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Technology and Government Power - A Deadly Cocktail for Freedom
by Bob Barr

The following is a transcript of a speech given at The Future of Freedom Foundation's June 2007 conference, "Restoring the Republic: Foreign Policy & Civil Liberties" held in Reston, Virginia.

Jacob Hornberger: Bob Barr served in the United States Congress from 1995 to 2003. One of the foremost champions of privacy rights in the country, Bob holds positions or serves as consultant for the American Conservative Union, the National Rifle Association, the American Civil Liberties Union, and the Leadership Institute. A contributor to CNN, he writes a regular column for the *Atlanta Constitution*. The title of Bob's talk this morning is Technology and Government Power: A Deadly Cocktail for Freedom. Please welcome Bob Barr.

Bob Barr: Thank you very much. It is a tremendous honor to be here today to follow in the footsteps of the tremendous array of conservative thinkers and speakers and Libertarian activists and Libertarian candidates that you've had at this conference. It is a tremendous honor for me to be just sort of a very small part of that, a little bit of asterisk here as we sort of wind up the program. But certainly when the Foundation asked me if I would like to be here, I didn't hesitate for a moment in accepting their very, very kind invitation because of the tremendous importance in this day, in this time, in this place to reassess and reinvigorate those things that brought our Founding Fathers together and which bring us together here.

For several years after leaving the Congress, I had a radio show modestly called Bob Barr's Laws of the Universe. And as with a number of radio shows, of course, people would call in and many of them would say, "I'm a long-time listener, first-time caller." Well, there's a little derivation on that. When it comes to the Constitution and freedom and our Bill of Rights, I'm a long-term optimist but a short-term pessimist, but always a realist. I truly believe that there is a deep and abiding danger in our government and at loose in our land that deeply and seriously threatens the

very future of freedom in this country. Now, I know some folks say, "Well, you know, it's not the people involved." The fact of the matter is it is the people involved. The people that we have in government, by and large, with some notable exceptions--one of whom you heard from, Ron Paul--but with very, very few exceptions, the people that we have running our government are not good people <audience cheers> from the standpoint-- now, you know, I don't mean that, you know, that they're not fine folks to go out and have a cigar with or a brewski.

You know, I'm sure George Bush is a very, very, very nice guy to sit down and have a beer with and maybe a cigar. I don't know whether he smokes cigars, but I do, and I'm sure that it would be a very nice experience some evening to sit out on his deck or my much smaller deck and enjoy that, enjoy the evening air. But what I'm talking about in terms of these are not nice people, these people do not understand the Constitution. They have no regard at all for freedom, and the disdain, the utter disdain with which they hold this document, in particular the Bill of Rights, is absolutely astounding. I mean, it is amazing that we have people in government like the Attorney General of the United States of America--the Attorney General, not, you know, some other cabinet secretary.

You know, maybe we could forgive it if it were a cabinet secretary that doesn't really have a job every day of enforcing the Bill of Rights and the rights guaranteed through it and in it. But the Attorney General of the United States just five and a half months ago or so appeared before the Senate of the United States. You know, he wasn't just sitting around, you know, with a group of his aides, musing about things, you know, sort of hypothecating about things or bloviating. He was appearing before the Senate of the United States and took and articulated publicly without any sort of shame the proposition that the Great Writ, the Writ of Habeas Corpus is not something that is a foundation of our government and our Bill of Rights and our Constitution. And he got away with it. Yes, he was called to task by a couple of the senators, thank goodness, that were there that day, but then it just sort of went away.

People in government are not being held accountable for the outrageous anti-freedom positions that they are taking. And what we have now-- and I have not counted up the number of words in the Bill of Rights, but I think it's around 500. Maybe somebody has counted them up recently. But I was thinking about this just recently, not just in light of what the Attorney General had said about the Writ of Habeas Corpus, but what I see as a whole litany of freedoms that are held in disdain, not just by this administration, by prior administrations, by members of Congress, by senators, by state governors and so forth. And I think that what it comes down to, the Bill of Rights in the eyes of these folks--and they are not good people from freedom's perspective--the Bill of Rights could be amended fairly substantially, you know, synthesized, cut back, made so much more simple.

