

A RESOLUTION

1 Memorializing the Congress of the United States to establish a
2 special committee to investigate and report on the National
3 Security Agency's surveillance program and recommend any
4 necessary reforms to the Patriot Act or the conduct of the
5 National Security Agency, the Federal Bureau of Investigation
6 and any other agencies involved in this program.

7 WHEREAS, In 1978, Congress enacted the Foreign Intelligence
8 Surveillance Act (FISA) to govern surveillance conducted for
9 foreign intelligence purposes; and

10 WHEREAS, FISA created the Foreign Intelligence Surveillance
11 Court (FISC) and authorized the court to review and grant or
12 deny governmental applications for surveillance orders relating
13 to foreign intelligence investigations; and

14 WHEREAS, Section 215 of the Patriot Act permits the Federal
15 Bureau of Investigation (FBI) to apply to FISC for an order to
16 obtain business records of business entities and other
17 organizations that are deemed relevant to an investigation "to
18 obtain foreign intelligence information not concerning a United
19 States person or to protect against international terrorism or

1 clandestine intelligence activities"; and

2 WHEREAS, Orders issued by FISC are subject to gag orders that
3 preclude the recipients of the orders from revealing that the
4 FBI has sought such an order; and

5 WHEREAS, On June 5, 2013, The Guardian published a news
6 report indicating that the National Security Agency has been
7 acquiring "metadata" or transactional information for every
8 phone call made or received by customers of Verizon Business
9 Network Services; and

10 WHEREAS, On June 5, 2013, The Guardian published a copy of
11 the FISC order directing Verizon Business Network Services to
12 provide to the National Security Agency on an ongoing basis
13 "telephony metadata" of customer calls, including calls that are
14 "wholly within the United States, including local calls"; and

15 WHEREAS, Since June 5, officials within the United States
16 Government, including President Obama, have acknowledged the
17 FISC order and information has surfaced indicating that similar
18 orders applicable to other phone companies have been issued; and

19 WHEREAS, In providing national security, the Federal
20 Government must be careful not to tread on personal freedoms and
21 the right to privacy; and

22 WHEREAS, Section 215 of the Patriot Act grants the Federal
23 Government broad powers to access records in the possession of
24 private entities in the name of protecting against international
25 terrorism; and

26 WHEREAS, Concerns have been raised that the National Security
27 Agency's surveillance program and its broad reach violate the
28 First and Fourth amendments to the United States Constitution;
29 and

30 WHEREAS, Questions have been raised as to whether the Federal

1 Government, in administering the National Security Agency's
2 surveillance program, has exceeded its authority under section
3 215 of the Patriot Act or whether Congress should amend section
4 215 to make it clear that blanket surveillance of phone records
5 and Internet activity are not authorized by this provision of
6 law; therefore be it

7 RESOLVED, That the House of Representatives memorialize the
8 Congress of the United States to establish a special committee
9 to investigate and report on the National Security Agency's
10 surveillance program and recommend any necessary reforms to the
11 Patriot Act or the conduct of the National Security Agency, the
12 Federal Bureau of Investigation and any other agencies involved
13 in this program; and be it further

14 RESOLVED, That copies of this resolution be transmitted to
15 the presiding officers of each house of Congress and to each
16 member of Congress from Pennsylvania.