

1 WHEREAS, the Church Committee Hearings of the mid 1970s brought to light many
2 misdeeds of the United States government and precipitated badly needed reform of federal
3 law enforcement and intelligence community activities; and

4 WHEREAS, in 1978, the United States government took great steps and established
5 clear procedures for the physical and electronic surveillance and collection of foreign
6 intelligence information and separated out protections for United States citizens by the
7 Foreign Intelligence Surveillance Act (FISA); and

8 WHEREAS, the FISA established the Foreign Intelligence Surveillance Court (FISC)
9 which is a court that holds nonpublic sessions to consider issuing federal search warrants;
10 and

11 WHEREAS, the FISC lacks many of the constitutionally provided precautions
12 afforded to litigants in other federal courts of law, such as the right of a private party to be
13 present at the proceedings; further, the FISC has been called out and cited as being the
14 subject of misfeasance and malfeasance by less than scrupulous intelligence and law
15 enforcement officers and agencies; and

16 WHEREAS, Presidents Gerald Ford, Jimmy Carter, and Ronald Reagan each
17 established needed restraints on the intelligence community and law enforcement-directed
18 guardrails for protection of private citizens, culminating with President Reagan's Executive
19 Order 12333; and

20 WHEREAS, Executive Order 12333 underscored the needs and requirements to
21 provide timely and accurate information about American enemies and underscored the
22 protection of constitutional rights of American citizens; and

23 WHEREAS, for most of the 1980s and 1990s, the intelligence community and FBI
24 appeared to be behaving and respecting the rights of citizens in the United States; and

25 WHEREAS, in 2001, after the attack on the United States by foreign Islamic
26 terrorists from Southwest Asia, the United States Congress and the Bush Administration
27 moved with reckless haste by greatly empowering the American intelligence community,
28 FBI, and other federal entities by broadly expanding surveillance powers under the broad
29 guise of "protecting" the American citizens; and

1 WHEREAS, the outcome of the efforts to protect has resulted in nearly all
2 semblances of privacy being taken away by the actions of the United States Congress. The
3 outcome of the family of law passed in the aftermath of what is known as 9/11 is that no
4 phone is guaranteed to be private, no email communication can be considered secure, and
5 the emergence of a leviathan of a police state, capable of a chilling suppression of our
6 God-given liberties; and

7 WHEREAS, as a result of the USA Patriot Act, a citizen can become the subject of
8 a purported terror investigation and be directed by law not to tell anyone of an invasive
9 search on his home, under penalty of prison; and

10 WHEREAS, Section 215 of the USA Patriot Act violates the Fourth Amendment to
11 the United States Constitution by ignoring the prohibition of warrantless searches against
12 United States citizens; and

13 WHEREAS, Section 215 also violates the Fifth Amendment by prohibiting ex post
14 facto notice of warrantless searches and thereby violating the basic tenets of due process
15 guaranteed to citizens of the United States; and

16 WHEREAS, it is the American ethos to right wrongs and correct governmental errors
17 such as the eradication of slavery, the end of the Jim Crow era, the awarding of voting rights
18 to women, and many others.

19 THEREFORE, BE IT RESOLVED that the House of Representatives of the
20 Legislature of Louisiana does hereby memorialize the United States Congress to fully repeal
21 and rewrite every word of the USA Patriot Act to limit the authority granted under the FISA
22 and FISC with regard to warrantless searches and investigations of United States citizens and
23 does hereby implore congress to turn its attention to the rights of the free people of the
24 United States of America.

25 BE IT FURTHER RESOLVED that the House of Representatives of the Legislature
26 of Louisiana implores both the governor of the state of Louisiana and the attorney general
27 to stand up for the citizens of our state and not participate in any violations of any of our
28 rights guaranteed in our Bill of Rights, which are a product of the sacrifice of our ancestors
29 and have been maintained by two hundred fifty years of commitment to the rule of law and
30 the supremacy of the individual over the government.

1 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the
2 presiding officers of the Senate and the House of Representatives of the United States
3 Congress and to each member of the Louisiana congressional delegation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HR 38 Engrossed

2026 Regular Session

Owen

Memorializes the U.S. Congress to reform the Foreign Intelligence Surveillance Act and the Foreign Intelligence Surveillance Court and to restore to U.S. citizens the rights of privacy and protection against unreasonable searches and seizures.