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CLERK'S OFFICE  
**AMENDED AND APPROVED**

Date: 7/15/03  
NOTICE TO RESCIND WAS GIVEN  
BY MR. SULLIVAN ON 11-29-07;  
RESCINDED 12-18-07

Submitted by: Vice-Chair TESCHE and  
Assemblymembers Shamberg, Taylor, Van Etten, Von  
Gemmingen, and Whittle  
Prepared by: Department of Assembly  
For reading: July 15, 2003

ANCHORAGE, ALASKA  
AR NO. 2003-223 - as amended

**A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY RELATING TO THE USA PATRIOT  
ACT, THE BILL OF RIGHTS, THE CONSTITUTION OF THE STATE OF ALASKA, AND THE CIVIL  
LIBERTIES, PEACE, AND SECURITY OF THE CITIZENS OF OUR COUNTRY**

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WHEREAS, the State of Alaska and the Municipality of Anchorage each recognizes the  
Constitution of the United States as our charter of liberty, and that the Bill of Rights enshrines the  
fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly, and  
privacy; and

WHEREAS, each of Alaska's duly elected public servants has sworn to defend and uphold the  
United States Constitution and the Constitution of the State of Alaska; and

WHEREAS, the Municipality of Anchorage again denounces and condemns all acts of terrorism,  
wherever occurring; and

WHEREAS, attacks against Americans such as those that occurred on September 11, 2001, have  
necessitated the crafting of effective laws to protect the public from terrorist attacks; and

WHEREAS, any new security measures of Federal, State, and local governments should be  
carefully designed and employed to enhance public safety without infringing on the civil liberties and rights  
of innocent citizens of the State of Alaska and the Nation; and

WHEREAS, certain provisions of the "Uniting and Strengthening America by Providing  
Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001," also known as the USA  
PATRIOT Act, allow the Federal government more liberally to detain and investigate citizens and engage  
in surveillance activities that may violate or offend the rights and liberties guaranteed by our State and  
Federal constitutions, and

WHEREAS, the State of Alaska, the Fairbanks North Star Borough, the City and Borough of  
Juneau, and the Cities of Kenai, North Pole, Skagway, and Gustavus have joined well over 150 state and  
local governments in speaking out against terrorism and, at the same time reaffirming their support for  
individual rights and freedoms guaranteed under State and Federal constitutions.

NOW, THEREFORE, the Anchorage Municipal Assembly resolves:

**Section 1:** That the Anchorage Assembly reaffirms its support of the government of the United  
States of America in its campaign against terrorism, and affirms its commitment that the campaign not be  
waged at the expense of essential civil rights and liberties of citizens of this country contained in the United  
States Constitution and the Bill of Rights.

**Section 2:** That it is the policy of the Municipality of Anchorage to oppose any portion of the USA  
PATRIOT Act that would violate the rights and liberties guaranteed equally under the State and Federal  
constitutions.

**Section 3:** That, in accordance with Municipal policy, an agency or instrumentality of the

Municipality, in the absence of reasonable suspicion of criminal activity under Alaska State law or under Municipal law, may not:

- (1) initiate, participate in, or assist or cooperate with an inquiry, investigation, surveillance, or detention;
- (2) record, file, or share intelligence information concerning a person or organization, including library lending and research records, book and video store sales and rental records, medical records, financial records, student records, and other personal data, even if authorized under the USA PATRIOT Act; or
- (3) retain such intelligence information; the State Attorney General shall review the intelligence information currently held by the State for its legality and appropriateness under the United States and Alaska Constitutions and permanently dispose of it if there is no reasonable suspicion of criminal activity.

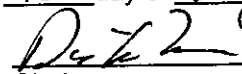
**Section 4:** That an agency or instrumentality of the Municipality may not,

- (1) **Unless necessary to protect the safety of people**, use Municipal resources or institutions for the enforcement of Federal immigration matters, which are the responsibility of the Federal government;
- (2) collect or maintain information about the political, religious, or social views, associations, or activities of any individual, group, association, organization, corporation, business, or partnership, unless the information directly relates to an investigation of criminal activities and there are reasonable grounds to suspect the subject of the information is or may be involved in criminal conduct; or
- (3) engage in racial profiling; law enforcement agencies may not use race, religion, ethnicity, or national origin as factors in selecting individuals to subject to investigatory activities except when seeking to apprehend a specific suspect whose race, religion, ethnicity, or national origin is part of the description of the suspect.


**Section 5:** That the Anchorage Assembly implores the United States Congress to correct provisions in the USA PATRIOT Act and other measures that infringe on civil liberties, and opposes any pending and future Federal legislation to the extent that it infringes on Americans' civil rights and liberties.

**Section 6:** That copies of this resolution shall be sent to the Honorable George W. Bush, President of the United States; the Honorable John Ashcroft, Attorney General of the United States; the Honorable Frank Murkowski, Governor of Alaska; and to the Honorable Ted Stevens and the Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska Delegation in Congress.

PASSED AND APPROVED by the Anchorage Assembly this 15<sup>th</sup> day of July, 2003.

  
Chair

ATTEST:

  
Municipal Clerk

