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Note to Educators

The Teaching Beyond September 11th curriculum project seeks to capture the events of the two decades (2001-2021) following 9/11 as a means for youth to understand the post-9/11 global order. Developed by a team of educators from the University of Pennsylvania in collaboration with inter—/national scholars, practitioners, and community activist leaders, each stand-alone module is grounded in at least one of six identified themes and is anchored in an event in a particular year following 9/11. The curriculum does not need to be taught sequentially. Lessons within a module may be taught sequentially or individually unless specified.

The curriculum is ideal for advanced high school and early college students. Educators are encouraged to adapt lessons to meet the needs of their classroom and student academic level. The curriculum framework at the end of this document highlights guiding questions for students to grapple with and enduring understandings that we wish for students to glean from these lessons.

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Module 4: Civil Liberties After 9/11

Primary Theme: Domestic Policy
Secondary Theme: Democracy and Rights
Year in focus: 2004
Grades: Grade 12 and freshman college
Entry points (subject areas): US History, Civics, Political Science

Module Context
2004 was the year that the congress passed the Intelligence Reform and Terrorism Prevention Act (IRTPA) – the most sweeping reform of the US intelligence community in sixty years. (The only other time where the US has engaged in such a drastic reform of the intelligence infrastructure was in 1947 following World War II). This far-reaching legislation of 2004 continues to have long-standing impacts on the erosion of civil liberties for both US citizens and non-citizens.

Module Goal
Students will be able to use their independent learning to understand the long-term impact of anti-Muslim domestic policies, such as the IRTPA of 2004, on the erosion of civil liberties and rights for Muslims and other marginalized groups in the United States.

Module Overview
This module provides students with an understanding of the creation of IRTPA, its intended use, and its unintended consequences, especially as demonstrated by the No Fly List. Over the course of two (stand-alone) 50-minute periods, students will use videos, texts, and images to engage in discussion to understand the ways in which anti-Muslim domestic policies have had wide-ranging negative impacts on civil liberties for both Muslims and non-Muslims. Throughout the lesson, students will consider the long-term implications when national security is prioritized over civil liberties.

Lesson 1 - Flying While Muslim: National Security vs Civil Liberties After 9/11
This lesson illustrates how laws created to protect people can end up doing the exact opposite. Specifically, it will focus on the creation of a “No Fly database”. The creations of this database was part of sweeping legislation post 9/11 intended to target terrorists but which, in effect, has hampered life for many Americans -- Muslim and non-Muslim alike. Students will understand that once enacted, laws reducing the civil liberties for some can have an enduring impact for many, even when some civil rights protection provisions are envisioned.
Lesson 2 - The Intelligence Reform and Terrorism Prevention Act (IRTPA): Anti-Muslim Domestic Policies and the Erosion of Civil Liberties in the US

This lesson introduces students to a particular legislation that was passed in 2004 in direct response to September 11 that has had wide-ranging impacts and continues to impact people today - beyond the original groups the legislation targets.

Curriculum Connections
Module 2: Surveillance of Muslims
Module 7: Understanding Islamophobia
Module 17: The Muslim and African Ban
This lesson illustrates how laws created to protect people can end up doing the exact opposite. Specifically, it will focus on the creation of a “no fly database”. The creations of this database was part of sweeping legislation post 9/11 intended to target terrorists but which, in effect, has hampered life for many Americans -- Muslim and non-Muslim alike. Students will understand that once enacted, laws reducing the civil liberties for some can have an enduring impact for many, even when some civil rights protection provisions are envisioned.

Background reading for educators before Lesson 1
It would be beneficial for educators to review the following resources. These resources may also be used as a supplementary reading list for students in higher level courses:

1. Civil Liberties non-profit ACLU’s legal challenge against the US Government’s No Fly List
   https://www.imdb.com/title/tt0181689/plotsummary?ref_=tt_stry_pl# synopsis
3. Timeline that showcases the efforts of the ACLU to challenge the US government on the constitutionality of the No Fly List: https://www.aclu.org/cases/kashem-et-al-v-barr-et-al-aclu-challenge-government-no-fly-list

Key terms in Lesson 1
- **ACLU**: The American Civil Liberties Union, an organization dedicated to defending individual freedoms and fighting government abuse. In particular, it has actively opposed policies created after 9/11 that sacrificed freedoms in the name of national security.
- **Bill**: Formally proposed legislation. It becomes a law if it is approved by Congress and signed by the president.
- **Civil liberties**: Different from Civil rights that offer legal protection, civil liberties refer to personal freedoms that in the United States are included in the Bill of Rights. Free speech and freedom of religion are civil liberties.
- **IRTPA**: The Intelligence Reform and Terrorism Prevention Act, a piece of legislation that was passed in 2004 in response to September 11. It was the most significant counter terrorism act in almost 60 years and was passed with overwhelming bi-partisan support. It modified many aspects of the federal intelligence and terrorism-prevention organizations The No Fly List was an outcome of this legislation.
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- **Islamophobia**: A phobia or exaggerated bias, hatred, or fear of Islam as religion and those who practice Islam, Muslims. Islamophobia extends to other communities and individuals who are perceived to be Muslim as well. Also known as anti-Muslim racism.

- **No Fly list**: A small subset of the U.S. government Terrorist Screening Database (also known as the terrorist watchlist) that contains the identity information of known or suspected terrorists. This database is maintained by the FBI’s Terrorist Screening Center.

**Materials Needed for Lesson 1**
1. Lesson 1 slide deck (to be projected in class)
2. [ACLU video: No Fly with me](#) (to be played in class; link on slide deck)
3. [ACLU video: Minority report meets No Fly List](#) (to be played in class; link on slide deck)

Optional:
4. [Royal Jordanian Airlines ad](#) (time permitting)
5. Social Media Story Handout for Extension Activity or Homework (1 per student)
6. The Intercept article about US-Pakistani national’s life in Pakistan after being taken off the No Fly List [https://theintercept.com/2021/05/30/no-fly-list-terrorism-watchlist/](https://theintercept.com/2021/05/30/no-fly-list-terrorism-watchlist/)
Lesson 1. Flying While Muslim: National Security vs Civil Liberties After 9/11

Learning Plan

Opening – 5 minutes

Open the lesson by projecting the Lesson 1 slide deck (Lesson 1 Slide Deck, Slide 2) showing the pictures of three individuals who may be familiar to some students. Ask students if they know who these individuals are and what all of the people have in common.

[Educator note: The individuals are: the late Rep. John Lewis, Rep Ted Kennedy, and singer Cat Stevens (aka Yusuf Islam)]

After a few guesses, let them know that all of these individuals have all been on the “No Fly List”.

