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This is a clipped section of the pages specifically covering the vote on the resolution opposing the USA Patriot Act and related Executive Orders.

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This PDF file has been clipped to include only the portions relevant to this resolution.

UNITED STATES CONGRESS URGED TO MONITOR
IMPLEMENTATION OF USA PATRIOT ACT AND
RELATED EXECUTIVE ORDERS.

The Committee on Human Relations submitted the following report:

CHICAGO, October 1, 2003.

To the President and Members of the City Council:

Your Committee on Human Relations had under consideration a resolution opposing the USA Patriot Act and related Executive Orders, presented by Alderman Joe Moore, Alderman Fredrenna Lyle, Alderman Helen Shiller and Alderman Ricardo **Muñoz** (which was referred on July 9, 2003). We have heard testimony from public officials, supporters and human rights organizations and having had the same under advisement, beg leave to report and recommend that Your Honorable Body *Adopt* the resolution opposing the Patriot Act and related Executive Orders.

This recommendation was concurred in by a viva **voce** vote of the Committee on Human Relations on September 25, 2003.

Respectfully submitted,

(Signed) BILLY OCASIO,
Chairman.

Alderman Shiller then presented a proposed substitute resolution sponsored by Aldermen Flores, Haithcock, **Tillman**, Preckwinkle, Hairston, Lyle, Stroger, **Beale**, Pope, **Cárdenas**, T. Thomas, **Coleman**, **Troutman**, Brookins, **Muñoz**, Chandler, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Austin, Colon, Mitts, Natarus, Daley, Tunney, Shiller, M. Smith, Moore and Stone.

Alderman Natarus moved to Substitute the said proposed resolution for the resolution transmitted with the foregoing committee report. The motion *Prevailed* by a viva **voce** vote.

Thereupon, on motion of Alderman Ocasio, the said proposed substitute resolution was *Adopted* by yeas and nays as follows:

Yeas -- Aldermen Flores, **Haithcock**, **Tillman**, **Preckwinkle**, Hairston, Lyle, Beavers, Stroger, **Beale**, Pope, **Cárdenas**, Olivo, T. Thomas, Coleman, L. Thomas, Troutman, Brookins, **Muñoz**, Chandler, **Solis**, Ocasio, Burnett, E. Smith, Carothers, Reboyras, Suarez, Mell, Colon, Mitts, O'Connor, Natarus, Daley, Tunney, Shiller, M. Smith, Moore, Stone -- 37.

Nays -- Aldermen **Balcer**, Burke, Rugai, Banks, Allen, Doherty, **Levar** -- 7.

Alderman Natarus moved to reconsider the foregoing vote. The motion was lost.

The following is said resolution as adopted:

WHEREAS, The City of Chicago houses a diverse population, including citizens of other nations, whose contributions to the community are vital to its character and function; and

WHEREAS, The United States Constitution guarantees certain fundamental rights including: freedom of religion, speech, assembly and privacy; protection from unreasonable searches and seizures; due process and equal protection to any person; equality before the law and the presumption of innocence; access to counsel

in judicial proceedings; and a fair, speedy and public trial; and

WHEREAS, The USA Patriot Act signed by George W. Bush on October **26, 2001**, in the opinion of many Americans, contains a number of provisions that undermine the above mentioned rights and which fundamentally alter our civil liberties without increasing our security; and

WHEREAS, Examples of the provisions in the USA Patriot Act and Executive Orders that may undermine the constitution and the rights and civil liberties of Chicago residents include:

- a significant expansion of the government's ability to access sensitive medical, mental health, **financial** and educational records about individuals; and lowers the burden of proof required to conduct secret searches and telephone and Internet surveillance;
- giving law enforcement expanded authority to obtain library records and prohibits librarians from informing patrons of monitoring or information requests;
- giving the Attorney General and the Secretary of State the power to designate domestic groups, including religious and political organizations, as "terrorist organizations";
- granting the Attorney General the power to subject citizens of other nations to indefinite detention or deportation even if they have not committed a crime;
- authorizing eavesdropping on confidential communications between lawyers and their clients in federal custody;
- limiting disclosure of public documents and records under the Freedom of Information Act: and

WHEREAS, The Department of Justice interpretations of this Act and these Executive Orders particularly target immigrants, including Hispanics, people of Middle Eastern and South Asian descent and citizens of other nations, thereby potentially encouraging racial profiling by law enforcement and the unintended consequence of increase in hate crimes by individuals in our community; and

WHEREAS, Almost two hundred other cities throughout the country have enacted resolutions reaffirming support for civil rights and civil liberties in the face of government policies that threaten these values, and are demanding accountability from federal agencies regarding the use of these new powers; now, therefore,

Be It Resolved, That the City of Chicago joins the almost two hundred other United States cities and affirms its strong opposition to terrorism, and also affirms that any efforts to end terrorism not be waged at the expense of the fundamental civil rights and liberties of the people of Chicago, the United States and the world; and

Be It Further *Resolved*, That the City of Chicago affirms the rights of all people, including United States citizens and citizens of other nations, living within the City in accordance with the Bill of Rights and the Fourteenth Amendment of the United States Constitution; and

Be It Further Resolved, That the City of Chicago reaffirms the concepts and doctrines promulgated in the Bill of Rights and the United States Constitution by lawfully resisting every effort to erode those rights and protections including: freedom of religion, speech, assembly and privacy; protection from unreasonable searches and seizures; due process and equal protection to any person; equality before the law and the presumption of innocence; access to counsel in judicial proceedings; and a fair, speedy and public trial; and

Be It *Further Resolved*, That the members of the City Council of the City of Chicago call on our United States Representatives and Senators to monitor the implementation of the USA Patriot Act and the Orders in furtherance thereof and actively work for the repeal of only those sections of the Act and those Orders that violate fundamental rights and liberties as stated in the United States Constitution and its Amendments by sending a copy of this resolution to the Illinois delegation to Congress.
