

A RESOLUTION ENDORSING THE AMERICAN LIBRARY ASSOCIATION'S LEGAL CHALLENGE TO CIPA

**Passed by the Executive Board of the West Virginia Library Association
Friday, March 23, 2001**

WHEREAS, "*Montani semper liberi*," and the West Virginia Library Association has included in its by-laws a charge to "safeguard the rights of library users, libraries, and librarians in accordance with the Bill of Rights as adopted by the Council of the American Library Association;" and

WHEREAS, the Library Bill of Rights states that, "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment."

WHEREAS, the recently enacted Children's Internet Protection Act (CIPA) mandates that libraries and schools install and use filtering software on public Internet computers as a prerequisite for receiving federal funds, including LSTA and E-rate funds; and

WHEREAS, West Virginia libraries depend on federal funding, such as E-rate discounts, and LSTA grants to provide Internet access; and

WHEREAS, the thousands of state residents who cannot afford personal computers and/or who require assistance to use computers rely upon public access computers in West Virginia public libraries for Internet access; and

WHEREAS, no filtering software successfully differentiates constitutionally protected speech from illegal speech on the Internet; and

WHEREAS, West Virginia librarians are partners with parents and work to help their communities, both adults and children, become information literate by teaching them how to access, evaluate and use information; and

WHEREAS, the West Virginia library community strongly encourages local libraries to adopt and implement Internet Policies in the same way they develop other policies based on the needs of their communities; and

WHEREAS, the West Virginia Library Association opposes attempts by federal and state governments to set local policy; and

WHEREAS, the American Library Association has resolved to challenge CIPA in federal courts;

THEREFORE, BE IT RESOLVED, that the West Virginia Library Association endorses the American Library Association in its legal challenge to the constitutionality of CIPA; and be it further

RESOLVED, that the President of the West Virginia Library Association transmit this resolution to all members of the West Virginia Legislature, the Governor of West Virginia, to all West Virginia members of the Congress, and to the President of the United States.