



Written by [Joe Wolverton, II, J.D.](#) on September 3, 2016

DHS Considers Taking Over Elections in Name of Security

“The elective franchise, if guarded as the ark of our safety, will peaceably dissipate all combinations to subvert a Constitution, dictated by the wisdom, and resting on the will of the people.”

— Thomas Jefferson

With news of the intrusion of unnamed hackers into the computerized election records of Arizona and Illinois, the Department of Homeland Security (DHS) is preparing to designate the country’s electoral system as “critical infrastructure.”



By making such a move, the DHS would exercise authority given to it in the days after September 11, 2001 to preserve political and civil safety.

Homeland Security Secretary Jeh Johnson said, “We should carefully consider whether our election system, our election process, is critical infrastructure like the financial sector, like the power grid. There’s a vital national interest in our process.”

In simpler terms, the Obama administration isn’t content with controlling Wall Street and the power grid; it will soon exert absolute authority over the ballot box, too.

As for the identity of those areas of “critical infrastructure” which DHS currently controls, the agency’s website explains:

There are 16 critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital to the United States that their incapacitation or destruction would have a debilitating effect on security, national economic security, national public health or safety, or any combination thereof.

These sectors include:

Chemical

Commercial Facilities

Communications

Critical Manufacturing

Dams

Defense Industrial Base

Emergency Services

Energy

Financial Services



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Food and Agriculture

Government Facilities

Health Care and Public Health

Information Technology

Nuclear Reactors, Materials, and Waste

Transportation System

Waste and Wastewater Systems

That is the current list of aspects of life in the United States that will be controlled by bureaucrats — unelected, unaccountable, unconstitutional bureaucrats — should these areas ever be threatened in any way.

This is a plan for centralization of power that is unprecedented in the history of the world. Sadly, this centralization is planned in the country that was once the freest in the history of the world — whose freedom was perpetuated by a carefully crafted Constitution.

As is the habit of the statist, they identify federalism as the culprit, not the criminals sitting at the keyboards.

Secretary Johnson made the point in August when he justified the quest for control by explaining that “there’s no one federal election system. There are some 9,000 jurisdictions involved in the election process.”

One can imagine him adding, “Wouldn’t it be easier if we had one set of laws, one consistent set of regulations for something so fundamental to our political stability as the electoral process?”

It isn’t as if this plan wasn’t publicized. In a White House policy directive published in February 2013, a “Critical Infrastructure Security and Resilience” plan was announced, explaining:

The Nation’s critical infrastructure provides the essential services that underpin American society. Proactive and coordinated efforts are necessary to strengthen and maintain secure, functioning, and resilient critical infrastructure — including assets, networks, and systems — that are vital to public confidence and the Nation’s safety, prosperity, and well-being.

The Nation’s critical infrastructure is diverse and complex. It includes distributed networks, varied organizational structures and operating models (including multinational ownership), interdependent functions and systems in both the physical space and cyberspace, and governance constructs that involve multi-level authorities, responsibilities, and regulations. Critical infrastructure owners and operators are uniquely positioned to manage risks to their individual operations and assets, and to determine effective strategies to make them more secure and resilient.

Critical infrastructure must be secure and able to withstand and rapidly recover from all hazards. Achieving this will require integration with the national preparedness system across prevention, protection, mitigation, response, and recovery.

As if the notion of the exercise of the right to vote being placed under the purview of the U.S. Department of Homeland Security isn’t infuriating enough, a paragraph from deep within the 2013 presidential policy directive should send shivers down the spines of everyone who considers their ballot



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box the palladium of representative government:

“The Federal Government shall also engage with international partners to strengthen the security and resilience of domestic critical infrastructure,” President Obama proclaimed.

That’s right: If the White House declares that any aspect of “critical infrastructure” is being threatened, then the president *shall* (note: not *may* or *can*) call in foreign overseers to help calm the chaos.

Finally, according to the details of the 2002 legislation that created the Department of Homeland Security, the secretary of the department is authorized to call in the U.S. attorney general and other “law enforcement agencies” (presumably local, state, and federal) to “investigate and prosecute threats” to the critical infrastructure identified by the director.

Several legal experts have weighed in on the anticipated assumption of control of the electoral process. The Media Research Center published the following commentaries:

“There is no federal power to control or secure elections. Each state administers its own elections, restricted only by constitutional protections for voting rights,” agreed Illya Shapiro, senior fellow in constitutional studies at the Cato Institute.

“It may make sense for states to request federal support here, but it would set a dangerous precedent for a federal agency to unilaterally take over state electoral processes,” Shapiro said.

“It is unnecessary and uncalled for and potentially unconstitutional since the federal government doesn’t have the authority to administer elections, only to set the time, place, and manner of congressional elections,” Hans von Spakovsky, a senior legal fellow at The Heritage Foundation, told CNSNews.

While the DHS hasn’t formally categorized voting as a part of the “critical infrastructure,” it would be miraculous if a government agency let delegated powers lie dormant. In the case of the electoral system’s soundness, Secretary Johnson’s statements were made prior to the FBI’s disclosure of the alleged hacking of parts of the voter information systems of Arizona and Illinois, so it seems the beach was only being softened.

As has become their regular response, the Obama administration blamed “the Russians” for the cyber attack.

The implication is, it seems, that Putin wants Donald Trump to be president, so he ordered hackers to give him access to the electronic voting system so that he can rig the system in favor of his pal.

What is more likely in light of our own history is that the federal government will manufacture mayhem so as to elicit desperate calls by voters to calm the chaos. Dutifully, DHS will step into the breach and bypass the law — temporarily, of course — suspending state control of elections in the name of safety.

As James Madison observed, “It is a universal truth that the loss of liberty at home is to be charged to the provisions against danger, real or pretended, from abroad.”

Finally, if the integrity of the electoral process is paramount to the Obama administration, then wouldn’t they prefer that the electronic systems that facilitate that process remain decentralized so as to minimize the damage done by cyberattacks?

If the systems were consolidated into “one federal election system” as Secretary Johnson prefers, a single hack could critically cripple the entire electoral process.



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