The USA PATRIOT Act and Privacy in the Academic Library: An Annotated Bibliography

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Introduction and Scope

The following bibliography covers the issue of privacy in the academic library setting, particularly as it relates to the mandates of the USA PATRIOT Act that was passed in response to the terrorist acts that took place on September 11, 2001. While many of the articles elaborate on the history and ramifications of this Act and similar legislation for the general library setting, some discuss its specific involvement in academic libraries. An emphasis was placed on resources with anecdotal evidence of privacy breaches or policy changes as a direct result of the USA PATRIOT Act. All articles were published from 2002 to 2008.

Description

The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT) Act was passed in October 2001 as a response to the terrorist attacks that took place on September 11, 2001. The overwhelming response of library professionals to the Act is suspicion and public rebuke (Coolidge, 2005). Others may not favor it, but do not believe that it is a threat to the mission and function of libraries (Bowers, 2006).

It is particularly difficult to study the impact of the USA PATRIOT Act on libraries because of the gag order outlined in Section 215 of the Act. In addition, Jaeger McClure, Bertot, & Snead point out that it would be difficult to design a study of such libraries and collect any data of use without asking them to disclose sensitive information, and therefore face legal action (2004). Therefore, there is a lack of scholarly research on the number and type of libraries affected by the USA PATRIOT Act, and on the type of information that government officials demand for their investigations (McCoy, 2003; Jaeger, et al., 2004).

Academic libraries face unique challenges when complying with the legislation, such as the privacy of foreign physical or online students (Jaeger & Burnett, 2003), the core missions of the institutions they serve (Fifarek, 2003), and their obligation to serve the needs of the public where this does not conflict with the needs of students, faculty, and staff (Carter, 2002).
Summary of Findings

The purpose of the USA PATRIOT Act is to allow greater ease of information gathering to determine and eliminate terrorist threats. Analysts of the USA PATRIOT Act often point out how quickly it was enacted - only 44 days passed before it was approved by both Congress and the President - and how vague it is (Jaeger, Bertot, & McClure, 2003; Coolidge, 2005; Jaeger, et al., 2004; Matz, 2008). The USA PATRIOT Act was preceded by FISA (Foreign Intelligence Surveillance Act), which was created in 1978 “to serve as a ‘firewall between foreign and domestic intelligence gathering’” (Jaeger et al., 2003, p. 297), though more specifically, it was in response to abuses in power in order to collect foreign intelligence (Matz, 2008). As Jaeger, et al., point out, “…a FISA order could be issued by demonstrating that the purpose of the investigation was to gather foreign intelligence information” (p. 297). This is in contrast to the PATRIOT Act, which has changed the scope of FISA so that only the suspicion of criminal activity, rather than probable cause, is required in order to seize information for an investigation (McCoy, 2003).

The USA PATRIOT Act includes four Sections that have an effect on libraries, though most studies only focus on the effects of Section 215 of the Act. Per this Section, librarians cannot disclose if an investigation has been conducted or is currently taking place, nor can they disclose the subject of the investigation, both as it relates to information seized and the patron in question. Library staff may only disclose if an investigation has not taken place at that library (Jaeger, et al., 2004).

Matz (2004) outlines three other Sections of the Act that affect libraries. The first is Section 217, which “…charged the managers of Internet service providers to cooperate with law enforcement authorities wishing to appropriate communication records of a suspect using the network, under the broad threshold of reasonable believe by the authority that the records will aid an investigation.” Since enforcers determined the library to be a “de facto ISP,” they were required to provide information under this mandate (p. 75). The second Section of note is Section 505, which expands the type of information available for seizing during an investigation. Again, since libraries are now considered Internet service providers, they may be required to divulge a wide range of information if a suspect used their internet access or resources to locate it. The third is a set of Sections, numbers 507 and 508, which are of specific importance to academic
libraries. These Sections state that in contrast to previous laws, educational records are now available information for an investigation; in the past, they had been sealed to such seizures. Library records such as internet usage and checkout records are included in this sort of information (p. 74-75).

