



November 4, 2009

The Honorable John Conyers
United States House of Representatives
2426 Rayburn Office Building
Washington, DC 20515

The Honorable Bobby Scott
United States House of Representatives
1201 Longworth Office Building
Washington, DC 20515

The Honorable Jerrold Nadler
United States House of Representatives
2334 Rayburn Office Building
Washington, D.C. 20510

Dear Chairman Conyers and Representatives Nadler and Scott:

We are writing to express our support for H.R. 3845, the *USA Patriot Amendments Act of 2009*. We thank you for introducing this important legislation, which would protect the privacy of library users by raising the standard for Section 215, the so-called “library provision” of the USA PATRIOT Act.

The American Association of Law Libraries, Medical Library Association and Special Libraries Association represent more than 20,000 librarians and information professionals. Since the enactment of the USA PATRIOT Act in 2001, our organizations have addressed the need to protect the civil liberties and privacy of library users.

Section 215 of the USA PATRIOT Act authorizes the Director of the Federal Bureau of Investigation or a designee to apply for a court order requiring production of any tangible thing (including books, records, papers, and documents) for foreign intelligence and international terrorism investigations. The section also includes a “gag order” preventing those receiving the court order from disclosing that fact to anyone other than attorneys and those who need to know in order to comply with the order.

We are pleased that H.R. 3845 would raise the standard for Section 215 orders to protect the private information of library users. It would also allow recipients of Section 215 orders to immediately challenge both the underlying order and any gag order associated with it. In addition, we are pleased that this legislation would restore the pre-PATRIOT Act standard for National Security Letters to ensure that the government obtains financial, communication and credit records only of people believed to be terrorists or spies.

While H.R. 3845 makes several laudable changes to the Section 215 authority, we urge you to consider improving it further by raising the standard for issuing orders under Section 215 for

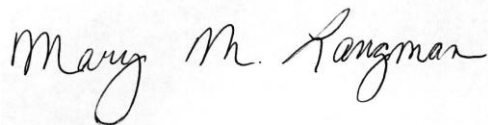
business records and other tangible things. Currently, the government is required to provide a statement of facts showing reasonable grounds to believe that the tangible things sought are relevant to an investigation in order for the FISA court to issue an order. We urge you to support efforts to tighten the Section 215 standard so that records and other tangible things sought with this power pertain to a terrorist, spy, or other agent of a foreign power, or to someone with ties to such person.

We thank you for your continued efforts to protect the civil liberties and privacy of library users and all Americans, and stand ready to support passage of this bill.

Sincerely,

A handwritten signature in black ink that reads "Mary Alice Baish". The signature is written in a cursive style with a large initial 'M'.

Mary Alice Baish
Director of Government Relations
American Association of Law Libraries

A handwritten signature in black ink that reads "Mary M. Langman". The signature is written in a cursive style with a large initial 'M'.

Mary M. Langman
Coordinator, Information Issues and Policy
Medical Library Association

A handwritten signature in blue ink that reads "Doug Newcomb". The signature is written in a cursive style with a large initial 'D'.

Douglas Newcomb
Chief Policy Officer
Special Libraries Association



American Association of Law Libraries
MAXIMIZING THE POWER OF THE LAW LIBRARY COMMUNITY SINCE 1906

The American Association of Law Libraries (AALL) is a nonprofit educational organization with over 5,000 members nationwide. AALL's mission is to promote and enhance the value of law libraries to the legal and public communities, to foster the profession of law librarianship, and to provide leadership in the field of legal information and information policy. <http://www.aall.org/>
Contact: Mary Alice Baish (202-942-4237)



The Medical Library Association (MLA) is a nonprofit, educational organization of more than 3,900 individual and institutional members in the health sciences information field, committed to educating health information professionals, supporting health information research, promoting access to the world's health sciences information, and working to ensure that the best health information is available to all. <http://www.mlanet.org/>
Contact: Mary M. Langman (312-419-9094 ext.27)



The Special Libraries Association (SLA) is a nonprofit global organization for innovative information professionals and their strategic partners. SLA serves more than 11,000 members in 75 countries in the information profession, including corporate, academic and government information specialists. SLA promotes and strengthens its members through learning, advocacy and networking initiatives. <http://www.sla.org/>
Contact: Doug Newcomb (703-647-4923)