As a matter of fact, I took a pen here, one of those that they use like in the Freedom of Information Act to block out things that they don't want we, the taxpayers, to see that they're doing with our money, to less than two dozen words. It'll be so simple. The Bill of Rights, the 2007 Edition. The right of the people to be secure in their persons, houses, papers, and effects shall be delegated to the United States. You can-- all you need to do is chop out a few words and it would be so much easier, so much simpler. And so many of our fellow citizens would be willing to go along with that. You've heard the refrains over and over again. I'm not doing anything wrong so why should I mind if the government listens in or runs me through security check after security check after security check simply when I want to exercise my right to travel? Well, the government is protecting us anyway. They're making us safer, so it's okay. I'll give up a little freedom.

I mean, we've heard all those arguments. The prior speaker indicated one that we've heard by implication. "Well, we're okay with this administration limiting our liberties because after all, this administration is only in there for a few more years," without thinking, well, there's going to be another administration. And one of the fundamental maxims of government, in addition to the most important one, and that is that government exists to gain, to manipulate, to wield and retain power. That is the fundamental job of government, whether it's Republican or Democrat or some other party that we've witnessed over the course of our history. We also know that every administration in modern times has not only sought to expand and maximize its power, its exercise of power, but to lay the groundwork for that being the floor, not the ceiling, for the next administration. It doesn't matter in this fraternity of presidents and ex-presidents. It doesn't matter whether they have an R or a D after their name. They're basically just two segments of the same single party that has governed our country for decades. And it's called the status quo.

The status quo--well, let's go back to the Bill of Rights as we know it, as we learned it, as we support it, as we defend it, not as the administration would like to believe that it exists and as they believe it exists in their mind, and look at it in the context of where we are in terms of technology. Technology and government power, a deadly cocktail for freedom. Back when I was in college back in the 1960s, we had a number of programs that had come to light, COINTELPRO, a number of other programs in which the government was impermissibly--well, that's not really the right word--improperly surveilling citizens, surveilling organizations, be they students, religious organizations, whatever, political, civil rights, and maintaining files on those individuals and on those organizations.

Well, that's bad. But the damage, the extent of the damage that resulted from or the maximum damage that could result from that sort of improper government behavior invading privacy without justification, that is, in violation of the Fourth Amendment, was limited by the technology available. The FBI offices and the offices of various other government agencies had huge file drawers, one after another after another with those dark brown manilla folders. And I worked for an organization that some people think was the Culinary Institute of America. It's

actually another CIA, and our files were largely the same, you know, they were paper files. They were files that had documents like these, paper documents that were accumulated. We actually had the old teletype machines. I don't know if any of you remember those old teletype machines, you know, banging away in the background.

But what has happened in the intervening years is technology has advanced by quantum leaps. I mean, the technology of 2007 or the technology even in the late 1990s is so much different, so much broader, so much more dangerous than the technology available in the 1960s when many of these programs, some of which continue to operate today, four and five decades later--Project Echelon goes back to the early, relatively early Cold War days, was designed initially to gather in, through various of our allies, through their listening posts in addition to ours, and the Canadians, the Brits, Australians and the New Zealanders, would gather information through electronic devices, through, you know, those, you know, huge radars and, you know, sift through it. And it was a very laborious, very time-intensive, very imprecise process that certainly was invasive.

But again, the damage that could be wrought on an individual's freedom, epitomized as Ayn Rand said in *The Fountainhead* in 1943, by the essence of privacy, which is the foundation of not just of our way of life but of civilization itself, the right to be left alone, and civilization being the march of a society from the collectivist tribal society, as she'd called it, to the society where property rights and intellectual rights and an individual sense and right to justice are paramount, is really the march toward a society of privacy. So invasions of one's privacy are really an assault on civilization, the fundamental notion of civilization. And even though we see the roots of what is happening today as far back--perhaps even further, but certainly as far back as the 1950s and 1960s--the damage that could be done, that was done, was much more limited than today.

Now, that doesn't make it any less wrong. It just means that the damage could be somewhat contained or at least quantified. That is absolutely impossible today. You look at the array of technology, the technology tools that are available to government, businesses and government, you know, we need to be very, very mindful of and careful of and sensitive to and fearful of both. But above all, we need to be careful of and sensitive to and fearful of the ability of government to use technology to invade our privacy, because government can do something that, as irritating as it is to get mailings from companies that you have no interest in or for products that you have no interest in, or at least you tell people you don't have an interest in, what government can do with that information that they gather by invading our privacy is take away our very freedom.

