Editor's Message

The discerning reader will note some additions to the usual IFRT news, meeting notices, etc. that appear in the IFRT Report. Thanks to Gene Lanier, Paul Vermouth, and Carolyn Caywood for contributing news items.

Your Friendly Editor wants to hear from you! What's going on in your area (positive as well as negative)? Have you done any special programs or exhibits for Banned Books Week or otherwise celebrated intellectual freedom? Are there local heroes and heroines we should know about?

Even if your news has been published elsewhere (the Office for Intellectual Freedom's Memorandum to state IFC chairs, Newsletter on Intellectual Freedom), remember the IFRT Report reaches a different audience! Send short (or long) items to:

Sue Kamm
Audio-Visual/Stack Maintenance Divisions
Inglewood Public Library
101 West Manchester Boulevard
Inglewood, CA 90301
Fax: 310/412-8848
E-mail: inglewood@class.org

From the Chair's Desk

Censorship is alive and well and so is the Intellectual Freedom Round Table.

The John Phillip Immroth mail campaign to raise $10,000 for the establishment of the Immroth Endowment has collected $3,000. One of my goals is to accumulate the additional $7,000 this year. More to come on the campaign. Barbara Immroth is thrilled that we are moving forward.

The IFRT Annual Conference program is taking shape. I am proposing a mini-leadership development institute. The objective of this institute will be to develop strategies for librarians to defeat censorship.

Fifteen minutes will be spent on the basics: Why librarians should unite in defense of intellectual freedom and what that means; 45 minutes on current threats to intellectual freedom by the religious right, including who they are, where they are, and what they are doing (political tactics). Possible speakers are Skipp Porteous of the Institute for First Amendment Studies; Barry Lynn of Americans United for Separation of Church and State; Alfred Ross with Planned Parenthood; or Art Kropp from People for the American Way.

One hour will deal with real-life experiences; stealth tactics should be reviewed and librarians shown what they can do to identify and defeat them. Examples include the New York City experience with local school council elections last May, and Elaine Baxter, the Iowa Secretary of State who lost in the November 1992 elections to a right-of-center candidate for a seat in Congress. Candy Morgan could talk about what they did in Fort Vancouver.

The next one-hour session should concentrate on how to find and move the troops — identifying allies, building coalitions, devising a plan of action, etc. Specific techniques, including draft letters and sample joint projects, will be offered. In breakout rooms we could demonstrate appropriate models from the modular education program, particularly public relations.

Handouts should include information on national groups with local affiliates that can help. Librarians must learn how to reach out, including the religious communities that support the freedom to read.

This should be a dynamite program!

I certainly want to take this opportunity to thank each of you who are preparing for the Midwinter meeting in Los Angeles. Your commitment to keeping intellectual freedom in the forefront is commendable.

Keep alert — something will replace attacks on the Madonna Sex book.

Pamela G. Bonnell, Chairman
In Memoriam

Alex P. Allain

With great sorrow, we must report to you the death of Alex P. Allain, honorary life member of the American Library Association, co-founder and first President of the Freedom to Read Foundation, 1979 recipient of the Immmoth award, and tireless defender of libraries and intellectual freedom.

Alex Allain was instrumental in encouraging the development within ALA of a mechanism for defending intellectual freedom and for providing support and assistance to librarians faced with censorship challenges. In 1967, largely due to his efforts, ALA established the Office for Intellectual Freedom. Two years thereafter, Mr. Allain was instrumental in the founding of the Freedom to Read Foundation. He served as its President from 1969-1974, and as Special Counsel thereafter.

Alex served on numerous ALA committees including the Committee on Organization, Committee on Accreditation, and the Code of Ethics Committee. He was a member of ALTA and a past president of the Louisiana Library Trustees Association. He served as chair of the Louisiana intellectual freedom committee. In 1979 he received the IFRT’s John Phillip Immmoth Memorial Award, “for lifelong support of intellectual freedom in libraries.” He truly lived up to that honor, as evidenced by his continued devotion to intellectual freedom in libraries—exactly ten years after receiving the Immmoth award, Alex received the Freedom to Read Foundation’s Roll of Honor Award, “For his vision and pioneering efforts on behalf of the freedom to read.” The Freedom to Read Foundation has established the Alex P. Allain Memorial Fund in his honor.

Alex was a generous donor, a kind friend, a sensitive leader and an eloquent spokesperson. Perhaps most noteworthy was his extraordinary ability to respond to controversial issues with principled persuasion, presented with tact and eloquence. He will be greatly missed.

