2015-2016 ALA CD#20-20.2_12816_FINAL 2016 ALA Midwinter Meeting

ALA Committee on Legislation Report to Council 2016 Midwinter Meeting – Boston, MA

Ann Ewbank Chair, ALA Committee on Legislation January 12, 2016

Committee on Legislation hfMA

support for the retreat.

COL brings this action item to Council jointly with IFC:

The resolution is CD#20.1 (19.1):

Resolution for Restoring Civil Liberties and Opposing Mass Surveillance

RESOLVED, that the American Library Association, on behalf of its members and the public interest:

- urges the President and Congress to amend all germane surveillance-enabling authorities, such as Executive Order 12333, the Foreign Intelligence Surveillance Act (FISA) as amended, and the USA PATRIOT Act, to:
 - a. Require government agencies to obtain judicial warrants before collecting any

National Security Letters;

b.

(commonly known as the "library records" section);

- in unrelated criminal cases, thereby making it easier to challenge the use of illegally obtained surveillance information in criminal proceedings; and
- d. Prohibit the government from requiring hardware and software companies to deliberately

Additional Information Items:

Government Information Subcommittee Educational Document:

During this conference the Government Information Subcommittee (GIS) sent forward to COL a revised educational document pertaining to the Federal Depository Library Program (FDLP). A document that originated from the Government Documents Round Table (GODORT) Legislation Committee was referred to GIS for further review and was discussed prior to and during this conference.

Government Information

LSTA

The LSTA subcommittee met and discussed all the suggestions for changes to the Reauthorization of the Museum and Library Services Act. The subcommittee agreed to suggest that a change be made in the description of the Director's term which would remain 4 years, but say that the incumbent can remain in position until a new Director has been confirmed.

They are also looking to rewrite the terms for the Maintenance of Effort and research data collection and possibly removing the Special Rule section for the three Freely Associated States (the Marshall Islands, Micronesia and Palau) to have them receive an allotment similar to the Pacific Territories and US Virgin Islands.

When work has been completed, the Office of Government Relations will begin working with our Congressional allies to write and pass the reauthorization bill after October 2016.

Final Notes:

RESOLUTION FOR RESTORING CIVIL LIBERTIES AND OPPOSING MASS SURVEILLAM H O

- a. require government agencies to obtain judicial warrants before collecting any
 National Security Letters;
- raise the standard for government collection of all records under FISA from PATRIOT ACT (commonly known as the "library records" section);
- c. I
 authorities in unrelated criminal cases, thereby making it easier to challenge the use
 of illegally obtained surveillance information in criminal proceedings; and
- d. prohibit the government from requiring hardware and software companies to deliberately design encryption and other security features to facilitate government access to information otherwise protected by such features;
- 2. liberties through statutory and other legal reforms; and
- commends and thanks all parties, both inside and outside of government, involved in developing and securing passage of the USA FREEDOM Act, resulting in movement away from overbroad surveillance laws and practices for the first time in more than a decade.

RESOLUTION HONORING JAMES H. BILLINGTON, LIBRARIAN OF CONGRESS EMERITUS, JANUARY 2016

Whereas the 13th Librarian of Congress, James H. Billington, served the Congress and the Nation for nearly three decades and leaves an extensive legacy for the Library established cultural institution and largest library in the world; and

Whereas James H. Billington oversaw the creation of no-fee, high-quality electronic services, thereby

many unique and varied resources -

and

Whereas James H. Billington

The last few months have been full of webinars! In October, more than one thousand people participated

Improved access to government information

H.R.1233, the Presidential and Federal Records Act Amendments of 2013 was signed by the President and became Public Law No: 113-187. ALA supported this bill from its inception, including signing on to a letter that expounded on its importance.

must assert any claim of privilege upon a determination of the Archivist to make available to the public a record of that former president. The bill also establishes processes for managing the disclosure of records upon the assertion of privilege by a former president, and grants to the incumbent president the power to decide whether or not to uphold any privilege claim of a former president, absent a court order to the

Congress wraps

legislative alert emails. In November, our first alert regarding the USA Freedom Act, had an 18% click-through rate. Another legislative alert, which asked advocates to reach out to the new Members of Congress, was sent out in early December and had a 27% click through rate.