



Written by [Kelly Holt](#) on May 26, 2011

## Washington Times: “Texas Senators Need to Grow a Backbone”

On Tuesday, May 24, federal agents from the TSA visited the Texas legislature threatening to end air travel in Texas if the hugely favored anti-TSA bill, H.B. 1937, passed. The backlash from Texans and even members of the press stung Texas state Senators, but not enough to prevent the lawmakers from tucking tail and running. The support the measure lost as a result of federal bullying wasn't regained in time to resurrect it for passage.



In an article [published online yesterday](#) by *The New American*, Alex Newman outlined an intimidating [letter](#) sent to Texas Senate leadership by U.S. District Attorney John Murphy warning the legislators to “kill the bill or else.”

The letter stated, among other things, “TSA would likely be required to cancel any flight or series of flights for which it could not ensure the safety of passengers and crew.” Such a statement seems to imply that the TSA is guaranteeing safety now. Further, it's difficult to believe that all air travel in and out of Texas would or even could be cancelled. Nevertheless, Lone Star Senators caved.

H.B. 1937 would have stopped TSA officials from invasive groping practices, making them liable to prosecution if they violated the law. After passing unanimously in all stages of the process up until Tuesday, the legislation stood ready for passage in the Senate with 30 of the 31 Senators in support. Newman described the measure as “wildly popular” in Texas, and he was right. But after Tuesday's fiasco in the Senate, Lone Star residents came unleashed.

The office of freshman David Simpson (the bill's author) reported late Wednesday that phone calls, faxes, and e-mails from irate Texans had flooded the offices of Lt. Governor David Dewhurst and most Senators. The incident even prompted an angry group to show up at the Capitol expressing their displeasure with the Senators. And e-mail blasts from many grassroots organizations drove state residents to their phones. In fact, the bill's success was bolstered all along by input from the bottom up. Committee hearings were also filled with people who had never before taken activist positions, but were driven to do so after horrific airport experiences. Instinctively, the average citizen knows that groping is wrong.

From Dallas, Bill Cherry, Development Officer of The John Birch Society, noted the importance of grassroots activity. “The John Birch Society, Campaign for Liberty, We Texans, TSA Tyranny, and others kept the issue alive to the very end until spineless senators failed to show up for a quorum to pass the bill. Even Lt. Governor Dewhurst must have felt the pressure, as evidenced by his agreement to allow Senator Dan Patrick [the Senate sponsor] to bring the bill back if he was able to recoup enough



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support. But our senators failed us." Texans' pleas went unheeded.

Which didn't escape the notice of [Washington Times](#) reporter Richard Diamond. In his May 25 article, he observed,

The Texas legislature needs to grow a backbone. A state that prides itself on its independence and the slogan "Don't mess with Texas" ought not to be easily cowed as the upper chamber was Wednesday.... It only took a scary letter from a Department of Justice bureaucrat to convince enough senators to hoist the white flag.

Not a few Texans agree.

Senator Patrick of Houston (pictured above) had called it " ... a come-and-take-it moment for the state of Texas!" according to the [Houston Chronicle](#).

History buffs will remember the famous "Come and Take It" incident he referenced. In 1835, leading up to Texas' war for independence from Mexico, a small but scrappy group of "Texians" — worried about Mexico's increasingly heavy-handed governance — failed to comply with a command to surrender a tiny six-pound cannon that had been issued to settlers for defense against Indians. Rising tensions between the oppressive Mexican government and the settlers in far-flung Texas led them to believe they would have no defense against Mexican oppression if they surrendered the gun. So someone fashioned a flag out of a wedding dress with the words, "Come and take it!" in defiance of the order. A small skirmish, in which the Texians fired first, sent the Mexican troops scuttling, and no more was heard about the gun that day.

Stalwart modern-day Texans lament: Would that their state Senators could still muster that kind of courage. "There was a time in this state, there was a time in our history, where we stood up to the federal government and we did not cower to rules and policies that invaded the privacy of Texans," Texas Sen. Dan Patrick told the [Texas Tribune](#) on May 24. He was outraged, as was Rep. Simpson, when he witnessed not only the federal bullying that occurred, but how easily Texas senators crumpled when the heat was turned up.

Other states are considering similar legislation, although Texas had made more progress than any other. And a new alliance of state legislators promises hope against TSA abuses.

After [Alaska State Representative Sharon Cissna](#) took on the TSA by refusing to submit to a pat-down, she and Washington State Senator Val Stevens formed the [United States for Travel Freedom Caucus](#). The two invited legislators from across the country to join them if they had introduced anti-TSA bills. So far, there are nine member states represented, and according to David Simpson's office, 16 legislators, including Simpson.

Texas has lost the opportunity to protect its residents until the legislature reconvenes in 2013. But activists in other states have a chance to build on Texas' momentum and encourage their own lawmakers to introduce similar legislation, as well as join efforts with Cissna and other freedom-lovers in state government.

*Photo: Texas state Senator Dan Patrick*

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