Next, ask students if they know what a “No Fly List” is.

Before providing the definition, explain that in today’s class, you’ll be exploring one of the ways in which the US government responded to the threat of terrorism following 9/11 and that as a consequence of some of these policies, people people from all walks of life – like the late John Lewis - found themselves unable to travel and harassed at airports.

Next, ask them if they’ve ever been stopped or harassed at the airport. Invite 2-3 students to briefly share their stories.

Key Concepts – 10 minutes

(Lesson 1 Slide Deck, Slide 3). Bring the class back to the No Fly List and share the definition

(Lesson 1 Slide Deck, Slide 4). Explain that the No Fly List is one of the outcomes of the 2004 Intelligence Reform and Terrorism Prevention Act legislation of 2004 (one of the most sweeping intelligence reform measures in 60 years and which has had serious effects on civil rights and liberties, including the increased harassment of people who are or “look” Muslim at airports.

(Lesson 1 Slide Deck, Slides 5-7]. Follow up by showing examples of the "flying while Muslim" hashtag on Twitter [#FlyingWhileMuslim] to demonstrate the far-reaching effects of the list and the way it contributes to Islamophobia (and is also fed by Islamophobia).
Ask for thoughts/reactions to the hashtags. Explain that while these individuals were harassed at airports, there were even more serious consequences because of the No Fly List.

Time permitting:

In 2017, Royal Jordanian Airlines made an ad to respond to the No Fly List. Educators may wish to show this to students and ask for their reactions:
https://www.youtube.com/watch?v=-zg_cnIuTMI

(Lesson 1 Slide Deck, Slides 8). Next, show this 3.5m video from the ACLU to students which narrates the experiences of two individuals who are on the No Fly List https://www.aclu.org/video/video-no-fly-me

If necessary, explain to students what the ACLU is and does. [The ACLU is dedicated to defending individual freedoms and fighting government abuse. In particular, it has actively opposed policies created after 9/11 that sacrificed freedoms in the name of national security.]

On completion of the film, ask students how they feel about the No Fly List.

(Lesson 1 Slide Deck, Slide 9) Show slide with timeline that showcases the efforts of the ACLU to challenge the US government on the constitutionality of the No Fly List.

Explain the key events on the timeline to convey the ways in which the loss of civil rights has become even more entrenched during the lengthy court battle.

You may wish to ask the following prompts to get a discussion going about the No Fly List:

1. Does the No Fly List make you feel safer?
2. Do you know someone who has been on the No Fly List?
3. How would you feel if you or a member of your family was put onto this for no clear reason?

Application – 20 minutes

Ask students if they have seen the film Minority Report; if yes, ask them to share the premise of the movie). If no one is familiar with it, explain that it is a sci-fi film set in the year 2054 about a specialized police force that arrests people based on predictions that they will commit crimes in the future.

Ask students if arresting people based on predictions that they will commit crimes in the future is a plausible scenario.
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(Lesson 1 Slide Deck, Slide 10) Next, show students the ACLU 1m video: The Minority Report meets the No Fly List
https://www.aclu.org/video/minority-report-meets-no-fly-list

Ask students for reactions to the video especially in light of earlier video, hashtags, and discussion. Break students into small groups and give them 10 mins to answer the following questions (educator’s choice):

Option 1:
1. What have been the long-term consequences of the No Fly List?
2. If you were placed on the No Fly List but managed to get off it, would you sue the government? Why or why not?

Ask students to report back 1 take away from their discussion to the whole class.

Option 2:
1. Develop two arguments for each of the following points of positions:
   a. You are an ACLU lawyer challenging the government on the No Fly List. What is your leading argument against the legality of the No Fly List?
   b. You are the government lawyer defending this challenge. What is your leading argument?

Whole Class Debrief: Which argument is more compelling? Why?

Debrief – 10 minutes

In closing, help students understand the ways in which the surveillance structures established by the IRTPA, such as the No Fly List, have serious implications for the erosion of civil liberties and the increased securitization of everyday life in the US.

Given that the protracted legal battles surrounding the No Fly List have not resulted in significant changes to the process, students are encouraged to consider the long-term ramifications when a society trades civil rights for security.

In closing, have students reflect on one or both of the following questions:

1. What are some possible future consequences if the list continues to be used?
2. Do you think lawmakers achieved their intended goals with IRTPA’s provisions on passenger screening?
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Anticipated Student Responses:

- If we continue to use the list, more people will normalize its use and our civil rights will be violated.
- Lawmakers had major input from many agencies, but they failed to anticipate that the screening in ineffective and are unable or unwilling to change the laws now
- If the system has had so many failures how can we be sure of its accuracy?
- We’ve become so used to extra screening at airports that we don’t even think to change it.

Extension Activities or Homework

Option 1:
Share with students Lesson 1 handout [No Fly List Social Media Story: Group Activity Handout] with the ACLU’s 2014 report on US Government Watchlists. Explain to students that these are just a few examples of the ways in which the No Fly List has infringed on civil rights, restricted livelihoods, and separated families.

- Assign students pairs/groups one of the individual cases and ask them to develop a social media story from that person’s perspective. This could include tweets, Facebook posts, Instagram stories, TikTok, or any other platform of their choosing.
- Each pair/group will present their story to the class in the next class.
- Individually, students are encouraged to respond to the following two questions on Lesson 1, Handout 1:
  1. What feelings emerged when telling these stories and adopting these perspectives?
  2. What surprised you about this activity?

Alternatively, ask students to reflect on this activity in a short written post.

Option 2:
To emphasize consequences beyond the US, educators may wish to assign the following article on a US citizen’s ordeal in Pakistan after he was cleared off the No Fly List by the US Department of Homeland Security:

ONE MAN’S NO-FLY LIST NIGHTMARE by Murtaza Hussein for the Intercept (May 30, 2021)
https://theintercept.com/2021/05/30/no-fly-list-terrorism-watchlist/

Students can be asked to write a short discussion post with their thoughts and reactions to the piece. Possible prompts to ask: What surprised you about this experience? What do you understand about the impact of the No Fly List that you didn’t know before?

Spend a few minutes at the start of the next class to discuss a few of the posts. Students can volunteer to share their posts or the educator can pick a couple they think may stimulate discussion.
Lesson 1. Flying While Muslim: National Security vs Civil Liberties After 9/11

Student Handouts and Supplementary Teaching Materials

1. Lesson 1 Slide Deck preview (10 slides). [Please download separate slide deck file]

Optional

2. Social Media Story Handout for first optional Extension Activity or Homework (1 per student)
What is the No-Fly List?

The No Fly List is a small subset of the U.S. government Terrorist Screening Database (also known as the terrorist watchlist) that contains the identity information of known or suspected terrorists. This database is maintained by the FBI’s Terrorist Screening Center.

