

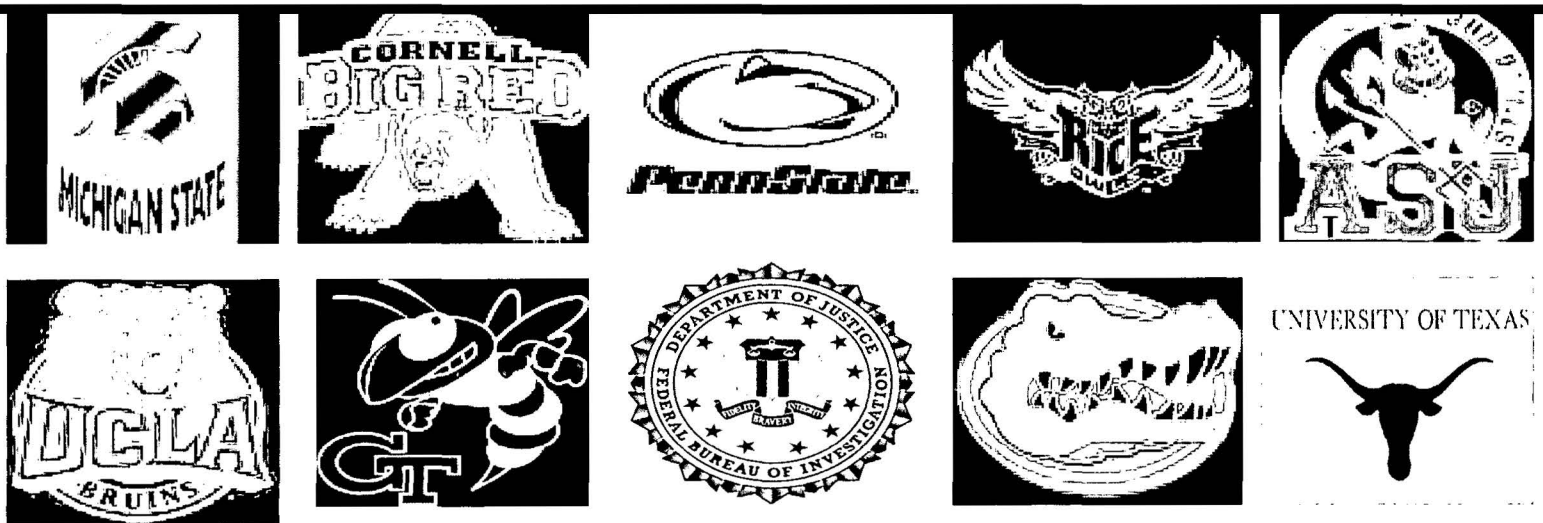
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disseminated to the United States by the visitors. Many of these visitors may even be passing on this positive image of [redacted] unwittingly based on their one visit. At the same time, recruited [redacted] agents will also actively propagate disinformation developed by the [redacted]. For instance, the [redacted] have also been known to use agents, possibly academics or journalists, to write books or articles that present the [redacted] in a favorable light.

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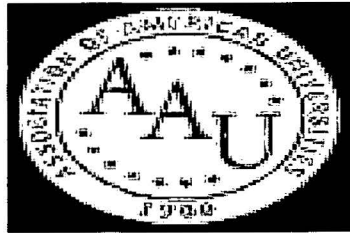
Conclusion

Academia has been and remains a key target of foreign intelligence services, including the [redacted] actively target academia to recruit agents and to support [redacted] influence operations. Unfortunately, part of what makes academic environments ideal for enhancing and sharing knowledge also can assist the efforts of foreign intelligence services to accomplish their objectives. This situation is unlikely to change, but awareness of the methods used to target academia can greatly assist in neutralizing the efforts of these foreign intelligence services.

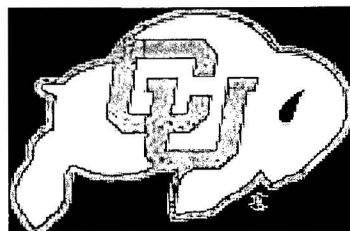
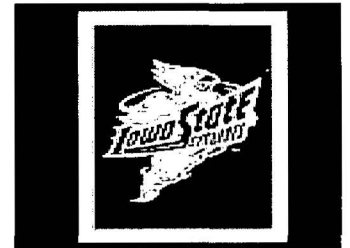
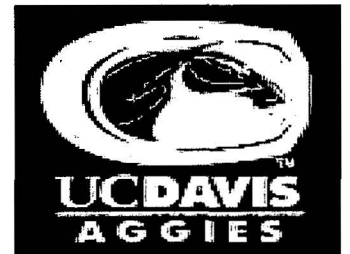


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January 9, 2011

Far From Border, U.S. Detains Foreign Students



Will Yurman for The Chronicle

U.S. Customs and Border Protection officers check passengers' citizenship on a bus in Rochester, N.Y., more than 75 miles from Canada. Some college officials whose students have been stopped believe the customs agency has more resources than it knows what to do with.

