

HOUSE JOINT RESOLUTION NO. 23

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE COGHILL

Introduced: 4/7/03

Referred: State Affairs, Judiciary

A RESOLUTION

1 **Relating to the USA PATRIOT Act and to the peace and security of citizens of our**
2 **country.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, during the period of the Revolutionary War in this nation, Benjamin
5 Franklin professed, "They that can give up essential liberty to obtain a little temporary safety
6 deserve neither liberty nor safety"; and

7 **WHEREAS** the Preamble to the Constitution of the United States, "We the people of
8 the United States, in Order to form a more perfect Union, establish justice, insure domestic
9 tranquility, provide for the common defense, promote the general welfare, and secure the
10 blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for
11 the United States of America"; and

12 **WHEREAS** the Constitution of the United States is our charter of liberty, and the Bill
13 of Rights provides for protection of the individual American, including, but not limited to,
14 protection of freedom of religion, speech, assembly, and privacy; and

15 **WHEREAS** the USA PATRIOT Act passed by the United States Congress in
16 October 2001 expands the federal government's ability to conduct searches, conduct

1 surveillance of telephone and Internet activity, and gain access to sensitive medical, financial,
2 education, and other records about certain individuals suspected of terrorism activities without
3 first showing probable cause or evidence of a crime; and

4 **WHEREAS** the USA PATRIOT Act increases the federal government's ability to
5 monitor and detain individuals and imposes requirements on state and local governments to
6 assist the efforts of the federal government; and

7 **WHEREAS**, if the provisions of this Act are improperly applied, fundamental
8 individual rights, which are protected by the constitutions of the State of Alaska and the
9 United States, could be violated;

10 **BE IT RESOLVED** that the Twenty-Third Alaska State Legislature supports the
11 government of the United States of America in its campaign against terrorism, but also
12 affirms its commitment that such a campaign not be waged at the expense of essential civil
13 rights and liberties of citizens of this country; and be it

14 **FURTHER RESOLVED** that the Twenty-Third Alaska State Legislature recognizes
15 the need to respond to threats to the peace and security of citizens of our country, but calls
16 upon all government officials to ensure that the individual rights of the people, as enumerated
17 in the first 10 amendments to the Constitution of the United States, are not infringed.

18 **COPIES** of this resolution shall be sent to the Honorable George W. Bush, President
19 of the United States; the Honorable John Ashcroft, Attorney General of the United States; the
20 Honorable Frank Murkowski, Governor of Alaska; and to the Honorable Ted Stevens and the
21 Honorable Lisa Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
22 Representative, members of the Alaska delegation in Congress.