These Sections may be in direct conflict with both the ethical obligations of the library profession and the mission of the institutions academic librarians serve. This is what Karen A. Coombs (2004) refers to as the “tightrope” of the academic library: it “…stretches between the libraries’ protection of user privacy and their fulfillment of institutional mission and goals” (p. 495).

This legislation has also had an effect on the students who can attend American colleges and universities, as the USA PATRIOT Act has changed the requirements for SEVIS (the Student and Exchange Visitor Information System). This is the legislation that requires schools to submit information about physical or online foreign students. When enacted, the USA PATRIOT Act altered SEVIS so that there are severe repercussions for students who do not meet enrollment and program guidelines. Information such as transcripts, grades, and library records may be collected to analyze students’ eligibility for studying through American schools. The problem with this is that even if information is collected, it is often done so poorly, and the program is cumbersome to use, though the penalties are no less severe if information is not correct for each student. These stricter requirements are directly related to a decline in foreign enrollment in American colleges and universities (Jaeger & Burnett, 2003).

Also complicating the matter is that professional guidelines, like those outlined by the American Library Association, for maintaining patron privacy and confidentiality are just that - guidelines - and are not legally enforceable, even though many librarians adhere to them even if they aren’t members of the organization (Starr, 2004).

One key factor here is that libraries cannot simply stop collecting data - it is useful in deciding which days and hours to be open, which resources to renew or cancel, and even the price of some pay-as-you-go services (Coombs, 2004). While some librarians are ready and willing to be compliant with all information investigations, many have come up with creative solutions to avoid making their institution the subject of investigations. Stacey Bowers asserts that “… the best protection comes from limiting the amount of confidential information collected and minimizing the time it is maintained in library databases… if privacy depends on identity,
loss of any unique identity would make privacy irrelevant” (2006, p. 382). Paul Neuhaus (2003) also encourages this method. Trina Magi (2007) suggests that all libraries adopt a privacy policy outlining what they can expect from the institution in terms of confidentiality, and to remind patrons that they may be monitored by government officials during an investigation. Joan Starr (2004) also reminds library professionals to continue providing as many services and resources as possible and work with organizations like the ALA for support during investigations to make sure everything is done according to state and Federal law. Howard Carter (2002) and John A. Shuler (2002) suggest that libraries adopt a system of authentication for the use of library resources, something that is particularly applicable to academic libraries. This could include requiring the use of one’s student ID to enter the building, check out books, log on to library computers, and access online resources. Ideally, this would not hinder the use of library resources for anyone who is meant to be using them - specifically, school faculty, staff, and students. While this seems like a sound idea in theory, there have been major objections to it, specifically for libraries of state schools, since “[publicly] funded colleges and universities include as a library user any citizen who comes into the library regardless of affiliation with the institution” (Howard, 2002, pp. 31-32). More research is needed to determine which, if any, of these responses is the most successful in protecting patron privacy.

While there is an abundance of information on the USA PATRIOT Act and how it relates to libraries in general, little of this analyzes the effect of the legislation on academic libraries and academic library users. In addition, more research is needed to determine if the USA PATRIOT Act is being abused in the library setting. However, given the gag orders and legal repercussions of sharing such information, it may be years before the effect of the USA PATRIOT Act on academic libraries is made clear to the public.

Bibliography

Entry 1:


Abstract: “This paper summarizes the history of privacy as it relates to library records. It commences with a discussion of how the concept of privacy first originated through case law and
follows the concept of privacy as it has affected library records through current day and the USA PATRIOT Act.”

Annotation: This article concisely examines the issue of library privacy from a legal perspective, focusing on two pieces of legislation: the USA PATRIOT Act (2001) and its predecessor, FISA (1978). While each may affect the search and seizure of library records, Bowers notes that the most requested documents are driver’s licenses, subscription records, and other such information not related to one’s library usage. No mention is made to how library staff should respond to requests for patron information.

Search Strategy: I found an article that outlined privacy issues of libraries in the UK. I decided to check the footnotes to see if any articles were references that were relevant to privacy in American libraries. I searched through Hagerty Library’s website to see if the journal was one for which we have full-text access, and was able to locate the article through Science Direct Freedom Collection 2012.

Database: N/A

Method of Searching: Footnote chasing


Scholarly/Refereed Status: Per Ulrich’s, this journal is both refereed and peer reviewed. In addition, it is intended for an academic and scholarly audience.