They can put us in jail, or they can, you know, sort of strangle us, you know, bit by bit, not allowing us to travel or allowing us to travel but only by going through a number of different

steps and making it very difficult if you get on one of those so-called watch lists, for example. With the technology that is now available--and a lot of it the public doesn't even realize. For example, I doubt that very many of our neighbors and our colleagues are aware of the fact that the government now can use and is in the process of securing court orders, for example, to use telephones, including cell phones, as listening devices even if the cell phone is not on. Just the fact that you have a cell phone with a battery in it sitting on a table or in your pocket or in your brief case means that the government is able to access that cell phone and use it as a listening device even if you don't turn it on. And it will pick up--and I'm not sure the technical radius of it--but it will pick up whatever sound is emanating from a certain area around it.

So, in other words, far different from the old sort of hard wire, as we called it in the legal business, Title 3 wire taps, which were for a particular phone line and particular persons using that phone line and for particular purposes, nowadays the technology available to the government allows it to use a cell phone, whether it has been picked up, is being used, is turned on, and far beyond simply the person who owns it or who might be using it can pick up all sorts of sounds and voices; in other words invading the privacy of anybody who might happen to be even near the target of an investigation.

I'd traveled over to Great Britain, to the UK, back in December of 1996 with a couple of my colleagues in the House. And I was surprised simply driving from--and I don't recall whether we flew into Heathrow or Gatwick--driving into the hotel the very first day, the number of surveillance cameras. This is back almost a dozen, well, a dozen years ago virtually. And I talked with our driver, who was a very nice lady who was with one of the ministries that we were visiting with and working with during the few days that we were there, and she said, "Oh, yeah, the government decided that it was better for the public good if we put in these surveillance cameras and red light cameras and speed cameras to make people go slower, to keep them from running red lights and all those other things that are so awful that happen in our society." I said, "Well, was this the result of specific action by the people? Did they clamor for this? Did they vote for this? Were there debates on this? Was there legislation passed?" And she said, "No, no, no. The government just does it. They can do that sort of thing."

I remember thinking at the time, back in 1996, it's great to live in America where that sort of thing doesn't happen. Well, here we are almost a dozen years later, and that sort of thing is happening in communities, I dare say, all across the country. I know it is in my home state of Georgia. Surveillance cameras are popping up all over the place. Nobody votes on them. Public officials just decide to do it. It's for the public good, and they'll throw some statistic out there that supports their proposition that fewer people run red lights if we have these cameras or there are fewer accidents if we have these cameras, you know, and they use statistics, as Bill Simon said, like drunks use lamp posts, for support rather than illumination.

It's easy to come up with statistics to justify, at least superficially, to pretty much anybody you want whatever it is that you want to convey or that you want to do. But what is happening in country after country after country, and it has been happening for many years, it has accelerated greatly since 9/11. Of course, since 9/11, we know that the common denominator for virtually every government policy is fear, which is unfortunately a very improper, a very dangerous and highly, highly problematic basis on which any government policy should be based, but it is the basis now for virtually every existing or expanded or new government program. Fear--fear of another 9/11, fear of a dirty bomb.

You know, don't bother the American public with the details that a dirty bomb is essentially, you know, just some, you know, figment of somebody's imagination. Yes, could somebody take some radioactive material and configure it in a way with some readily available or relatively easily available explosives to concoct an explosive device that does have some radiological elements, radioactive elements in it? Yes. But would it pose a massive danger to large numbers of people such as would justify arresting somebody just, for example, on the notion that they might have had something or had spoken about this and imprison them for about five years, never charge them with having the dirty bomb, and then you have a trial with them on something else, but in the meantime, you've kept them in isolation, solitary isolation, have granted them no access to the courts, virtually no access to lawyers and so forth? No.

But, you know, those are details that most of the public doesn't want to be bothered with. You throw out, you use the term "dirty bomb," and that is enough to strike fear in most people's minds, and our government officials are utterly unashamed in the way they do this, so that fear has become the common denominator for virtually every government program in the post-9/11 world.

But we saw, and we've seen the roots of this development, of this unholy alliance between technology and government power for many years. We see it in the way government just uses technology because it's there. Is there any real reason why these surveillance cameras have to start popping up all over the place? No. Every time you go into a parking lot now, they have cameras that record the license plate so that they can make sure that, you know, the person pays the money that they're supposed to pay. You know, that's at the root of a lot of this, certainly. The government will never admit that or rarely admit it. It's a revenue enhancer; it's a revenue item, these surveillance cameras and the surveillance techniques.