The Transportation Security Administration (TSA) is among the U.S. government agencies that screen individuals using information from the Terrorist Screening Database. TSA implements the No Fly List through its Secure Flight program. Individuals on the No Fly List are prevented from boarding an aircraft when flying within, to, from, and over the United States.

Source: FBI

The Intelligence Reform And Terrorism Prevention Act (IRTPA)

IRTPA is a piece of legislation that was passed in 2004 in response to September 11. It was the most significant counterterrorism act in almost 60 years. It was passed with overwhelming bipartisan support. The no-fly list was an outcome of this legislation.
ACLU Challenge To Government No Fly List

A national advocacy organization, the ACLU, in response to the Obama administration's expanded use of the No Fly List, filed a lawsuit challenging the constitutionality of the list.

1. The ACLU argues that the No Fly List, by design, is a secret list of individuals who are barred from flying on commercial U.S. airlines.
2. The list includes over 38,000 individuals, including many U.S. citizens and U.S. residents.
3. The ACLU contends that the government has failed to provide adequate notice and a meaningful opportunity to contest inclusion on the list.
4. This right is guaranteed by the Constitution.

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Lesson 1. Flying While Muslim: National Security vs Civil Liberties After 9/11
This page has been intentionally left blank. Feel free to use it as a space to take notes.
No Fly List Social Media Story: Group Activity

Name: ___________________________________________ Class:______________ Date:__________

Directions:
1. Read the cases below that demonstrate how the No Fly List has infringed on civil rights, restricted livelihoods, and separated families.
2. For your group’s assigned case, develop a social media story from that person’s perspective. This could include tweets, Facebook posts, Instagram stories, TikTok, or other social media platform.
3. Each group will present its social media story to the class.
4. Individually, answer the reflection questions on page 2.

Cases of People Impacted by the No Fly List

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Originally posted by the ACLU at U.S. Government Watchlisting: Unfair Process and Devastating Consequences

Case 1: Marine veteran Abe Mashal’s inclusion on the No Fly List made it impossible for him to work for clients of his specialized dog training business who lived beyond driving distance, resulting in the loss of significant business income. FBI agents told Mashal that he would be removed from the No Fly List if he agreed to become an informant.¹

Case 2: Steven Washburn, an Air Force veteran and New Mexico resident, was prevented for years from being with his wife—a Spanish citizen who was unable to secure a visa to travel to the United States—because of his status on the No Fly List.²

Case 3: Kevin Iraniha, an Iranian-American peace activist, was barred from flying home to San Diego from Costa Rica, where he was studying at the UN-accredited University for Peace. Iraniha and his father, both of whom were told they had been placed on the No Fly list, endured hours of interrogation on their religion, Iraniha’s travel to Muslim countries, and his views on Palestine and U.S. foreign policy.³

Case 4: In April 2012, inclusion on the No Fly List prevented Air Force veteran Saadiq Long from flying from Qatar to his childhood home in Oklahoma to visit his mother, whose health had been deteriorating due to congestive heart failure.⁴

³ NBC News, California student takes the long way home to US after “no fly” designation (June 7, 2012).
⁴ CAIR-Oklahoma, CAIR officials: Man sentenced to life without air travel (Feb. 14, 2013).
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Case 5: Rahinah Ibrahim, a Stanford PhD student and Malaysian citizen, was prevented from boarding a flight in San Francisco, handcuffed (despite being wheelchair-bound at the time), and held in a detention cell for hours in January 2005 based on what turned out to be a bureaucratic error by the FBI that placed her on the No Fly List. The government fought to avoid correcting the error for years, even invoking the state secrets privilege in an unsuccessful effort to prevent judicial scrutiny. She was permitted to leave the country, but to this day, she has been barred from returning, even though the government admits that she should not have been placed on the No Fly List.¹

Individual Reflection Questions

1. What feelings emerged when telling these stories and adopting these perspectives?

2. What surprised you about this activity?

Lesson 2. Anti-Muslim Domestic Policies and the Impact on Civil Liberties

Overview, Background Resources and Materials Needed

This lesson introduces students to a particular legislation that was passed in 2004 in direct response to September 11th, which has had wide-ranging impacts and continues to impact people today - beyond the original groups the legislation targeted. Educators are encouraged to familiarize themselves with the following documents and share with their students as they deem fit. For example, teachers may wish to share the full text of the IRTPA to show students just how long and complicated bills are (without the expectation that students should actually read and understand this document).

Background reading for educators before Lesson 2:
It would be beneficial for educators to review the following resources. These resources may also be used as a supplementary reading list for students in higher level courses:

1. **Anti-Sharia law bills in the United States** – explanation from the Southern Poverty Law Center
   [https://www.splcenter.org/hatewatch/2018/02/05/anti-sharia-law-bills-united-states](https://www.splcenter.org/hatewatch/2018/02/05/anti-sharia-law-bills-united-states)

2. **How a Bill Becomes Law:** [https://norton.house.gov/how-a-bill-becomes-a-law](https://norton.house.gov/how-a-bill-becomes-a-law)

3. **Summary of IRTPA Background Resource** [provided]. Educators may wish to familiarize themselves with the various aspects of IRTPA. This document has been prepared by the Center for Strategic and International Studies (CSIS)

4. **IRTPA Points of Criticism by EFF** [provided]. Educators may wish to familiarize themselves with the critiques of IRTPA, as outlined by the Electronic Frontier Foundation, an organization committed to defending civil liberties in the digital world.

In addition, educators are encouraged to look at the Lesson 2 slide deck carefully as it is quite dense given the complicated nature of laws.

Key Terms in Lesson 2:

- **Anti-Sharia Legislation**: Sharia refers to Islamic law as understood by Muslims. Anti-Sharia legislation are laws in various states that prohibit the influence of Sharia in U.S. courts and are an outgrowth of Islamophobic policies. Singling out individuals or communities based on religious identity is considered unconstitutional.

- **Bill**: Formally proposed legislation. It becomes a law if it is approved by Congress and signed by the president.

- **Civil Liberties**: Different from Civil rights that offer legal protection, civil liberties refer to personal freedoms that in the United States are included in the Bill of Rights. Free speech and freedom of religion are civil liberties.
Congress: The legislative branch of the U.S. government responsible for making laws. It has two parts - the Senate and the House of Representatives. Each state has two Senators, while the number of Representatives a state has is based on that state’s population.

