

On 7/1/13, Council referred this resolution to the ALA Committee on Legislation (COL) and the Intellectual Committee (IFC).

On 7/2/13, the COL and IFC moved and Council voted to substitute and adopt a joint Resolution on the Need for Reforms for the Intelligence Community to Support, Privacy, Open Government, Government Transparency, and Accountability (CD#20.4 and CD#19.2), as amended. The joint resolution replaced the below resolution and two other whistleblower resolutions: 2013 MW CD#36, Resolution Reaffirming ALA Support for Whistleblowers, and 2013 AC CD#39, Resolution in Support of Whistleblower Edward Snowden.

## Resolution in Support of Whistleblower Bradley Manning

Whereas the American Library Association (ALA) Library Bill of Rights states that “Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas;”

Whereas ALA is “the leading advocate for...the public’s right to a free and open information society” (ALA Policy A.1.3);

Whereas ALA “opposes any use of governmental power to suppress the free and open exchange of knowledge and information or to intimidate individuals exercising free inquiry” (ALA Policy B.8.5.1);

Whereas the Freedom to Read Foundation, the First Amendment legal defense organization affiliated with ALA, provided grants in support of the legal defense costs of whistleblowers Daniel Ellsberg and Anthony J. Russo, Jr., who were prosecuted for their role in the publication of the "Pentagon Papers," which disclosed the official secret history of American involvement in Vietnam;

Whereas in 2004 ALA passed a “Resolution on Securing Government Accountability through Whistleblower Protection” affirming its "support for accountable government and the role of whistleblowers in reporting abuse, fraud, and waste in governmental activities” (CD#20.7, 2004);

Whereas in 2004 ALA passed “A Resolution Against the Use of Torture as a Violation of the American Library Association's Basic Values” which resolved that ALA “condemns the use or threat of use of torture by the US government as a barbarous violation of human rights, intellectual freedom and the rule of law” (CD#59, 2004);

Whereas in 2005 ALA passed a “Resolution on Disinformation, Media Manipulation and the Destruction of Public Information,” which placed ALA “on record as being opposed to the use by government of disinformation, media manipulation, the destruction and excision of public information, and other such tactics” (CD#64, 2005);

Whereas in 2008 ALA passed a “Resolution Commending the FBI Whistleblower Who Exposed Abuses on the Use of Exigent National Security Letters,” which called on Congress to “protect the rights of whistleblowers against retaliation” (CD#20.5, 2008);

Whereas in 2011 ALA passed a “Resolution on Access to and Classification of Government Information,” which urged “Congress to pass legislation that expands protections for whistleblowers in the Federal government, such as the Whistleblower Protection Enhancement Act of 2010” (CD#19.1, 2011);

Whereas in 2011 ALA noted that “current and former government officials estimate that 50% to 90% of classified information is either overclassified or should not have been classified at all, making the administration of classified information ineffective” (CD#19.1, 2011);

Whereas in 2011 ALA urged “the U.S. President, Congress, the federal courts, and executive and legislative agencies to defend the inalienable right of the press and citizens to disseminate information to the public about national security issues and to refrain from initiatives that impair their rights (CD#19.1, 2011);

## **Resolution in Support of Whistleblower Bradley Manning**

Whereas in 2013 ALA recognized "Edward Snowden as a whistleblower who, in releasing information that documents government attacks on privacy, free speech, and freedom of association, has performed a valuable service in launching a national dialogue about transparency, domestic surveillance, and overclassification" (CD#39, 2013); and

Whereas West's defines whistleblowing as "the disclosure by a person, usually an employee, in a government agency or private enterprise; to the public or to those in authority, of mismanagement, corruption, illegality, or some other wrongdoing" (West's Encyclopedia of Law, 2005); and

Whereas Bradley Manning had an obligation under US Army Subject Schedule No. 27-1 based on the Geneva Conventions to report war crimes; and

Whereas Pfc. Bradley Manning has acknowledged transmitting classified materials to the anti-secrecy website WikiLeaks in 2010;

Whereas Bradley Manning currently faces charges, including aiding the enemy by indirect means, for transmitting that information;

Whereas following his arrest for that action, Bradley Manning was detained for eleven months in conditions characterized by the Center for Constitutional Rights as “torture or cruel, inhuman and degrading treatment,” and by the United Nations special rapporteur on torture as “at a minimum, cruel, inhuman and degrading treatment in violation of article 16 of the Convention against Torture,”

Whereas the materials released by Bradley Manning contained important revelations regarding war crimes committed by U.S. military personnel and other cases of misconduct by U.S. military and governmental officials;

Whereas Bradley Manning explained in a private email message in 2010 that he was releasing the documents in order to provoke “worldwide discussion, debates, and reforms”;

Whereas Bradley Manning again explained in a pre-trial hearing in January 2013 that he had leaked the documents because he believed “that if the general public ... had access to the information ... this could spark a domestic debate as to the role of the military and foreign policy in general”; and

Whereas a conviction of Bradley Manning, especially under the Espionage Act, would have a chilling effect upon journalism and the climate of free expression in the United States: now, therefore, be it

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

recognizes Bradley Manning as a whistleblower who fulfilled his duty to report war crimes under U.S. law and the Geneva Conventions.