1995 Is Not Far Away

By Paul Vermouth, IFRT Chair-Elect

Do you have a particular topic which you would like to see the subject of a national program? Do you know of someone who is a particularly dynamic or interesting speaker? This is your chance to have your ideas considered.

As IFRT Vice-Chair /Chair-Elect, one of my duties is to begin planning the intellectual freedom program that will take place during the year. I will be Chair. This duty provides an opportunity for me to be in contact with members of the Round Table, and to solicit their suggestions and advice.

A few ideas for possible IFRT programs are listed below. These have been gathered from various sources, including Tom Budlong’s article in a former issue of this newsletter.

I hope that IFRT members will help me by suggesting new topics that interest them, by letting me know if they particularly favor one of the listed topics, and by recommending speakers or panelists.

Possible topics:

- asking children’s authors and/or publishers whose works have been challenged to talk about their works and experiences
- focusing on censorship of gay and lesbian materials
- planning a program that is a follow-up to the one currently being organized by IFRT Chair Pamela Bonnell for the 1994 Annual Conference
- inviting speakers to address issues related to politically correct speech
- establishing a panel to discuss intellectual freedom issues and the National Information Infrastructure: access, freedom of speech, etc.
- looking in some detail at one or more of the news stories noted by Project Censored as not having received sufficient press coverage.

A second duty I have as chair-elect is to seek out individuals for appointment to IFRT committees during my term of office as Chair. I hope to have a roster of appointments substantially complete by the 1994 Annual Conference. If you are interested in working on a particular committee, please contact me soon.

Thank you for your help and support.

Paul Vermouth
Rm 145-222, MIT Libraries
Cambridge, MA 02139-4307
(617) 253-9352 (voice)
(617) 253-3109 (fax);
vermouth@mit.edu (e-mail).

Lanier Is Peripatetic Speaker for Intellectual Freedom

Gene D. Lanier, IFRT Liaison to ALA’s Intellectual Freedom Committee, has spoken at conferences around the country in some forty states, making people aware of the threat by individuals and groups to take away the freedom to read, view, and listen.

In fall, 1993, he was a featured speaker at the Nebraska Wesleyan University Fall Forum in Lincoln, discussing “What To Do Before the Book Burners Arrive.” He joined other speakers and panelists such as Robert Cormier, Richard Eder, Nat Hentoff, Leanne Katz, Lewis Lapham, William Noble, Arthur Miller, George Plimpton, and William Styrin at the Mark Twain Memorial Symposium in Hartford, CT, on “Bookbanning in America.” He also appeared at conferences in North Carolina, Arkansas, and Iowa as well as engagements in Indianapolis and Orlando.
The First Amendment in Cyberspace: Electronics and Free Speech

By Carolyn Caywood
Virginia Beach Public Library

[Editor's note: Carolyn Caywood, currently serving as IFRT Treasurer, is an active participant on the Internet. She wrote this article in response to a request from the Editor.]

On Thursday, Sept. 30, Virginians Against Censorship and the Virginia Beach Public Libraries sponsored a Banned Books Week program entitled "The First Amendment in Cyberspace." The speaker, Shari Steele of the Electronic Frontier Foundation, explained that the EFF was created to ensure that the civil liberties we've come to expect in our face-to-face and print communications will be expanded to newly emerging technologies. The Steve Jackson Games case showed the need for knowledgeable people to defend these rights:

Federal law enforcement officers raided a publisher, Steve Jackson Games, in March 1, 1990, confiscating a book in progress, business records, and bulletin board email, along with equipment. It took four months to get the computer back, and when returned, all the email had been read and deleted. The astounding part of this is that Steve Jackson Games was not under investigation; only an employee of the company was. The investigation found nothing illegal, not even copied software, but it brought the company business to a standstill and employees were laid off.

Shocked by this, Mitch Kapor and John Perry Barlow started the EFF in 1990 to support Steve Jackson Games in suing the Secret Service. The suit pursued two issues, a publisher's First Amendment rights, and the privacy of email under the Electronic Communications Privacy Act. The judge agreed with the "publisher" issue, but only partially with the ECPA argument. The judge found that the Secret Service agents violated the ECPA when they deleted (and presumably read) the stored electronic mail messages of users of the BBS, but he did not think that email is "in transit" until it is read by the addressee; he thought interception would only apply while the messages were actually passing through phone lines.

