



R-30

Date: September 6, 2005

To: Honorable Mayor and Members of the City Council

From: Councilmember Bonnie Lowenthal, First District *BL*
Councilmember Tonia Reyes Uranga, Seventh District *TRU*

Subject: **AGENDA ITEM: Resolution in Support of Sunset Provisions of USA PATRIOT Ac**

The City Council has set policy to ensure that public safety is the highest for the City of Long Beach. The prudent and effective use of local, State and Federal resources maximize the efforts of our public safety personnel. At the State and Federal level, legislators have called into question, the effectiveness of certain provisions of the USA PATRIOT Act, which is an acronym for "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism." A number of cities nationwide, the California Senate, and Congress have acted to curtail provisions of the USA PATRIOT Act deemed unconstitutional by a federal judge.

The reconsideration of the Patriot Act was prompted by language in the original law that requires 16 provisions to expire at the end of this year unless renewed by Congress. These provisions include one measure that allows the FBI to seize records from financial companies, libraries, doctors' offices and other business with approval from the secret Foreign Intelligence Surveillance Court, and another that permits "roving wiretaps that apply to a person rather than a phone number. While not all the provisions of the USA Patriot have been controversial, they would have all become permanent if not for the courageous actions of our Congressional delegation to extend the "sunset clause" for certain provisions. We urge our colleagues to join with our State Senate and the US Congress to support efforts to ensure that effective public safety can be exercised without the infringement on our cherished civil liberties.

Suggested Action: Request the City Attorney to prepare a Resolution in support California Senate Joint Resolution 10 and Congressional efforts to ensure that civil liberties are protected under the USA PATRIOT Act.