Cameras are appearing everywhere. Database after database after database is being developed by the government. And even in those uses of technology that pose a very clear and reasonable or reasonably understood, I should say, danger to people, government doesn't want to hear about that. RFID chips are an example, radiofrequency identification chips. The government has decided that they want to put RFID chips in passports. Now, there have been a number of

studies, some of which have been conducted by the government itself, others by outside groups, that indicate that implanting an RFID chip in a document, a passport, driver's license--watch out for the Real ID Act; they're going to probably put them in there if that thing goes forward--poses a real security risk to the person that is carrying that item, again, whether it's a driver's license in your wallet or a passport in your pocket, jacket pocket or purse or brief case, because despite efforts by the government to convince people that these chips cannot be read remotely by somebody that they don't want to read them remotely, they can be.

And even though the government has said, "Well, they can only be read within a few inches," independent studies have indicated even with the technology available nowadays, and it grows every day in its capability, they can, in fact, be read remotely, detected remotely, and the information encrypted, and then, of course, used to break into systems from much greater distances away. Does the government care about that? Absolutely not. They're just charging forward because the technology is there. It makes it easier for the government to gather, manipulate, wield, maintain information, and information is power, much more so than in prior ages, prior decades where more physical attributes of power were the indices whereby one judged government power or national power: the geographic extent of our nation in its first decades, the natural resources of our nation in succeeding decades, the manufacturing, the industrial capability and product of our country as we entered the 20th century.

But now, the real power of government, the real power of a nation, is in information, and our government recognizes that. Most other industrialized nations do as well. And even though there are differences, we see differences in policies being worked out or manifesting themselves in discussions between the European Union and the United States over the extent of passenger, flight passenger information that has to be provided the U.S. Government, and at what point with regard to passengers flying into or out of the United States, even though there are some differences with regard to the privacy protections and the amount of information and how it's accessed, by and large, most nations are on the same wavelength with regard to the fundamental question of maintaining, of gathering, using, and maintaining that information.

The solution is not going to come from government, no matter whether we elect a Republican or a Democrat next year. If, in fact, we elect a Republican or a Democrat next year, neither party, none of the individuals have a true interest in limiting government power, and none of them will work to limit government power. Ron Paul would, but of the major candidates, none of them will. The Congress is not going to all of a sudden awake from its somnambulant state and start listening to the people of this country, at least those that matter, not those that want some pork project in their district. They always have an ear tuned to them. And again, presidents of either of the major parties, they are all part of the same fraternity, whether they are potential candidates, candidates, presidents or ex-presidents, it is all one fraternity of the fraternity of the status quo.

And they will protect each other. One party will ensure that even though they may engage in rhetorical battles from time to time, blasting the other, saying they're going to limit the power of the other, in reality, it does not happen, because each party knows, or at least figures it knows, that if they limit the power of the other party, then when they get back into power, they're going to have their power limited. So there's an inherent built-in interest on the part of both parties to maximize the power available to either or both of them.

The only way we are truly going to get back to the notion, the Ayn Randian notion of freedom, our Founding Fathers' notions of freedom--now, they didn't know Ayn Rand. She wasn't born until much, much later. I think we just celebrated the hundredth anniversary of her birth, year before last I think it may have been. But they were on the same wavelength. They understood. I mean, our Founding Fathers, every time I read the Constitution and read some of the Federalists, I am absolutely amazed at the depth of not just their knowledge and their intelligence but their understanding of histories, of the ebb and flow of civilization. They probably studied--I know Madison did--probably studied more civilizations that had fallen than those that had risen because what they were looking for is they were looking down the road. Their perspective was not the perspective of a modern politician, two years to four years maximum. They were looking generations down the road.

And they tried to configure through that magnificent document in the system that it built, a system that maximized personal freedom and minimized government power, which is the essence of one party and only one party nowadays, and that is the Libertarian Party, not the Republican, not the Democrats, certainly. Maximize individual freedom and minimize government power--they understood that. And they crafted into the Bill of Rights, for example, significant limitations on government power, codified in the Bill of Rights as adopted by the states, those new states.

Now, they didn't do this in a time of tremendous tranquility. You know, people nowadays, government leaders talk about, you know, this great threat that we face out there, the great threat that we face from these cells that we face here at home. Are there threats? Absolutely there are. Do we need to be mindful of them? It would be utterly irresponsible not to be mindful of them, not to have a system whereby we gather legitimately as much information as we can on those who would do us harm and take action against them through our legal system.

