

Obama gives foreign cops new police powers in U.S.

Sovereignty apparently set aside as agency exempted from law

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By Bob Unruh
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A little-discussed executive order from President Obama giving foreign cops new police powers in the United States by exempting them from such drudgery as compliance with the Freedom of Information Act is raising alarm among commentators who say INTERPOL already had most of the same privileges as diplomats.

At [David Horowitz's Newsreal](#), Michael van der Galien said the issue is Obama's expansion of President Ronald Reagan's order from 1983 that originally granted those diplomatic privileges.

Reagan's order carried certain exemptions requiring that INTERPOL operations be subject to several U.S. laws such as the Freedom of Information Act. Obama, however, removed those restrictions in his Dec. 16 amendment to Executive Order 12425.



That means, van der Galien wrote today, "this foreign law enforcement organization can operate free of an important safeguard against government and abuse."

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"Property and assets,' including the organization's records, cannot be searched or seized. Their physical locations are now immune from U.S. legal or investigative authorities," he wrote.

"AMENDING EXECUTIVE ORDER 12425 DESIGNATING INTERPOL AS A PUBLIC INTERNATIONAL ORGANIZATION ENTITLED TO ENJOY CERTAIN PRIVILEGES, EXEMPTIONS, AND IMMUNITIES

"By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1 of the International Organizations Immunities Act (22 U.S.C. 288), and in order to extend the appropriate privileges, exemptions, and immunities to the International Criminal Police Organization (INTERPOL), it is hereby ordered that Executive Order 12425 of June 16, 1983, as amended, is further amended by deleting from the first sentence the words "except those provided by Section 2(c), Section 3, Section 4, Section 5, and Section 6 of that Act" and the semicolon that immediately precedes them," he wrote.

At the [ThreatsWatch.org](#) website, authors Steve Schippert and Clyde Middleton gave their interpretation of the result.

"In light of what we know and can observe, it is our logical conclusion that President Obama's Executive Order amending President Ronald Reagan's 1983 EO 12425 and placing INTERPOL above the United States Constitution and beyond the legal reach of our own top law enforcement is a precursor to more damaging moves," they wrote.

"When the paths on the road map converge – Iraq withdrawal, Guantánamo closure, perceived American image improved internationally, and an empowered INTERPOL in the United States – it is probable that President Barack Obama will once again make America a signatory to the International Criminal Court. It will be a move that surrenders American sovereignty to an international body whose INTERPOL enforcement arm has already been elevated above the Constitution and American domestic law enforcement," they said.

"For an added and disturbing wrinkle, INTERPOL's central operations office in the United States is within our own Justice Department offices.

They are American law enforcement officers working under the aegis of INTERPOL within our own Justice Department. That they now operate with full diplomatic immunity and with 'inviolable archives' from within our own buildings should send red flags soaring into the clouds," they said.

"Ultimately, a detailed verbal explanation is due the American public from the President of the United States detailing why an international law enforcement arm assisting a court we are not a signatory to has been elevated above our Constitution upon our soil."

Records show that the original order designated INTERPOL as a public international organization. Reagan had extended "appropriate privileges, exemptions, and immunities," but kept it subject to searches and seizures under appropriate legal circumstances.

Obama's decision, analysts have concluded, exempted Interpol from all restrictions.

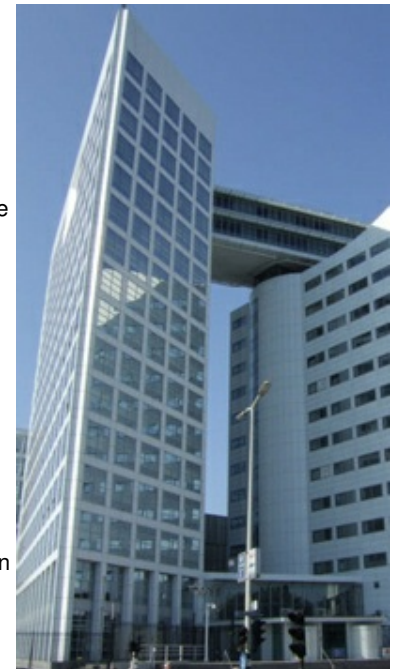
"This international law enforcement body now operates – *now operates* – on American soil beyond the reach of our own top law enforcement arm, the FBI, and is immune from Freedom Of Information Act (FOIA) requests," ThreatsWatch reported.

At [the Patriot Room](#), it was explained there is a reason for a certain level of immunity.

"Before we get our knickers in a bunch, there is logic to this immunity. While we like our Constitution and laws, other countries like their Constitution and laws. It doesn't matter if the concept of personal freedom is more expansive here. If we expect immunity in their country, we have to extend it to them here."

But with Obama's change, "It means that we have an international police force authorized to act within the United States that is no longer subject to 4th Amendment Search and Seizure."

[Anthony Martin at the Examiner](#) noted the international agency now can operate in the U.S. will "full immunity" from U.S. laws and "with complete independence from oversight from the FBI."



International Criminal Court

At National Review [Andy McCarthy asked](#), "Why would we elevate an international police force above American law? Why would we immunize an international police force from the limitations that constrain the FBI and other American law-enforcement agencies? Why is it suddenly necessary to have, within the Justice Department, a repository for stashing government files which, therefore, will be beyond the ability of Congress, American law-enforcement, the media, and the American people to scrutinize?"

At [UNDispatch](#), which is a blog on the United Nations, Mark Leon Goldberg, who explained he worked at Interpol's headquarters in France in 2002, said there isn't much danger of INTERPOL agents whisking Americans off to jail. But he confirmed, "As to the specific reason why the Obama administration would decide, last week, to extend to INTERPOL the same suite of diplomatic privileges that are typically accorded to international organizations? I don't have a good answer for that. My sense is that it probably has something to with the accessibility of INTERPOL's secure criminal databases (on things like stolen passports and the like)."

But the Obama critics at [the Obamafile](#) weren't convinced.

"By this EO, Obama has conferred diplomatic immunity upon INTERPOL, exemption from being subject to search and seizure by law enforcement, exemption from U.S. taxes, and immunity from FOIA requests, etc. ... Does INTERPOL have a file on Obama – or his associations?"

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