

**Resolution Concerning Executive Order 13,233 "Further Implementation of the Presidential Records Act"**

- WHEREAS, the people's right of access to government information is the cornerstone of our democratic society; and
- WHEREAS, public access to government information is vital to maintaining governmental accountability; and
- WHEREAS, the public's right of access to information concerning the activities of its government is better served when ownership of the records of public officials is vested in the public; and
- WHEREAS, the Presidential Records Act of 1978 (PRA), 44 U.S.C. 2201-2207, establishes the public ownership of presidential records and requires that restrictions to their access be of limited duration and not to exceed twelve years; and
- WHEREAS, The Presidential Records Act requires that any restrictions to their access meet clearly defined statutory criteria; and
- WHEREAS, Executive Order 13,233 effectively denies the public's legitimate right of access to presidential records under the PRA by giving incumbent and former presidents expanded veto power over any public release of materials by the Archivist of the United States; and
- WHEREAS, the Executive Order restricts the public's access to information by invoking vastly expanded assertions of Constitutional executive privilege over public information; now, therefore, be it
- RESOLVED, that ALA urge Congress to reaffirm the principles of public access embodied in the Presidential Records Act of 1978; and be it further
- RESOLVED, that ALA urge Congress to amend the Presidential Records Act as necessary to reaffirm the intent of Congress that Presidential records be made generally available to the public with limited statutory restrictions by the end of twelve years.

Initiated by: GODORT  
Endorsed by: COL January 21, 2002  
Endorsed by: IFC January 21, 2002  
Policy: 51.5  
Prior History: n/a