Moved by: Al Kagan, Councilor-at-Large, 217-819-9975

Seconded by: Diedre Conkling, Councilor-at-Large, 541-961-3117

Revised 7/1/13

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**Policy citations:**

ALA policy A.1.3

[http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section1/1mission#A.1.3 Vision \(Old Number 1.3\)](http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section1/1mission#A.1.3 Vision (Old Number 1.3))

ALA Policy B.8.5.1

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section2/52libsvcsandrespon#B.8.5.1>

CD#20.7, 2004

<http://www.ala.org/offices/sites/ala.org.offices/files/content/wo/reference/colresolutions/PDFs/000002-CD20.7.pdf>

CD#59, 2004

<http://www.ala.org/Template.cfm?Section=ifresolutions&Template=/ContentManagement/ContentDisplay.cfm&ContentID=70739>

CD#64, 2005

<http://www.ala.org/aboutala/sites/ala.org.aboutala/files/content/governance/policymanual/updatedpolicymanual/ocrpdfofprm/52-8disinformation.pdf>

CD#20.5, 2008

<http://www.ala.org/offices/sites/ala.org.offices/files/content/wo/reference/colresolutions/PDFs/COL%20Resolution%20on%20Ba.pdf>

CD#19.1, 2011

<http://connect.ala.org/node/127452>

# RESOLUTION E-FORM

## Resolution in Support of Whistleblower Bradley Manning

Submitted on Tue, 06/25/2013 - 13:34

Subject: Form submission from: ALA Resolution E-Form

Resolution author(s): Members of SRRT

E-mail address: [akagan@illinois.edu](mailto:akagan@illinois.edu)

1. Title of Resolution: Resolution in support of whistleblower Bradley Manning 2. ALA Units and/or Committees Consulted (if any): We have contacted SRRT, PLG, IFC, and IFRT.

3. Endorsements by ALA Units and/or Committees (if any): None at this time.

4. Fiscal implications: None. This will only require materials for sending out the resolutions to designated recipients.

5. List all parties to whom resolution should be sent: Pfc. Bradley Manning; Bradley Manning Support Network; David E. Coombs, attorney for Bradley Manning; Judge Denise Lind; Secretary of the Army John M. McHugh, Chief of Staff of the U.S. Army General Raymond T. Odierno, President Barack Obama; all members of Congress; the library press; The New York Times, The Washington Post, The Guardian 6. Impact on ALA Policies and Positions: This resolution applies existing ALA policies and precedents in support of free expression and free access to ideas, in defense of whistleblowers, and in opposition to disinformation and torture by the U.S. government.

6a) ALA general policy or viewpoint: This resolution implicitly reaffirms ALA's general support for free expression and free access to ideas, its defense of whistleblowers, and its opposition to disinformation and torture by the U.S. government.

6b) Change in existing policy: NA

6c) New policy: NA

6d) Policy conflicts: NA

7. Initiating Committee or Unit (if any): SRRT 8. Pertinent Background Information: Policy citations

ALA policy A.1.3

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section1/1mission#A.1.3>

Vision (Old Number 1.3)

ALA Policy B.8.5.1

<http://www.ala.org/aboutala/governance/policymanual/updatedpolicymanual/section2/52libsvecsandrespon#B.8.5.1>

CD#20.7, 2004

<http://www.ala.org/offices/sites/ala.org.offices/files/content/wo/reference/colresolutions/PDFs/000002-CD20.7.pdf>

CD#59, 2004

<http://www.ala.org/Template.cfm?Section=ifresolutions&Template=/ContentManagement/ContentDisplay.cfm&ContentID=70739>

CD#64, 2005

<http://www.ala.org/aboutala/sites/ala.org.aboutala/files/content/governance/policymanual/updatedpolicymanual/ocrpdfofprm/52-8disinformation.pdf>

CD#20.5, 2008

## Resolution in Support of Whistleblower Bradley Manning

CD#19.1, 2011

<http://connect.ala.org/node/127452>

9. Mover's Name: Al Kagan

9a) Mover's Local Telephone Number: Cell #: 217-819-9975

10 Seconder's Name: Diedre Conkling

10a) Seconder's Local Telephone Number: Cell#: 541-961-3117