

Extraordinary Heroes: A Tribute to the Connecticut Four
Remarks by
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Last evening as I was sitting in O'Hare Airport trying to get back to New Jersey I had some time to think about what I wanted to say here this evening.

As ALA president I am often thrust into the spotlight to speak on our behalf when it comes to issues affecting libraries. During the last 18 months, I've been called upon to speak on many occasions on a wide variety of topics but none of my words or actions can be compared to the heroic, principled, and moral stand taken by your own Connecticut Four – George Christian, Barbara Bailey, Peter Chase, and Janet Nocek.

Bob Dylan, the spokesman for our generation said this about heroes – *“I think of a hero as someone who understands the degree of responsibility that comes with his freedom.”*

George, Barbara, Janet, and Peter are people who have taken on this responsibility with a vengeance.

Since the time that Library Connection was first served with a National Security Letter in July 2005 right up to this moment, these four have single handedly taken on the federal government and called them to task for abuses

of the Patriot act and infringements on our right to privacy.

You all know the story by now, that upon receiving the National Security letter George did the “right thing”, immediately calling upon his executive committee, informing them of the attempt to serve the NSL. They quickly decided that they would not comply, would not be yet another victim of heedless government intrusion, would uphold those values that we in the library profession hold so dear – the rights of those who use our libraries to have what they do and what they read, view or listen to protected when they visit our libraries. These four took this courageous action, where none had done so before and decided to take on President George Bush and his cronies to demonstrate the horrific impact of the US Patriot Act and what happens when you grant broad sweeping investigatory powers to law enforcement outside of the normal judicial process.

George, Barbara, Janet and Peter did this at a time when it was not acceptable to challenge the government and at great personal and professional cost to them and their families.

Were it not for their actions, supported by great legal counsel from the ACLU’s Ann Beeson and her team of attorneys the government would still be running rampant in its attempts to abridge our privacy rights by serving NSL’s at libraries throughout the country.

That was 20 months ago. And the Connecticut four are still at it. Graciously agreeing to accept every speaking opportunity offered them, using each speech as a teachable moment and precious chance to inform the

library, legal and community at large about how far reaching the powers granted in the Patriot act are and how dangerous they are to the future of our democracy.

When we first heard about the breaking story of the NSL letter being served the library community quickly began to mobilize in your support even though we didn't at that time know who the recipient of the letter was. It was a testimony to the reference skills of the Connecticut library community who quickly figured out that Library Connection was the recipient of the letter even though we still didn't know which individuals were involved.

I first had the chance to talk to them at ACLU offices in NYC last May when the gag order was lifted. We had anxiously awaited the story of your experience, wanted to know more about your interactions with the FBI and Justice Department, how these interactions affected your libraries and your patrons. During that time the entire library community provided quiet support and hoped beyond hope that you would prevail.

We are pleased of course, that the government ultimately backed down although we love a good legal fight, especially when the law is on our side.

We knew that your voices were heard but would not result in any significant action towards reforming the Patriot Act in the Republican controlled Congress.

But then the unimaginable happened. The Democrats took the House and Senate and suddenly after years of behind the scenes wheeling and dealing,

draconian attempts to abridge of personal freedoms guaranteed by the Constitution. There was sunshine in government again. The Democrats have assumed their oversight responsibilities with a laser sharp focus, quickly honing in on the issues that have long needed public discourse and attention.

Once again the Connecticut Four rose to the occasion, even when they had earned the right to step back and resume their normal lives. Although I suspect that for these four, after this experience, life will never be “normal” again.

As recently as last week George presented testimony to the Senate Judiciary Subcommittee on the Constitution hearing responding to the Inspector General’s findings of improper use of National Security Letters by the FBI. They have agreed to continue speaking out on this issue in an attempt to educate, inform and implement changes in the Patriot Act to ensure that this doesn’t happen again.

In case you are not familiar with this Inspector General’s report let me fill you in. The report showed numerous violations of policy and several potential violations of law in the Federal Bureau of Investigation’s (FBI’s) distribution and enforcement of National Security Letters.

The findings by the Inspector General are disappointing, yet not surprising given the sheer volume of letters handed out in recent years (140,000 requests since 2003 and 19,000 in 2005 alone, according to the *Washington Post*), and given that the FBI needs virtually no justification in order to serve

a letter.

While ALA fully supports the efforts of law enforcement in legitimate investigations, those efforts must be balanced against the right to privacy. These findings confirm many of ALA's most repeatedly stated concerns about the lack of oversight into the FBI's surveillance activities, resulting in repeated intrusions into the lives of innocent American citizens.

Since the FBI agent does not need to get approval from a judge, prosecutor, or grand jury, and since the recipient is permanently "gagged" from telling its customers or anyone else about the government's request, citizens never know that their personal information has been disclosed to the government.

The Connecticut Four have been ungagged but we still don't know how many other librarians have been served with NSLs and are still under gag order.

This is just one example of libraries being subject to NSLs, and notably came not long after the FBI claimed not to have ever invoked Section 215 of the PATRIOT Act (the section concerning library records). The recent findings by the Inspector General demonstrate that not only was the FBI misleading citizens then, it's been misleading them all along. Are you surprised?

ALA thanks Congress for doing its Constitutional duty by beginning an investigation into this matter, and further calls upon Congress to tighten language in the PATRIOT Act to minimize these sorts of privacy violations and to provide thorough, ongoing oversight into the FBI's surveillance

During the March 27, 2007, Senate Judiciary Committee hearing, Chairman Leahy specifically questioned FBI Director Mueller about NSLs and libraries. Specifically he asked how many NSLs have been served since the inception of the Patriot Act. We still don't have the answer but I am confident that Chairman Leahy will not give up until he has his answer.

I am confident that we now have the attention of Congress on this matter and that finally long needed changes to the Patriot Act will occur.

I am pleased to express once again on behalf of the American Library Association our thanks and kudos to Library Connection and in particular Geroge Christian, Barbara Bailey, Peter Chase and Janet Nocek. Librarians and library patrons across the country are forever indebted to you for your bravery in coming forward in this case and for your patriotism in fighting against a law that allows easy access to library and other personal records with little or no oversight. We are thankful that your voices are now being heard in congressional debate that may eventually lead to changes in the Patriot Act's provisions.

We know that the need for free, unfettered access to information and the guarantee of individual privacy is greatest in times of war when the risk of government intrusion is highest and the need for an informed citizenry is greatest. We know that the stand the you have taken on behalf of the library community will help lead the way to laws that reflect the best of what this country stands for.

