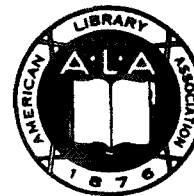


**AMERICAN LIBRARY ASSOCIATION**

110 MARYLAND AVENUE, N.E. • WASHINGTON, D.C. 20002 • (202) 547-4440



**RESOLUTION ON THE IMPROVEMENT OF THE FREEDOM OF INFORMATION ACT**

- WHEREAS,** For twenty-five years, the Freedom of Information Act has ensured public access to information held by the government; and
- WHEREAS,** The American Library Association has continuously supported the principle of freedom of information and the principle of the public's right to know; and
- WHEREAS,** The Freedom of Information Act ensures access to this information held by the government; and
- WHEREAS,** The Freedom of Information Act has led to the identification of unsafe consumer products, harmful drugs, and serious health hazards; and
- WHEREAS,** The increasing use of computers to conduct government business has major implications for the free flow of information; and
- WHEREAS,** Agency delays in response to Freedom of Information Act requests rank as the most cited complaint concerning the Freedom of Information Act and threaten to undermine the principle of access to government information; and
- WHEREAS,** The Freedom of Information Act processing fees that were authorized by Congress to recover costs from commercial requesters have been applied by many agencies to frustrate and deter libraries and other educational institutions, researchers, authors, and public-interest groups from using the Act; and
- WHEREAS,** Certain amendments and interpretations of Freedom of Information Act exemptions for national security, law enforcement, and financial institutions have resulted in less access to government information, to the detriment of the public's right to know; and
- WHEREAS,** Many federal agencies have sought special exemptions from the Freedom of Information Act for their own activities without review by the congressional committees with Freedom of Information Act jurisdiction; and
- WHEREAS,** Congress is currently considering various bills to amend the Freedom of Information Act; now, therefore, be it

**RESOLVED,** That the American Library Association urge Congress to enact legislation that amends the Freedom of Information Act to

recognize explicitly that electronic records are covered under the Freedom of Information Act; and

provide the public with lists, descriptions, and indices of agency data bases; and

require agencies to make reasonable efforts to provide records in the format requested; and

provide incentives to agencies for timely response to Freedom of Information Act requests; and

ensure fee waivers for libraries and other educational institutions, non-profit researchers, authors, and public-interest groups; and

limit the national security, law enforcement, and financial institutions exemptions by requiring agencies to prove through judicial or administrative means demonstrable harm that would outweigh the public interest in disclosure; and

require full review of any proposed Freedom of Information Act legislative exemptions by the congressional committees with Freedom of Information Act jurisdiction;

and, be it further

**RESOLVED,** That the American Library Association transmit copies of this resolution to the Senate Judiciary Committee and other appropriate Members of Congress.

Adopted by the Council of the  
American Library Association  
San Antonio, Texas  
January 29, 1992  
(Council Document #20.1)