

TO: ALA Executive Board

RE: Report on Washington Office Activities

ACTION REQUESTED/INFORMATION/REPORT:

For information purposes

ACTION REQUESTED BY:

No action requested

CONTACT PERSON:

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DRAFT OF MOTION:

None

DATE:

October 13, 2015

BACKGROUND:

The report provides information on recent ALA Washington Office initiatives and projects.

Office for Information Technology Policy

ALA, ACRL, ARL and COSLA file amicus brief in net neutrality case

Continuing joint advocacy begun in early 2014, ALA, ACRL, ARL and COSLA argued in support of the Federal Communications Commission's (FCC) strong, enforceable rules to protect and preserve the open internet with an [amicus filing](#) on September 21 with the U.S. Court of Appeals for the District of Columbia Circuit. Oral arguments are scheduled for December 4, 2015, in the case of *United States Telecom Association, et al., v. Federal Communications Commission and United States of America*.

ConnectHome Courtesy of the U.S. Department of Housing and Urban Development

After months of planning and coordinating, the U.S. Department of Housing and Urban Development (HUD) and the White House [launched](#) the ConnectHome initiative, with ALA as a named national partner. The initiative seeks to extend broadband access to public housing through 28 pilot cities; libraries provide digital literacy training and access to the varied user services on the internet. Susan McVey, state librarian of Oklahoma (and member of the Policy Revolution! advisory committee), represented ALA at the national launch in Durant, Oklahoma. OITP Deputy Director Larra Clark and Metropolitan New York Library Council Director Nate Hill also participated in a national [convening](#) of ConnectHome national partners and local government and housing leaders from the pilot communities at the end of August. Local convenings are planned over the coming months, and OITP continues to coordinate with local libraries across the country.

Lifeline Comments

ALA submitted [comments](#) on the Lifeline program proceeding to the Federal Communications Commission (FCC). We supported the FCC's proposal to extend the program to provide subsidies for broadband communications for low-income people, not just for phone service, and emphasized how libraries help people make use of technology. ALA recommended that libraries should be eligible for Lifeline funds for WiFi hot spot lending programs when patrons are eligible for the Lifeline program.

Congress members support student library cards

OITP staff and WO press officer worked with ALA President Sari Feldman and her staff to develop an [op-ed](#) from two of her members of Congress, which WO then successfully placed in *The Hill*. The strategy reflects work underway with the [Policy Revolution!](#) initiative and Sari's [Libraries Transform](#) campaign to position libraries as essential—with a particular focus on national policymakers. The placement also builds on the longstanding work of ALA's Public

Awareness Office to promote [Library Card Sign-up Month](#) nationally and the effort of IMLS (with ALA and ULC) to increase K12 student library card [access](#).

Recent OITP speaking engagements

- 3D and IP: OITP policy analyst Charlie Wapner was a featured speaker at the 3D Printing Day held by the Northern Virginia Center of Virginia Tech and at a national [Convening for Good: On the Frontier of 3D Printing for Accessible Education](#).
- Wi-Fi: OITP deputy director Larra Clark spoke on a panel at the Internet Caucus program on “The Past and Future of WiFi.”
- Rural libraries, E-rate and Policy Revolution!: OITP director Alan Inouye and OITP associate director Marijke Visser presented at the Association of Rural and Small Libraries national conference in Little Rock.
- Future of the MLS: OITP director Alan Inouye presented as part of a webinar on the University of Maryland’s initiative for the Petroleum Abstracts Industry Advisory Council.
- Policy and Librarianship: OITP director Alan Inouye presented as part of a panel to the Leadership Fellows of the Association of Academic Health Sciences Libraries

Other Selected OITP Activities

- ALA awarded Kathleen DeLaurenti the 2015 Robert L. Oakley Memorial Scholarship, which supports research and advanced study for librarians in their early-to-mid-careers who are interested and active in public policy, copyright, licensing, and open access. DeLaurenti serves as the arts librarian at the College of William & Mary.
- The special reports in the just-released 2015 *Library and Book Trade Almanac* (Bowker Annual) focus on the future of libraries (school, public, & academic) and include a number of ALA-affiliated authors such as Barbara Stripling, Chris Harris, Robert Wolven, Jamie LaRue, Miguel Figueroa, and Larra Clark. Alan Inouye served as consulting editor.
- The CopyTalk webinar series held a session on August 6th that featured Sandra Enimil, Ohio State Univ.; Pia Hunter, University of Illinois at Chicago; and Cindy Kristof, Kent State Univ.

Office of Government Relations

ALA Co-Founded Coalition Reaffirms Critical Value of Public Domain, Copyright Limitations

On September 22, as Members of the House Judiciary Committee prepared to meet in Nashville, TN -- the first of several public “listening tours” in cities around the country as part of their ongoing comprehensive review of copyright law -- the [Re:Create Coalition](#) issued a [strong statement co-drafted by OGR](#) reminding Committee members and the public of the many social and economic benefits of the public domain, as well as of maximizing fair use and other limitations on copyright rights. OGR will continue to work with and through both Re:Create and the Library Copyright Alliance to shape in advance such copyright reform proposals as the Committee and the current Congress may consider before concluding at the end of 2016.

Student Privacy Threat Stripped from Intelligence Authorization Legislation

Prior to Congress’ August recess, language was inserted in the Intelligence Authorization Act for Fiscal Year 2016 (S. 1705) that could have required librarians (including school librarians) to report suspected “terrorist activity” of which they had “actual knowledge.” Confirmation was received late on September 21 that this dangerously ill-defined provision, which was quickly and [publicly opposed by ALA](#) and its coalition partners, has been struck from the bill.

