

2012-2013 ALA CD#20.4
2013 ALA Annual Conference

Resolution on the Need for Reforms for the Intelligence Community to Support Privacy, Open Government, Government Transparency, and Accountability

Whereas public access to information by and about the government is essential for the healthy functioning of a democratic society and a necessary predicate for an informed and engaged citizenry empowered to hold the government accountable for its actions;

Whereas "The guarding of military and diplomatic secrets at the expense of informed representative government provides no real security for our Republic;"

Whereas the ALA values access to the documents disclosing the extent of public surveillance and government secrecy as access to these documents now enables the critical public discourse and debate needed to address the balance between our civil liberties and national security;

Whereas these disclosures enable libraries to support such discourse and debate by providing information and resources and for deliberative dialogue and community engagement;

Whereas the American Library Association remains concerned about due process for the people who have led us to these revelations;

Whereas libraries are essential to the free flow of ideas and to ensuring the public's right to know;

Whereas since 1939 the American Library Association (ALA) has affirmed the right to privacy in its Code of Ethics, which currently states, "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted";

Whereas in "Principles for the Networked World" (2002) the ALA included among the "principles of privacy" the fact that "privacy is a right of all people and must be protected in the networked world" and the recognition that "the rights of anonymity and privacy while people retrieve and communicate information must be protected as an essential element of intellectual freedom";

Whereas "Privacy: An Interpretation of the Library Bill of Rights" ALA recognized that "privacy is essential to the exercise of free speech, free thought, and free association";

Whereas In 2003 ALA criticized the "USA PATRIOT Act and other recently enacted laws, regulations, and guidelines" on the grounds that they "increase the likelihood that the activities of library users, including their use of computers to browse the Web or access e-mail, may be under government surveillance without their knowledge or consent";

Whereas since 2010 ALA has sponsored "Choose Privacy Week," a campaign designed to raise public awareness about personal privacy rights by encouraging local libraries to provide

programming, online education, and special events to help individuals to learn, think critically and make more informed choices about their privacy, especially in an era of pervasive surveillance; and ALA has created a website, www.ala.org/liberty, that provides substantive information about privacy, surveillance, open government, and overclassification as well as civic engagement tools to facilitate deliberative dialogues to help support libraries and librarians who create opportunities for public dialogues addressing these topics;

Whereas the public recently learned that the National Security Agency (NSA) is collecting the telephone call metadata of millions of U.S. customers of Verizon Business Services, AT&T, and Sprint pursuant to an order issued by the Foreign Intelligent Surveillance Court (FISC) under Section 215 of the USA PATRIOT Act; and

Whereas pursuant to a court order issued by the FISC under Section 702 of the FISA Amendments Act (FAA) the NSA is operating a program called PRISM that is collecting and retaining vast quantities of data on internet usage, including internet search histories, email, video and voice chat, videos, photos, voice-over-IP chats, file transfers, and social networking details, from internet service providers in the United States. Though intended to target communications of foreign persons, the NSA admits that it collects and stores Internet data from U.S. persons; now, therefore, be it

Resolved, that the American Library Association (ALA), on behalf of its members:

1. reaffirms its unwavering support for the fundamental principles that are the foundation of our free and democratic society, including a system of public accountability, government transparency, and oversight that supports people's right to know about and participate in our government;
2. in light of present revelations related to NSA's surveillance activities conducted pursuant to orders issued by the Foreign Intelligent Surveillance Court (FISC) under Sections 215 and 702 of the USA PATRIOT Act the American Library Association calls upon the U.S. Congress, President Obama, and the Courts to reform our nation's climate of secrecy, overclassification, and secret law regarding national security and surveillance, to align with these democratic principles;
3. urges the U.S. Congress and President Obama to provide authentic protections that prevent government intimidation and criminal prosecution of government employees and private contractors who make disclosures of wrong doing in the intelligence community;
4. calls upon the public to engage in and our members to lead public dialogues discussing the right to privacy, open government and balancing civil liberties and national security;
5. encourages the public to support bills and other proposals that both secure and protect our rights to privacy, free expression and free association and promote a more open, transparent government; and

6. expresses its thanks and appreciation to the members of Congress who work to protect our privacy and civil liberties.

Adopted by the Council of the American Library Association
Tuesday, July 2, 2013 in Chicago, Illinois

A handwritten signature in black ink, appearing to read 'Keith Michael Fiels', written in a cursive style.

Keith Michael Fiels

ALA Executive Director and Secretary of the ALA Council