



Legislation Text

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Res. No. 2009

Resolution calling upon the appropriate Committee of the Council to conduct a hearing to assess what actions the New York Public Library, the Brooklyn Public Library and the Queens Borough Public Library are taking to move toward compliance with the federal Children's Internet Protection Act (CIPA).

By Council Members Oddo, Clarke, Moskowitz, Golden and Stabile; also Council Members Foster, Harrison, Marshall and Abel

Whereas, Under the federal Children's Internet Protection Act (CIPA) enacted in December 2000, all schools and libraries that take advantage of E-rate discounts or receive certain funding under the Museum and Library Services Act or the Elementary and Secondary Education Act will have to adopt an internet safety policy that incorporates use of filtering software on computers with Internet access; and

Whereas, The Universal Service Program for Schools and Libraries, a part of the Telecommunications Act of 1996, was created to provide affordable access to the internet for schools and libraries, particularly those in rural areas and the inner city; and

Whereas, The E-rate program is designed to offer discount rates for telecommunications services of between 20% and 90% based on the economic needs of the requesting school's or library's community; and

Whereas, The three public library systems throughout the City of New York receive substantial financial reimbursement from the E-rate program; and

Whereas, Under the Children's Internet Protection Act, the technology protection measure, i.e., filtering software, should be implemented to prevent access to visual depictions that are obscene, child pornography, or are harmful to minors; and

Whereas, Authorized personnel may disable the technology protection measure during use by adults to provide access for legitimate research or other lawful purposes; and

Whereas, The technology protection measure may not be disabled for minors; and

Whereas, A provision of the Children's Internet Protection Act, also contains the Neighborhood Children's Protection Act (NCIPA) which stipulates that the Library's Internet Policy must include language that addresses access by minors to inappropriate matters on the internet, safety and security of minors when using electronic mail and chat rooms; unauthorized disclosure, use and dissemination of personal identification information of minors; and measures designed to restrict access by minors to materials harmful to them; and

Whereas, A recent survey by the Crimes Against Children Research Center at the University of New Hampshire found that nearly one in five children who go online say they experienced at least one unwanted sexual advance in cyberspace; and

Whereas, The Federal Communications Commission (FCC) released regulations regarding CIPA compliance on April 5, 2001 that became effective on April 20, 2001; and

Whereas, On October 28, 2001, libraries receiving E-rate discounts must certify to the FCC that they are in compliance with CIPA requirements or are taking actions to put in place an internet safety policy that meets such requirements; and

Whereas, The New York Public Library reported 13,145,709 users at its branches in Fiscal Year 1999, and was eligible for a system-wide discount of 80% on telecommunication costs through the E-rate program; and

Whereas, Similarly, the Brooklyn Public Library is eligible for an 85% discount on telecommunications costs; and

Whereas, If libraries and schools receiving E-rate discounts do not comply with the Children's Internet Protection Act, they will no longer be eligible to receive discounts on telecommunications charges available through the E-rate program or other federal funding for grants; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the appropriate Committee to conduct an oversight hearing to assess what actions the New York Public Library, the Brooklyn Public Library and the Queens Borough Public Library are taking to move toward compliance with the federal Children's Internet Protection Act (CIPA).

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