

Ron Paul's FREEDOM REPORT

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Editor's note: This issue highlights recent "Texas Straight Talk" columns by Dr. Paul dealing with issues of public policy that are "heating up" as they receive increased public attention. We also track the progress of related legislation sponsored by Dr. Paul.



Ron Paul's Texas Straight Talk

January 26, 2004

Congress Cannot Be Appointed

In the months following the September 11th terrorist attacks, questions arose about whether Congress could continue to function if many of its members were killed or injured in a future terrorist attack. These concerns resulted in the creation of a commission that advocated a first in American history, namely **the appointment of individuals to the U.S. House**. A constitutional amendment has been proposed that would provide the method for such appointments following a catastrophe that killed or disabled a majority of the people in Congress.

I strongly oppose this constitutional amendment, because I believe an appointed Congress would become an unaccountable, tyrannical Congress. Over the past year I met with top scholars, attorneys, and colleagues who reject the idea of an appointed House of Representatives. **Fortunately, we had success in turning many Members of Congress against the proposal through a series of public lectures, meetings, and published articles.** Legislation I cosponsored, recently passed by the House Judiciary committee, will enable congressional districts around the nation to hold emergency elections without resorting to political appointments. The bill has the support of congressional leadership, and should reach the House floor in coming months.

At its heart, the proposed constitutional amendment is fundamentally at odds with the right of the people always to elect their members of the House of Representatives. The term *appointed representative* clearly is an oxymoron. **The House, designed as the most directly representative**

branch of government, must be elected to have any legitimacy. Even *temporary* appointees would be unacceptable, because the laws passed would be permanent.

Those advocating an appointed Congress argue that a U.S. House consisting of only a handful of surviving members would not be seen as legitimate by the public. In fact the opposite is true: the legitimacy of appointed *representatives* would be strongly questioned, especially by those who disagreed with their actions. Appointees would be viewed suspiciously as recipients of political patronage, regardless of the system put in place to appoint them. **Appointees would not be seen as legitimate because they would, in fact, not be legitimate.** Without exception, every Member of the House of Representatives has been elected for over two hundred years. We can amend the Constitution, but we cannot force the public to accept the loss of its voting franchise.

One very important point should be emphasized: the Constitution already provides the framework for Congress to function after a catastrophic event. Article I section 2 instructs state governors to hold special elections to fill congressional vacancies, while Article I section 4 authorizes Congress to designate the *time, place, and manner* of such special elections if states should fail to act quickly following a national emergency. The legislation passed by the Judiciary Committee simply exercises the existing congressional power by requiring states to hold special elections within 21 days after the House Speaker or acting Speaker declares that a majority of House members are incapacitated.

To quote Charles Rice, a distinguished Professor Emeritus at Notre Dame Law School, *When it is not necessary to amend the Constitution, it is necessary not to amend the Constitution.* We must not allow the fear of terrorism to compel us to abandon our existing institutions — including an elected House. The Constitution is our best ally in times

of relative crisis, and it is precisely during such times we should adhere to it rather than rush to amend it.

[H.R. 2844, the Continuity in Representation Act, was passed by the House Judiciary Committee on January 21, 2004. It now goes to the full House for consideration. To follow this legislation, go to www.TheLibertyCommittee.org, click Legislation & Votes, look under the category House of Representatives, and click the title of the bill.]

Ron Paul's Texas Straight Talk

January 5, 2004

Return of the Great Social Security Giveaway

Last year around this time [January, 2003] I wrote about a serious threat to Social Security that was moving ever-closer — a threat so great that it could truly break the bank of our already dangerously fragile Social Security system. The threat is the ongoing “totalization” negotiations between the U.S. and Mexican governments. An agreement on “totalization” would make hundreds of thousands of Mexican citizens eligible for American Social Security. Press reports just last month reminded us that these talks are continuing and will likely be completed this year.

As I wrote last year, under such a “totalization” agreement, even if a Mexican citizen did not work in the United States long enough to qualify for Social Security, the number of years worked in Mexico would be added to bring up the total and thus make the Mexican worker eligible for cash transfers from the United States. **To qualify for American Social Security, a Mexican citizen would need to work in the U.S. as short as just 18 months!**

Totalization is nothing new. The first such agreements were made in the late 1970s between the United States and several foreign governments to help American citizens who were sent abroad by their companies. From there we have come, nearly 30 years later, to the point where an estimated 160,000 Mexican citizens would be eligible for U.S. Social Security in the next five years.

Ultimately, the bill for Mexicans working legally in the U.S. could reach one billion dollars by 2050, when the estimated Mexican beneficiaries reach 300,000. **Worse still, an estimated five million Mexicans working illegally in the United States could be eligible for the program.** According to press reports, a provision in the Social Security Act allows illegal immigrants to receive Social Security benefits if the United States and another country have a totalization agreement.

