

Senate Resolution #7
2003-04
Support for USA Patriot Act Reformation

1 **WHEREAS**, the University of Nebraska-Lincoln is proud of its long and distinguished tradition of protecting
2 the civil rights and liberties of its students; and
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4 **WHEREAS**, the University of Nebraska-Lincoln has a diverse student body, and international students, whose
5 contributions are vital to the academic environment, culture and civic character; and
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7 **WHEREAS**, the preservation of civil rights and liberties is essential to the well-being of a democratic society;
8 and
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10 **WHEREAS**, federal, state and local governments should protect the public from terrorist attacks such as those
11 that occurred on September 11, 2001, but should do so in a rational and deliberative fashion to ensure that any
12 new security measure enhances public safety without impairing constitutional rights or infringing on civil
13 liberties; and
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15 **WHEREAS**, the University of Nebraska-Lincoln Student Senate (ASUN) believes that there is no inherent
16 conflict between national security and the preservation of liberty – Americans can be both safe and free; and
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18 **WHEREAS**, federal policies adopted since September 11, 2001, including provisions in the USA PATRIOT
19 Act (Public Law 107-56) and related executive orders, regulations and actions threaten fundamental rights and
20 liberties by:

21 (a) authorizing the indefinite incarceration of non-citizens based on mere suspicion, and the indefinite
22 incarceration of citizens designated by the President as “enemy combatants” without access to counsel or
23 meaningful recourse to the federal courts;

24 (b) granting law enforcement and intelligence agencies broad access to personal medical, financial, library and
25 education records with little if any judicial oversight;

26 (c) threatening constitutionally protected speech through overbroad definitions of “terrorism”;

27 (d) driving a wedge between immigrant communities and the police that protect them by encouraging
28 involvement of state and local police in enforcement of federal immigration law;

29 (e) permitting the FBI to conduct surveillance of religious services, internet chatrooms, political
30 demonstrations, and other public meetings of any kind without having any evidence that a crime has been or
31 may be committed; and
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33 **WHEREAS**, new legislation has been drafted by the Administration entitled the Domestic Security
34 Enhancement Act (DSEA) (also known as PATRIOT II) which contains a multitude of new and sweeping law
35 enforcement and intelligence gathering powers, many of which are not related to terrorism, that would severely
36 dilute, if not undermine, many basic constitutional rights, as well as disturb our unique system of checks and
37 balances by:

38 (a) diminishing personal privacy by removing important checks on government surveillance authority,

39 (b) reducing the accountability of government to the public by increasing government secrecy,

40 (c) expanding the definition of “terrorism” in a manner that threatens the constitutionally protected rights of
41 Americans, and

42 (d) seriously eroding the right of all persons to due process of law; and
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44 **WHEREAS**, these new powers pose a particular threat to the civil rights and liberties of the students of the
45 University of Nebraska-Lincoln; and
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47 **WHEREAS**, many other student governments and communities throughout the country have enacted
48 resolutions reaffirming support for civil rights and civil liberties in the face of government policies that threaten
49 these values, and demanding accountability from law enforcement agencies regarding their use of these new
50 powers.
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52 **THEREFORE BE IT RESOLVED**, that the Student Senate of the University of Nebraska-Lincoln affirms
53 its strong support for national and personal security, fundamental constitutional rights, and its opposition to
54 federal measures that infringe on civil liberties; and
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