicalization, homegrown terrorism, and ideologically based violence in the United States is critical to combating domestic terrorism.

`(2) The promotion of violent radicalization, homegrown terrorism, and ideologically based violence exists in the United States and poses a threat to homeland security.

`(3) The Internet has aided in facilitating violent radicalization, ideologically based violence, and the homegrown terrorism process in the United States by providing access to broad and constant streams of terrorist-related propaganda to United States citizens.

`(4) While the United States must continue its vigilant efforts to combat international terrorism, it must also strengthen efforts to combat the threat posed by homegrown terrorists based and operating within the United States.

`(5) Understanding the motivational factors that lead to violent radicalization, homegrown terrorism, and ideologically based violence is a vital step toward eradicating these threats in the United States.

`(6) The potential rise of self radicalized, unaffiliated terrorists domestically cannot be easily prevented through traditional Federal intelligence or law enforcement efforts, and requires the incorporation of State and local solutions.

`(7) Individuals prone to violent radicalization, homegrown terrorism, and ideologically based violence span all races, ethnicities, and religious beliefs, and individuals should not be targeted based solely on race, ethnicity, or religion.

`(8) Any measure taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence and homegrown terrorism in the United States should not violate the constitutional rights, civil rights and civil liberties of United States citizens and lawful permanent residents.

`(9) Certain governments, including the United Kingdom, Canada, and Australia have significant experience with homegrown terrorism and the United States can benefit from lessons learned by those nations.

Section 899C calls for a commission on the prevention of violent radicalization and ideologically based violence. The commission will consist of ten members appointed by various individuals that hold different positions in government. Essentially, this is a commission that will examine and report on how they are going to deal with violent radicalization and homegrown terrorism. So basically, the commission is being formed specifically on how to deal with thought criminals in the United States. The bill requires that the commission submit their final report 18 months following the commission's first meeting as well as submit interim reports every 6 months leading up to the final report. Below is the bill's defined purpose of the commission. Amazingly they even define one of the purposes of the commission

to determine the causes of lone wolf violent radicalization.

(b) Purpose- The purposes of the Commission are the following:

(1) Examine and report upon the facts and causes of violent radicalization, homegrown terrorism, and ideologically based violence in the United States, including United States connections to non-United States persons and networks, violent radicalization, homegrown terrorism, and ideologically based violence in prison, individual or 'lone wolf' violent radicalization, homegrown terrorism, and ideologically based violence, and other faces of the phenomena of violent radicalization, homegrown terrorism, and ideologically based violence that the Commission considers important.

(2) Build upon and bring together the work of other entities and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of--

(A) the Center of Excellence established or designated under section 899D, and other academic work, as appropriate;

(B) Federal, State, local, or tribal studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence; and

(C) foreign government studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence.

Section 899D of the bill establishes a Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States. Essentially, this will be a Department of Homeland Security affiliated institution that will study and determine how to defeat thought criminals.

Section 899E of the bill discusses how the government is going to defeat violent radicalization and homegrown terrorism through international cooperation. As stated in the findings section earlier in the legislation, they will unquestionably seek the advice of countries with draconian police states like the United Kingdom to determine how to deal with this growing threat of thought crime.

Possibly the most ridiculous section of the bill is Section 899F which states how they plan on protecting civil rights and civil liberties while preventing ideologically based violence and homegrown terrorism. Here is what the section says.

SEC. 899F. PROTECTING CIVIL RIGHTS AND CIVIL LIBERTIES WHILE PREVENTING IDEOLOGICALLY-BASED VIOLENCE AND HOMEGROWN TERRORISM.

(a) In General- The Department of Homeland Security's efforts to prevent ideologically-based violence and homegrown terrorism as described herein shall not violate the constitutional rights, civil rights, and civil liberties of United States citizens and lawful permanent residents.

(b) Commitment to Racial Neutrality- The Secretary shall ensure that the activities and operations of the entities created by this subtitle are in compliance with the Department of Homeland Security's commitment to racial neutrality.

(c) Auditing Mechanism- The Civil Rights and Civil Liberties Officer of the Department of Homeland Security will develop and implement an auditing mechanism to ensure that compliance with this subtitle does not result in a disproportionate impact, without a rational basis, on any particular race, ethnicity, or religion and include the results of its audit in its annual report to Congress required under section 705.'

(b) Clerical Amendment- The table of contents in section 1(b) of such Act is amended by inserting at the end of the items relating to title VIII the following:

It states in the first subsection that in general the efforts to defeat thought crime shall not violate the constitutional rights, civil rights and civil liberties of the United States citizens and lawful permanent residents. How does this protect constitutional rights if they use vague language such as in general that prefaces the statement? This means that the Department of Homeland Security does not have to abide by the Constitution in their attempts to prevent so called homegrown terrorism.

This bill is completely insane. It literally allows the government to define any and all crimes including thought crime as violent radicalization and homegrown terrorism. Obviously, this legislation is unconstitutional on a number of levels and it is clear that all 404 representatives who voted in favor of this bill are traitors and should be removed from office immediately. The treason spans both political parties and it shows us all that there is no difference between them. The bill will go on to the Senate and will likely be passed and signed into the law by George W. Bush. Considering that draconian legislation like the Patriot Act and the Military Commissions Act have already been passed, there seems little question that this one will get passed as well. This is more proof that our country has been completely sold out by a group of traitors at all levels of government.

