

Cease and Desist Letter from UCSD

Date: Tue, 17 Sep 2002 17:52:51 -0700
From: XXXXXXXXXXXXXXXX
To: Che Cafe Collective
Subject: URGENT: Issue with burn.ucsd.edu web site
September 16, 2002

Pursuant to the Section II.A.2. and 4 of the Memorandum of Understanding between the UCSD and AS/GSA/Co-ops, this letter will serve to inform you that the Che Café is in violation of UCSD policies and Federal law by maintaining the burn.ucsd.edu web site and using UCSD computer network resources to provide access to a terrorist organization. Presently, the burn.ucsd.edu web site includes links supporting the Revolutionary Armed Forces of Columbia (FARC), an organization listed by the U.S. Department of State as a Designated Foreign Terrorist Organization (FTO).

Providing material support or resources to a designated FTO is a violation of federal law (18 US 2339A, see <http://www.state.gov/s/ct/rls/fs/2002/12389.htm>). Using UCSD computing resources to violate federal laws is against UCSD Policies, specifically the Acceptable Use Policies of Academic Computing Services (see <http://www-ac.s.ucsd.edu/lib/aup.html>). Federal law also specifies that providing material support to support terrorists not only includes money and training but also includes communications equipment, personnel, and facilities. In this case, communications equipment is the use of the UCSD computer network resources, personnel are the Che Café members who maintain the server with burn web site, and facilities include the Che facility where the server is housed.

I am hereby instructing you to immediately remove the FARC from listing on the burn.ucsd.edu web site or any other web site that is uses the 'ucsd.edu' domain name or any computer or other communications equipment or other resources or facilities used by the Che Café that are owned, leased or operated by UCSD. Your are further hereby instructed to immediately disconnect the link on burn.ucsd.edu to the FARC web site. Your failure to comply with the instructions noted in this notice will result in disciplinary action under the UCSD Student Conduct Code and/or the termination of the MOU as it may apply to the Che Café. Principal members of the organization will also be held responsible for the actions of the organization.

Please confirm your compliance with these instructions by no later than Friday, September 20. Additionally, you should review the U.S. Department of State's listing of FTOs (see <http://www.state.gov/s/ct/rls/fs/2002/12389.htm>) and the content of the burn web site on a regular basis to be certain that links or material on the web site are in compliance with the UCSD Academic Computing Services Acceptable Use Policy and with all applicable laws.

Sincerely,
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