First Amendment: an amendment to the US Constitution that prohibits any law limiting freedom with respect to religion, expression, peaceful assembly, or the right of citizens to petition the government.

Intelligence: Information of military or political value, especially related to threats to national security, or an agency engaged in gathering such information.

Material Support: This term covers a wide range of activities and items, including property, money, lodging, training, communications equipment, transportation, and expert advice or assistance. Because of its vague yet broad definition, it has been used to convict many people of terrorism even if they are not involved with the actual act, which some argue has been an unjust use of the law.

Security: The safety of a state or organization against criminal activity such as terrorism, theft, or espionage.

Materials Needed for Lesson 2

1. Lesson 2 Slide Deck.

2. Word cloud generator [https://wordart.com/create] (to be projected on screen).
   *No tech option:* Large post-its or half sheets of blank paper, markers and tape (enough to give a few sheets per student)

3. The Full Text of the IRTPA (2004) to be accessed on student computers/tablets: While this is a complicated document, it may be useful for students to see what a bill looks like and engage with the actual text of a bill, even if they don’t understand it.

4. Unpacking IRTPA’s Materials Support Argument handout for Application activity – two articles plus questions (1 per student pair)
Lesson 2. Anti-Muslim Domestic Policies and the Impact on Civil Liberties

Learning Plan

Opening – 15 minutes
Prompt students to think about American values (e.g. democracy, rights for all, freedom of speech, freedom of religion etc. Ask them to add up to three values for the word cloud
https://wordart.com/create
No tech alternative: have them post on large post-its or pieces of paper with tape, alternatively, students can take a minute to write down a few words and then shout out the words; educator can write them on the board and underline words that are repeated more than once.

Next, ask them to come up with examples of U.S. laws / policies that had consequences for everyday life and when America did not live up to its ideals.

Expected student responses:
- Internment of Japanese Americans
- Slavery in the United States
- Chinese Exclusion Act of 1882
- Jim Crow Laws
- Boarding schools for native children
- Forced deportation
- Muslim and Africa Bans

Break students into pairs or small groups and ask them to discuss their thoughts about the U.S.’ values and these examples of where these values were not upheld.

Prompt students to think about how these policies and laws impacted everyday life.

Encourage discussion by making references to arguments for laws that we now consider to be abhorrent, from segregation to slavery.

Key concepts overview – 15 minutes
Explain to students that while it is expected that legislation is informed by political purposes, when those purposes are passed without much discussion or debate or to yield to public pressure, they can often be detrimental.
Example 1: Japanese internment was a result of the Roosevelt Administration’s rush to respond to Pearl Harbor and manage the domestic political landscape.

Example 2: Anti-Sharia legislation bills that have been passed in more than 40 states in the post-9/11 era reflect threat perceptions around Islam and Muslims. The Southern Poverty Law Center defines this effort as “...totally useless” because “the U.S. Constitution already expressly denies authority to any foreign law.” SPLC and other observers note that these anti-Sharia bills derive from anti-Muslim/Islamophobic sentiments and rhetoric (see educator resources.)

Explain to students that this lesson will explore a specific piece of federal legislation to understand the impact of hastily enacted domestic policies essentially targeting Muslims in the U.S. with consequences for non-Muslims.

Note to educators: If you have taught lesson 1 of this module regarding the No Fly List, you may wish to draw on examples from there or refer back to some of your class discussions.

Explain to students that before you can explore this piece of legislation, you want them to understand how a bill becomes law.

(Lesson 2 Slide Deck: Slide 2) with the 6 steps of how a bill becomes law (see also educator resources.)

Ask students to reflect on the legislation’s 6-step journey through the congress. The goal here is for students to understand the complicated process by which a bill becomes law. Highlight that this is a long and complicated process and often subject to a great deal of debate. However, in the context of 9/11, laws were passed quickly, often with very little debate, but with longstanding consequences.

It may be helpful to note here that the controversial US Patriot Act of 2001— a law that vastly expanded national security surveillance in the wake of the September 11 attacks – passed the Congress in just 3 days with little discussion or debate.

Once students have an understanding of how a bill becomes law, explain that they will be focusing on one particular aspect of a piece of legislation that was passed in 2004 in response to September 11. This is the Intelligence Reform and Terrorism Prevention Act (IRTPA) - the most significant counter terrorism act in almost 60 years. The last time the US had passed such extensive and far-reaching laws was after World War 2.

(Lesson 2 Slide Deck: Slide 3-5) Walk students through the next 3 slides (slides 3-5) that highlight the key aspects of the law, how it transformed the security apparatus in the USA, and how it was supported through Congress.
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(Lesson 2 Slide Deck: Slide 6) Show slide with an overview of the various sections of IRTPA. Explain that you will be focusing on aspect 6: **Terrorism prevention** and specifically on the controversial clause regarding **Material support**.

Ask students: **What do you think is meant by “Material support”?**

(Lesson 2 Slide Deck: Slide 7) After a few answers, explain that the term “material support” covers a wide range of activities and items, including property, money, lodging, training, communications equipment, transportation, and expert advice or assistance.

Explain to students that because of its vague yet broad definition, it has been used to convict many people, which some argue has been an unjust use of the law. **It’s important to stress that this law has been used to convict people of terrorism even if they are not involved with the actual act.** In some cases, this included individuals who may advocate for violence in the abstract which is protected by the First Amendment rather than a call to a specific act of violence. **It may be worth asking if this is fair or if it is in violation of the First Amendment.**

Educator note: In case students need a clear definition of the first amendment, explain that it is an amendment to the US Constitution that prohibits any law limiting freedom with respect to religion, expression, peaceful assembly, or the right of citizens to petition the government.

Explain that in some cases, the mere act of posting an article about a controversial subject has become grounds for invoking material support clauses. **Many legal analysts claim it would be wrong to associate such speech or the act of providing a platform for such speech with material support.** For example, The Supreme Court rejected a lawsuit against the social media platform Facebook that claimed it was providing material support to terrorists because it was hosting their content. You may also let students know that in the case students will examine later in class, Twitter was accused of providing material support because it provided accounts to users who discussed or promoted terrorism.

**Application – 20 minutes**

Invite students to form 4-5 groups and hand out articles packet to each group.

If computers or tablets are available, provide students the link to the full text of the IRTPA (2004): [https://www.intelligence.senate.gov/sites/default/files/laws/pl108-458.pdf](https://www.intelligence.senate.gov/sites/default/files/laws/pl108-458.pdf)

Let students know they are not expected to read it but just see what a bill looks like.