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At base, Harman's proposal seems to be a direct attack on First Amendment rights. No where is this more clear than in the third introductory paragraph (the "where as" section) that provides the context for the action desired. Specifically, this legislation aims at the unregulated nature of the Internet:

"The Internet has aided in facilitating violent radicalization, ideologically based violence, and the homegrown terrorism process in the United States by providing access to broad and constant streams of terrorist-related propaganda to United States citizens."

Moreover, Harman is telling the American public, citizens and permanent residents, that they are too dumb to recognize hate speech, demonizing rhetoric, and propaganda, and are so morally immature that they are not capable of knowing when to "blow off" terrorists and their messages designed to incite large scale insurrection

One also gets the impression that Harman believes that terrorist criminality has become so wide and the number of people who mentally entertain thoughts of non-compliance with authority so numerous that the country is about to teeter into chaos

But looking at the FBI's major violent crime trend lines over the past 20 years reveals, if not the opposite situation, at least a wash on violent crime frequency. I've chosen three reference points: 1987, before "terrorism" became an issue; 2001 (with September 11th fatalities not included in the murder rate); and 2006.

- In 1987, the U.S. population was 242.3 million; in 2001 285.3 million; and in 2006 299.4 million.

- In 1987, an estimated 1.484 million violent crimes were committed in the U.S.; in 2001, the total was 1.438 million; and in 2006, 1.418 million.

- In 1987, the violent crime rate per 100,000 was 612.5; in 2001 504.5; and in 2006 473.5. The 2006 rate was the 000 third lowest in this 20 year comparison. violent crime in the U.S. rose 1.9% between 2005 and 2006, the second consecutive year the rate went up.

About the only statistic that has really gone wild is the number of people sent to jail in the U.S. As of June 30, 2006, U.S. prisons held 776,010 inmates, an increase of 2.5% over the previous June 30, 2005. I am a bit surprised that more defenders of the constitution have not started a groundswell to ensure the legislation never gets to the floor of the House for discussion. I have already pointed out the First Amendment. There is more. To get to this "more," it's necessary to reproduce three definitions contained in the bill.

**VIOLENT RADICALIZATION** - the process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically based violence to advance political, religious, or social change.

**HOMEGROWN TERRORISM** - the use, planned use, or threatened use, of force or violence by a group or individual born, raised, or based and operating primarily within the United States or any possession of the United States to intimidate or coerce the United States government, the civilian population of the United States, or any segment thereof, in furtherance of political or social objectives.

**IDEOLOGICALLY BASED VIOLENCE**- the use, planned use, or threatened use of force or violence by a group or individual to promote the group or individual's political, religious, or social beliefs.

The key is in the last definition. The history of democracy is that over time, government encroaches so much into the lives of its people that government itself becomes the problem. Consider that in the 1770s, had the U.S. been a country with a law that criminalized the "threatened use of violence," every one of the Founding Fathers who participated in the

Boston Tea Party organized into the Minute Men detachments or refused to accede to the British soldiers foraging on private property would have been guilty of "violent radicalization" and of promoting "ideologically based violence."

What has become an "extremist belief" in some circles within the government is democracy. Look again at the three definitions. Do they not directly challenge one of the most fundamental rights that many in the U.S. trace back to time immemorial: the right of citizens to "keep and bear arms"? Again, a people who have access to firearms inherently pose a "threat" to any government, even one with a standing army at its beck and call. And the more centralized the power of the ruler (e.g., the unitary presidency), the greater the temptation to seize the weapons--and the rights--of its citizens.

In fact, as she was drafting the legislation, Congresswoman Harman must have realized that she was, at best, on a slippery slope and at worst, in quicksand up to her neck and no solid footing play. In the eighth "where as" section, the proposed legislation reads:

"Any measure taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence and homegrown terrorism in the United States should not violate the constitutional rights, civil rights and civil liberties of United States citizens and lawful permanent residents" (emphasis added).

When it comes to safeguarding rights and liberties, I much prefer "will" to "should"--and so ought every member of Congress.

Terrorism is terrorism, whether foreign-inspired or homegrown, and is not acceptable. Congresswoman Harman has not made the case for distinguishing between "homegrown" and "foreign" ideologically-based terror, and there is no logical, moral, or legal reason to divide them; both are violations of morality and of law. But just as important is the point that to try to criminalize "radical thinking" is to deny the opportunity to citizens to re-invigorate democracy so that it does not descend into tyranny.

In this legislation as drafted, the underlying unacknowledged assumption is that "radicalized thought" can lead to only one outcome: an attempt to overthrow government by violence. One need only recall that it is through the airing of opinion that the falsehoods and lies become exposed and defused--which is what makes the British institution of "Speakers' Corner" in London's Hyde Park a model for democratic practice the world over. To which can be added Edward R. Murrow's most succinct observation: "We must not confuse dissent with disloyalty."

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