

Antiterrorism Legislation and Academic Freedom

The USA Patriot Act was passed with little debate a month after the September 11 attacks. The Act and other anti-terrorism legislation can affect students and faculty in the following ways:

Unfairly targets students from other countries.

Colleges and universities are required to compile records for all international students and enter them into an INS database via an inefficient system called SEVIS (Student/Exchange Visitor Information System). SEVIS has many inefficiencies, including delayed visas. The INS is starting to impose a fee on international students to fund SEVIS, and students and faculty from mainly Arab and Muslim countries have been denied visas to return to school after visits home.

In addition, all non-citizen men over the age of sixteen from a specific list of mainly Arab and Muslim nations are required to participate in Special Registration with the INS.

Allows the government to label students who participate in certain political protests “terrorists.”

Section 802 of the Patriot Act creates a new crime called “domestic terrorism” defined so broadly that it can be used to target activists opposing U.S. policies. Domestic terrorism is defined as “acts dangerous to human life that are a violation of the criminal laws of the United States or of any State” and that “appear to be intended ... to influence the policy of a government by intimidation or coercion.” This broad definition may be used against activists exercising their rights to assemble and to dissent.

Allows student records to be seized without probable cause.

Section 507 of the Patriot Act allows for educational institutions to disclose educational records without court order or student consent when relevant to a terrorism investigation.

Allows the FBI to collect information about what books people take out of the school library, what students study, and what books they purchase.

Section 215 of the Patriot Act grants the FBI the authority to request an order "requiring the production of any tangible things (including books, records, papers, documents, and other items)" relevant to an investigation of international terrorism or clandestine intelligence activities. Individuals served with a search warrant issued under these rules are forbidden from disclosing the existence of the warrant or the facts that records were provided to the government.

Rights Must Never Be Taken For Granted!

Bill of Rights Defense Committee

241 King Street, Suite 216, Northampton, MA 01060, 413-582-0110, info@bordc.org

www.bordc.org

Allows student e-mail and Internet activity to be monitored.

Section 216 permits the government to monitor internet traffic and email communications on any internet service provider by obtaining detailed "routing" information such as a web address. The government need not have probable cause or any reason to believe that the surveillance target is violating the law.

Allows law enforcement to spy on student political meetings or religious ceremonies.

Sections 203 and 901 allow the FBI to gather information about political meetings and religious ceremonies. This law effectively puts the government back in the business of spying on students, including U.S. citizens. Some campus police have been assigned to the FBI as liaisons.

Further restricts academic freedom and research.

Many scholars, students and journalists rely on access to government records through the Freedom of Information Act (FOIA). In October 2001, Attorney General John Ashcroft assured federal agencies that the Justice Department will defend a decision not to release documents so long as that decision rests on a "sound legal basis."

What You Can Do

- ? **Host a campus-wide civil liberties forum. Collaborate with other student and faculty organizations and student and faculty senates and the administration.**
- ? **Support foreign students and faculty in your campus community by opposing measures that unfairly target them..**
- ? **Organize a resolution campaign on your campus. See www.bordc.org/Student.htm for suggestions and to see what other campuses have done.**

Pass a resolution in your student, faculty and staff governing bodies expressing opposition to the Patriot Act sections that threaten students.

Include language that addresses needs and fears of international students and faculty.

Organize a campaign to ensure that if your campus is threatened by the FBI seeking student records, the administration and board of trustees will take legal steps to protect its students and faculty.

- ? **Join a resolution campaign in your city or town. See www.bordc.org/Tools.htm**
- ? **Lobby your congressional delegation to support legislation aimed at rolling back repressive laws, and to oppose legislation aimed at expanding them.**

See www.bordc.org/legislation.htm for information about introduced bills and amendments aimed at rolling back the powers of repressive post 9-11 legislation

See www.bordc.org/patriot2.htm for information about introduced bills that if passed, would expand the powers of the federal government granted by the Patriot Act.

- ? **Contact BORDC (info@bordc.org, 413-582-0110) and keep us informed of your progress.**