

**ALA Intellectual Freedom Committee
Report to Council
2011 Midwinter Meeting
San Diego, CA
Tuesday, January 11, 2011**

The ALA Intellectual Freedom Committee (IFC) is pleased to present this update of its activities.

INFORMATION

Newsletter on Intellectual Freedom

The Newsletter on Intellectual Freedom is a bimonthly publication of the Office for Intellectual Freedom (OIF). IFC has been engaged in discussing the future of this publication in light of declining revenues and budgetary constraints. The committee has examined the possibility of moving to an online-only model and has surveyed subscribers for their opinions about such a change. At this conference, IFC's discussions determined that moving to an online-only format with a print option will be the best alternative to keep the newsletter financially viable. OIF staff will explore this option further and bring a report back to IFC at Annual Conference.

New Library Technology Reports Considers Privacy in the 21st-Century Library

OIF joined with ALA TechSource in a new effort this year that resulted in the publication of a special November/December issue of *Library Technology Reports*: "Privacy and Freedom of Information in 21st-Century Libraries." OIF staff conceived and coordinated the contents of this issue, assembling a cast of writers to contribute articles on topics such as social networking, filtering, and radio-frequency identification (RFID) as they relate to intellectual freedom in libraries today. Librarians can buy this important new issue in print or electronically from the ALA Store (www.alastore.ala.org/detail.aspx?ID=3225) and read the first chapter for free at the ALA TechSource website (www.alatechsource.org/blog/2010/12/privacy-and-freedom-of-information-in-21st-century-libraries.html).

PROJECTS

Choose Privacy Week

OIF is very pleased to announce that it has been awarded a two-year grant in the amount of \$105,650 from the Open Society Institute (the Soros Foundation) for privacy programming. OIF had previously received a 3-year, \$350,000 grant from OSI that enabled the development of the first-ever Choose Privacy Week. With the new grant, OIF will be shifting its focus to topics of government surveillance; privacy and young people; and privacy in the cultural context of immigrant and refugee communities' use of libraries. The grant will help OIF gain even greater traction with Choose Privacy Week and develop this annual event into an institution, similar to Banned Books Week. The Open Society Institute has a strong interest in libraries' role of informing their communities about privacy, and they have been very pleased with OIF's work thus far. Visit www.privacyrevolution.org to learn more about Choose Privacy Week and the resources OIF has developed to help libraries engage their users in a conversation on privacy.

Banned Books Week

2010 marked the 29th year of Banned Books Week, which was held from September 25 through October 2.

The Read-Out! kicked off Banned Books Week 2010 in historic Bughouse Square in Chicago, Illinois, sponsored by OIF, the McCormick Civics Program, and the Newberry Library. Nearly two hundred people joined our host and critically acclaimed and censored young adult author, Chris Crutcher, in this fantastic event. Lauren Myracle, author of the book series most frequently challenged in 2009 — *TTYL*, *TTYN*, *LT8GR* — shared her experience as a target of censors. Other speakers, including ALA President Roberta Stevens, FTRF President Kent Oliver, ALA Executive Director Keith Michael Fiels, and local Chicago celebrities, read from books featured on the top ten list of frequently challenged books of 2009.

In addition to the Read-Out!, we hosted Banned Books Week events in Second Life on ALA Island. Events included panel discussions on challenged books and trivia contests. For the first time ever, we hosted a machinima contest— filmmaking within a real-time, 3-D virtual environment where participants used the theme, "Think for yourself and let others do the same" as the inspiration for their films.

Banned Books Week 2011 will begin on September 27 and continue through October 4. All BBW merchandise, including posters, bookmarks, t-shirts, and tote bags, are sold and marketed through ALA Graphics (www.alastore.ala.org/).

More information on Banned Books Week can be found at www.ala.org/bbooks.

ACTION

WikiLeaks

The recent disclosures of thousands of U.S. diplomatic cables by WikiLeaks, and the U.S. government's response to those disclosures, have sparked a controversy that raises many complex issues for the American Library Association, libraries, and librarians. Among the serious and important issues that implicate ALA policy are the decision by the Library of Congress and other government agencies to temporarily block online access to the WikiLeaks website; First Amendment protections for whistleblowers, journalists, and the press; appropriate classification of government documents and public access to government information; free and open access to the Internet and online services; libraries' obligation to provide (or deny) access to the documents disclosed by WikiLeaks; and the functioning of an open government in a democracy.