Entry 2:


Abstract: “Academic libraries with public access computers are faced with the challenge of balancing patron privacy rights with accountability and system security. What should libraries do when a patron uses a public Internet connection to send harassing email messages or hack into a remote network, or into the library’s own system? This article examines the conflicting values of privacy and security. It examines patron authentication as a security measure and the safeguards that should accompany such a system. Several options are offered for addressing this dilemma. A summary of university appropriate use policies is presented with recommendations and a sample policy statement.”
Annotation: Carter examines the ethical challenges librarians face in maintaining a balance between patron privacy and, when requested by law, disclosing evidence of illegal activity committed on academic library premises or with library resources. He notes that it is up to each library as to what will be public and protected, and to enforce such decisions on a day-to-day basis. This approach is unique in that it outlines network authentication strategies to help protect patrons’ privacy and security; also included is a sample privacy policy for libraries to use as a guide in creating their own.

Search Strategy: This article was referenced in another article I was examining for this project. I found the full text in Library Literature & Information Science Full Text through Hagerty Library’s website.

Database: N/A

Method of Searching: Footnote chasing

Search String: Referenced in:

Scholarly/Refereed Status: Per Ulrich’s, this journal is both refereed and peer reviewed. In addition, it is intended for an academic and scholarly audience.

Entry 3:


Abstract: “The objective of this article is twofold. First, to advance the understanding of the USA PATRIOT Act and the practical application of the law, in particular the Foreign Intelligence Surveillance Act of 1978 (FISA) and the Foreign Intelligence Surveillance Court (FISC) processes. … Second, to explore in detail the controversy that was sparked by [Attorney General John] Ashcroft’s September 2003 speech … where he dismissed the ALA’s concerns about the USA PATRIOT Act as “baseless hysteria.” … [The] FISC process, the congressional oversight measures, and the sunset provisions of the USA PATRIOT Act provide evidence that checks and balances are in place and the likelihood of abuse of library patrons’ rights is very slim.”

Annotation: While the author recognizes that the USA PATRIOT Act and similar legislation is a legitimate cause of concern for librarians, she asserts that the sundown clauses, legal clarification and legislative red tape are enough of a deterrent to government officials that they will only seek information that is truly necessary to ensure national security. Coolidge’s analysis of the legislation is unbiased and she presents legitimate arguments for each party.
**Search Strategy:** I decided to do a general search through Library Literature & Information Science Full Text to get general information on the USA PATRIOT Act. I elected to begin with this database because of its focus on library issues and its inclusion of full text articles in the database. Since this was a general introductory search, I used a keyword searching approach.

**Database:** Library Literature & Information Science Full Text

**Method of Searching:** Keyword searching

**Search String:**
- USA PATRIOT Act AND libr*
- Full text
- Published 2001-2012
- Scholarly (Peer Reviewed) Journals

**Scholarly/Refereed Status:** In addition to being included as a scholarly (peer reviewed) source in Library Literature & Information Full Text, this item is noted as a scholarly/academic journal per Ulrich’s.

**Entry 4:**


**Abstract:** “Libraries have always had the capability and need to collect information about their borrowers. Originally this information was used merely to keep track of the books or other items that a given library user had checked out. … [The] number of possible ways to collect data has increased greatly over the last 15 years. Today, user data can be obtained from a number of library systems and services. … [Neither] state laws nor the policies of library associations have kept pace with these changes. … The privacy tightrope stretches between the libraries’ protection of user privacy and their fulfillment of institutional mission and goals. … Libraries clearly have a dual responsibility to their users: to protect their privacy while building collections to best meet their needs. … [All] libraries must have a suite of policies relating to privacy, … libraries must educate their users concerning privacy issues, … [and] individual library privacy policies and association guidelines need to be more responsive to technological changes.

**Annotation:** Coombs was the first author I came across to specifically mention the conflict between the goals of an academic institution and the steps libraries must take to protect user privacy. She also goes into great detail about the issues of vendor contracts, ease of access, and technological changes, all of which can clash with these values and present issues for privacy. This article, unlike others, does not discuss policies and laws but examines the real-world issues academic libraries deal with.
Search Strategy: I decided to try and use Summon to see if I was missing any major articles through my previous searches. This article was located while I was exploring the capabilities of its many limiters.

