

Mr. Speaker, of all the invasions of privacy proposed in the past decade, perhaps the most onerous is the attempt to assign every American a “unique health identifier”—an identifier which could be used to create a national database containing the medical history of all Americans. As an OB/GYN with more than 30 years in private practice, I know the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient’s ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given to their doctor will be placed in a government accessible database?

Some members of Congress may claim that the federal monitoring of all Americans will enhance security. However, the fact is that creating a surveillance state will divert valuable resources away from investigating legitimate security threats into spying on innocent Americans, thus reducing security. The American people would be better served if the government focused attention on ensuring our borders are closed to potential terrorists instead of coming up with new ways to violate the rights of American citizens.

Other members of Congress will claim that the federal government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that in a constitutional republic, the people are never asked to sacrifice their liberties to make the job of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those members who suggest that Congress can ensure that citizens’ rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the federal government from mandating national identifiers. Legislative “privacy protections” are inadequate to protect the liberty of Americans for several reasons:

First, it is simply common sense that repealing those federal laws that promote identity theft is more effective in protecting the public than expanding the power of the federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputation as a result of identity theft.

Federal laws are not only ineffective in stopping private criminals, but have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses by the Clinton and Nixon administrations.

Just last month, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the federal government has been creating proprietary interests in private information for certain state-favored special interests. Perhaps the most outrageous example of

phony privacy protection is the “medical privacy” regulation, which allows medical researchers, certain business interests, and law enforcement officials’ access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, “privacy protection” laws have proven greatly inadequate to protect personal information when the government is the one providing or seeking the information.

The primary reason why any action short of the repeal of laws authorizing privacy violations is insufficient is because the federal government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the federal government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson’s advice and “bind (the federal government) down with the chains of the Constitution.”

Mr. Speaker, those members who are unpersuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the opposition of the American people toward national identifiers. The overwhelming public opposition to the various “Know-Your-Customer” schemes, the attempt to turn driver’s licenses into National ID cards, as well as the numerous complaints over the ever-growing uses of the Social Security number, show that American people want Congress to stop invading their privacy. Furthermore, according to a survey by the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID. Several other recent polls show most Americans remain skeptical that a national ID card would enhance their security or preserve their liberty.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the federal government’s unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

IN SUPPORT OF THE LAW ENFORCEMENT OFFICERS FLAG MEMORIAL ACT OF 2002

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Law Enforcement Officers Flag Memorial Act of 2002. I am deeply sad that Harris County, where my hometown of Houston is located, is leading the Nation in the grim category of peace officers killed according to the National Law Enforcement Officers’ Fund.

Peace officers and their families know better than anyone the perils and risks involved in their job. Yet every day, they put on a badge and make our Nation a safer place. While we should never forget these officers, we also need to remember their spouses, their children and friends who miss them dearly. Our hearts go out to those survivors who are trying to cope with saying good-bye to a loved one. We are indebted to the survivors for the courage of these officers, and we share their grief and offer kind words knowing that it is a poor substitute for their loss.

Every day, ordinary men and women make an extraordinary commitment when they put on a badge that symbolizes the oath they take to protect and serve. The badge also makes them a target. Every day, they leave their families behind not knowing if they will come home tonight.

Mr. Speaker, I invite my colleagues to join me as a cosponsor of the Law Enforcement Officers’ Flag Memorial Act of 2002. This legislation seeks to honor slain law enforcement officers by providing their families a Capitol-flown U.S. flag.

While a Capitol flag is a meaningful and true symbol of our nation’s gratitude, Congress should continue to make sure that we keep our commitment to the law enforcement community by providing funding for more officers, better equipment, and advanced training. Doing so not only saves the lives of officers, but it makes our families, our homes, and our neighborhoods a safer place.

DEFEND THE RIGHT TO LIFE

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 7, 2003

Mrs. EMERSON. Mr. Speaker, I rise today to introduce a constitutional amendment for the protection of the right to life. Tragically, this most basic of human rights has been disregarded, set aside, abused, spurned, and sometimes altogether forgotten. Even more tragically, the United States government has been a willing partner in this affair, and the sad consequence is the sacrifice of something far more important than just principle.

One of the things that sets America apart from the rest of the world is the fact that in this country, everyone is equal before the law. Regardless of race, religion, or background, each person has fundamental rights that are guaranteed by the law. However, we too often overlook the rights of perhaps the most vulnerable among us—the unborn. When abortion is legal and available on demand, then where are the rights of the unborn? When abortion is sanctioned and sometimes paid for by the government, then how do we measure the degree to which life has been cheapened? When an innocent life is taken before its time, then how can one say that this is justice in America?

My amendment would establish beyond a doubt the fundamental right to life. Congress has an obligation to do what it has failed to do for so long, fully protect the unborn. I urge this body to move forward with this legislation to put an end to a most terrible injustice.