

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 615 Session of  
2004

INTRODUCED BY JAMES, SURRA, WHEATLEY, JOSEPHS, WASHINGTON,  
LaGROTTA, LEACH, CURRY, THOMAS, YOUNGBLOOD, DALEY, KIRKLAND,  
BISHOP, WILLIAMS AND WATERS, MARCH 18, 2004

REFERRED TO COMMITTEE ON EDUCATION, MARCH 18, 2004

## A RESOLUTION

1 Affirming American civil liberties, opposing those provisions of  
2 the USA PATRIOT Act that undermine constitutional rights and  
3 civil liberties, requesting public schools and institutions  
4 of higher education to notify students whose educational  
5 records have been obtained under section 507 of the USA  
6 PATRIOT Act and requesting public libraries to notify patrons  
7 that borrowing activity is subject to scrutiny under section  
8 215 of the USA PATRIOT Act without further notification.

9 WHEREAS, The Commonwealth of Pennsylvania has a diverse  
10 population, including immigrants, foreign nationals and students  
11 whose contributions to the community are vital to its economy,  
12 culture and civic character; and

13 WHEREAS, Federal, State and local governments should protect  
14 the public from terrorist attacks such as those which occurred  
15 on September 11, 2001, but do so rationally and deliberatively  
16 to ensure that any new security measure enhances public safety  
17 without impairing constitutional rights or infringing on civil  
18 liberties; and

19 WHEREAS, Actions taken by the Federal Government, including  
20 the adoption of the USA PATRIOT Act and several Executive

1 orders, now threaten those fundamental rights and liberties,  
2 including freedom of speech, assembly and privacy; the right to  
3 counsel and due process in judicial proceedings; and protection  
4 from unreasonable searches and seizures, all of which are  
5 guaranteed by the Constitution of the United States and the  
6 Constitution of Pennsylvania; and

7 WHEREAS, The USA PATRIOT Act and related Executive orders  
8 undermine constitutional rights and liberties by expanding the  
9 Government's surveillance authority without longstanding  
10 protections against abuse, by allowing the sharing of sensitive  
11 personal information with local and state law enforcement  
12 agencies without consent or judicial process and by authorizing  
13 secret arrests and detentions of persons not criminally charged;  
14 and

15 WHEREAS, The preservation of civil rights and liberties is  
16 essential to the well-being of a democratic society, and  
17 Government security measures that undermine fundamental rights  
18 damage American institutions and values that the residents of  
19 the Commonwealth of Pennsylvania hold dear; and

20 WHEREAS, All public officials take an oath to uphold the  
21 Constitution and should carefully consider the dictates of the  
22 Constitution to ensure that any new security measures enhance  
23 public safety without impairing constitutional government or  
24 infringing on the civil liberties detailed above; therefore be  
25 it

26 RESOLVED, That the House of Representatives of the  
27 Commonwealth of Pennsylvania affirm its strong support for and  
28 defense of all constitutional rights and civil liberties; and be  
29 it further

30 RESOLVED, That the House of Representatives affirm its belief

1 in the rights of immigrants and foreign nationals and oppose any  
2 measure that would single out an individual for legal scrutiny  
3 or enforcement activity based on appearance, religious belief or  
4 country of origin; and be it further

5 RESOLVED, That the House of Representatives affirm its belief  
6 that America can be safeguarded from any threat without  
7 sacrificing constitutional rights and civil liberties; and be it  
8 further

9 RESOLVED, That the House of Representatives oppose those  
10 provisions of the USA PATRIOT Act that undermine constitutional  
11 rights and civil liberties and become one of more than 200  
12 governmental units that has expressed opposition to any Federal  
13 measure which infringes on the constitutional rights and civil  
14 liberties as expressed in the Bill of Rights and in United  
15 States Supreme Court decisions upholding them; and be it further

16 RESOLVED, That the House of Representatives request public  
17 schools and institutions of higher education to notify students  
18 whose educational records have been obtained under section 507  
19 of the USA PATRIOT Act; and be it further

20 RESOLVED, That the House of Representatives request public  
21 libraries to notify patrons that borrowing activity is subject  
22 to scrutiny under section 215 of the USA PATRIOT Act without  
23 further notification; and be it further

24 RESOLVED, That copies of this resolution be transmitted to  
25 the following: the President of the United States, the Attorney  
26 General of the United States, all members of the Pennsylvania  
27 Congressional delegation, the Governor, the Lieutenant Governor,  
28 the Attorney General, all members of the General Assembly, all  
29 county commissioners, Presidents of State and State-related  
30 universities.