Draft Principles
For the Implementation of
CIPA-Mandated Filtering in Public Libraries

By next summer, thousands of communities across America must decide whether to filter library access to the Internet, and if so how. The Supreme Court's decision upholding the Children's Internet Protection Act means that libraries receiving certain federal funds to provide Internet access must put in place filters that block access to certain types of content.

The Center for Democracy and Technology continues to believe that while filters can serve as a useful tool to tailor the online experience when used voluntarily by families, their mandated use by government does not promote the interests of free expression and open access to the Internet.

However, libraries now face a mandate from the federal government. For those that choose to receive the relevant funding, it is critically important that filtering be carried out in a manner that is, as much as possible, consistent with the role of libraries as centers of information and consistent with the needs of users for rich access to resources, research and information. While filters are deployed in a variety of settings, many of which have quite different objectives and requirements, it is imperative that those implemented in libraries be tailored to specifically serve that environment.

As a first step in articulating the interests of users in library-appropriate filtering, we propose below a set of draft principles that would guide libraries and communities as they implement filtering systems.

1. Adults Internet Users Have the Right to Avoid Filtering and Blocking.

1.1 Adult users should have ultimate control over Internet filters. Adults should be able to have a filter disabled anonymously, quickly, and without explanation.

1.2 Libraries should provide adult users with clear and conspicuous information about how filters may be disabled or how a block may be removed both prior to Internet usage and at the time a web site is blocked.

1.3 Adult users should not be required to provide an explanation to obtain access to an unfiltered computer.

1.4 Adult users should be able to have an Internet filter disabled at any time, including in advance of an Internet session or in the middle of a session. Disabling of a filter should persist for the amount of time required by the user.

1.5 Adult users should have a means to obtain unfiltered access that persists for a period of time such as a month or a year.

2. Blocking of Internet Sites Should be Limited.

2.1 Blocking should be limited to categories of content specifically set out in the CIPA statute.

2.2 Ideally, the marketplace should make available a range of filtering products tailored for use by libraries that enable local libraries to select filters that comport with their communities' standards while fostering an open library and the free flow of information.

2.3 Certain broad categories of content, among them journalistic content, medical information, education and public awareness should be exempted from filtering, even if content involves a sexually-oriented subject or contains visual depictions of sexual activity.

2.4 Libraries and communities should be able to tailor filtering through use of white lists – lists of sites that filters do not block. Each local library should be able to create a white list based on the needs and requirements of its community.

3. Blocking of Content by Filters Should be Transparent.

3.1 As much as possible, libraries should seek community input and involvement in making decisions about what kind of filters the library uses.

3.2 Information about the ongoing blocking of content by filters required by CIPA should be made available to library users and communities. Users and communities should have access to information about categories of blocked content, lists of blocked sites, the extent to which filters can be adjusted and fine-tuned and the manner in which filters block content. Opportunity for public review and comment on filtering practices and products used by libraries must be made available.

3.3 Users should receive clear, conspicuous notice that they are being blocked from viewing material at the time the blocking occurs.

4. The Privacy and Anonymity of Users Should be Preserved.

4.1 Users should be able to access and use the Internet anonymously. Filtering software should not track and/or record sites visited by users.

4.2 Users' requests to have sites unblocked or filters removed should not be recorded in any way that can be linked to the users' identities.

CDT encourages the input of interested parties about these draft principles. For more information, or to provide comment, please contact Paula Bruening (pbruening@cdt.org), John Morris (jmorris@cdt.org, or Alan Davidson at (202) 637-9800.