CONTRA COSTA COUNTY LIBRARY COMMISSION
AGENDA ATTACHMENT 7

MEETING DATE: Thursday, January 23, 2014

AGENDA ITEM #: 12 A

ITEM: CALIFORNIA LIBRARY ASSOCIATION (CLA) RESOLUTION ON PRIVACY RIGHTS AND OPEN GOVERNMENT

RECOMMENDED ACTION:

Commissioner Alan Smith, (District IV) will lead discussion on the Resolution that was adopted by the CLA Board of Directors on September 16, 2013; Resolution on the Need for Reforms of the Intelligence Community to Support Privacy, Open Government, Government Transparency, and Accountability. Commissioners will vote to determine if they would like the Board of Supervisors to issue a similar resolution.
RESOLUTION ON THE NEED FOR REFORMS FOR THE INTELLIGENCE COMMUNITY TO SUPPORT PRIVACY, OPEN GOVERNMENT, GOVERNMENT TRANSPARENCY, AND ACCOUNTABILITY

Whereas, public access to information by and about the government is essential for the healthy functioning of a democratic society and a necessary predicate for an informed and engaged citizenry empowered to hold the government accountable for its actions; and

Whereas, the California Library Association (CLA) supports policies of the American Library Association (ALA) pertaining to the right to privacy, including but not limited to the ALA Code of Ethics (1939), Principles for the Networked World (2002), and Privacy: An Interpretation of the Library Bill of Rights (2002); and

Whereas, the rights of anonymity and privacy while people retrieve and communicate information must be protected as an essential element of intellectual freedom; and

Whereas, CLA values access to 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

Whereas, these disclosures enable libraries to support such discourse and debate by providing information and resources and for deliberative dialogue and community engagement; and

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

Whereas, for over a decade librarians and library workers in California and across the nation have criticized the USA PATRIOT Act on the grounds that it increases the likelihood that the activities of library users, including their use of computers to browse the Web or access e-mail, may be under government surveillance without their knowledge or consent; and

Whereas, the public recently learned that the National Security Agency (NSA) is collecting the telephone call metadata of millions of U.S. customers of Verizon Business Services, AT&T, and Sprint pursuant to an order issued by the Foreign Intelligence Surveillance Court (FISC) under Section 215 of the USA PATRIOT Act; and

Whereas, pursuant to a court order issued by the FISC under Section 702 of the FISA Amendments Act (FAA) the NSA is operating a program called PRISM that is collecting and retaining vast quantities of data on internet usage, including search histories, email, video and voice chat, videos, photos, voice-over-IP chats, file transfers, and social networking details, from internet service providers in the United States. Though intended to target communications of foreign persons, the NSA admits that it collects and stores Internet data from U.S. persons; now, therefore be it

Resolved, that the California Library Association:

- Affirms 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 and participate in our government;
- Calls 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;
- Calls upon our members to lead and the public to engage in public dialogues discussing the right to privacy, open government and balancing civil liberties and national security;
- Encourages the public to support bills and other proposals that both secure and protect our rights to privacy, free expression and free association and promote a more open, transparent government;
- Expresses its thanks and appreciation to the members of Congress who work to protect our privacy and civil liberties.

Adopted by the CLA Board of Directors September 16, 2013.
RESOLUTION ON THE NEED FOR REFORMS FOR THE INTELLIGENCE COMMUNITY TO SUPPORT PRIVACY, OPEN GOVERNMENT, GOVERNMENT TRANSPARENCY, AND ACCOUNTABILITY

Whereas, public access to information by and about the government is essential for the healthy functioning of a democratic society and a necessary predicate for an informed and engaged citizenry empowered to hold it accountable for its actions; and

Whereas, the Contra Costa County Board of Supervisors supports policies of the American Library Association (ALA) pertaining to the right to privacy, including but not limited to the ALA Code of Ethics (1939), Principles for the Networked World (2002), and Privacy: An Interpretation of the Library Bill of Rights (2002); and

Whereas, the rights of anonymity and privacy while people retrieve and communicate information must be protected as an essential element of intellectual freedom; and

Whereas, Contra Costa County Board of Supervisors values access to 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

Whereas, these disclosures enable libraries to support such discourse and debate by providing information and resources for deliberative dialogue and community engagement; and

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

Whereas, for over a decade librarians and library workers in California and across the nation have criticized the USA PATRIOT Act on the grounds that it increases the likelihood that the activities of library users, including their use of computers to browse the Web or access e-mail, may be under government surveillance without their knowledge or consent; and

Whereas, the public recently learned that the National Security Agency (NSA) is collecting the telephone call metadata of millions of U.S. customers of Verizon Business Services, AT&T, and Sprint pursuant to an order issued by the Foreign Intelligence Surveillance Court (FISC) under Section 215 of the USA PATRIOT Act; and

Whereas, pursuant to a court order issued by the FISC under Section 702 of the FISA Amendments Act (FAA) the NSA is operating a program called PRISM that is collecting and retaining vast quantities of data on internet usage, including internet search histories, email, video and voice chat, videos, photos, voice-over-IP chats, file transfers, and social networking details, from internet service providers in the United States. Though intended to target communications of foreign persons, the NSA admits that it collects and stores Internet data from U.S. persons; now, therefore be it

Resolved, that the Contra Costa County Board of Supervisors:

- Affirms 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;
- Calls 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;
- Calls upon our members to lead and the public to engage in public dialogues discussing the right to privacy, open government and balancing civil liberties and national security;
- Encourages the public to support bills and other proposals that both secure and protect our rights to privacy, free expression and free association and promote a more open, transparent government;
- Expresses its thanks and appreciation to the members of Congress who work to protect our privacy and civil liberties.

Recommended by the County Library Commission XXXXXXXXX 2014.