*Educator choice/Time permitting, assign pages 126-128 and 151-158 as these will be related to the lesson at hand.*

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Lesson 2. Anti-Muslim Domestic Policies and the Impact on Civil Liberties
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Next, **hand out the article packet on material support** to student pairs. Provide the following context to the articles before student read it:

1. The ACLU press release highlights issues that surround “material support” arguments that stood the text of a legal challenge that ACLU supported with an AMICUS-brief.
2. Electronic Frontier Foundation’s support for First Amendment rights in the context of a lawsuit against the social media giant Twitter will help visualize some of the complexities surrounding material support arguments.

Ask students to discuss their reactions to these readings. The following prompts may be helpful to kick start the discussion (provided as a handout):

- What are the similarities between the ACLU and EFF’s approach to the question of material support?
- Is there an inherent trade-off between security and civil liberties?
  - If the group’s answer is “yes,” ask them to develop an argument for which one is more important
  - If the group’s answer is “no,” ask them to think of an example when both have been preserved
- Would the students stop using a social media outlet if that outlet was directly providing their user profile to the U.S. government agencies? Why or why not?

Students will likely have a range of responses – from some arguing that we have no privacy while others will decide this is something they need to think about. Others may argue that security is more important than one’s freedoms.

**Prompt groups to note similarities and differences among their answers and discuss how there may be different perspectives that inform these answers.** This could be connected to how our own backgrounds, perspectives, and experiences inform how people interpret legislation and, in turn, how legislation is made by similar subjectivities.

Ask each group to present their findings. As they do, **summarize the main findings on the board** so that you can refer back to this later.

**Debrief – 10 minutes**

Look back both at the curated summary of students’ findings, as well as the opening word cloud activity.

Ask students:
- What are the emerging trends from all groups?
- What are the similarities and differences among the different groups’ responses?
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- What connections do these emerging trends have to the word cloud posted earlier?
- What do students think about legislating and its consequences for everyday life?

(Lesson 2 Slide Deck: Slide 8). In closing be sure to reinforce that IRTPA not only created a number of new bureaucratic agencies but also established a number of new arrangements that further blurred the line between criminal activity and freedom of speech and right to privacy. While it tried to put in place a new body to safeguard privacy and civil liberties, overall IRTPA reinforced the wide-ranging surveillance powers introduced in the Patriot Act in 2001. Its impact on domestic and international travel is also considerable (see Module 4, Lesson 1).

Note to educator: Refer to EFF Background Resources for more information on how the right to privacy has been compromised by these laws; see also Module 2.
Lesson 2. Anti-Muslim Domestic Policies and the Impact on Civil Liberties

Student Handouts and Supplementary Teaching Materials

1. Lesson 2 Slide Deck preview (8 slides). [Please download separate slide deck file]
2. Educator Background Resource: Summary of IRTPA handout* (4 pages)
3. Educator Background Resource: IRTPA Points of Criticism by EFF handout* (2 pages)
4. Unpacking IRTPA’s Materials Support Argument for Application activity (1 per student pair)
   a. Instructions and guiding questions
   b. ACLU Press Release (1 per student pair)
   c. EFF Article regarding lawsuit against Twitter (1 per student pair)

*Educators with students in a higher grade level may wish to share the educator background resource documents with their students as well.
The Intelligence Reform And Terrorism Prevention Act (IRTPA)

IRTPA is a piece of legislation that was passed in 2004 in response to September 11. It was the most significant counterterrorism act in almost 60 years. It was passed with overwhelming bipartisan support. The no-fly list was an outcome of this legislation.

IRTPA modified many aspects of the federal intelligence and terrorism-prevention organizations. For example, it:

- reorganized the intelligence community
- established the position of Director of National Intelligence (DNI) to serve as the President’s chief intelligence advisor and the head of the Intelligence Community, and to ensure better coordination and integration of the 16 agencies that make up the Intelligence Community
- established the National Counterterrorism Center (NCTC) to serve as a center for collection and integration of intelligence pertaining to terrorism, including threats to U.S. interests at home and abroad
- established the National Counterterrorism Center (NCTC) to serve as a center for collection and integration of intelligence pertaining to terrorism, including threats to U.S. interests at home and abroad
- established the Department of Homeland Security (DHS) to serve as the President’s chief organization on terrorism, including threats to U.S. interests at home and abroad

Sections of the Act

1. Reform of the intelligence community, also known as the National Security Reform Act of 2004
2. Federal Bureau of Investigation
3. Security Clearances
4. Transportation security
5. Border protection, immigration, and visa matters
6. Terrorism prevention
7. Implementation of 9/11 Commission recommendations, also known as the 9/11 Commission Implementation Act of 2004
8. Other matters, including a requirement that the Department of Homeland Security ensure that the civil rights and civil liberties of persons are not diminished by efforts, activities, and programs aimed at securing the homeland.

How a Bill Becomes Law

1. Legislation is Introduced
2. Committee Action
3. Voting on the floor
4. Conference Committee
5. The President signs the bill

How the House voted:

- Senate approval 96:2
- House approval 336:75
The Intelligence Reform And Terrorism Prevention Act (IRTPA)

Controversy

Section 6: Terrorism Prevention contains the controversial clause regarding “Material Support.”

“Material support” covers a wide range of activities and items, including property, money, lodging, training, communications equipment, transportation, and expert advice or assistance.

Because of its vague yet broad definition, it has been used to convict many people of terrorism even if they are not involved with the actual act, which some argue has been an unjust use of the law.

For example, the mere act of posting an article about a controversial subject has become grounds for invoking material support.

Consequences

IRTPA created several new bureaucratic agencies (such as the National Director of Intelligence and National Counter Terrorism Center).

It established several new arrangements that further blurred the line between criminal activity and freedom of speech and right to privacy.

While it tried to put in place a new body to safeguard privacy and civil liberties, overall IRTPA reinforced the wide-ranging surveillance powers introduced in the Patriot Act.

Its impact on domestic and international travel is also considerable—IRTPA entrenched screening protocols and no-fly lists, creating consequences for millions of people worldwide.
The Intelligence Reform and Terrorism Prevention Act of 2004 has now become law, having been passed by the House of Representatives on December 7, by the Senate on December 8 and signed by the President on December 17. The Act implements core recommendations of the 9/11 Commission.