Database: Summon

Method of Searching: Browsing

Search String: (information science & library science OR libraries OR library science OR students OR information technology OR colleges & universities OR ethics OR privacy OR laws, regulations and rules OR academic libraries OR education OR united states) Items will full text online
Exclude articles from scholarly publications, including peer review
Exclude Newspaper Articles
Journal Article
Exclude Book Review
Exclude Trade Publication Article
Exclude Conference Proceeding

Scholarly/Refereed Status: Per Ulrich’s, this journal is both refereed and peer reviewed. In addition, it is intended for an academic and scholarly audience.

Entry 5:


Abstract: “Adoption of technology in academic libraries sets up circumstances for collection of personal patron information and records of patron information-seeking behavior not possible in the pre-digital library. Even if collected unintentionally, this information may then be seized by law enforcement officials for criminal investigations. Passage of the USA PATRIOT Act has lowered the standards for obtaining search warrants that had previously been set by American legal precedent. This article describes potential situations where patron privacy can be endangered by the presence of information technology and how librarians can protect patron information and prepare patrons for safe information seeking in the online world.”

Annotation: This article is a great summary of the ambiguity of privacy laws and regulations in an academic setting. The author also notes that the professional obligations of librarians may not match the professional obligations of other people who have access to library data. An outline of her own real-world privacy conflict further illustrates the confusion involved in who has rights to what information, and what should be protected for the sake of privacy.

Search Strategy: I began searching Dialog’s INFOSCI set of databases for information on privacy in an academic setting, and came across this article when I
narrowed down my search to articles about the United States. I accessed the record for the item through Dialog, and the actual article by going to the journal through Hagerty Library’s website.

