

EBD #12.35
2009-2010

TO: ALA Executive Board

RE: *Report on Washington Office Activities*

ACTION REQUESTED/INFORMATION/REPORT:

For information purposes. No action requested.

ACTION REQUESTED BY:

No action requested.

CONTACT PERSON:

Emily Sheketoff, 202-628-8410, esheketoff@alawash.org

DRAFT OF MOTION:

None.

DATE: *April 2, 2010*

BACKGROUND:

See Executive Summary.

EXECUTIVE SUMMARY

OFFICE OF GOVERNMENT RELATIONS (OGR)

American Recovery and Reinvestment Act

Since the passage of the American Recovery and Reinvestment Act in February 2009, the Washington Office has been monitoring the distribution of Recovery Act, a.k.a. “stimulus,” funds to libraries. Although the expenditure of stimulus funding is at times difficult to account for, our preliminary analysis of data from the government reveals that libraries are receiving a substantial amount of funding from the Recovery Act.

This funding has and is being awarded primarily through programs within three federal agencies – the Departments of Agriculture, Commerce, and Education. In some cases, libraries are direct recipients of stimulus funds; in other instances and more often, libraries are partners with other organizations or belong to larger institutions or entities that have received stimulus funds.

Federal budget

ALA is working with Senator Jack Reed’s (D-RI) and Senator Olympia Snowe’s (R-ME) office to garner signatures on a letter that will be sent to the Senate Labor, Health and Human Services, and Education Appropriations Subcommittee. This letter requests \$300 million for the Library Services and Technology Act (LSTA) and \$100 million for Improving Literacy Through School Libraries (ILTSL). Two letters have also circulated around the House of Representatives asking for similar amounts for LSTA and ILTSL.

Community college and career training grant program

On March 30, President Obama signed the “fix healthcare bill” into law, which included \$2 billion for the Community College and Career Training Grant Program, a new Trade Adjustment Assistance (TAA) program that was created through the Department of Labor in last year’s stimulus bill but was never funded. This money will be spent at \$500 million a year for FY11-14 and will be awarded competitively. While ALA welcomes this provision, we are also disappointed. Since last summer, community college librarians and ALA have worked on a different proposal that could have included community college libraries.

ALA announces support for Digital Due Process

In late March, the ALA joined the Digital Due Process Coalition (DDP), a group that seeks to update the Electronic Communications Privacy Act (ECPA). DDP includes a diverse group of privacy advocates, major companies and think-tank’s, proposing principles to guide the updating of ECPA, the key federal law that defines the rules for government access to e-mail and private files stored in the Internet “cloud.”

Library Advocacy Day

Preparations are underway for Library Advocacy Day (LAD). ALA will host Library Advocacy Day featuring a rally at 11 a.m. June 29, 2010, on the U.S. Capitol grounds in Washington, D.C.

Google Book Search settlement update

Washington Office staff continues to monitor the court's activities in response to the proposed Google Book Search (GBS) settlement. On February 18, 2010, U.S. District Court Judge Chin listened to oral arguments in a New York City courtroom from more than two dozen parties as part of the final settlement/fairness hearing on the amended settlement agreement reached by the Authors Guild, the Association of American Publishers and Google in an attempt to resolve the class-action lawsuit brought by the authors and publishers against Google in 2005.

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Release of *Making Connections: Lessons from Five Shared Library Networks*

OITP released *Making Connections: Lessons from Five Shared Library Networks* – profiles of five library networks that have, through varying approaches, successfully upgraded their broadband connectivity. The case studies of these five networks reveal lessons learned that may be instructive for other libraries seeking to establish successful networks.

Webinars on broadband stimulus funding programs

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Summaries of successful first-round broadband stimulus grants

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into these successful applications. Highlights include a brief project description, the projected budget and federal award, a project development discussion, and lessons learned.

Three library programs recognized for best use of cutting-edge technologies

In June 2009, OITP and the subcommittee for its Program on America's Libraries for the 21st Century issued a call for nominations for best library practices using cutting-edge technology to showcase libraries that are serving their communities with novel and innovative methods. OITP has since recognized Contra Costa County Library in Pleasant Hill, Calif.; North Carolina State University Libraries in Raleigh, N.C.; and Jones Library in Amherst, Mass., for their use of cutting-edge technologies in library services.

March 2nd SSRC/FCC/ALA event on Capitol Hill

The American Library Association hosted an event in the Rayburn House Office Building on Capitol Hill to unveil the Federal Communications Commission (FCC) and the Social Science Research Council (SSRC) study findings of the SSRC report *Broadband Adoption in Low-Income Communities* on March 2.