But it isn't as if our nation has never faced dangers before. And as a matter of fact, the dangers, the threats to our very national existence that our Founding Fathers faced when they were crafting those limitations into the Bill of Rights, into the Fourth Amendment, for example, into the Second Amendment, that the right to keep and bear arms shall not be infringed by the government: they were facing a situation in which our nation's very existence was threatened by the greatest military power on the face of the earth, Great Britain. They were not particularly

happy about what had happened in the recent past, and they were looking for ways to defeat us, economically, militarily, politically. And yet, even facing those threats to our very existence as a new nation, our Founding Fathers laid out in the fundamental law of this land, in the Bill of Rights, that the privacy of an individual is absolute other than if the government has a good and articulable, articulated to a judge reason to invade that privacy.

You know, the standards are laid out in a little fancier language in the Fourth Amendment, but in essence, that is the fundamental right to privacy that is the foundation, again, going back to Ayn Rand, not just of our society, not just of our form of government, but of civilization itself. And then we have this modern class of government leaders who believe that simply because earlier in the Constitution there is a term that the President is the Commander-in-Chief, that means that that individual can, at his or her whim, disregard the laws of this land that are, even if they are very explicit, such as the Foreign Intelligence Surveillance Act[. We have leaders that believe that individual] can disregard the Constitution itself to not engage in unreasonable searches and seizures, that is, invade the privacy without a good and justifiable and articulated reason, to ignore treaties simply because the President decides that as Commander-in-Chief, a hat that he dons whenever, wherever, and for however long he wants to, decides that it's in the national security interest.

If we rely entirely on the court system to rebalance our system, we will be sorely disappointed as well. Are there some good decisions every now and then? Certainly: a decision out of the Federal judge in Detroit last year. But they are few and far between, and generally speaking, more often than not, the Federal courts will find a way to justify executive branch power rather than to negate it. And that is particularly true whenever there is even an implication of so-called national security. And over the decades, the courts have concocted some wonderfully imaginative but terribly destructive figments or legal justifications for government power[: for example, s]omething called an expectation of privacy. Well, does this person using this particular device of communication have a greater expectation of privacy than this one over here? Well, if so, then we'll protect that one, that communication, but not this one.

So therefore we have, in today's world, with the use of Internet and e-mail as forms of communication, [technology that] clearly [was] not contemplated back in the 1960s when the current law, the basic law on electronic surveillance, was crafted. You have the government and many courts saying, "Well, since this postdates this law, which sets certain restrictions on the way government can surveil, it doesn't apply to these communications. And oh, by the way, when somebody communicates by e-mail, they don't have the same expectation of privacy as when somebody communicates by phone.

Did they ask any of us? I mean, when we communicate, you know, through our ubiquitous Blackberry or in whatever way electronically nowadays, do we go through the thought process

that, "Well, now, if I communicate through the Blackberry, I don't have the same expectation of privacy as if I pick up a phone and I have more of an expectation of privacy if I use a land line instead of a cell phone, so therefore I am going to use the land line today"? Well, I mean, nobody goes through those mental gyrations. When we communicate, we expect, and we have an absolute right to expect, that this is private from government surveillance, from government intrusion, unless the government has a good, legitimate reasonable and articulated basis to invade that privacy.

Yet the courts, over the years, going back certainly to at least the 1960s--and you see the roots of it even back in the 1920s when telephones were first starting to be widely used and the government immediately saw a way to surveil people and gather information surreptitiously by plugging into those copper wires, those hard lines—but certainly from the 1960s on in a number of court decisions, Federal Court decisions, you see this very artificial notion basically as a justification to allow the government to surveil as much as it can get away with, rather than as little as is absolutely necessary in a legal context.

Over and over again, we see courts do this. The State Secrets Defense, that's another one. You know, these things are concocted by the courts over the years as ways to justify rather than negate government executive branch power. So, Congress is not going to wake from its almost perpetual somnambulant state, and particularly that's true so long as it's controlled by the two major parties. The courts, despite a little glimmer of hope every now and then, are not going to fundamentally stand up for maximizing individual freedom and minimizing government power, and certainly presidents will not. It is in their very inherent and very clear nature to maximize government power and minimize individual liberties.

We the people are the only entity in our system that can and must rectify this situation. And we're going to have to be very imaginative about how we do it. We can't rely on the traditional mechanisms, the traditional branches of government, the traditional parties. We have to look for new ways. That's why this foundation is so important as one of the ways that we can articulate and spread and develop these ideas and bring as many people in as we can, working through other entities, the Libertarian Party, on which national committee I now proudly serve, is another.