To aid the conversation taking place among ALA members about WikiLeaks, OIF and the Office of Government Relations (OGR) jointly developed a website to inform members about the complex issues raised. The website, ALA Emerging Issues, can be accessed via the ALA main website or directly at www.emergingissues.ala.org.

In addition, OIF and OGR jointly sponsored a Midwinter program on issues raised by the WikiLeaks disclosures, which took place Saturday, January 8, with a discussion led by Patrice McDermott, Director of OpenTheGovernment.org and former Deputy Director of the Office of Government Relations at ALA.

Finally, at this conference, IFC has worked with the Committee on Legislation (COL) to review the issues associated with WikiLeaks' disclosure. After much discussion and in collaboration with the Committee on Legislation, the Intellectual Freedom Committee determined that the best response was to focus on the larger issues of classification, whistleblowing, and access to government information rather than limiting our concerns to one group. A joint working group crafted the following Resolution on Access to and Classification of Government Information, which we are pleased to jointly present with the Committee on Legislation, and move the adoption of Action Item #19.1.

In closing, the Intellectual Freedom Committee thanks the division and chapter intellectual freedom committees, the Intellectual Freedom Round Table, the unit liaisons, and the OIF staff for their commitment, assistance, and hard work.

Respectfully Submitted,

ALA Intellectual Freedom Committee

Julius Jefferson (Chair)

M. Teresa Doherty

Barbara Fiehn

Carrie Gardner

Martin L. Garnar

Bowie Kotrla

Jim Kuhn

Trina Magi

Pat Scales

Mary K. Somers

Jerilynn A. Williams

Kathleen Condon-Boettcher (intern)

**This resolution was *ADOPTED* by the ALA Council at its Council III meeting on
Tuesday, January 11, 2011, in San Diego, CA**

Resolution on Access to and Classification of Government Information

Whereas public access to information by and about the government is a basic tenet of a democratic society and crucial to the public's ability to hold the government accountable for its actions;

Whereas libraries are essential to the free flow of ideas and to ensuring the public's right to know;

Whereas a democratic society needs to balance the fundamental right to access government information with the necessity to withhold certain information essential to national security;

Whereas "the guarding of military and diplomatic secrets at the expense of informed representative government provides no real security for our Republic," (Justice Hugo Black, *New York Times Co. v. United States*, 403 U.S. 713 (1971));

Whereas current and former government officials estimate that 50% to 90% of classified information is either over classified or should not have been classified at all, making the administration of classified information ineffective and preventing the protection of real secrets (Statement of Thomas Blanton, Director, National Security Archive, George Washington University, to the Committee on the Judiciary, U.S. House of Representatives, Thursday, December 16, 2010);

Whereas President Barack Obama has pursued systemic reform and greater openness and transparency by ordering the declassification of hundreds of millions of records, prescribing a uniform system for classifying, safeguarding, and declassifying national security information, and directing government agencies to perform a Fundamental Classification Guidance Review "to identify classified information that no longer requires protection and can be declassified (Executive Order 13526 on Classified National Security Information (Dec. 29, 2009));

Whereas the American Library Association (ALA) has commended President Barack Obama for issuing, on his first day in office, the Memorandum on Transparency and Open Government;

Resolution on Access to and Classification of Government Information/2

Whereas the ALA continues to support whistleblowers in reporting abuse, fraud, and waste in government activities (ALA 2007-08 CD#20.5 and ALA 2003-2004 CD 20.7) and opposes the misuse of governmental power to intimidate, suppress, coerce, or compel speech (Policy 53.4, "Policy on Governmental Intimidation;" Policy 53.6, "Loyalty Oaths"); and

Whereas wikileaks' ongoing disclosure of large numbers of classified and unclassified United States government documents has renewed debate about access to, and classification of government information; now, therefore, be it

Resolved that the American Library Association (ALA):

- (1) commends President Barack Obama for establishing the National Declassification Agency and issuing Executive Order 13526 on Classified National Security Information and supports and encourages expanded initiatives to reform the U.S. classification system;
- (2) urges Congress to pass legislation that expands protections for whistleblowers in the Federal government, such as the Whistleblower Protection Enhancement Act of 2010;
- (3) urges 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 these rights; and
- (4) affirms the principle that government information made public within the boundaries of U.S. law should be available through libraries and the press without restriction.

Adopted by the Council of the American Library Association



Keith Michael Fiels
ALA Executive Director and Secretary of the ALA Council
Tuesday, January 11, 2011
In San Diego, California