OITP announces 2010 L. Ray Patterson award winner

This winner of this year's L. Ray Patterson Award is Fred von Lohmann. Mr. von Lohmann has a long history working in support of balanced copyright policy, with a particular focus on the interests of users and libraries. He is a senior staff attorney with the Electronic Frontier Foundation where he focuses on copyright and intellectual property issues.

OGR and OITP JOINT ACTIVITIES

National Broadband Plan

The Federal Communications Commission released the National Broadband Plan on March 16. OITP conducted an initial analysis of the plan and concluded that several initiatives should be supported, whereas others are good concepts but call for additional measures to ensure that the library community is well served. Discussions on the plan continue in anticipation of the many requests for information (Notices of Proposed Rulemaking) expected to be released beginning in April.

In anticipation of the release of the plan, OITP hosted an all-day meeting on February 22 to discuss expected proposals to modify the E-rate program. Members of the E-rate Task Force, consultants and ALA staff attended. Key topics included simplification, raising the funding cap, and proposals to expand the eligible entities and services for the E-rate program.

ALA Washington Office has been working on several aspects of the National Broadband Plan (NBP), including participating in discussions with other "anchor institutions" about whether or not there is a role for a coordinating function of some type. The Schools, Health and Libraries Broadband (SHLB) Coalition, which includes schools (K-12 and higher education), healthcare

providers, as well as the ALA and other library representatives, has started a series of discussions about if or how to work together to bring broadband connectivity into all communities. The idea of a “United Community Access Network” (UCAN) was referenced in the NBP although there are few specifics. Other groups involved with SHLB include Internet2, National LambdaRail, the Association of Research Libraries, the American Association of Community Colleges, and EDUCAUSE. Discussions are ongoing.

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This funding has and is being awarded primarily through programs within three federal agencies – the Departments of Agriculture, Commerce, and Education. In some cases, libraries are direct recipients of stimulus funds; in other instances and more often, libraries are partners with other organizations or belong to larger institutions or entities that have received stimulus funds.

From the Agriculture Department, libraries have been directly awarded over \$3.7 million in grants and loans for construction, equipment, and technology through the Community Facilities Program.

Through the Commerce Department, libraries have benefited from over \$749.7 million in grants disturbed by the Broadband Technology Opportunities Program. These funds – awarded directly to libraries or indirectly to libraries through partnerships – are being used for technology and telecommunications projects to expand the availability and use of broadband.

Finally, from the Education Department, libraries (as parts of larger educational institutions and government entities) have indirectly benefited over \$9.6 billion in stimulus funds. Distributed through programs such as the State Fiscal Stabilization Fund and Title I of the Elementary and Secondary Education Act (ESEA), this money was used primarily to create and retain jobs in education, including academic and school librarians.

Federal budget

ALA is working with Senator Jack Reed’s (D-RI) and Senator Olympia Snowe’s (R-ME) office to garner signatures on a letter that will be sent to the Senate Labor, Health and Human Services, and Education Appropriations Subcommittee. This letter requests \$300 million for the Library Services and Technology Act (LSTA) and \$100 million for Improving Literacy Through School Libraries (ILTSL). Thus far the letter has accepted signatures from Senators Reed, Snowe, Lincoln (D-AR), Wyden (D-OR), Leahy (D-VT), Johnson (D-SD), Brown (D-OH), Bingaman (D-NM), Stabenow (D-MI), and Akaka (D-HI). ALA is focusing its efforts on our members, encouraging them to call their U.S. senators to urge them to sign on to this letter.

Two letters have already been sent to the House of Representatives Appropriations Committee asking for similar amounts for LSTA and ILTSL. U.S. Rep. Raul Grijalva (D-7-AZ) and Congressman Vernon Ehlers (R-3-MI) were the sponsors of this letter and gained 22 signatures for IMLS and 21 for ILTSL.

Congress is currently drafting the FY2011 budget. Specific dollar amounts will not be made public until a bill is marked up this summer, but ALA is meeting with key House and Senate staffers to make sure they understand the importance of libraries in America.

It is unlikely that Congress will have all of the appropriations bills passed before November's midterm elections.

Community college and career training grant program

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The original Student Aid and Fiscal Responsibility Act (SAFRA) proposal in H.R. 3221 was made by the White House about one year ago; it focused more on job training programs and related resources needed to support students seeking new job skills. While we are glad to see recognition of the needs of community colleges and the need to promote job skills and employment, we are disappointed that some of the programmatic initiatives that might have helped community college libraries were completely dropped. Behind-the-scenes bartering substituted this "new" Department of Labor proposal for the Department of Education's community college programs initiatives just within the last week.