Highlights of the bill:

- Establishes the position of Director of National Intelligence with budget and personnel authority necessary to coordinate all national intelligence efforts.
- Establishes a National Counterterrorism Center (NCTC) to coordinate and unify all elements of counterterrorism intelligence operations planning.
- Establishes an independent Privacy and Civil Liberties Board that will be granted access to all government agencies to review policies and practices, and be led by a Chair and Vice Chair confirmed by the Senate.
- Calls for the establishment of a trusted Information Sharing Environment to facilitate sharing of terrorism-related information among government agencies.
- Mandates improvements to transportation and border security, including enhanced cargo inspections, aviation security measures, and the hiring of additional border patrol agents.
- Adds immigration and customs investigators, but does not contain any immigration “poison pills” such as expedited removals, increasing the burden of proof on asylum-seekers, or limiting due process for aliens.
- Requires federal agencies to establish minimum standards for drivers licenses and ID necessary to board domestic commercial aircraft and gain access to federal facilities, but does not contain controversial changes to laws governing identification cards – such as creating a national ID, banning the acceptance of Matricula Consular ID cards, or altering the ability of states to decide for themselves whether to provide drivers licenses to undocumented immigrants.
- Creates new crimes and criminal penalties intended to combat terrorism but does not contain any new death penalty provisions.

Key provisions - Titles I-III: Intelligence Provisions Reform of the Intelligence Community

1. Creates a Director of National Intelligence
   - Principal advisor to the President on Intelligence
   - Responsible for directing, overseeing, managing the Intelligence Community
   - Separate from the Director of Central Intelligence (DCI)
   - Wields strong budget and personnel authorities, as envisioned by the 9-11 Commission
1. Flexibility and authority to respond to emerging national security threats
   Authorized to create national intelligence centers
2. Creates a National Counter Terrorism Center
   - Director appointed by the President, confirmed by the Senate
   - Missions and stature as envisioned by 9-11 Commission
3. Creates an independent Privacy and Civil Liberties Board that would, among other things, advise on the development of the privacy guidelines applicable to the information sharing environment as established in section 1016 and oversee information sharing practice.
   - Private citizens, appointed by the President
   - Chair and Vice Chair confirmed by the Senate
   - Advises the President and the executive branch
   - Provides to Congress at least annually reports that are unclassified to the greatest extent possible
   - Access to information throughout the executive branch
   - Attorney General may intervene when private parties fail to produce documents or witnesses
   - Conducts oversight of executive branch policies to ensure privacy and civil liberties are protected
4. Mandates an information sharing environment for counter terrorism
   - Linking intelligence, law enforcement, and homeland security information Linking Federal, state, local, and tribal entities and private sector Establishes planning deadlines and reporting requirements
   - Builds in privacy and civil liberties protections
5. Creates a National Counter Proliferation Center
   - Restructures the FBI’s intelligence capability - creates an Intelligence Directorate, requires cadre dedicated to intelligence discipline; requires intelligence personnel at field offices.

Communications Interception

- Patriot Act authorities have been reinforced by changes in the Intelligence Reform and Terrorist Prevention Act (IRTPA).
- The first significant change is the Section 6001 “lone wolf” provisions. IRTPA allows FISA surveillance authorities to be used against suspected foreign terrorists who have no known affiliation with a foreign organization. The ‘Lone Wolf’ provision expires at the end of 2005, when some of the surveillance powers in the USA PATRIOT Act also expire unless renewed.
- IRTPA gives the new Director of National Intelligence the authority to “manage” the FISA collection program. IRTPA defines management as the allocation of resources, identification of targets. Proposals for new FISA communications intercepts against U.S. citizens still require the approval of the Attorney General and the approval of the National Security Advisor for collection against foreign powers before they can be sent to the FISA court for consideration.
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The reason for this change, according to Congressional staffers involved in the drafting of the legislation, is to improve the use of communications intercepts against transnational threats.

TITLE IV-VIII: Non-Intelligence Provisions

Transportation Security

- Requires DHS to develop national strategy for transportation security
- Requires DHS to develop guidance for biometric identification technology for airport access
- Mandates testing of new advanced airline passenger prescreening system
- Mandates DHS to develop, test, improve, and deploy advanced detection equipment at airports
- Improves training for federal air marshals
- Upgrades baggage screening procedures and baggage screening area security
- Mandates DHS to develop, test, improve, and deploy advanced detection equipment at airports
- Upgrades security

Border Security

- Tests advanced technology – including sensors, video, and unmanned aerial vehicles to secure northern border
- Requires DHS to devise plan for systemic surveillance of the southwest border by remotely piloted aircraft
- Increases the number of full-time border patrol agents by 2,000 per year for 5 years
- Increases the number of full-time Immigration and Customs Enforcement Investigators by 800 per year for 5 years
- Increases the number of detention beds available to DHS for immigration detention and removal by 8,000 a year for 5 years
- Strengthens visa application requirements
- Criminalizes alien smuggling
- Makes receipt of military-type training from designated terrorist organizations a deportable offense
- Mandates GAO study on potential weaknesses in U.S. asylum system
- Makes inadmissible and deportable any alien who commits acts of torture, extrajudicial killing, or atrocities abroad; establishes DOJ Office of Special Investigations

Terrorism Prevention

- Provides FISA authority for “lone-wolf” terrorists, with a sunset provision
- Mandates additional reporting to Congress on use of FISA authority
- Authorizes funding for FINCEN and programs to combat money laundering and financial crimes
- Enhances tracing of certain cross-border financial transactions
- Provides new authorities to fight terrorism financing
- Facilitates criminal background checks of private security officers
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- Allows sharing of Grand Jury information to government officials to prevent or respond to terrorism
- Expands prohibitions against providing “material support” to terrorists and establishes new definitions, with a sunset provision
- Criminalizes terrorist hoaxes and establishes penalty levels
- Expands prohibitions involving possession or trafficking of WMD
- Establishes mandatory minimum sentences for possession or trafficking in missile systems designed to destroy aircraft and other destructive weapons
- Establishes rebuttable presumption that person accused of terrorism crimes should be subject to pre-trial detention

Implementation of Additional 9/11 Commission Recommendations

Strengthens U.S. foreign policy to deny terrorist safe-havens and disrupt terrorist plots
- Increases identification and reporting on terrorist sanctuaries
- Maintains Pakistan funding, calls for assistance to promote democracy, combat extremists, and halt the spread of WMD.
- Requires plan for long-term development and security in Afghanistan and calls for increased investment in rule of law and education
- Fights the continued growth of Islamic terrorism
- Expands exchanges in the Islamic world
- Improves public education in the Middle East through International Youth Opportunity Fund

- Promotes economic development through the Middle East Partnership Initiative
- Strengthens Terrorist Travel Provisions
- Establishes counterterrorist travel intelligence strategy
- Establishes Human Smuggling and Trafficking Center
- Authorizes funding for immigration security initiative
- Requires DHS to speed implementation of biometric entry and exit data system
- Establishes minimum federal standards for birth certificates and drivers’ licenses
- Enhances security of social security cards
- Establishes visa and passport security program in State Department
- Requires DHS to establish minimum ID standards to board commercial aircraft, and requires DHS to provide recommendations for ID standards to gain access to other federal facilities

Miscellaneous
- Establishes programs to enhance public safety communications interoperability
- Establishes Office of Counter-narcotics Enforcement
- Requires study and development of strategy to use broadcast spectrum for public safety purposes
- Improves ability of Presidential Transition officials to obtain clearances
On Friday, President Bush signed into law the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA; PDF), launching several flawed "security" schemes that EFF has long opposed. The media has focused on turf wars between the intelligence and defense communities, but the real story is how IRTPA trades basic rights for the illusion of security. For instance:

**Section 1016 - a.k.a. "TIA II"**
A clause authorizing the creation of a massive "Information Sharing Environment" (ISE) to link "all appropriate Federal, State, local, and tribal entities, and the private sector."

