

ALA Committee Report Form

TO: ALA Council

RE:

- ACTION REQUESTED
- INFORMATION
- REPORT

ACTION REQUESTED BY:

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DATE: June 3, 2022

BACKGROUND: COL report to Council

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2022 ALA CD#
2022 ALA Annual Council Meeting
ALA Committee on Legislation

Report to Council
2022 ALA Annual Council Meeting
Joseph Thompson, Chair—ALA Committee on Legislation (COL)
June 3, 2022

COL committee members: Joseph Thompson (Chair), Brandon Wright Adler, Sara Dallas, Deborah Doyle, Jessica Sheara Epstein, Lori Fisher, Ed Garcia, Charles Kratz, Kathleen Peiffer, Kent Oliver, Nicole Robinson, Eric Suess, Julia Warga, Bradley Wiles, Emily Finch, Sarah Landeryou.

FEDERAL LEGISLATION AND POLICY UPDATES

The Committee on Legislation continues to work closely with the Public Policy and Advocacy team to advance ALA's public policy priorities on Capitol Hill. Recent highlights include:

Library Funding: FY 2022 Appropriations concludes

The \$1.5 trillion [Fiscal Year \(FY\) 2022 funding package](#) signed on March 11 by President Biden brought the annual appropriations cycle (on pause since October 1) to a disheartening close. A final budget agreement between the administration and House and Senate leadership resulted in funding for many library programs (and most domestic programs) below levels originally proposed by the House of Representatives last summer (see [ALA's FY 2022 federal funding for libraries chart](#)). The final FY 2022 funding level for LSTA was \$197.5 million, level funding over the previous year's level (FY 2021), despite the earlier House recommendation of \$206 million. Overall funding for IMLS, the administrative agency for LSTA, was \$268 million, an \$11 million increase over FY 2021.

Also included in the increase for IMLS was \$2 million for an Information Literacy Task Force. The details of the Task Force should be announced in the coming weeks.

The Innovative Approaches to Literacy program received a modest \$1 million increase, providing \$29 million for the program. Administered by the Department of Education, the program provides funding for school librarian literacy training, book distribution to young students and other literacy supports for high-needs school districts. Late last year, the [Department announced a round of two- and three-year grants](#).

Library Funding: FY 2023 appropriations campaign kicks off

The conclusion of the FY 2022 budget cycle, nearly six months behind schedule, resulted in a compacted and rushed launch of the FY 2023 #FundLibraries campaign. PPA staff projects that Congress will not complete its FY 2023 funding bills until after the November elections.

The president submitted his FY 2023 budget request to Congress in March 2022, less than two weeks after concluding the previous year's budget. The [president included a recommended increase for LSTA](#)

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of \$3.5 million (to \$201.0 million) and for IMLS of nearly \$9 million (to \$276.8 million) as well as a \$1 million decrease for IAL funding (\$28 million).

The launch of the annual House Dear Appropriator letter campaign started on a tragic note with the sudden passing of Rep. Don Young (R-AK), a House Republican library champion and longtime co-lead on both the LSTA and IAL letters. With less than a week to act, PPA staff identified two Republican offices willing to pick up the work begun by Rep. Young. Rep. Peter Meijer (R-MI) agreed to join Rep. Raul Grijavla (D-AZ) as leads on the LSTA letter. Rep. Meijer and Rep. Don Bacon (R-NE) agreed to join Reps. Eddie Bernice Johnson (D-TX) and Jim McGovern (D-MA) as leads on the House IAL letters. ALA member advocates responded quickly to our calls to action to deliver the message that Representatives should sign the LSTA and IAL letters. The LSTA letter received 100 signatures (nearly matching last year) while the IAL letter ended with 85 signatures (a slight drop from last year).

The Senate Dear Appropriator campaign allowed for an additional few weeks to secure signatures. The LSTA letter was led again by Senators Jack Reed (D-RI) and Susan Collins (R-ME) and ended with 47 signatures matching last year. The IAL letter was again led by Senators Reed and Debbie Stabenow (D-MI) and ended with 36 signatures, two more than last year.