Those in favor of sending U.S. Social Security benefits to Mexican citizens argue that the crushing poverty in

Mexico demands some form of U.S. assistance to that country's aged. While the poverty in Mexico is truly deplorable and saddening, the fact remains that the U.S. Congress has no constitutional authority to enact what is essentially another foreign aid program. I would applaud any private citizen who wishes to help his fellow man living in poverty, whether in the U.S. or Mexico or wherever he wishes. **But for the U.S. government to force this kind of “charity” is both immoral and illegal.**

When Congress returns late this month, it should take the opportunity to re-affirm that Social Security is an American program designed to benefit American retired workers. That is why I introduced H.R. 489, the *Social Security for American Citizens Only Act*, in the current Congress. This act forbids the federal government to provide Social Security benefits to non-citizens. It also ends the practice of totalization.

Bringing hundreds of thousands of impoverished foreign workers into the Social Security system will surely break the bank, depriving millions of our seniors who contributed to the system all their working lives of that which is rightly theirs. That is no way to treat our seniors, be they from this generation or coming generations. As I said last year, we should be shoring up the system for those Americans who have paid in for decades, not expanding it to cover foreigners who have not.

[H.R. 489, the Social Security for Americans Only Act, was introduced on January 29, 2003 and sent to the House Committee on Ways and Means, Subcommittee on Social Security. The bill has 18 cosponsors. To learn more about this issue, go to www.TheLibertyCommittee.org, click Legislation & Votes, look under the category Immigration and click the title of the bill.]

Ron Paul's Texas Straight Talk

January 12, 2004

Amnesty and Culture

The dictionary defines amnesty as a general pardon for offenders by a government, and the Bush administration's new proposal to grant legal status to millions of illegal aliens surely meets that definition. Millions of people who broke the law by entering, staying, and working in our country will not be punished, but rather rewarded with a visa. This is amnesty, plain and simple. Lawbreakers are given legal status, while those seeking to immigrate legally face years of paperwork and long waits for a visa.

The president claims that America lacks the political will to deport the *eight to twelve million illegal aliens* already here, so we have no choice but to grant them visas.

But what message does this send to the rest of the world? If we reward millions who came here illegally, surely millions more will follow suit. Ten years from now, we will be in the same position, with a whole new generation of lawbreakers seeking amnesty. The Bush administration proposal does not provide a coherent immigration policy, nor does it address the urgent need for stricter control of our borders. The overwhelming majority of Americans — including legal immigrants — want immigration reduced, not expanded.

The immigration problem fundamentally is a welfare state problem. Some illegal immigrants — certainly not all — receive housing subsidies, food stamps, free medical care, and other forms of welfare. This alienates taxpayers and breeds suspicion of immigrants, even though the majority of them work very hard. Without a welfare state, we would know that everyone coming to America wanted to work hard and support himself. Since we have accepted a permanent welfare state, however, we cannot be surprised when some freeloaders and criminals are attracted to our shores. Welfare muddies the question of why immigrants want to come here.

Illegal immigrants also threaten to place a tremendous strain on federal social entitlement programs. **Under the Bush proposal, millions of illegal immigrants will qualify for Social Security and other programs — programs that already threaten financial ruin for America in the coming decades.** Adding millions of foreign citizens to the Social Security, Medicare, and disability rolls will only hasten the inevitable day of reckoning. Social Security is in serious trouble already, and sending benefits abroad to millions of illegal aliens who once worked here will cost hundreds of millions or even billions of dollars. Every American who hopes to collect Social Security someday should stridently oppose the President's proposal.

Financial considerations aside, we cannot continue to ignore the cultural aspects of immigration. The vast majority of Americans welcome immigrants who want to come here, work hard, and build a better life. This is a basic human desire that Americans understand, especially when so many immigrants are born into hopeless poverty in their own nations. But we rightfully expect immigrants to show a sincere desire to become American citizens, speak English, and assimilate themselves culturally. More importantly, we expect immigrants to respect our political and legal traditions, which are rooted in liberty and constitutionally limited government. After all, a lack of respect for the rule of law causes much of the poverty around the world that immigrants seek to escape.

Problems arise when immigrants refuse to assimilate and show little interest in becoming American citizens. One hundred years ago, immigrants arrived in America after dangerous journeys fully prepared to embrace their new country. In most cases, returning home was not an option. Most led very hard lives, took pride in American citizenship, and

asked for nothing but the opportunity to work. Today, however, some immigrants travel between countries frequently, enjoying the benefits of America but showing no desire to become Americans. Some even display hostility toward America and our ideals, joining the chorus of voices demanding that the United States become a multicultural society that rejects our own history. It is this cultural conflict that soon must be addressed, and the president's amnesty proposal simply turns a blind eye to the problem.

Ron Paul's Texas Straight Talk

January 19, 2004

Government and Marriage

If government subsidized beaches, we would have a shortage of sand. – Ronald Reagan

The president recently announced a new program designed to promote *healthy marriages* by using welfare funds to subsidize media campaigns and feel-good relationship counseling, all courtesy of U.S. taxpayers. In fact, Mr. Bush proposes spending \$1.5 billion over the next five years, all to promote an institution that flourished for centuries without state encouragement.