ALA will continue to work with community college supporters to seek improved recognition and funding for their libraries.

ALA announces support for Digital Due Process

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The DDP principles are fully consistent with ALA's policies in support of privacy rights, including people's activities in the new technological environments available to us now. Governmental entities should not be able to access personal electronic records, e-mails and other data without appropriate search warrants, particularized suspicion and probable cause.

ALA has advocated for these principles as part of the library community's commitment to civil liberties including the "right to read" and the privacy rights of readers and library users. If ECPA is updated following these key principles, law enforcement can have the tools to conduct its work and investigations while the public can trust that basic privacy rights will be protected.

Library Advocacy Day

Preparations are underway for Library Advocacy Day (LAD). ALA will host Library Advocacy Day featuring a rally at 11 a.m. June 29, 2010, on the U.S. Capitol grounds in Washington, D.C. This one-time opportunity during ALA Annual Conference is a chance for library supporters to join together to demonstrate support for libraries and for first-time advocates to get involved. After the rally, which is free and open to the public, ALA members will meet with their members of Congress and their staffs to talk about the needs and concerns of the libraries in their communities.

Google Book Search settlement update

Washington Office staff continues to monitor the court's activities in response to the proposed Google Book Search (GBS) settlement. On February 18, 2010, U.S. District Court Judge Chin listened to oral arguments in a New York City courtroom from more than two dozen parties as part of the final settlement/fairness hearing on the amended settlement agreement reached by the Authors Guild, the Association of American Publishers and Google in an attempt to resolve the class-action lawsuit brought by the authors and publishers against Google in 2005.

At the outset of the hearing, Judge Chin indicated that no decision would be reached or announced as part of the hearing and he did not know when a ruling would be issued. In the meantime, the ALA, along with ACRL and ARL, released "GBS March Madness: Paths Forward for the Google Books Settlement." The diagram, inspired by the National Collegiate Athletic Association (NCAA) March Madness tournament brackets, explores the many possible routes and outcomes of the GBS, including avenues into the litigation and appeals process. It also serves as a response to the question of, "So, what next?" as we await Judge Chin's ruling on the case. The diagram is available at <http://www.librarycopyrightalliance.org/bm~doc/gbs-march-madness-diagram-final.pdf>.

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The publication is available at:

http://www.ala.org/ala/aboutala/offices/oitp/publications/policybriefs/ala_checking_out_the.pdf

Release of *Making Connections: Lessons from Five Shared Library Networks*

OITP released *Making Connections: Lessons from Five Shared Library Networks* – profiles of five library networks that have, through varying approaches, successfully upgraded their broadband connectivity. The case studies of these five networks reveal lessons learned that may be instructive for other libraries seeking to establish successful networks. This publication was developed as part of the Opportunity Online Broadband Grant Program, funded by the Bill & Melinda Gates Foundation to help libraries increase and sustain free, quality public access to computers for their patrons. Networks highlighted in the publication include the Ohio Public Library Information Network (OPLIN), West Virginia's Statewide Library Network (SLN), Wisconsin's BadgerNet, the Maine School and Library Network (MSLN), and the Peninsula Library System (PLS) of California. The publication is now available at www.ala.org/casestudies and includes a technical primer on broadband connectivity and networking strategies as well as a networking glossary.

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Summaries of successful first-round broadband stimulus grants

OITP completed four summaries of successful library applications from the first round of broadband stimulus funding to provide second-round applicants with a snapshot of what went into these successful applications. Highlights include a brief project description, the projected budget and federal award, a project development discussion, and lessons learned. The four summaries are available on the ALA “Know Your Stimulus” Web page, www.ala.org/knowyourstimulus, under “Lessons Learned” and highlight the following projects: Fast-Forward New Mexico, Spokane Broadband Technology Alliance, City of Boston Public Computing Centers, and Arizona Public Computer Centers.

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Staffing news

After more than six years at OITP, Carrie McGuire, who worked as the Director of the Program on Networks has left ALA for a position at the National Archives, working to establish a new office on government information.

Marijke Visser published an article on tagging in the March 2010 issue of *Information Technology and Libraries* and served as a guest lecturer at Indiana University.

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Successful completion of Michigan Alternative Spring Break

OITP hosted Sarah Pipes, a Michigan graduate student, during March 1-5 for the Alternative Spring Break Program. The program gives students an opportunity to observe the daily operations of various organizations and write a short report about them. During her time with OITP, Sarah attended meetings on telecommunications policy and participated in a briefing OITP held on Capitol Hill where she met several representatives from other national policy organizations.

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