ALA included a new funding request of Congress for FY 2023 to allocate at least \$20 million for new funding for improving library facilities. Current funding under LSTA does not support renovation or construction of library buildings. However, many libraries, particularly in rural and underserved communities, have significant facilities needs, including outdated and undersized library buildings, health and safety issues, accessibility barriers, and needed structural repairs. Nationwide, public libraries need an estimated \$32 billion for renovation and construction. PPA staff continues to urge congressional appropriators to provide new funding to begin to address this significant need, following the groundwork for the [Build America's Libraries Act](#).

ALA hosts third annual Fly-In

For the second year in a row, ALA organized an appropriations-targeted Virtual Fly-In before the FY 2023 congressional budget cycle. In early March, ALA advocates participated in more than 90 meetings with congressional offices to urge funding of \$232 million for LSTA and \$50 million for IAL. PPA staff provided advocates with an in-depth briefing, talking points, leave-behind material and scheduled appointments. Many members of the Committee participated in the event.

Advocacy for library infrastructure and sustainability continues

PPA has continued to advocate for federal resources to improve library facilities and their sustainability, such as the Build America's Libraries Act (S.127/H.R.1581). On March 29, in response to the White House's fiscal year 2023 budget request, [ALA welcomed the administration's proposal to create a new Office of School Infrastructure and Sustainability](#) within the Education Department, to facilitate funding and resources for improving school facilities, which include school libraries. On May 18, the [Re]Build America's School Infrastructure Coalition, which ALA is a member of, [applauded the House Education and Labor Committee's approval of the Rebuild America's School's Act \(H.R. 604\)](#), which would authorize new funding to modernize school campuses, including school libraries.

eBOOKS

Advocacy for digital books moves to the states

Eight states have active legislation or definitive efforts to improve digital book access for libraries. Most prominent is Maryland, having enacted legislation and a law that is preliminarily enjoined by the U.S. District Court for the District of Maryland. Federal Judge Deborah L. Boardman approved the motion for a [preliminary injunction on Maryland's law on February 16](#). Hence, the Maryland law is now

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suspended, pending further action by the court. The other currently engaged states are [Connecticut](#), [Illinois](#), [Massachusetts](#), [Missouri](#), New York, [Rhode Island](#), and [Tennessee](#).

PPA has provided counsel or testimony in several states, in collaboration with the respective state chapters. In terms of awareness, education, visibility and reputation, the various state actions have been quite favorable for libraries. PPA is developing recommendations and guidance to aid state efforts, especially looking ahead to the 2023 legislative sessions, which is expected to be available in summer 2022.

DIGITAL INCLUSION

ALA, coalition win Emergency Connectivity Fund application extension

Nearly 1,000 public libraries benefited from nearly \$185 million in the first two rounds of funding in 2021, which ALA had advocated for with Congress and the FCC as part of the American Rescue Plan Act (ARPA). [ALA joined other coalition members](#) in successfully advocating for the extension of the federal [Emergency Connectivity Fund](#). A third and final application window was made available to library and school applicants in spring 2022.

ALA prepares advocates to access Digital Equity Act funds

Following meetings with federal staff about Infrastructure Investment and Jobs Act (IIJA) programs, [ALA filed comments with the National Telecommunications and Information Administration \(NTIA\)](#) in February 2022 to raise the profile of libraries and make recommendations for guidelines to be issued by the agency later in the year. ALA also collaborated with coalition partners to increase awareness of the programs among library audiences. ALA consultant Michelle Frisque spoke on a webinar, [Next Steps for IIJA Broadband Programs](#), about the many ways libraries advance digital inclusion and how they are valuable partners in government efforts to bridge the digital divide through the IIJA. ALA and PLA co-sponsored the [Gearing Up for the Digital Equity Act with Libraries](#) with the National Skills Coalition in mid-April.