**Database:** ERIC [Dialog]

**Method of Searching:** Keyword searching

**Search String:**
```
b INFOSCI
ss (privacy()polic? OR user()privacy OR patriot()act OR privacy) AND
(academic()librar? OR university()librar? OR college()librar?)
s s20 AND (United States or USA or U.S.)
rd
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**Scholarly/Refereed Status:** This item is noted as a scholarly/academic journal per Ulrich’s.

**Entry 6:**


**Abstract:** “The collection and analysis of personal information under the Foreign Intelligence Surveillance Act (FISA) has been significantly altered by the U.S.A. Patriot Act, and a proposed enhancement to the Patriot Act would create further changes. This article examines the original intent and scope of FISA, how the Patriot Act has dramatically modified the scope and meaning of FISA, and how the Patriot enhancement, if it were to be enacted into law, would create further significant alterations to FISA. The article explores the impact of these changes on information policy, especially in terms of the collection and analysis of personal information. The implications of these changes to FISA are examined in terms of a number of sources of personal information, including e-government, electronic and transactional records, and libraries. Finally, this article discusses the difficulty in determining the practical effects of these changes to FISA.”

**Annotation:** The authors assess the USA PATRIOT Act in terms of its effect on libraries, and analyze the changes the Act has made to its predecessor, FISA. They also accurately note that the very provisions of the act make accurately analyzing its depth and scope nearly impossible.

**Search Strategy:** Many of the articles I came across mentioned both the USA Patriot Act and an earlier piece of legislation known as FISA. I decided to search Dialog for more information about the connection between both, as well as their connection to the library environment. I was able to locate the full text of this article through ScienceDirect Freedom Connection 2012, which I accessed through Hagerty Library’s website.
Database: INSPEC [Dialog]

Method of Searching: Keyword searching

Search String: b INFOSCI
b 1, 2, 6, 7, 438
s (USA()Patriot()Act OR Patriot()act) AND FISA
set detail on
rd
t s2/7/1-11

Scholarly/Refereed Status: This item is noted as a scholarly/academic journal per Ulrich’s.

Entry 7:


Abstract: “Online courses have become an important part of the academic offerings of many institutions of higher education in the United States. However, the homeland security laws and regulations enacted since September 2001, including the USA PATRIOT Act, have created serious limitations on the ability of international students studying in the United States to participate in online educational opportunities. Placing online education within the context of the mutually beneficial relationships between international students and the United States, this article examines the assumptions and the impacts of these regulations on the students and the institutions of higher education. This article explores the enrollment limitations in online courses for international students in terms of information policy and concepts of presence and identity in online environments, offering an examination of the implications of this issue for education and information in United States.”

Annotation: The authors explore how enactment of the USA PATRIOT Act has changed not only what information can be collected on people, but what can be done with it. One can assume based on their conclusions that both the schools and their libraries hosting physical or online international students would not be exempt from this data collection and seizure under the Act.

Search Strategy: I began searching Dialog’s INFOSCI set of databases for information on privacy in an academic setting, and came across this article when I narrowed down my search to articles about the United States. I accessed the record for the item through Dialog, and the actual article by going directly to the journal through Hagerty Library’s website, though the journal is freely available online.

Database: ERIC [Dialog]
Method of Searching: Keyword searching

Search String: ss (privacy()polic? OR user()privacy OR patriot()act OR privacy) AND (academic()librar? OR university()librar? OR college()librar?) s s20 AND (United States or USA or U.S.) rd t 22/9/101-143

Scholarly/Refereed Status: This item is noted as a scholarly/academic journal per Ulrich’s.

Entry 8:


Abstract: “While the USA PATRIOT Act has altered how certain types of federal intelligence investigations affect libraries, the act also greatly alters how researchers can study information policy issues related to libraries. To date, the gravity and scope of the act’s implications for researchers of library services, resources, operations, and policies have not been discussed widely. Researchers now must account for questions they cannot ask, or may not be able to ask, during the course of information policy research related to libraries. This article examines how the multiple impacts of the USA PATRIOT Act on libraries extend to researchers of library services, resources, operations, and policies, placing the current situation in historical context. These limitations, in turn, affect all libraries, as the findings of information policy research often have serious implications for the functions of libraries. This article discusses the myriad issues and research questions created by the USA PATRIOT Act for researchers, as well as the potential implications of these questions.”

Annotation: The focus of this article is on section 215 of the Act, which places a gag order on library staff from disclosing the subject, contents, or even existence of a national security investigation at the library. The authors’ discussion of possible research topics and the issues of researching them without legal ramifications is the only one of its kind that I was able locate during the course of its project; their suggestions are perhaps overly cautious but worth examining.

Search Strategy: Paul T Jaeger’s name came up a lot while I was searching for articles, so I used Dialog’s INFOSCI set of databases to search for articles he wrote or co-wrote. I was able to find the full text of the article by searching for the journal on Hagerty Library’s website, and then viewing it through University of Chicago Press Journals.

Database: ERIC [Dialog]
Entry 9:


