



KEY ISSUE: PRIVACY, SURVEILLANCE & CYBERSECURITY

OBJECTIVE: Restore the Constitutional privacy rights of library users and the civil liberties of all Americans lost to multiple overbroad and inadequately “checked and balanced” statutes, including the: *USA PATRIOT Act*, *Foreign Intelligence Surveillance Act*, and *Electronic Communications Privacy Act*.

PERSPECTIVE: For decades, librarians have defended the public’s Fourth Amendment privacy rights against government attempts to obtain patrons’ borrowing (and later internet surfing) records without a warrant. Today, The American Library Association (ALA) works with and through broad bipartisan coalitions of major public interest groups, think tanks, and private sector companies to achieve both liberty and security, without sacrificing one for the other.

LEGISLATIVE ACTION: ALA urges Members of the 114th Congress to . . .

- ◆ *PASS* the *ECPA Amendments Act of 2015* and *Email Privacy Act* (S.356/H.R.699) to finally afford emails, texts, tweets, cloud-stored files and all other modern electronic communications the Fourth Amendment’s full protection immediately upon their creation by requiring that authorities first secure a judicially-authorized search warrant to acquire their content, just as the law has long required for personal papers and similar tangible records;
- ◆ *REPEAL* the *Cybersecurity Act of 2015*, the dangerously overbroad “information sharing” legislation appended without public debate to the FY2016 omnibus spending measure, by passing H.R.4350;
- ◆ *REJECT* any legislation that would compel, or authorize courts to compel, the designer of any encryptions system or technology to engineer a “back door” vulnerability into that product for the purpose of facilitating its circumvention or defeat, or to breach its own system or technology; and
- ◆ *REFORM* Section 702 of the *Foreign Intelligence Surveillance Act* to preclude the warrantless “back door” search of citizens’ phone and internet communications facilitated by the targeting of non-US citizens domestically or abroad, and to regularly disclose the true scope of its use.

ALA POSITIONS ON SPECIFIC LEGISLATION ARE AVAILABLE AT: WWW.ALA.ORG/OGR