



Written by [Alex Newman](#) on July 28, 2015

Lawmakers Vote to Let Obama Take Your Passport Without Trial

In a radical attack on the due-process rights of Americans that received virtually no media attention, the Republican-controlled House of Representatives voted to give the Obama administration the unilateral power to strip you of your passport and right to travel without a trial or even criminal charges. The scheme does not even include a way to challenge your status as a non-person involuntarily trapped inside U.S. borders on orders from the secretary of state. Lawmakers, [some of whom could themselves be caught in the dragnet along with myriad administration officials](#), praised the effort as a way to stop alleged terrorists from travelling. But critics said it was yet another attack on the fundamental rights of Americans, such as due-process protections, and that it must be resisted.



As if to illustrate how out of touch with the U.S. Constitution most members of Congress have become, the legislation, [HR 237](#), also known as “FTO (foreign terrorist organization) Passport Revocation Act,” did not even receive a recorded vote — supposedly because it was so “uncontroversial.” It passed after 15 minutes of alleged “debate.” Bill sponsor Ted Poe (R-Texas) claimed the measure, adopted under a “suspension of the rules” typically used for trivialities such as renaming post offices, was passed unanimously. Of course, in an age in which the White House openly claims the [unilateral authority to murder](#) or [indefinitely detain American citizens](#) without even charging them with a crime, passport revocations likely seem trivial by comparison. But opponents of the measure said it was a big deal nonetheless.

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Under the bill, “the Secretary of State may refuse to issue a passport to any individual whom the Secretary has determined has aided, assisted, abetted, or otherwise helped an organization the Secretary has designated as a foreign terrorist organization,” the text states. “The Secretary of State may revoke a passport previously issued to any individual” whom Secretary of State John Kerry, or future administrations that could be even more radical, unilaterally decides may have done any of those things. The terms are left undefined, opening up widespread potential for abuse, and there is no appeals process outlined in the legislation.

In essence, if approved by the Senate and signed into law by Obama, one man — far-left radical Kerry, for now — would have the power to strip you of your unalienable, God-given rights enshrined in the U.S. Constitution. Under the measure, individuals targeted by Kerry or his successors would have no right to due-process of law — no trial by jury, no chance to contest the findings in open court (or anywhere



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else), no right to be presumed innocent before proven guilty, not even a right to see the accusations. Indeed, even actual criminal charges are unnecessary under the scheme for somebody to be permanently trapped in or out of the United States based on secret evidence, with no mechanism to appeal.

Lawmakers who supported the measure, though, put a different spin on it. “Daily, deadly attacks around the world remind us that radical Islamic terrorists are spreading their murderous rampage worldwide,” said Rep. Poe, who sponsored the legislation and has a [70 percent cumulative score on the Freedom Index](#). “The threat to America from these groups has never been greater. But some of our own citizens have travelled to the terrorist hotbeds in Syria and beyond to fight for the other side. These Benedict Arnold traitors who have turned against America and joined the ranks of foreign radical terrorist armies should lose all rights afforded to our citizens.”

Of course, after being proven guilty of terrorism or treason in a court of law, actual terrorists and traitors would — and regularly do — lose the rights guaranteed to Americans in the U.S. Constitution. However, Rep. Poe fails to mention that, and instead of a trial by jury to determine guilt, individuals would lose their rights merely on the word of one administration official. “This will help law enforcement locate these individuals by making it easier to flag the individuals who are trying to travel internationally,” Poe continued. “Most importantly, this legislation will help prevent turned Americans from coming back to the United States undetected.”

“The House has now acted to locate and contain these traitors,” Rep. Poe added, without explaining the implications of giving the Obama administration the unilateral authority to declare somebody a “traitor” without any semblance of due process. “It’s time for the Senate to quickly do the same. These people are not returning to America to open coffee shops; they are coming back to kill. Let’s stop them from coming back at all.” Other Republican lawmakers issued similar statements in support of the measure. Existing U.S. statutes already allowed Americans’ passports to be revoked for “national security,” but apparently the administrative appeals process available under that program was too much for Congress.

The handful of critics who were aware of the scheming ahead of the vote slammed a wide range of provisions in the measure. “The bill provides no ability for someone wrongly denied a passport to challenge the Secretary of State’s findings that they helped a terrorist,” explained Norm Singleton, vice president for policy at the Campaign for Liberty and a founding member of the Republican Liberty Caucus. “So much for due process and reining in executive power.” Before the vote, he urged supporters of due process to call their representatives and tell them to oppose the scheme, but it was approved in the House the next day anyway.

In a [wide-ranging and widely re-published criticism of the legislation](#), Ron Paul Institute for Peace and Prosperity chief Daniel McAdams blasted the process used to adopt it, the anti-liberty ideology underpinning it, and the bill itself. “This means the Secretary of State can, unilaterally, with no due process and no oversight, deprive an American citizen the privileges of citizenship, thus relegating him to internal exile inside the United States — a practice most recently perfected in the Soviet Union,” he wrote. “What does the word ‘aided’ mean? No one knows. Is there any wiggle room for inadvertency? No one knows. And what about the very political nature of the US ‘terror’ list in the first place?”

“The U.S. Secretary of State can revoke my passport without meeting any burden of proof that I am actually a terrorist or even that I have ever supported terrorism. He can keep his evidence against me totally secret and will never be required to justify his actions against me,” McAdams continued. “And



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this is considered ‘uncontroversial’ in the United States? Even in revolutionary France you had the Vendée which resisted the madness of the totalitarian state. Here we have the ‘suspension calendar,’ a modern guillotine of our rights.”

Ironically, as liberty-minded critics such as McAdams subtly pointed out, if the measure had been in effect just a few years ago, [a broad range of top current and former officials in both major political parties would have been subject to losing their passports for openly supporting \(after being paid big bucks\) the Iranian Mujahedin-e Khalq](#), a designated terror group until 2012 often described as an Islamo-Marxist “cult.” Until 2008, supporters of Nelson Mandela’s African National Congress, [which included top U.S. officials](#), would have also been targeted. Meanwhile, the Obama administration was exposed [years ago openly supporting proud al-Qaeda leaders, first in their war against Libyan dictator Moammar Gadhafi](#), and [more recently in Syria](#).

Americans with [alleged tax debts are also in Congress’ crosshairs for being stripped of their right to travel and due process](#), and have been for years. In fact, just this week, the Senate included a provision in the “transportation” bill it introduced that would [strip the passports of anyone the IRS claims owes over \\$50,000](#). And analysts said this is all just the beginning, with efforts to use passports and citizenship as leverage against Americans — and as a means of bypassing due process — steadily gaining steam.

Under the administration’s outlandish “interpretations” of unconstitutional U.S. statutes, Obama [already claims to have the dictatorial power to assassinate or indefinitely detain anyone without even charging them with a crime — much less proving guilt beyond a reasonable doubt in front of a jury](#). Already, the former chief of the CIA and NSA [can boast openly that “we kill people based on metadata.”](#) By comparison, then, revoking passports does indeed seem trivial. However, the expanding attack on due-process rights [under the guise of the “terror war”](#) has far-reaching implications.

Consider, for example, the Obama administration’s extreme definitions of “extremist” — [pro-life activists, opponents of illegal immigration, returning veterans, and more](#) — as outlined in myriad official government reports. Then consider the extremism of revoking individual rights based on the secret word of one government official.

Americans can be sure that without a serious effort to rein in the attacks on the U.S. Constitution and the freedoms it protects, the lawless extremism pouring out of Washington D.C. will continue to accelerate.

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