It Came From South of The Border: Effects of the USA PATRIOT Act and More on Canadian Libraries

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What We’ll Be Looking At

- The USA PATRIOT Act
- The United States Department of the Treasury Office of Foreign Asset Controls (OFAC) - rulings
- Q & A/Discussion
Disclaimers

- Can’t cover everything
- Will do my best to be current
- Will try not to have too much of an academic focus
- Will use many U of C examples
The USA PATRIOT Act

- The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA Patriot Act) of 2001 (Public Law 107-56, 115 STAT. 272, H.R. 3162)
- Section 215
- Implications for “Canadian” information
The USA PATRIOT Act – What Can/Is Being Done?

- At the universities
- At the provincial level – BC, AB
- At the federal level - federal privacy commissioner
- By Canadian libraries – e.g. Scholar’s Portal
- By individuals
The PATRIOT Act – Recent Developments

- The PATRIOT ACT was renewed, March 2006 – no real changes for Canadians
- Sections of the PATRIOT Act struck down in September 2007 (twice!)
The Office of Foreign Assets Control (OFAC)

- Rulings on “informational materials”
- Rulings to and from embargoed countries
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- It’s all moot!
  - OFAC regulations don’t apply to providing information to countries under embargo
  - the Berman Amendment (1989) and the Free Trade in Ideas Amendment (1994)
What Can Be Done – USA PATRIOT Act

- Remember that you leave a trail
- Think about what you “leave behind”
- Talk with US publishers and vendors
- See what your governments and institutions are doing
What Can Be Done – OFAC

- Have good licensing practice
- Get your consortia involved
- Talk with US publishers and vendors
Questions? Discussion?

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Some Resources – USA PATRIOT Act (part 1)


Some Resources – USA PATRIOT Act (part 2)

  [link](http://www.oipc.bc.ca/sector_public/archives/usa_patriot_act/pdfs/report/privacy-final.pdf)

- USA PATRIOT Act as Passed by Congress. 
  [link](http://www.asksam.com/cgi-bin/as_web6.exe?Command=First&File=PATRIOT_Act)
Some Resources - OAFC