

**Argument for the Resolution to the Patriot Act**

MY name is Stephen M Papanek. I was born in Illinois & have been a citizen of the state of MT. For 20 plus years. I have participated, as a combat infantryman, in the republics of Vietnam & Panama. By virtue of the 4<sup>th</sup> Amendment of the Constitution of the United States & with reservation as to the intentions of the present federal administration, I respectfully refuse to divulge more personal information than that.

As a natural born American citizen, I wholeheartedly endorse this resolution to the patriot act and oppose the act itself, on the grounds that the act violates my birthright and is contradictory to the very principles upon which my republic stands. The document that declares America's legitimacy in the eyes of the world, states; "That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed..." Individuals are not born to serve law. Laws are created to serve individuals.

I respectfully remind those present of the 9<sup>th</sup> Amendment to the Constitution – at present, the law of the land – which states, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people." By virtue of this amendment, those who drafted, supported, or signed the patriot act into law have crossed a line that borders on treason & are not immune from justice by virtue of some fleeting position of authority. Some of those who endorsed this "patriot act," have since resigned their positions in public service, I suspect with a guilty conscience or fear of a traitor's end. Time will tell.

I respectfully remind those who have served in the United States armed services of the oath they swore before they were issued a uniform. For those who have not served, please, take note. When entering into the armed services, either voluntarily or by conscription, you are required to "solemnly swear to protect and defend the constitution from all enemies foreign and domestic and to bear true faith and allegiance to the same. By virtue of that oath – the same that I swore on my 17<sup>th</sup> birthday – anyone who would suspend or undermine any part of my inalienable rights is my foresworn enemy. It is only by virtue of the Declaration of Independence, The Bill of Rights & the Constitution of the United Sovereign States of America, that my fellow Americans & I are not traitors & terrorists in the eyes of a long established government – the British Empire, deserving such punishment as that government sees fit.

The "patriot act" was drafted as a knee-jerk response to an act of terror, when our security services came up short, specifically the INS, the FBI, & the CIA. As I interpret it, terror is mind numbing, muscle paralyzing fear. It cannot be controlled on a global level. It must be dealt with on a personal level & we (the people), living under the securities promised by this government should not be deprived our rights because of the criminal acts of individuals or enemies of the state. By the rationale behind the "patriot act," all legislators would be deprived their rights for the actions of former Presidents Andrew Johnson, Richard Nixon William Clinton, former Vice President Spiro Agnew, & former National Security Advisor Oliver North to name a few. By that same rationale, all caucasian males should be deprived their rights for the actions of one "terrorist" who destroyed the federal building in Oklahoma City. Americans are poorly served by legislators who take counsel in their fears, in response to a tragic incident & then refer to themselves as leaders.

Montana would not be the first state to enact a resolution to this blatantly un-American act. This resolution will send a strong, timely message to a centralized, alienated & isolated federal government that deprives rather than secures, dictates rather than leads & reacts blindly rather than with vision. That message is "tread lightly, better still, don't tread on me."

In the Republic of Vietnam a village named Ben-Tre was rendered non-existent by unchecked American firepower. An American officer justified this action with the statement "We had to destroy the village in order to save it." That statement is one definition of insanity. Another definition of insanity is repeating the same failed behavior & expecting a different outcome. Freedom cannot be preserved by destroying it piecemeal. Thank you for listening.