

Alaska State Legislature

Representative
David Guttenberg
House of Representatives
District 8



Session
Capitol Building, Room 13
Juneau, Alaska 99801
Phone: (907) 465-4457
Fax: (907) 465-3519

Interim
119 N. Cushman St. Suite 211
Fairbanks, AK 99701
Phone: (907) 456-8172
Fax: (907) 451-9293
Representative_David_Guttenberg@legis.state.ak.us

Sponsor Statement HJR 22 Patriot Act and Defending Civil Liberties

The State of Alaska has a proud history of respecting the right to privacy and individual liberties as reflected in the Alaska and United States Constitutions. This resolution states that efforts to fight terrorism must not be waged at the expense of the civil rights and liberties of the people of the State of Alaska and the United States.

The resolution responds to the USA Patriot Act, the hastily-enacted domestic security bill passed by Congress in the wake of the September 11 terrorist attacks. At least 77 communities across the nation including Fairbanks and Gustavus have voiced concern that the Act violates rights and liberties guaranteed under the Constitution.

The resolution affirms the state's strong opposition to terrorism but raises concerns about provisions of the USA Patriot Act that expand federal authority to detain and investigate and engage in the electronic surveillance of citizens and non-citizens alike.

The resolution states that absent any probable cause of criminal activity, it is the policy of the State of Alaska to forbid participation or cooperation with such investigations, surveillance, or detention; the recording, sharing, and retention of intelligence information such as library records; book and video sales or rental records; medical, financial, and student records, and other personal data; and profiling based on race, ethnicity, citizenship, religion, or political views.

The resolution also calls upon Alaska's Congressional delegation to work to correct provisions of the USA Patriot Act and other measures that infringe on civil liberties.

Any infringement of the constitutionally guaranteed rights of any person, under the color of law, is an abuse of power, a breach of the public trust, and a violation of civil rights.

As founding father Benjamin Franklin noted, "Any society that would give up a little liberty to gain a little security will deserve neither and lose both."

And as Rep. Don Young (R-AK) said on the Alaska Public Radio Network about the USA Patriot Act: "We didn't follow it through, we didn't study it. I say it's the worst piece of legislation we've ever passed."