This vast network links the information in public and private databases, which poses the same kind of threat to our privacy and freedom that the notorious Terrorism Information Awareness (TIA) program did. Yet the IRTPA contains no meaningful safeguards against unchecked data mining other than directing the President to issue guidelines. It also includes a definition of "terrorist information" that is frighteningly broad.

**Section 4012 and Sections 7201-7220 - a.k.a. "CAPPS III"**
A number of provisions that provide the statutory basis for "Secure Flight," the government's third try at a controversial passenger-screening system that has consistently failed to pass muster for protecting passenger privacy.

The basic concept: the government will force commercial air carriers to hand over your private travel information and compare it with a "consolidated and integrated terrorist watchlist." It will also establish a massive "counterterrorist travel intelligence" infrastructure that calls for travel data mining ("recognition of travel patterns, tactics, and behavior exhibited by terrorists").

It's not clear how the government would use the travel patterns of millions of Americans to catch the small number of individuals worldwide who are planning terrorist attacks. In fact, this approach has been thoroughly debunked by security experts. What is clear is that the system will create fertile ground for constitutional violations and the abuse of private information. The latest Privacy Act notice on Secure Flight shows that the Transportation Security Administration (TSA) still doesn't have a plan for how long the government will keep your private information, nor has it mapped out adequate procedures for correcting your "file" if you are wrongly flagged as a terrorist.
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Section 6001 - a.k.a. "PATRIOT III"
Straight from the infamous "PATRIOT II" draft legislation leaked to the public last year comes a provision that allows the government to use secret foreign intelligence warrants and wiretap orders against people unconnected to any international terrorist group or foreign nation. This represents yet another step in the ongoing destruction of even the most basic legal protections for those the government suspects are terrorists.

Sections 7208-7220 - a.k.a. "Papers, Please"
Just as EFF, the ACLU, and a number of other civil liberties groups feared, IRTPA creates the basis for a de facto national ID system using biometrics. Driven by misguided political consensus, the law calls for a "global standard of identification" and minimum national standards for birth certificates, driver's licenses and state ID cards, and social security cards and numbers. It also directs the Secretary of Homeland Security to establish new standards for ID for domestic air travelers.

Identification is not security. Indeed, the 9/11 Commission report revealed that a critical stumbling block in identifying foreign terrorists is the inability to evaluate *foreign* information and records. Yet we are placing disproportionate emphasis on pervasive domestic surveillance, opening the door to a standardized "internal passport" -- the hallmark of a totalitarian regime.

Eff is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. EFF's mission is to ensure that technology supports freedom, justice, and innovation for all people of the world.

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Unpacking IRTPA’s Materials Support Argument

Directions: In pairs, read the following two articles (provided) and respond to the questions below:
Article 1: ACLU Press Release: Supreme Court Rules “Material Support” Law Can Stand
Article 2: EFF to Court: Holding Twitter Responsible for Providing Material Support to Terrorists Would Violate Users’ First Amendment Rights

1. What are the similarities between the ACLU and EFF’s approach to the question of material support?

2. Is there an inherent trade-off between security and civil liberties?
   If YES - Which one is more important and why?
   If NO - What is one example of a situation in which both have been preserved?

3. Would you stop using a social media outlet if that outlet was directly providing your user profile to US government agencies? Why or why not?
NEW YORK – The United States Supreme Court today upheld the broad application of a federal law that hinders the ability of human rights and humanitarian aid organizations to do their work by making it a crime to provide "material support" to designated "foreign terrorist organizations" (FTOs). The ruling thwarts the efforts of human rights organizations to persuade violent actors to renounce violence or cease their human rights abuses and jeopardizes the provision of aid and disaster relief in conflict zones controlled by designated groups, said the American Civil Liberties Union. The ACLU filed a friend-of-the-court brief in the case, Holder v. Humanitarian Law Project, on behalf of the Carter Center and several other organizations known for their work to promote peace, further human rights and alleviate human suffering around the world.

Under the law, individuals face up to 15 years in prison for providing "material support" to FTOs, even if their work is intended to promote peaceful, lawful objectives. "Material support" is defined to include any "service," "training," "expert advice or assistance" or "personnel."

The following can be attributed to former President Jimmy Carter, founder of the Carter Center:

"We are disappointed that the Supreme Court has upheld a law that inhibits the work of human rights and conflict resolution groups. The 'material support law' – which is aimed at putting an end to terrorism – actually threatens our work and the work of many other peacemaking organizations that must interact directly with groups that have engaged in violence. The vague language of the law leaves us wondering if we will be prosecuted for our work to promote peace and freedom."

The following can be attributed to Melissa Goodman, staff attorney with the ACLU National Security Project:

"Today's decision is disappointing and inconsistent with our First Amendment position. The government should not be in the business of criminalizing speech meant to promote peace and human rights."

Organizations that signed onto the ACLU's brief are the Carter Center, Christian Peacemaker Teams, Grassroots International, Human Rights Watch, International Crisis Group, the Institute for Conflict Analysis and Resolution at George Mason University, the Kroc Institute for International Peace Studies at Notre Dame University, Operation USA and the Peace Appeal Foundation.

The ACLU's brief is available online at: www.aclu.org/national-security/amicus-brief-carter-center-and-other-humanitarian-groups-support-humanitarian-law-
EFF to Court: Holding Twitter Responsible for Providing Material Support to Terrorists Would Violate Users’ First Amendment Rights

By Aaron Mackey
June 8, 2017

URL: https://www.eff.org/deeplinks/2017/06/eff-court-holding-twitter-responsible-providing-material-support-terrorists-would

A lawsuit claiming that Twitter provides material support to terrorists by providing accounts to users who discuss or promote terrorism threatens the First Amendment rights of Internet users and Twitter, EFF told a federal appellate court in a brief filed on Wednesday.

