

**RESOLUTION ON SECURITY AND ACCESS TO GOVERNMENT
INFORMATION**

- WHEREAS,** open and unfettered access to information created and held by the government is a prerequisite for a free and democratic society, and
- WHEREAS,** access to information needs to be balanced with the need to live in a secure environment; and
- WHEREAS,** accountability of government to the people must be assured while considering security concerns; and
- WHEREAS,** the Department of Homeland Security has proposed regulations (RIN1601-AA 14) regarding the receipt, care, and storage of protected “Critical Infrastructure Information” (CII); and
- WHEREAS,** the proposed regulations provide a broader authority than authorized by Congress in Section 214 of the Homeland Security Act, including extending protected status to CII provided to all Federal agencies; and
- WHEREAS,** the proposed regulations provide for “protected” status for all submitted corporate information rather than relying on a prescribed criteria and guidelines for protection; and
- WHEREAS,** the proposed regulations in a number of cases do not provide adequate definitions and this allows for broad discretion resulting in possibly unintended restrictions on access to information; and
- WHEREAS,** the proposed regulations do not provide adequate discretionary powers to state and local governments for disclosure of information in order to respond to emergencies affecting the life and safety of large numbers of people; and

WHEREAS, the proposed regulations do not provide adequate protection for “whistleblowers” acting with reasonable belief of concern; and

WHEREAS, the Homeland Security Act mandates a new category of “Sensitive Homeland Security Information” that requires adequate definition and public input; now, therefore be it

RESOLVED, that the American Library Association encourages the Department of Homeland Security to formulate its rules regarding Critical Infrastructure Information (CII) and Sensitive Homeland Security Information (SHSI) within the legislative intent of Congress; and, be it further

RESOLVED, that ALA urges the development of regulations pertaining to SHSI with adequate public notice and input; and, be it further

RESOLVED, that ALA encourages appropriate Congressional committees and the Office of Management and Budget to provide strong oversight to rules concerning CII and SHSI during this time of increased security concerns; and, be it further

RESOLVED, that ALA communicate its concerns to appropriate committees and members of Congress, the Director of the Office of Management and Budget, and the Secretary of the Department of Homeland Security.

Adopted by the Council of the
American Library Association
Philadelphia, PA
June 25, 2003

Keith Fiels
Secretary of the ALA Council