Abstract: “Vermont library directors estimated they received at least 1228 requests for patron information in the last year. In spite of these requests and heightened awareness about threats to confidentiality posed by the USA PATRIOT Act, fewer than half of the state's public and academic libraries have written patron confidentiality policies. The policies that do exist were recently updated and most prohibit release of information without a binding legal document. However, only half require an attorney's review of such documents. Libraries with larger numbers of personnel and with directors holding MLS degrees are more likely to have policies. The absence of policies does not appear to indicate a lack of belief in the importance of confidentiality; a vast majority of library directors support strengthening the state law.”

Annotation: The author asserts correctly that libraries need to stay away from “unwritten rules” of privacy and put in place a written, public, and easy-to-follow privacy and confidentiality policy. She also notes that academic libraries studied are among those less likely to be approached for patron information, but still need to consider implementing a privacy policy if they have not done so. The only downside to this study is that it only collected information on libraries in Vermont.

Search Strategy: I narrowed down my Dialog search to databases both within and outside of the INFOSCI recommended Library Science resources. I also made sure to include a location keyword, since I was having trouble finding sources relevant to the United States.
Entry 10:


**Abstract:** “The USA PATRIOT Act (USAPA) celebrated its sixth anniversary in 2007 as an omnibus measure for granting expanded authority to federal officials for monitoring and intercepting communications in all formats. The great majority of USAPA is now permanent law, with only two of its original 16 sections operating under sunset clauses. One of those sections is the controversial 215, which grants greater access to “any tangible item” via Foreign Intelligence Surveillance Act (FISA) request procedures. Librarians interpreted that clause to include their records on patron activity and have therefore vigorously protested the federal government's challenge to their professional ethics and their patrons' privacy. It is a measure of their successful resistance that Section 215 remains open to review until 31 December 2009 and that the federal government felt obliged to specifically cite libraries as exempt from being issued National Security Letters (NSL). It is a measure of how far libraries have yet to go that the federal government still claims libraries are not “electronic communication service providers” and therefore not eligible to be served with NSLs, a position not held by any other concerned entity. As in so many other aspects of American culture since 11 September 2001, the struggle between individual liberties and national security continues.”

**Annotation:** This article focuses on the four parts of the PATRIOT Act with specific relevance to libraries, the most discussed of which is Article 215. The author asserts that this is one of the most dangerous provisions of the Act to library activities, and examines the plight of the Connecticut John Does to back up her point. This, rather than the discussion of the Article itself, made the paper a valuable resource.

**Search Strategy:** I decided to do a general search through Library Literature & Information Science Full Text to get general information on the USA PATRIOT Act. I elected to begin with this database because of its focus on library issues and its inclusion of full text articles in the database. Since this was a general introductory search, I used a keyword searching approach.

**Database:** Library Literature & Information Science Full Text

**Method of Searching:** Keyword searching

**Abstract:** “It has become a truism in America to observe that everything changed after the events of September 11, 2001. The signs of change, both physical and psychological, can be observed everywhere. The library community is, of course, as much affected as the rest of society by the changes in our social fabric. We are particularly affected, however, by one set of legal initiatives known as the USA PATRIOT Act. This law, enacted by Congress in the shadow of the terrorist attack, has occasioned intense debate among librarians, journalists, and booksellers across the nation. I propose that our debates and discussions are driven by a sense of conflict arising from the provisions of the Act in relation to other ideals. My own discipline of philosophy suggests some ways of evaluating that conflict and coming to resolution, at least in our own individual minds.”

**Annotation:** This article provides suggestions for how libraries will handle information inquiries allowed by the USA PATRIOT Act. While they are helpful discussion starters, they offer little in the way of practical advice - even the author notes that such choices are subjective, and he offers no conclusions about the results of such analysis.

**Search Strategy:** I decided to do a general search through Library Literature & Information Science Full Text to get general information on the USA PATRIOT Act. I elected to begin with this database because of its focus on library issues and its inclusion of full text articles in the database. Since this was a general introductory search, I used a keyword searching approach.

**Database:** Library Literature & Information Science Full Text

**Method of Searching:** Keyword searching

**Search String:** USA PATRIOT Act AND libr*

**Published 2001-2012**

**Scholarly (Peer Reviewed) Journals**

**Scholarly/Refereed Status:** This item is noted as a scholarly/academic journal per Ulrich’s.
Entry 12:


