2017 National Library Legislative Day Priority

Support Real Privacy and Surveillance Law Reform

The American Library Association urges Members of Congress to:

1) **PASS in the Senate**, without weakening amendments, the *Email Privacy Act (H.R.387)* as adopted by voice vote in the House in February 2017. Identical legislation to amend the outdated *Electronic Communications Privacy Act of 1986 (ECPA)*, which was unanimously approved by the House (419–0) in the 114th Congress to afford full Fourth Amendment protection to emails, texts, tweets, cloud-stored files and all other modern electronic communications immediately upon their creation. Today, such communications generally may be accessed without a judicial warrant or probable cause after they are older than six months.

2) **REFORM** Section 702 of the *Foreign Intelligence Surveillance Act*, which will expire at the end of 2017, to: a) preclude the warrantless “backdoor” search of citizens’ phone and internet communications facilitated by the targeting of non-US citizens domestically or abroad; b) limit the so-called “incidental” collection and dissemination of such information about U.S. persons; and c) regularly disclose the true frequency and scope of Section 702’s use in an appropriate, non-classified form.

3) **REJECT** any legislation that would compel the designer of any encryption system or technology to engineer a “backdoor” vulnerability into that product to facilitate its circumvention or defeat.

Why are libraries fighting for privacy/surveillance law reform?

- Librarians have long defended the public’s Fourth Amendment privacy rights against government attempts to obtain patrons’ borrowing and internet browsing records without a warrant. Today, libraries and librarians remain committed to restoring the Constitutional privacy rights of library users and the civil liberties of all Americans lost to multiple overbroad and inadequately “checked and balanced” statutes, including the: *USA PATRIOT Act, Foreign Intelligence Surveillance Act, and Electronic Communications Privacy Act*. ALA is dedicated to ending ongoing mass surveillance, which continues despite important reforms made by the *USA FREEDOM Act of 2015*.