

**RESOLUTION OPPOSING THE PREVENTING REAL ONLINE THREATS TO ECONOMIC
CREATIVITY AND THEFT OF INTELLECTUAL PROPERTY ACT OF 2011 (PIPA)
AND THE STOP ONLINE PIRACY ACT (SOPA)**

WHEREAS, The open exchange of information is a guiding principle of the Internet, as well as essential to First Amendment free speech, democratic discourse, innovation, and economic growth; and

WHEREAS, The Internet has been instrumental in advancing the ideal of universal access to information, including the open exchange of knowledge, scientific advancement, cultural understanding, education, creativity, innovation, democratic governance, political participation, and economic growth; and

WHEREAS, The American Library Association (ALA) is committed to preserving unrestricted access and open exchange of knowledge and information, intellectual freedom, and privacy rights of library users, librarians, library employees, and the general public; and

WHEREAS, The ALA opposes censorship and the suppression of unrestricted access; and

WHEREAS, The ALA supports the open exchange of, and access to, information in all formats, including via the Internet; and

WHEREAS, Article I, Section 8, Clause 8 of the U.S. Constitution, known as the Copyright Clause, empowers the U.S. Congress "To promote the Progress of Science and the useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;" and

WHEREAS, The ALA Code of Ethics states, "We respect intellectual property rights and advocate balance between the interests of information users and rights holders;" and

WHEREAS, U.S. Senator Patrick Leahy introduced S. 968, the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011 or PIPA; and

WHEREAS, U.S. Representative Lamar Smith introduced H.R. 3261, the Stop Online Piracy Act or SOPA; and

WHEREAS, These bills, if enacted, would increase library exposure to civil and criminal liability; and

WHEREAS, These bills, if enacted, would erode First Amendment free speech rights, threaten intellectual freedom, and cast a chilling effect on online activity and speech by forcing the U.S. to join other Internet censoring countries by requiring government sanctioned blocking of websites via the Internet; and

WHEREAS, These bills, if enacted, would weaken cybersecurity; and

WHEREAS, These bills, if enacted, would undermine privacy rights of Internet users by significantly increasing Internet companies' incentive for surveillance of online activity and speech of users; and

WHEREAS, These bills, if enacted, would threaten legitimate activities of U.S. websites with user-generated content by encouraging advertising networks and payment processors to cut off service to those websites; and

WHEREAS, These bills, if enacted, would fail to guarantee due process, thereby undermining free speech rights, and exposing individuals to arbitrary, capricious, or wrongful takedowns of websites; and

WHEREAS, Millions of Americans have expressed their opposition to provisions of these bills that threaten free speech, intellectual freedom, privacy, and cybersecurity; and now, therefore, be it

RESOLVED, That the American Library Association (ALA):

1. Urges Congress to reject both the S. 968, PIPA bill in the U.S. Senate and H.R. 3261, SOPA bill in the U.S. House of Representatives because they compromise such fundamental rights as free speech, intellectual freedom, and privacy in an attempt to target foreign websites and combat online infringement overseas.
2. Opposes any legislation that compromises ALA's core principles and stifles the dynamic, innovative potential of the global Internet.

Adopted by the Council of the American Library Association

Tuesday, January 24, 2012

In Dallas, Texas



Keith Michael Fiels

ALA Executive Director and Secretary of the ALA Council