A more recent investigation called "Operation Long Arm" involved the importation of child pornography. (The laws for adult and child porn are very different; pornographic pictures created by exploiting an actual child are illegal at the federal level.) When a Danish bulletin board was busted, the U.S. Customs Department was given a list of Americans who had dialed in. The authorities operated on the presumption that all these people had been downloading pornographic pictures. Again, law enforcement seized computers rather than make copies of files. The EFF argues it is not due process when a suspect has to prove innocence to get the computer back. Often officers are not looking for specific files, and warrants may say "all electronic computerish equipment," which, to an uninformed officer might include Nintendo. Unfortunately, this law enforcement behavior has grown out of a lack of understanding of how to gather electronic evidence, but it violates the Fourth Amendment. People whose equipment is seized may fear they may have something illegal, like copied software, on their system, so they don't fight in court.

At this point the audience raised questions. What state's laws applies to bulletin boards in cyberspace? So far, the state where the bulletin board is housed. As for the Internet, which isn't anywhere, there haven't been any challenges, yet. Prodigy was recently presented with a search warrant, but unlike small, nonprofit bulletin boards, it wasn't shut down. Prodigy enforces its own standards on its boards and deletes what it deems offensive. It can delete email because it is a private bulletin board, not a common carrier. A BBS owner may be responsible if s/he knows there is illegal material on the bulletin board.

The audience asked, "Are opinions on email or newsgroups libelous? Can we discuss vendors on PUBLIB?" [Editor's note: PUBLIB is a listserv directed at public libraries.] Shari said, "Assume your email will be read by the worst possible person." In a libel case over statements made on CompuServe's conference area, the judge compared CompuServe to a bookstore, not a publisher. Private email on a public system is protected by the ECPA. However, most sysops can squeak in under one of the exceptions, so if they intend to read e-mail they should post a message explaining so.

Employer provided email is a private, not public, system, and is therefore not covered under ECPA. There is also some risk that the recipient of a message may forward it on to people the sender did not intend to see the message. Email becomes the property of the recipient, as well as the sender. Email on a company system may be considered company records under subpoena, including backup tapes.

So how can we truly protect the privacy of our messages? EFF's answer is encryption, which is why they have been very active in pointing out the problems of the government's "clipper chip." Technological answers to privacy already exist, but US export law regards encryption as a weapon. So anyone who takes encryption algorithms out of this country must get a license as an arms dealer and, to do so, must give the government the encryption key. Putting such an algorithm on the Internet would, of course, share it world wide.

As the Internet spreads, more and more people expect the rights of free speech and print to carry over to electronic communication. But the Internet is global and so far our First Amendment is a "local ordinance." Shari Steele, Director of Legal Services for the Electronic Frontier Foundation can be reached at:

1001 G Street, NW
Suite 950 East
Washington, DC 20001
202/347-5400 (voice)
202/393-5509 (fax)
E-mail: SSteel@eff.org
<table>
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<th>Day</th>
<th>Event</th>
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<tr>
<td>Friday, February 4</td>
<td>Freedom to Read Foundation Board of Trustees</td>
<td>9:00 a.m. - 12:30 p.m.</td>
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<td>Freedom to Read Foundation Reception</td>
<td>5:00 p.m. - 6:30 p.m.</td>
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<td>Intellectual Freedom Committee</td>
<td>8:00 a.m. - 12:30 p.m.</td>
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<td>IFC/IFRT/Division IFCs Joint Meeting</td>
<td>2:00 p.m. - 4:00 p.m.</td>
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<td>2:00 p.m. - 5:30 p.m.</td>
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<td>IFRT State Program Award Committee</td>
<td>4:30 p.m. - 5:30 p.m.</td>
<td>LA Convention Ctr-402B</td>
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<td>Intellectual Freedom Committee</td>
<td>8:00 a.m. - 11:00 a.m.</td>
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<td>IFRT Membership Promotion</td>
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<td>LA Convention Ctr-519</td>
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<td>Committee on Professional Ethics</td>
<td>2:00 p.m. - 5:30 p.m.</td>
<td>Santa Anita A</td>
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<td>Intellectual Freedom Round Table</td>
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<td>Hilton Sierra</td>
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<td>Monday, February 7</td>
<td>Intellectual Freedom Round Table</td>
<td>11:30 a.m. - 12:30 p.m.</td>
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<td>Hilton Wilshire F</td>
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<td>IFC/AAP Joint Meeting</td>
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<td>Tuesday, February 8</td>
<td>Committee on Professional Ethics</td>
<td>8:00 a.m. - 11:00 a.m.</td>
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<td>Intellectual Freedom Committee</td>
<td>2:00 p.m. - 5:30 p.m.</td>
<td>Santa Barbara B</td>
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All meetings to be held in the Westin Bonaventure unless otherwise indicated.