By Colin Woodard

Old Town, Me.

Six miles north of the University of Maine's flagship campus, on the only real highway in these parts, students and professors traveling south might encounter a surprise: a roadblock manned by armed Border Patrol agents, backed by drug-sniffing dogs, state policemen, and county sheriff's deputies.

Although the Canadian border is nearly 100 miles behind them—and Bangor, Maine's second-largest city, just 15 miles ahead—motorists are queried about their citizenship and immigration status. Those who raise an agent's suspicions are sent to an adjacent weigh station for further questioning and, sometimes, searches. Any foreign students or scholars unable to produce all of their original documentation are detained and could be arrested.

Thus far, nobody from the University of Maine has actually been arrested at this ephemeral checkpoint, which usually appears near the start of the academic year, when migrant laborers happen to be leaving eastern Maine's blueberry fields. One student had to wait at the roadblock until university authorities had satisfied agents that the individual was in the country legally, university officials say.

U.S. Customs and Border Protection says it can stop travelers anywhere within 100 miles of a U.S. border. It has an aggressive presence in Rochester, N.Y., where agents questioned travelers at a bus station on Christmas Eve.



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Cary M. Jensen is director of the International Services Office at the U. of Rochester, where hundreds of students have been questioned or inconvenienced: "It feels a lot like East Germany did when I visited in 1980."

But elsewhere on the northern border, foreign students and scholars experience fear and uncertainty every time they leave campus, pick up a friend at the bus station, or board a domestic train or flight, even when they have all their documents with them.

U.S. Customs and Border Protection has greatly increased its manpower along the northern border, allowing for more-frequent use of roving patrols or surprise checkpoints on buses, trains, and highways far from the border itself. Students who failed to carry their original documents have been delayed and fined, apprehended even when they're just a few miles from campus.

"We used to tell students: When you get here, put your passport and I-90 form away so you don't lose it, because you don't need anything special when you travel around the country," says Thy Yang, director of international programs at Michigan Technological University, located a few miles from the shores of Lake Superior. "Now we tell them to carry it at all times."

She adds, "Some students have gotten citations and a \$75 fine for not carrying their documents, and they weren't happy about it. We told them it could have been worse."

For a broad category of students and scholars, even having one's documents in hand and in order offers no guarantee against being arrested and locked up in a detention facility hundreds of miles away. University officials and immigration attorneys interviewed by *The Chronicle* told of nearly two dozen incidents in which students or scholars were inappropriately detained at domestic stops by customs officers. Most were in the midst of the lengthy but not uncommon process of changing their immigration status and had followed all the rules. Others were apparently detained because the agents were unaware that while a student's visa might have expired, his or her permission to study in the country had not. All

were in the country legally under the rules set forth by U.S. Citizenship and Immigration Services, which, like Customs and Border Protection, is part of the Department of Homeland Security.

"Border Patrol sometimes interprets immigration regulations differently than Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services do," says Ellen A. Dussourd, director of international student and scholar services at the University at Buffalo. "This causes a lot of difficulty for international student and scholar offices when they need to advise their international students and scholars about travel in the U.S."

Frank A. Novak, an immigration lawyer at Harter Secrest & Emery, a law firm in Rochester, N.Y., says students and scholars typically run afoul of the customs agency when changing status from a nonimmigrant student or work visa (such as F-1, H1B, or O-1) to an immigrant one, perhaps because they have married a U.S. national or been offered a permanent job. They apply before their visa expires and receive permission to work, live, and travel until their application is processed, which may take years. "Inherent in the policy is that your old [nonimmigrant] status will expire," he says, but customs officers sees this as grounds to arrest them.

"These people are following all the rules, but the government-enforcement authorities are detaining them and really wreaking havoc on their lives and scaring the heck out of them," says Mr. Novak, whose clients have included foreign scholars so treated. "It seems an insane policy to be arresting scientists, artists, professors, and students who have done everything properly and do a great job for our country."

'Temporary Permanent'

Customs and Border Protection officials did not make themselves available for an interview, despite repeated requests. A written statement ignored questions on the topic, instead providing general commentary on the purpose of internal checkpoints. "CBP Border Patrol agents conduct these types of operations periodically in key locations that serve as conduits for human and narcotics smuggling," the statement said. "These operations serve as a vital component to our overall border security efforts and help sustain security efforts implemented in recent years."

