

2014-2015 ALA CD#42_62615_act
2015 ALA Annual Conference

Resolution Against Mass Surveillance of the American People

Whereas the ALA Council adopted a “Resolution Reaffirming the Principles of Intellectual Freedom in the Aftermath of Terrorist Attacks” (2002-2003 CD#19.1);

Whereas the ALA Council adopted a “Resolution on the USA PATRIOT ACT and Libraries,” which opposed Section 215 of the Act and called on the U.S. Congress to restore the privacy rights of library users (2005 CD#20.6);

Whereas the ALA Council adopted a “Resolution on the Use and Abuse of National Security Letters” (2006-2007 CD#19.3);

Whereas the ALA Council passed a “Resolution on the Need for Reforms for the Intelligence Community to Support Privacy, Open Government, Government Transparency, and Accountability” (2012-2013 ALA CD#19.2 and CD#20.40), which

1. reaffirmed “its unwavering support for the fundamental principles that are the foundation of our free and democratic society, including a system of public accountability, government transparency, and oversight that supports people’s right to know about and participate in our government”;
2. referred to recent “revelations related to NSA’s surveillance activities conducted pursuant to orders issued by the Foreign Intelligent Surveillance Court (FISC) under Sections 215 and 702 of the USA PATRIOT Act”;
3. in light of these revelations, called “upon the U.S. Congress, President Obama, and the Courts to reform our nation’s climate of secrecy, over classification, and secret law regarding national security and surveillance, to align with these democratic principles”;
4. stated that ALA “values access to the documents disclosing the extent of public surveillance and government secrecy as access to these documents now enables the critical public discourse and debate needed to address the balance between our civil liberties and national security” and noted that “these disclosures enable libraries to support such discourse and debate by providing information and resources and for deliberative dialogue and community engagement”;
5. noted that ALA “remains concerned about due process for the people who have led us to these revelations”; and

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6. expressed “its thanks and appreciation to the members of Congress who work to protect our privacy and civil liberties;”

Whereas the U.S. Congress has just passed the USA Freedom Act, which amends the USA PATRIOT Act by transferring the mass storage of telephone records from the National Security Agency to telephone companies, and requires court orders to search those records, as well as several other minor reforms; therefore be it

Resolved, that the American Library Association calls on the U.S. President and Congress to end mass surveillance of the American people by:

1. Repealing Section 215 of the USA PATRIOT Act, and all other sections that authorize mass surveillance of the American public;
2. Repealing all mass surveillance authorized by the USA Freedom Act, by adopting into law the following measures: requiring government agencies to get a national security warrant before collecting personal information from third parties, raising the standard for government collection of call records under FISA from “reasonable grounds” to “probable cause,” limiting the government’s ability to use information gathered under intelligence authorities in unrelated criminal cases, making it easier to challenge the use of illegally obtained surveillance information in criminal proceedings, prohibiting the government from requiring hardware and software companies to deliberately weaken encryption and other security features, and requiring court approval for National Security Letters;
3. Prohibiting the government from conducting warrantless reviews of Americans’ email and other communications under Section 702 of the Foreign Intelligence Surveillance Act; and
4. Amending Executive Order 12333 on United States Intelligence Activities by deleting all authority for mass surveillance of the American People.

Moved by Al Kagan, SRRT Councilor

Seconded by Ed Garcia, Councilor-at-Large