**Abstract:** “The library community possesses a decades-long history of trying to protect the privacy and confidentiality of library users. The American Library Association (ALA) incorporated this sense of privacy into the ALA Code of Ethics in the early 1960s. This dedication to privacy has faced, and continues to face, challenges from private citizens, the law enforcement community, and numerous technological developments. Among these technological developments can be included the introduction of digital reference services to library users. An important by-product of these services are digital reference records that challenge users' expectation of privacy. This article will attempt to show the relationships between privacy and digital reference records, how privacy can be compromised in the digital reference environment, and what actions librarians can take to maintain the privacy of these records.”

**Annotation:** This article outlines privacy concerns and solutions for digital reference, many methods of which are common in academic settings. He too emphasizes the importance of a privacy policy, and also goes into detail on why privacy protection for often trivial information requests is so important, something other articles have not covered.

**Search Strategy:** I decided to do a general search through Library Literature & Information Science Full Text to get general information on libraries and the USA PATRIOT Act. I elected to begin with this database because of its focus on library issues and its inclusion of full text articles in the database. Since this was a general introductory search, I used a keyword searching approach.

**Database:** Library Literature & Information Science Full Text

**Method of Searching:** Keyword searching

**Search String:** USA PATRIOT Act AND libr*

**Scholarly/Refereed Status:** This item is noted as a scholarly/academic journal per Ulrich’s.

Entry 13:

Abstract: “Two months into America's war against international terrorism, many wonder where, when and how the United States' military campaign might be won. … this domestic war is far different from the experience of an armed invasion or the launch of enemy missiles or planes. Instead of a clash of armies (or navies) with clear demarcations between the battlefront and areas of non-combatants, every aspect of American has now been militarized. Armed forces now patrol all aspects of public life (airports, government centers, train stations, major buildings, the air space over major metropolitan areas, as well increased patrols on the nation's waterways and coasts). … [Libraries] have contributed to previous war efforts through the use of their buildings as community centers, or by posting and distributing public information about the war effort. And in this age of global communications, that is where libraries can continue to try and make a difference.”

Annotation: This article concisely explains the Catch-22 of libraries during the War on Terror and following the passage of the USA PATRIOT Act - libraries are both providers of information and comfort during this time, but also under suspicion for providing access to information that is too free. I found it interesting that the article, published in early 2002, was accurate in predicting the restriction of anonymous use of resources in academic libraries.

Search Strategy: This article was referenced in another article I was examining for this project. I found the full text in Library Literature Information Science Full Text through Hagerty Library’s website.

Database: N/A

Method of Searching: Footnote chasing

Search String: Referenced in:

Scholarly/Refereed Status: Per Ulrich’s, this journal is both refereed and peer reviewed. In addition, it is intended for an academic and scholarly audience.

Entry 14:


Abstract: “The September 11, 2001, terrorist attacks launched the United States into a new era of defensive preparedness. The U.S. federal government’s first legislative action in October 2001 was the passage of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act). The USA
PATRIOT Act introduced a greatly heightened level of government intrusion into many aspects of ordinary life, including library use. When, in the past, authorities called upon the library profession to serve national security interests in these ways, individual librarians and the profession as a whole have experienced an evolving tension between their roles as guardians of public well-being and as protectors of intellectual freedom. This is a fundamental issue, one that reflects upon the profession’s view of itself and of its place in American life. Librarians once again face this challenge. An inquiry into the similarities and differences with the past may aid in suggesting a response that is both professionally sound and individually appropriate.”

Annotation: This article presents a thorough history of information and privacy legislation as they pertain to libraries. I would have liked to see more information on the connection between FISA and the USA PATRIOT Act, since they are so closely intertwined and the author goes into a great deal of detail on USA PATRIOT Act and how to deal with it in a library setting.

Search Strategy: I decided to do a general search through the website for First Monday, a peer reviewed online-only journal.

Database: N/A

Method of Searching: Keyword searching

Search String: USA PATRIOT Act

Scholarly/Refereed Status: This item is noted as a scholarly/academic journal per Ulrich’s.

Conclusion and Personal Statement

The information provided in the preceding bibliography invites as many questions as it answers. Given the gag orders as part of the PATRIOT Act, it is nearly impossible to tell how many academic libraries have dealt with information inquiries and what type of information was requested.

The soundest suggestions presented for dealing with this sort of investigation are to resist wherever possible, and not hand information over to anyone without a warrant, or at least an understanding of the laws governing such seizures. In addition, a public and easily accessible privacy policy makes it clear to anyone using library resources that 1) the library will do whatever it can to keep your personal information confidential and 2) even in light of this, be mindful of your actions, since they may be subject to scrutiny at any time.
In terms of research, more is needed on the effects of the USA PATRIOT Act on academic libraries, though it may be some time before permanent gag orders are lifted and anything is published on the subject.

Researching this project was a bit tricky. There are many government resources that would have been informative to included but were left out since they do not count as scholarly or academic resources. Dialog proved to be the most useful database to search due to its malleable search feature, and footnote chasing proved I was on the right track - almost all of these articles referenced a handful of the others.

I certify that:

- This assignment is entirely my own work.
- I have not quoted the words of any other person from a printed source or website without indicating what has been quoted and providing an appropriate citation.
- I have not submitted this assignment to satisfy the requirements of any other course.

Signature    Amanda S. Palmer
Date         3-17-12