Customs and Border Protection also maintains that it can set up roadblocks—it prefers the term "temporary permanent checkpoints" for legal reasons—and question people on trains and buses or at transportation stations anywhere within 100 air miles of a U.S. border or seacoast. This broadly defined border zone encompasses most of the nation's major cities and the entirety of several states, including Florida, Michigan, Hawaii, Delaware, New Jersey, and five of the six New England states. The American Civil Liberties Union—concerned about the erosion of Fourth Amendment protections against arbitrary searches and seizures—has called it the "Constitution-Free Zone."

Officials of several universities located within 100 miles of the Canadian frontier told *The Chronicle* that their foreign students and faculty have experienced few serious problems as a result of the checkpoints, though they now tell students to carry their original documents with them at all times. The institutions include the University of Maine at Orono, University of Vermont, Wayne State University, Michigan Tech, and Western Washington University.

"You'll always have a quirk here and there or an error now and then, but for the most part, things are working pretty well at the border, and we don't have any troubles away from the border at all," says Linda Seatts, director of Wayne State's Office of International Students and Scholars. "We're just elated about that."

In upstate New York, it's a different story. For reasons that remain unclear, Customs and Border Protection has had an aggressive presence away from the immediate border, especially around the northern city of Potsdam or in central New York cities like Rochester and Syracuse, which are relatively far from the nearest border crossings. Area residents say Border Patrol officers maintain a near-constant presence at Rochester's bus station and frequently question passengers at the airport. They regularly board domestic Amtrak trains passing through the area en route from Chicago to New York, where they shine flashlights in sleeping passengers' faces.

"We've had hundreds of students questioned and stopped and inconvenienced, and perhaps a dozen students, scholars, or family members who've been detained or jailed," says Cary M. Jensen, director of the International Services Office at the University of Rochester. "For international visitors who see people boarding trains, pulling people off, asking for documents, it feels a lot like East Germany did when I visited in 1980."

Foreign students and scholars are often reticent to speak with reporters, but college officials and immigration attorneys in the region described several hair-raising examples of what they regard as inappropriate and worrisome detentions of members of their community in the past four years. These include:

- A Pakistani undergraduate at the University of Rochester was pulled off a Trailways bus to Albany in 2007, who thought carrying his student photo ID was sufficient for a short domestic trip. Mr. Jensen says the student was held for two weeks at a detention facility before he and his family could appear before a judge and prove they were in the country legally, with an asylum application pending.
- A Chinese student at the State University of New York at Potsdam's Crane School of Music was seized on a domestic Adirondack Trailways bus for lack of original immigration documents. He was released after a few hours, but a few days later agents came to campus, arrested him, and locked him up for three weeks at a detention facility several hours away, where inmates nicknamed him Smart Boy. Although the student's change-of-status paperwork was in order—and was approved while he was in detention—he missed the start of classes and had to leave the institution. "He was very scared, and by the end of it, his whole demeanor had changed," says Potsdam's international-programs coordinator, Bethany A. Parker-Goeke. "He ended up leaving the country. His parents wouldn't let him go back to the U.S."
- A University of Rochester doctoral student bound for a conference at Cornell University was taken from a bus and detained for hours at a police station even though he had all his documentation and was in legal status. Mr. Jensen says the Border Patrol agent didn't understand the student's paperwork, although it was typical for someone who had changed from a two-year master's degree to a seven-year doctoral program. "We helped clear it up, but he missed the conference," Mr. Jensen recalls.
- A scholar at an undisclosed institution in Rochester was arrested at the airport while on his way to visit his wife, a student at an institution out of state. Both had H1B visas, had applied for permanent residence status, and had permission from Citizenship and Immigration Services to live, work, and travel while their applications were adjudicated, according to their attorney, Mr. Novak. But Customs and Border Protection officers "treated him like a criminal and threw him in the clink. The wife didn't dare come to pay the bond to get him out because they would throw her in jail, too."
- A Potsdam student was briefly detained last summer while doing turtle research with her professor in a local swamp. "Border Patrol was there asking for documents," Ms. Parker-Goeke says. "She's in a swamp—she doesn't have her documents." The professor was able to persuade the agents to call the university to clear up the student's status.

"I have concerns for people who are legally here and making a great contribution but could get stuck in the system," says Brendan P. O'Brien, director of the International Students and Scholars Office at Cornell University. Recently a foreign visiting-faculty member at the university missed a conference in Chicago because customs agents didn't understand his change-of-status papers. "What's happening is more than just a minor inconvenience."