

SENATE CONCURRENT RESOLUTION NO. 38

WHEREAS, the Fourth Amendment of the United States Constitution protects Americans against unreasonable searches and seizures; and

WHEREAS, the Foreign Intelligence Surveillance Act of 1978 requires that an order be obtained from the United States Foreign Intelligence Court to engage in surveillance of communications between individuals located in the United States and individuals located abroad; and

WHEREAS, the Bush Administration ordered surveillance of certain individuals located in the United States without an order obtained from the U.S. Foreign Intelligence Court; and

WHEREAS, it appears that some telecommunications companies may have participated in such unlawful government-sanctioned spying by voluntarily providing information about their customers' telecommunications activities to the federal government without their customers' consent or in the absence of a lawful court order; and

WHEREAS, the Bush Administration has proposed retroactive immunity for such telecommunications companies:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress not to grant retroactive immunity to telecommunications companies who have participated in the unlawful surveillance of their customers and the sharing of such information with the federal government; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution to each member of the Missouri congressional delegation.

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