FCC expands E-rate for tribal libraries

ALA and the Association of Tribal Archives, Libraries and Museums (ATALM) praised the FCC's unanimous vote to update the definition of "library" to clarify that tribal libraries are fully eligible for the federal E-rate program ([press release](#)). The decision is the result of nearly a decade of advocacy to change the policy.

ALA opposes new E-rate portal

The Federal Communications Commission (FCC) is proposing a centralized portal for telecommunications company bids in the E-rate program. ALA vigorously opposes the proposal and [submitted comments to the FCC](#) in addition to signing onto the [SHLB Coalition](#).

ALA Promotes Public Service Loan Forgiveness programs

PPA is [encouraging library workers with federal student loans](#) to review their eligibility under the U.S. Department of Education's Public Service Loan Forgiveness (PSLF) program. Library workers in all public and nonprofit institutions—including school, public, academic and other libraries—with federal student loans may be eligible for a special limited waiver, which ends October 1, 2022. PPA created a web page of [resources for library workers](#), promoted a [webinar series ALA sponsored as part of the PSLF Coalition](#) and worked with American Libraries to produce an article, "[Recognition and Relief: Librarians reflect on life-changing federal loan forgiveness](#)." PPA is also organizing a program at Annual Conference, "Public Service Loan Forgiveness: How Library Workers Can Save Big With This Year's Limited Waiver,"

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which is scheduled for Sunday, June 26 (11:00 a.m.-noon) in room 151B of the Washington Convention Center.

WIOA reauthorization passes House

On May 18, the [House passed the Workforce Innovation and Opportunity Act of 2022 \(HR 7309\)](#). The reauthorization bill builds on work ALA did to include libraries in the 2014 WIOA Act. WIOA 2022 explicitly authorizes public libraries to serve as affiliated one-stop sites, recognizing work already happening at the state and local level in places like Nevada, Oklahoma, and Pennsylvania. This is one of ALA's explicit asks to House committee staff and is a good start. ALA and the adult education community also are seeking to add library- and community-based career navigators to leverage library expertise in meeting people where they are and connecting them to the right resources at the right time for their specific needs. The House bill, however, was passed largely along party lines, and it is unlikely the Senate will take up the bill before the midterm elections.

Legislative Agenda

COL has continued to focus its attention on advancing the association's 2022 Legislative Agenda. The top priority issues include equitable library funding, library infrastructure and sustainability, internet access and digital inclusion, copyright, licensing and competition, and government information and services. The agenda annually highlights priorities for federal legislation, reflecting current opportunities with the greatest impact on libraries.

Tribute Resolutions

COL is submitting a Tribute Resolution to Council at ALA Annual 2022 to recognize Elyse Wasch for her lengthy career in Senator Jack Reed's office and her work in support of libraries on Capitol Hill.

COL's Government Information Subcommittee (GIS) has worked with GODORT to submit a tribute resolution to Council at ALA Annual 2022 honoring David S. Ferriero, Archivist of the United States, upon his retirement.

COL Subcommittees

The [Copyright, Legislation, Education, and Advocacy Network \(CLEAN\)](#) developed and maintains several copyright tools to help librarians and their patrons navigate various copyright issues. These tools - the Public Domain Slider, the Section 108 Spinner, the Fair Use Evaluator and the Exception for Instructors eTool available via links from the ALA website. The Public domain slider has been updated and the Copyright Genie was fixed so that things falling into the public domain this year would show up correctly as in the public domain. Members of CLEAN are presenting two sessions at Annual:

- Let's Play the Copyright Game!, 6/26/2022, 11:00 am-noon
- Copyright: Myths & Legends, 6/26/2022, 1:00-2:00 pm

Due several staff departures at Public Policy and Advocacy Office the Copyright Advisory Network (CAN) is not currently operating. The Network responds to copyright questions posed by librarians, independent creators, and copyright users. CLEAN discussions at Annual will focus on Reviving this valuable service.

The [Government Information Subcommittee \(GIS\)](#) continues to focus its work on advancing the Legislative Agenda's goal of ensuring public access to publicly-funded research and data.