I'm not here, you know, as a shield for the Libertarian Party. But look for organizations that truly have liberty at heart and as their core mission, and work with them, support them. There are a lot of organizations out there that don't do that. There are precious few that do, and it's very important that we support them, that we work with them both in a political as well as an intellectual context, and support them financially, because that is, indeed, I'm absolutely convinced, the only reason that I'm at all optimistic over the long run is because the people are still active. You know, as long as James Bovard--and I don't know how he writes so much--but

as long as Bovard is out there writing his books, you know, as long as *Reason Magazine* is out there and has one subscriber, as long as at least we make sure that this is the Bill of Rights and not this one, there is hope.

But man, is it going to take a lot of work, and it's going to take a lot of our resources, but there's no alternative. If we leave it up to the traditional parties, if we leave it up to the traditional branches of government, they will fail us. And if they fail us, then as Reagan said back in, I think it was 1964, we are the last best hope of mankind, and that will have been extinguished within two generations. And I simply will not allow that to happen in whatever small ways I can to help, and I know all of us here won't either. So thank you. I really appreciate the foundation for doing this work, in yeoman's work, and please continue to work with them, participate with them, and other organizations as well. The stakes could not be higher. Thank you, and I guess, do we have, Jacob, a little time for some Q and A? Thank you all very much.

Q: Marijuana Policy Project, it was a thrill to see that you have joined-- I don't know exactly your capacity is as an advisor to the Marijuana Policy Project-- but I was wondering, too, that, you know, it seemed like many conservative Republicans who always talk about invasion of privacy and the Bill of Rights somehow have blinders on when it comes to the drug war. And I was under the impression that you, yourself, at one time were a very big advocate of the drug war. And my question is, you know, well, I also wanted to make one more point, too. What could be more of a pillar of freedom than the privacy of one's own body and not to have it controlled by the government? But, if that's correct, that you have been converted to this cause lately, I was just wondering if you could share with us what were your reasons for changing sides?

Bob Barr: Largely the same thought process that went into formally joining the Libertarian Party late last year. It's sort of--you watch, particularly since 9/11 with the tremendous acceleration of the growth of government, you know, we certainly have seen it grow for many, many years, but the tremendous acceleration of that growth. And government power cannot expand except by reducing individual freedom. So, as we've seen since 9/11, this tremendous acceleration--or I have seen this tremendous acceleration in the growth of government power and the corresponding tremendous shrinkage in personal liberty, individual freedom. It reaches, really, a critical mass, in my mind.

And I simply came to the conclusion in a number of areas working on the drug issue, for example, working formally with the Libertarian Party, which I'd had great regard for for many years. Even when they worked to defeat me in 2002, I still had tremendous regard for them because they were alone among American political movements, among American political parties, the only one that retained, as its core, the edict of maximizing individual freedom and minimizing government power.

But I came to the conclusion that we really--I really needed to go back and look at the whole array of areas in which maybe in earlier times one could sort of forgive or take a more benign look, benign neglect, so to speak, of certain areas where the government was active and say, "Well, you know, we can afford that, to let the government involve itself here even though we may not really like it, because we have a lot of freedom in these other areas that we need to work on." It's gotten to the point, I firmly believe, where certainly I don't think I can any longer afford to look, turn a blind eye to any area in which government is taking away our freedom.

And that includes, very frankly, simply going back and rethinking and re-looking at a number of areas that in the past might have made a lot of sense or, as I say, I was willing to let government get away with because we still had enough freedom, you know, so that there was a comfort level in working in these other areas. Since 9/11 and with the tremendous growth of government power, we can't afford that. And that's the conclusion I came to. Thank you. <applause>

Q: Mr. Barr, as a former Congressman, I'm curious about your opinion on a particular technology issue. Given the ubiquity of personal data assistants and cell phones, is it time to free the congressional page to go back to their parents?

Bob Barr: Time to do what?

Q: Free the congressional page to send them back home to their parents.

Bob Barr: Page?

Q: The congressional page, the teenagers who assist congressmen.

Bob Barr: Oh. If they're working for the right congressman, I want them to stay. You know, I want Ron Paul's pages to stay there because they're learning something about how government really ought to operate. I think it's a good program. The problem is the quality of the members, not the quality of the interns and the pages. That's what we need to focus on. We need to send a lot of them home, not the pages. <applause>.

Q: Congressman, I'm an old school North Carolina conservative. I grew up supporting Sam Ervin and Jesse Helms, giving me perhaps the kind of political schizophrenia that you may have felt yourself subject to from time to time. But you were a hero to me in the 1990s when you led the drive to impeach President Clinton, not because of his sexual escapades but because of his abuse of his power as the president, which he used to try to cover up his sexual escapades. And you were an even greater hero to me when, in 2002, you reminded people that we needed to fear

the abuse of George W. Bush, and for that your enemies drove you out of office. But I was proud of you and you were my hero.