The brief [.pdf] also argues that the lawsuit jeopardizes one of the Internet’s most important laws: 47 U.S.C. § 230, enacted as part of the Communications Decency Act (known simply as “Section 230”).

The case, Fields v. Twitter, seeks to hold Twitter responsible for the deaths of two Americans killed in a 2015 attack in Jordan. The family members argue that by providing accounts to users they describe as posting content advocating for terrorism, Twitter violated a federal law that prohibits individuals and organizations from providing material support to terrorists.

The federal trial court hearing the case dismissed the lawsuit in November 2016, ruling that Section 230 barred the claims and also that the family members had not shown that Twitter caused the attacks at issue in the case. The family members appealed to the U.S. Court of Appeals for the Ninth Circuit.

In the brief, EFF and the Center for Democracy & Technology argue that making Twitter legally responsible for providing accounts to users who discuss or promote terrorism will violate the First Amendment in several respects.

First, it will interfere with Internet users’ First Amendment right to access information on controversial topics or from unpopular speakers.

“Depriving users of their right to receive and gather information discussing terrorism will do far more than simply limit which content is available online; it will stunt people’s ability to be informed about the world and form opinions,” the brief argues.

Second, it will violate Twitter’s First Amendment rights to publish speech about terrorism because the vast majority of such speech is fully protected. There is no categorical prohibition on speaking about
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terrorism, the brief argues, because “the First Amendment does not permit ad hoc judgments regarding the social value of speech to determine whether that speech is protected.”

The brief also argues that making Twitter liable for the speech of its users will undermine Section 230’s legal protections for all Internet platforms. That will jeopardize the continued availability of open platforms such as Twitter, Facebook, and YouTube.

“By creating Section 230’s platform immunity, Congress made the intentional policy choice that individuals harmed by speech online will need to seek relief from the speakers themselves, rather than the platforms those speakers used,” the brief argues.

Finally, the brief argues that if online platforms no longer have Section 230’s immunity, platforms will take aggressive action to screen their users, review and censor content, and potentially prohibit anonymous speech.

“Because platforms will be unwilling to take a chance on provocative or unpopular speech, the online marketplace of ideas will be artificially stunted, despite such speech being protected by the First Amendment,” the brief argues.

EFF is the leading nonprofit organization defending civil liberties in the digital world. Founded in 1990, EFF champions user privacy, free expression, and innovation through impact litigation, policy analysis, grassroots activism, and technology development. EFF’s mission is to ensure that technology supports freedom, justice, and innovation for all people of the world.

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Curriculum Framework

Goal
Students will be able to use their independent learning to understand the long-term impact of anti-Muslim domestic policies, such as the IRTPA of 2004, on the erosion of civil liberties and rights for Muslims and other groups in the United States.

Essential questions
1. How does the political context shape/influence legislation?
2. Should there be limits to civil liberties in the name of national security? Explain
3. What are the long-term implications when national security is prioritized over civil liberties?
4. How does the weakening of data privacy contribute to the erosion of civil liberties?
5. Why does it matter how legislators define terrorism? Do people who hold unpopular opinions constitute a security risk?

Understandings
Students will understand that...
1. Post 9/11 legislation in the name of U.S. security has impacted everyday life for Muslims and also non-Muslims worldwide.
2. Legislation that starts off targeting certain groups can also impact the civil rights of the larger population beyond the original target.
3. No Fly Lists are not based on constitutionally robust legal/administrative mechanisms.
4. Giving up civil rights for security leads to institutionalized insecurity and erosion of civil rights for all in the long run.

Knowledge
Students will know...
1. The creation and consequences of the No Fly List
2. How a bill is passed through Congress
3. The basic tenants of the Intelligence and Terrorist Prevention Reform Act of 2004
Skills

Students will be able to...

1. **Interrogate** the trade-offs when prioritizing national security over civil rights.
2. **Assess the impact** of IRTPA on civil liberties for both Muslims and non-Muslims.
3. **Analyze** the consequences of the No Fly List and Material Support provisions of IRTPA.

Summary of Performance Tasks (Assessment)

1. **No Fly List Examples:** Students will look at pictures of people impacted by the No Fly List to understand one of the ways the U.S. government responded to the threat of terrorism following 9/11.
2. **#FlyingWhileMuslim:** Students will reflect upon examples of the “flying while Muslim” hashtag in order to understand the far-reaching effects of the No Fly List and the way it contributes to (and is fed by) Islamophobia.
3. **ACLU and the No Fly List:** Students will watch a video in which people share their experiences of being on the No Fly List and review a timeline detailing the ACLU’s efforts to challenge the constitutionality of the list. In a full group discussion, students will assess the purpose and consequences of the list.
4. **Small Group Discussion on Minority Report:** Students will learn about the film’s premise and use that to evaluate the long-term consequences and/or legal ramifications of the No Fly List.
5. **Legislation Word Cloud:** As a class, students will create a word cloud of American values and then come up with examples of U.S. laws/policies that did not live up to those values. In pairs or small groups, students will examine how these policies and laws impacted everyday life.
6. **How a Bill Becomes a Law & the IRTPA:** Through group discussion, students will understand the complicated process by which a bill becomes a law and use that knowledge to interrogate the rapid passage of legislation in the context of 9/11.
7. **Unpacking IRTPA’s Materials Support Argument:** Students will read two articles addressing issues related to material support legislation. In small groups, students will interrogate the potential trade-offs between security and civil liberties.
8. **Debriefs and whole-class discussions:** In each lesson, students will apply key concepts in groups or individually, then return to the whole class space to articulate their findings and takeaways.

*Common Core Standards*

**History/Social Studies 11th and 12th Grade**

**Key Ideas and Details:**

CCSS.ELA-LITERACY.RH.11-12.1
Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.
Craft and Structure:

CCSS.ELA-LITERACY.RH.11-12.5
Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.

Integration of Knowledge and Ideas:

CCSS.ELA-LITERACY.RH.11-12.7
Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

About the Contributors

Ahmet Selim Tekelioglu is a Turkish-American academic and organizer. He is the Education and Outreach Director at CAIR-Philadelphia, a Muslim-American civil rights and advocacy organization. His research focuses on American Muslim history and identity. Concurrently, Ahmet directs the digital Islamic Studies project, TheMaydan.com, at George Mason University where he is a research fellow at the Center for Global Islamic Studies.

Assistance for this module was provided by members of the Teaching Beyond September 11th Team: Andrianna Smela, Brandon Darr, Ameena Ghaffar-Kucher & Fariha Khan.