



Texas Has Bipartisan Support for Anti-TSA Legislation

The Lone Star State isn't alone in its resistance to the criminal assaults of the TSA. Joined by the states of New Hampshire, Pennsylvania, and New Jersey, Texas' measures to oppose the Obama administration's [illegal searches](#) are moving beyond isolated objections. States have had enough, and are banding together in a formal way to give voice to thousands of beleaguered travelers who've experienced draconian treatment at the literal hands of the TSA. These states are simultaneously reclaiming states' rights and duties to protect their citizens through [interposition](#), the state's duty to step between a runaway federal government and the liberty of its citizens.



After new TSA "security" measures (AIT body scanners, groping pat-downs) were unexpectedly implemented last November, outrageous reports surfaced immediately, forcing the TSA to back off its [unconscionable behavior](#) until the end of the year. But along with those reports of TSA's egregious acts came encouraging stories of heroic resistance. And when a lawmaker, [Alaska state Rep. Sharon Cissna](#), refused to fly in order to avoid the traumatic and unconstitutional groping, her action added a new level of newsworthiness to the issue.

Now, according to Wesley Strackbein of the [TSA Tyranny](#) website, "the TSA is ... back on the offense," as indicated by its inexplicable searches at a Savannah, Georgia [Amtrak station](#).

Representative Simpson's bills are drawing a bead on the TSA, intending to disabuse it of the idea that it can "protect liberties" while simultaneously taking them away. [Simpson told Raw Story](#), March 8,

What we're saying here is, these bureaucrats have gone too far. We're not against national defense; we're not against security. We just don't want to do it at the expense of our liberties. The terrorists want to take away our liberties and here we have our very own government terrorizing innocent travelers. Traveling is not a criminal act. You need probable cause [to conduct a search].

Unless there's reason to believe someone has an explosive or intends to commit a criminal act, you shouldn't be treating them as a criminal and that's what we're doing. It's un-American and it needs to stop. C.S. Lewis once wrote ... that tyranny exercised for the good of its victims may be the most oppressive, and I agree with him. They're trying to make us think we're safer, but we're not.

Simpson's bills propose to:

- make it a crime in Texas for a person to touch private body areas without probable cause;
- prohibit whole-body scanners in airports; and
- express the Legislature's strong opposition to unreasonable searches by the TSA, urging the



Written by [Kelly Holt](#) on March 10, 2011

administration to prohibit them immediately.

He indicated to *Raw Story* that he's gaining co-sponsors from both sides of the aisle:

I have broad bipartisan support for the bill — at least seven Democrats, and one's a joint author. There [are] about 22 other people already signed on too. This is not a left or right issue. They are treating American citizens with great indignity, and we've got to make this right.

We're talking about what would be a criminal act in any other place. If you viewed someone naked without their permission or consent, or as a condition of travel, it would be sexual harassment or voyeurism. If you touched people's privates, that would be sexual assault.

New Hampshire State Representatives George Lambert and Andrew Manuse have sponsored [HB 628](#) along similar lines to Simpson's Texas bills. And New Jersey State Senator Mike Doherty has introduced three pieces of [legislation](#) criminalizing unreasonable searches and invasive pat-downs. Pennsylvania's State Representative Will Tallman has sponsored comparable legislation in his state as well.

According to *Raw Story*, a spokesman with the Department of Homeland Security refused to comment on the pending legislation, but noted that in many cases still, state laws do not trump the federal government.

Which is the whole point of the Tenth Amendment and interposition. TSA policies are not law. Simpson has proposed possibly the best solution so far, claiming that those with the most at stake — the airlines — have more incentive than anyone else for proper security precautions to be conducted without terrorizing their customers. He declared,

Sexual assault should always be a criminal act. How are we protecting our businesses outside the industry? They have cameras, they have locks and in some cases they have guns. I'm for letting the airlines determine the best method. I think you'll have some that want to compete.

It needs to stop somewhere. If we don't nip this thing in the bud it's going to come to our sidewalks, to our football games. The DHS was considering as recent as five years ago doing covert scanning of the public, but they've denied pursuing that any further. That they would consider it shows they have no regard for the Fourth Amendment.

Simpson told *The New American*,

The love of freedom has brought legislators from both parties together. I am very glad to be joined by both Democrats and Republicans to defend our citizens against unreasonable and humiliating searches as a condition of public travel.

In the great gulf that characterizes the current political climate, this issue is closing the gap, with solid, defensible legislation introduced in these four states.

Photo: Texas state Representative David Simpson



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