

Statement of Congresswoman Eleanor Holmes Norton on the Introduction of the United States Commission on an Open Society with Security Act of 2021

February 3, 2021

Ms. Norton. Madam Speaker.

Today, I introduce the United States Commission on an Open Society with Security Act of 2021, which would create a commission to investigate how we can maintain our democratic traditions while actively responding to the real and substantial threats posed by foreign and domestic terrorism.

The impetus for this commission was born after the Oklahoma City bombing in 1995, grew in importance after the terrorist attacks on September 11, 2001, and has reached peak urgency since the insurrectionist attack on the U.S. Capitol on January 6, 2021. The succession of tragic events endured by our nation has led to a series of sweeping security increases that are deemed both necessary and temporary in the moment but create lasting security infrastructure that is difficult to dismantle and infringes on our open, democratic society.

We must acknowledge and accept that we have entered into an era of constant internal and external threats, requiring ever-higher levels of security for our people and public spaces. What we thought would be a temporary infringement on our open society has turned into a permanent restriction on how our citizens interact with each other and our democratic institutions. Because emergencies typically dictate security decisions, essential discussions on the proper balance between national security, individual rights and the freedoms enjoyed in an open society have been repeatedly deferred.

My bill would ensure that this long overdue discussion takes place in a public forum with experts drawn from across the spectrum. To date, security planning has been delegated almost exclusively to security, intelligence and military experts. Although their input is indispensable, they cannot be expected to accurately consider the externalities that lie outside of their expertise. To strike a better balance that gives sufficient importance to our democratic traditions, we need to invite experts from diverse fields to the same table to work together. Therefore, the commission would be composed not only of security, intelligence and military experts, but also experts from such fields as business, architecture, technology, law, city planning, art, engineering, philosophy, history, sociology and psychology.

We have used commissions before to deeply investigate and address unprecedented challenges, such as the National Commission on Terrorist Attacks Upon the United States (also known as the 9/11 Commission), the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (also known as the Silberman Robb Commission) and the Kerner Commission following riots that swept American cities in the 1960s. The commission created by this bill would seek to avert a crisis in basic freedoms before their infringement becomes entrenched. We cannot allow security protocols to proliferate without informed civilian oversight and a thorough analysis of alternatives that might better safeguard freedom and commerce.

Furthermore, we have had decades to develop strategies and technologies for smarter security that can fulfill the responsibility of safety without depriving our citizens of access to institutions and personal liberty. Thus far, we have either relied on imprecise medieval approaches like crude barriers or on overexpansive new technologies that treat privacy like a privilege instead of a right. We can, and must, do better.

As the home of our federal government, the District of Columbia's residents have suffered a disproportionate infringement on public spaces, personal rights and freedoms in the name of security. Public spaces that serve as the heart of our local communities have become restricted zones characterized by a heavy security presence, with individuals liable to be reprimanded for walking on the wrong side of the street or marveling too long at the architecture. Barriers such as walls and fences are touted as essential security features while our citizens are left peering at their democracy from a distance.

Security is not only about reducing lives lost and dollars cost. It is also about safeguarding the institutions, freedoms and values that anchor our country, not only for ourselves but for future generations. The social compact between government and the people should not be the result of a series of hostage negotiations. We must resume reasoned and deliberative decision-making, beginning with a high-level commission composed of experts from diverse disciplines charged with developing a new course that will protect both our people and our precious democratic institutions and traditions.