Bob Barr: You're very kind, thank you--overly kind. By the way, Bruce Fein-- and Bruce Fein hasn't spoken here; he's not scheduled, is he? But Bruce Fein, who's one, I think, along with James Bovard, one of Americas finest constitutional writers: he wrote a very good opinion piece just recently, I forget exactly when, but just recently I remember reading it, that had to do with his position on impeaching the Attorney General that is a very, very good piece of work.

Q: And my question to you is a question of the political realm. I wouldn't declare myself a Libertarian, but I came here today because I read the *American Conservative* and I agree with 90% of what I've heard spoken today. But I recognize there are certain elements of Libertarianism that the American public is not close to being able to sign up to. And so I'm looking at [it] as a practical reality in next year's elections. I don't know if there's any way to turn around the Republican Party in this year. They are elephants, they're stubborn, they're not people who turn on a dime. They're like moving the Titanic.

But you've chosen to leave the Republican Party to go into the Libertarian Party. Is there encouragement you can give for any of us who either have roots in the Democratic or Republican Parties to work within those parties to try to achieve some greater awareness to push forward candidates who will protect civil liberties just as Sam Ervin did in his party, just as you did in your party, because you say the courts and the Congress may not be ready to do it? Only the people may be ready to do it, but unless the people can express themselves through the members of Congress and the members of courts, then we're just kind of whistling in the wind.

Bob Barr: I think I am very, very optimistic and very enthused by the current leadership of the Libertarian Party. They have a number of young folks--by that I mean a lot younger than I am. Shane Cory, for example, the Executive Director of the Libertarian Party, he's a young man, got a lot of energy, a lot of political sense about him. He's worked in Washington. He was with Judicial Watch for a number of years, I think. There are a lot of other people in the Libertarian Party that are coming up, that are now in leadership positions or who shortly will be, that I think have a very solid sense of not losing our foundation, the party's foundation and its core beliefs, its core principles, but understanding that there are certain things that you can emphasize, certain ways that you present those ideas that give them tremendously improved currency in the political arena out there.

I mean, we talked for a moment ago about the drug issues. If, in fact, you simply--and this is just my view; I don't speak for the Libertarian Party here--that if we simply go out and we talk about the drug issue as an issue of freedom and loosening or doing away with all or at least some Federal drug laws, we're never going to break through to enough people who care much more

about other issues, such as fundamental tax reform, such as returning the power to educate our children to our families and out of the hands of bureaucrats, such as the whole range of business regulatory issues, return these, lessen the power of government in areas that affect people in their daily lives and for which I think they're yearning to hear candidates in a political movement, a party, talk about those real issues.

It's not that, you know, we don't care about these other indices of freedom, these other freedom issues, we do. But you have to develop a way, I think, to talk about the important issues, the issues that are important to people and sort of use those as the issues that you get in the door with rather than the other way around. And I think if you have a lot, as we are now--and as I say, I've been very impressed with the leadership in the Libertarian Party and the folks that I'm now working with there as one of their regional representatives. So I'm optimistic about it.

Is it going to happen quickly? No, not particularly quickly, although, for example, it depends a lot on the quality of candidates that the party secures both at the congressional level, the local level, the state level, and at the presidential level. That can have a great deal to do with it. But none of that is going to happen if we as citizens don't get involved in it. And I think it will. Like I say, I am very optimistic. It's going to take a lot of time, though, and it's going to take a lot of money. Yes, sir.

Q: Congressman Barr, I recently read that if one's passport is accidentally run over a few times by an automobile tire or perhaps inadvertently pounded with a meat tenderizer that the chip doesn't function any longer. Do you know if that's true?

Bob Barr: Well, I made sure that I renewed my passport before they started, I think, just this year with the RFID chips. Yeah, it's the darnedest thing, you know, sometimes they get thrown in the wash or something. It's just awful, but yeah, it sounds like a good idea to me. They also do have--and I got one of these just so I have one, just in case--little metallicized envelopes or sleeves that you can put a passport in or another device, a card that might have an RFID chip.