ALA Urges House Commerce Committee to Close the “Homework Gap”

In late September, ALA joined coalition partners in a [letter to the House Energy and Commerce Committee](#) supporting H.R. 3582, The Digital Learning Equity Act of 2015. This legislation, introduced by Rep. Peter Welch (D-VT) and co-sponsored by Rep. David McKinley (R-WV), seeks to close the “homework gap” for students lacking sufficient digital resources during non-school hours. The bill explicitly references libraries’ participation in the efforts it authorizes. Companion legislation, S.1606, was introduced in the Senate by Sen. Angus King (I-ME) last June. OGR staff will continue to meet with Members of Congress in support of both bills.

ALA Joins Amicus Brief in Wikimedia Foundation v. National Security Agency

After close coordination by the Offices of Intellectual Freedom and Government Relations, in early September ALA joined with the Electronic Frontier Foundation, American Booksellers Association, Association of Research Libraries, Freedom to Read Foundation and IFLA in filing an [amicus brief in support of Wikimedia](#) in its suit against the National Security Agency. The case, now before a federal District Court in Maryland, challenges on First Amendment grounds the NSA’s “Upstream” surveillance program’s claimed legality under Section 702 of the Foreign Intelligence Surveillance Act.

ALA Pushes for Maximum FY16 Library Funding

In mid-September more than 2,500 organizations, ALA prominently among them, co-signed a [letter to all members of Congress](#) supporting a “balanced” approach to non-defense and defense spending in FY16. ALA and its partners supported this initiative by distributing copies of the letter, together with a baseball cap reading “Raise the Caps,” to all Members of Congress. Over the August recess and upon Congress’ return, OGR staff visited numerous Congressional offices in direct support of school libraries and the Innovative Approaches to Literacy program slated to be funded at \$25 million in the Senate Appropriations bill. OGR continues to work with other IAL backers to urge Congress to authorize this important program in the Senate ESEA bill. NOTE: All appropriations bills were stalled in Congress before its August recess due to contentious issues such as Planned Parenthood and electing a new Speaker. As of October 13, there was still no movement on the bills.

Historic “School Library” Legislation Overwhelmingly Passed by Senate

After years of grassroots and Washington Office effort, school libraries have been explicitly recognized in legislation as [authorized uses of certain federal funds](#) under the Elementary and Secondary Education Act (ESEA). Most recently, a [letter](#) was sent in early September to the House Committee on Education and the Workforce and the Senate HELP Committee urging all members to support school libraries as both chambers work towards a conference agreement for ESEA reauthorization. Office of Government Relations staff have been systematically meeting with staff to Members in both the House and Senate likely to play a role in the conference. The breakthrough on ESEA came in mid-July with the full Senate’s approval, by the rare [vote of 98-0](#), for an [amendment to S. 1177](#), the Every Child Achieves Act (a bill to reauthorize ESEA), and S. 1177’s passage by the Senate. Senators Jack Reed (D-RI) and Thad Cochran (R-MS) authored the crucial amendment. S. 1177 must now be reconciled with H.R. 5, the House’s quite different Student Success Act, which contains no similar “school library” provisions. The need for extensive further grassroots efforts is anticipated during the coming Senate/House negotiation and as the chambers’ joint legislation returns to the House and Senate floors.

ALA Grassroots Successfully Mobilized to Forestall Dangerous “Cybersecurity” Legislation

In early August, proponents of S. 754, the privacy-hostile Cybersecurity Information Sharing Act (CISA), strenuously attempted to bring the bill to the Senate floor just prior to Congress’ summer recess. ALA actively promoted and participated in a [massive, multi-organization grassroots lobbying effort](#) that produced more than 6 million total communications to every Senate office, successfully stopping action on the bill. When Congress returned from its summer recess, ALA’s vigorous direct and joint grassroots efforts in opposition to CISA resumed.

Open Access Legislation Clears Key Senate Committee

After many years of effort by ALA members and the open access community, the [Fair Access to Science and Technology Research Act of 2015](#) (FASTR) was approved unanimously in late July by voice vote of the Senate Committee on Homeland Security and Governmental Affairs. With the strong backing of Committee Chair Ron Johnson and the Senate's second-ranking Republican, John Cornyn (the bill's lead sponsor), S. 779 is expected to come before the full Senate before year's end. Most recently the bill received a score of zero from the Congressional Budget Office, meaning that the bill will not cost the government money to implement if enacted. This significant ruling by CBO, it is hoped, will assist OGR in its ongoing efforts to secure additional support for FASTR from Members of Congress who have not yet taken a position on the bill.

OMB needs to protect access to government information

In an effort to ensure continued access to government information during a federal government shutdown, a [letter](#) was sent to the director of the Office of Management and Budget on September 22 to remind him of the resolution that was passed by ALA Council in January 2014. The Resolution on Maintaining Government Websites During a Government Shutdown was created after the government shutdown in 2013 when there was inconsistent access to government information on federal websites. It calls for OMB to "develop guidance to federal agencies stating that, in the event of a government shutdown or other emergency, continued access by the public to essential information on agency websites is an "excepted" activity; that such activity would warrant the retention of paid personnel or the obligation of funds to assure access; and in the absence of such a guideline, to direct each agency to communicate the status during a shutdown of its website to the Government Publishing Office (GPO) or another appropriate agency, which would widely communicate to the public and update information about which agencies are maintaining their websites, which are updating them and which are closing them."