Please check your conference program for last minute changes!
So You Want to Run for Office?

Nominees Sought for IFRT Positions

Nominations are open for four Round Table offices which will be filled at the upcoming election, according to Tom Budlong, Nominating Committee chair.

The offices, and their responsibilities, are:

Vice-chair/chair elect — Plans IFRT program at annual conference during year as chair. Chair presides over meetings of Executive Committee and membership.

Secretary — Takes minutes at Executive Committee and Membership meetings

Director — Attends meetings of Executive Committee at Annual Conference and Midwinter meetings; performs other duties as assigned by chair. (two positions available).

Candidates must be members of the Round Table in good standing and be able to attend Midwinter meetings and annual conferences.

Those interested in serving should contact Budlong at:

Regional Services Team
Southwest Regional Library
Atlanta-Fulton County Library
3665 Cascade Road, SW
Atlanta, GA 30331

Phone: 404/699-6365
Fax: 404/699-6381

IF on the Information Superhighway

By Paul Vermouth, IFRT Chair Elect

Last October, Computer Professionals for Social Responsibility published a paper on the planned information superhighway. “Serving the Community: A Public-Interest Vision of the National Information Infrastructure,” the product of a lengthy nationwide information-gathering and review process, identifies a number of areas of concern and makes specific policy and technical recommendations for the NII.

Some of the issues addressed in the CPSR document, notably public access to the network, freedom to communicate, and privacy, are of concern to those of us interested in intellectual freedom; and the paper as a whole serves as a useful introduction to and summary of policy concerns related to development of the NII.

Copies of “Serving the Community” may be obtained electronically by sending email to listserv@cpsr.org. Write “GET CPSR NII_POLICY in the message. For a hard copy, call 415-322-3778 or write to cpsr@cpsr.org.

CPSR plans to continue the dialog concerning the National Information Infrastructure in the DIAC-94 symposium scheduled to take place in Cambridge, Massachusetts on 23-24 April.

The title of this fifth biannual Directions and Implications of Advanced Computing Symposium is “Developing an Effective and Equitable Information Infrastructure”. The conference will focus on critical issues regarding the use of the NII. The first day of the meeting will consist of presentations. The second will be devoted to workshops.

Proposals for workshops are being solicited in six major areas: systems and services, policy, electronic democracy, directions and implications, international issues, and traditional and virtual communities. The CPSR call for proposals suggests several specific topics in each of these areas; but other topics related to the symposium theme are welcome.

Some of the specific topics for which workshop proposals are being sought may interest members of this Round Table. These include “universal access”, “freedom of expression and community standards”, “threats to democracy”, and “privacy”.

Proposals are due by February 15, 1994. To obtain more information about suggested workshop topics, to discuss workshops, or to present proposals, contact Doug Schuler, doug.schuler@cpsr.org.

Paul Vermouth is a member of the DIAC-94 Program Committee

The IFRT Report is an irregular publication of the Intellectual Freedom Round Table of the American Library Association and is sent to members of the Round Table. Membership information and/or correspondence about your subscription should be addressed to IFRT, Office for Intellectual Freedom, American Library Association, 50 East Huron Street, Chicago, Illinois 60611. The current editor of the IFRT Report is Sue Kamm, Inglewood Public Library, 101 W. Manchester Blvd., Inglewood, CA 90301. Letters to the editor are welcomed.
Sherwin Rice, director of the Bladen County, NC public library, received the 1993 North Carolina Library Association/Social Issues Resource Series (SIRS) award at the 50th NCLA conference recently. Gene D. Lanier, IFRT’s liaison to the ALA IFC and chair of the North Carolina IFC, presented the award.

Rice was honored for her efforts to protect the freedom to read, view, and listen under intimidating circumstances. She challenged groups who attempted to limit access to information and library materials and was able to maintain support from her governing agencies throughout the conflicts. In presenting the award, Lanier described her as “a role model for us all.”

Rice received a plaque, a $500 personal check, and a $500 check for purchasing materials for Bladen County Public Library. SIRS sponsors similar awards in other states throughout the Southeastern U.S. and the IFRT award for state library association IFCs.