And as I say, I don't know, have you all spent a lot of time talking about the Real ID Act? I mean, this is a real problem that's right on the horizon. The Real ID Act was passed two years ago, I think it was. I think it was in '05. It was originally set to be fully implemented this time next year in '08. That's been extended for a period of time, not very long; indefinite extension would be best. But the Real ID Act is a national ID card. I mean, there's no other way of really looking at it or reasonably characterizing it. It's a real ID, I mean, a national ID. And the Department of Homeland Security about two months ago published the proposed implementing regs for the Real ID Act. I read them. A number of others did. I submitted comments. A number of other organizations and individuals did. A lot of folks did, as a matter of fact.

A number of states are going on record legislatively with action to one degree or another objecting to the Real ID Act. We have at least a couple of states that are just opting out of it, which is good. Maybe, you know, the whole house of cards that it's built on will fall. But the real ID act and the implementing regs do not explicitly or even implicitly deny that it will include an RFID chip. And I think that it most definitely will if it moves forward, you know, sort of in the configuration that it's currently configured. So that's going to be very problematic because that will apply to virtually every license plate, driver's license that's issued by every state that participates in this plan, in this real ID act. So that would be a very bad one and, you know, if your license, like a passport, gets run over a few times or, you know, gets inadvertently stuck under the steak that you're pounding, it's probably not a bad idea either. I think we have five minutes. So if we can hurry real quick.

Q: Congressman Barr, you've discussed information privacy. Could you talk a minute about the technology of communications availability? The Internet allows the free flow of ideas among people and is maybe the savior of the First Amendment. So, is the architecture of the Internet decentralized enough and robust enough to withstand control of its access by some state?

Bob Barr: Well, currently it is. But there are some very serious threats to it. Our friends on the East River, the United Nations is constantly trying to wrest control of the Internet to itself. This is a very serious ongoing move by the United Nations to get control of the Internet. And if the same as the efforts by the United Nations to secure at least some control over domestic firearms policies in this country, which they are very actively pursuing, if they were to have an administration in Washington that thinks along the same way, they will take control of the Internet, and whether it's them or whether it's some other international body, or the regulators in this country, if they do, then that would change dramatically. As it stands right now--and I'm not a technological expert--but looking out there at Wikipedia, for example, and the tremendous reach that Wikipedia has, which is which is controlled by users themselves in pretty much every sense of the word, the free access to the Internet, right now, it's a tremendous tool that, you know, we constitutionalists and Libertarians have not really used to the extent that we should be.

Q: But if the communications trunk lines, if they use telephone company trunk lines or other methods that centralize the actual communications paths, perhaps alternate networks in private control such that they can't be controlled by a central authority might be the enabler to continue with freedom of speech.

Bob Barr: Yeah, you have to be very careful. Even though--you're right--even today with the ISPs, that's sort of the weak point in the freedom of the Internet. That's where government goes if they want to access information. That's where Project Carnivore was targeted, toward the ISPs. And that's where virtually every one of these government programs that seeks to access

and regulate and limit the use of the Internet goes to. So, you know, where you have those choke points, absolutely. Jacob, I think we have just one more. Would you choose who we go to? Because I don't want to get everybody mad at me. Let 'em be mad at you. <Inaudible> Yes, ma'am.

Q: Congressman Barr, I'm Linda Poole from Macon, Georgia. Many people have asked me what led you to this conference, why'd you come here, when I found the website and saw the speakers. Of course, I'm supporting Ron Paul for president in the Bible belt, GOP, Red Elephant State of Georgia. And I saw your name on the list, and I thought, okay, well, there's two southerners going to be at the conference, and you're from Georgia, so that's what led me here. One thing I want to let people know first of all is December the 15th is Bill of Rights Day. Perhaps some entrepreneur can design some cards, mail out the Bill of Rights to people. People don't know the Bill of Rights. So there's something that somebody could do to make some money.

And I want to know as you being a former Congressman of Georgia, will you get an invitation to the GOP Convention in Georgia to make sure that Ron Paul is not stumped? And also, I would encourage you to get some people maybe to get on RedState.org and PeachPundit.com, real big blogs in Georgia, and try to push more of the Libertarian message of freedom and not be so much against Christianity. Of course, you can't do that in the Bible belt. But if you could get some people to write on there, anybody take those websites down. And so, mainly, my question is, will you be a delegate at the GOP Convention?

Bob Barr: Nope. I was a speaker at the Libertarian Party Convention of Georgia, and I try and cover as many other Libertarian Party conventions. I think I'll be at the one in Alabama, and then we have one coming up in Mississippi. So, that's where my political efforts are directed these days and that is to help strengthen the Libertarian Party, not only in Georgia and the Southeast but nationally as well. Thank you. Thank you all again. Jacob, thanks for inviting me. You all take care.