The irony is that an initiative aimed at promoting moral values will be funded immorally, by taxing people who may have no interest in such government folly.

The idea is not new, as politicians have talked about using government to advance marriage for decades. But federal promotion of marriage, even if well-intentioned, is a form of social engineering that should worry anyone concerned with preserving a free society. The federal government has no authority to promote or discourage any particular social arrangements; instead **the Founders recognized that people should live their lives largely free of federal interference. This is not to say that the Founders intended or imagined a libertine America. On the contrary, they envisioned an America with vibrant religious, family, social, and civic institutions that would shape a moral nation. They understood that strong private institutions, so important in a free and just society, could not coexist with a strong, centralized government.**

The failed history of welfarism and socialism in America shows that government programs ultimately erode our culture by damaging personal virtue. When government ostensibly attempts to promote culture, it always further erodes liberty. The administration's proposal only expands the reach of the federal welfare state, even if for supposedly conservative ends. Healthy marriages are not the result of government programs. Healthy marriages are the result of individual

conviction and personal responsibility, neither of which can be mandated by government.

Government is not morality, government is force — and forcing taxpayers to fund another silly program will not strengthen the institution of marriage. **If Mr. Bush really wants to promote marriage, he should work to dismantle the soul-destroying welfare system that rewards out-of-wedlock births. He should work to end the judicial assault on religious liberty. He should urge Congress to cut spending and taxes, so that more money can flow into churches and private charities.**

The president certainly is correct that marriage is important, and the need for stable, two-parent families is apparent. We should all be quite skeptical, however, of claims that government programs can fix the deep-rooted cultural problems responsible for the decline of the American family.

Ron Paul's Texas Straight Talk

November 10, 2003

Mistreating Soldiers and Veterans

Congress recently voted to send \$87 billion to Iraq, money that will be used to build everything from roads to power plants to hospitals. Yet while Congress appears ready to rubber-stamp unlimited monies for nation building in Iraq, thousands of our own soldiers at home are languishing with substandard medical care.

You may have read about conditions at Fort Stewart, Georgia, where hundreds of injured reserve and National Guard soldiers are housed in deplorable conditions and forced to wait months just to see a doctor. These soldiers made huge sacrifices, leaving their families and jobs to fight in Iraq. Now they find themselves living in hot, crowded, unsanitary barracks and waiting far too long to see over-worked doctors. This is hardly the heroes's welcome they might have expected. Only an expose in a major newspaper brought attention to their plight, prompting an embarrassed Defense Department to rush additional doctors to the base.

Many of these men and women expressed shock at their treatment. They assumed wounded soldiers returning from Iraq would receive priority treatment, given the *support the troops* rhetoric coming from Washington. Their complaints went ignored, however, until the media became involved.

Similar mistreatment of soldiers has been evident throughout our occupation of Iraq. Some wounded soldiers convalescing at Walter Reed hospital in Washington were forced to pay for hospital meals from their own pockets! Other soldiers returning stateside for a two-week liberty had to buy their own airfare home from the East Coast. Still others have paid for desert boots, night vision goggles, and other military necessities with personal funds. It's shocking that

our troops are forced to pay for basic items that should be supplied to them or paid from the defense budget.

Perhaps the most shameful mistreatment of our veterans is in the area of concurrent receipt benefits. Existing federal rules force disabled veterans to give up their military retirement pay in order to receive VA disability benefits. **This means every VA disability dollar paid to a veteran is deducted from his retirement pay, effectively creating a *disabled veterans tax*.** No other group of federal employees is subject to this unfair standard; in every other case disability pay is viewed as distinct from standard retirement pay.

For years veterans have fought for concurrent receipt benefits to no avail. Last week Congress finally passed a very limited concurrent receipt law, but the change is unlikely to satisfy those disabled veterans who need benefits the most. Under the new partial concurrent receipt bill, only those veterans in essence deemed *disabled enough* will qualify; this means roughly two-thirds of disabled veterans will not receive concurrent receipt benefits at all. Even severely disabled veterans who do qualify may never enjoy their long-sought relief, because the bill passed by Congress takes *ten years* to phase in. How sad that some disabled soldiers will die in the next decade without seeing a penny of their concurrent receipt benefits.

Members of our armed forces deserve more than platitudes when they return from foreign wars with illnesses or disabilities. Unfortunately, the trust our soldiers place in the federal government to provide for their health care has been breached time and time again. Last week's partial grant of concurrent receipt benefits will prove woefully inadequate for most of our disabled veterans, veterans who could be well-served with just a fraction of the billions Congress gave away in Iraq.

[In a related area of veterans' policy, Dr. Paul is an original cosponsor of H.R. 548, written by Liberty Caucus member Jeff Miller of Florida, which would do away with the "widow's tax" on surviving spouses' military Survivor Benefit.]

Nothing in this publication is intended to aid or hinder the passage of legislation before Congress.

About the F.R.E.E. Foundation

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