

Resolution on Challenging the  
Child Protection and Obscenity Enforcement Act of 1988

WHEREAS, the support and defense of freedom of speech and of the press, guaranteed by the First Amendment to the United States Constitution, is a priority of the American Library Association; and

WHEREAS, Article 3 of the Library Bill of Rights, as adopted by the Council of the American Library Association states, "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment,"; and

WHEREAS, the American Library Association opposes the exploitation of children; and

WHEREAS, certain provisions of the Child Protection and Obscenity Enforcement Act of 1988 as enacted, including but not limited to the record-keeping and forfeiture provisions, impose a substantial chilling effect on the acquisition and dissemination of library materials which are protected by the First Amendment, and pose a serious threat to the collections, resources, services and operations of libraries;

BE IT RESOLVED, that the Intellectual Freedom Committee urges that Council authorize the Executive Board to approve ALA's participation as a named Plaintiff in litigation being prepared by the Media Coalition on behalf of its members to challenge the constitutionality of the Child Protection and Obscenity Enforcement Act of 1988, pending review of the draft Complaint.

Adopted January 11, 1989, by the ALA Council