

1 [Opposing The Reauthorization of Patriot Act Provisions]

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3 **Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S.**
4 **Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to**
5 **prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act**
6 **provisions to expire.**

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8 WHEREAS, The USA Patriot Act was enacted a mere 45 days after the September 11
9 attacks; and,

10 WHEREAS, At the time of enactment, Congress overwhelmingly voted to make certain
11 Patriot Act provisions subject to review and expiration; and,

12 WHEREAS, Congress will soon consider the 10% of the Act which will expire and
13 sunset in December of 2005; and,

14 WHEREAS, The Act's provisions radically curtail the fundamental checks and balances
15 needed to prevent abuses by federal law enforcement through revision of the nation's
16 surveillance laws, expansion of the government's authority to spy on its own citizens,
17 decreasing judicial oversight; and,

18 WHEREAS, The Act's provisions significantly weakened standard constitutional
19 protections including the Fourteenth Amendment right to due process, the Fourth Amendment
20 right to privacy, the First Amendment freedoms of speech, religion, and the press; and,

21 WHEREAS, Under current provisions of the Act, the government can conduct "sneak
22 and peak" searches of homes without any notification, get a list of books obtained by any
23 citizen through the local library or bookstore, seek criminal prosecution of anyone failing to
24 comply with the Act even if compliance means the violation of constitutional rights; and,

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Supervisor Jake McGoldrick, *Ammiano*
BOARD OF SUPERVISORS

1 WHEREAS, The federal government has not demonstrated whether such activities
2 deter terrorism; and,

3 WHEREAS, The Department of Justice has not provided specific details to the public
4 on how the Patriot Act provisions have been implemented and used; and,

5 WHEREAS, the 9/11 Commission provided recommendations that curtail the scope
6 federal investigative authority under the Act; now therefore, be it

7 RESOLVED, That the San Francisco Board of Supervisors encourages Congress to
8 engage in a full and open debate of the provisions scheduled to sunset as well as all other
9 provisions of the Act that expand federal powers at the expense of constitutional rights; and,
10 be it

11 FURTHER RESOLVED, That the San Francisco Board of Supervisors encourages
12 careful review of any new powers granted to law enforcement by the Patriot Act; and, be it

13 FURTHER RESOLVED, That the San Francisco Board of Supervisors recommends
14 that any modification of powers in the Patriot Act are for the increased protection of civil
15 liberties guaranteed in the Constitution; and, be it

16 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress
17 to ensure that all Patriot Act provisions that violate the Constitution be struck from the Act;
18 and, be it

19 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges Congress
20 to restore and protect our traditional system of checks and balances; and, be it

21 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges that the
22 State's elected officials to Congress oppose any attempts to expand Patriot Act provisions, to
23 prevent the reauthorization of the provisions scheduled to sunset and to let such provisions
24 expire; and, be it
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1 FURTHER RESOLVED, That copies of this resolution be sent to Senator Dianne
2 Feinstein, Senator Barbara Boxer, and U.S. Representative Nancy Pelosi.
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****Supervisor Jake McGoldrick****
BOARD OF SUPERVISORS



City and County of San Francisco

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Tails Resolution

File Number: 050895

Date Passed:

Resolution urging Senator Barbara Boxer, Senator Dianne Feinstein and U.S. Representative Nancy Pelosi to oppose any attempts to expand the Patriot Act, to prevent the reauthorization of any Patriot Act provisions, and to allow Patriot Act provisions to expire.

May 24, 2005 Board of Supervisors — ADOPTED


Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell,
McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050895

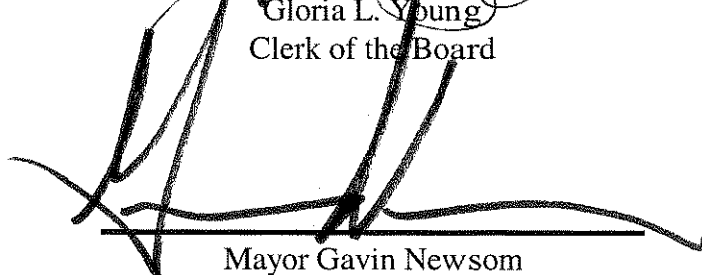
I hereby certify that the foregoing Resolution was ADOPTED on May 24, 2005 by the Board of Supervisors of the City and County of San Francisco.

JUN 02 2005

Date Approved



Gloria L. Young
Clerk of the Board



Mayor Gavin Newsom