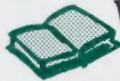


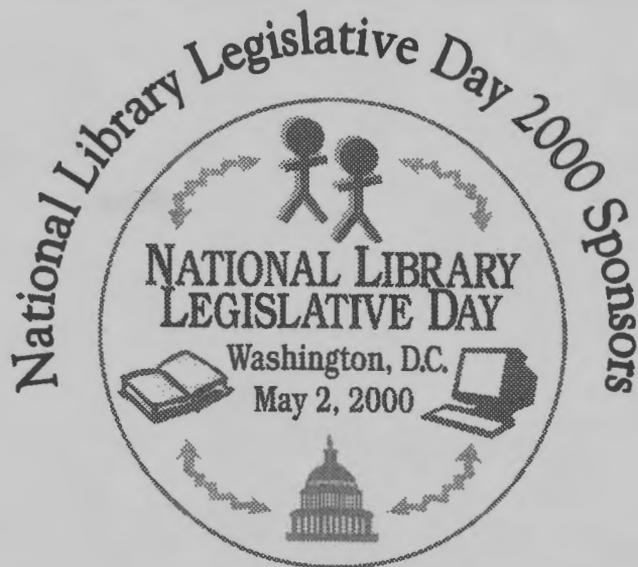


**NATIONAL LIBRARY
LEGISLATIVE DAY**

Washington, D.C.

May 2, 2000





Alaska Library Association
Association of College & Research Libraries
- New England Chapter
Florida Library Association
Friends of Libraries U. S. A.
Georgia Library Association
Illinois Library Association
Indiana Library Association
Kentucky Library Association
Iowa Library Association
Louisiana Library Association
Michigan Library Association
Missouri Library Association
Nebraska Library Association
Oregon Library Association
Pennsylvania Library Association
Texas Library Association
Virginia Library Association
Wyoming Library Association

Key Library Issues & Messages for Congress

Why do library supporters care about federal programs, policy, and funding?

Congressional actions on national policies and programs affect libraries' ability to provide services for constituents, to innovate and reach out, and to make efficient and cost-effective use of library resources across local and state boundaries. Support of policies and programs that encourage improved library services and public access to information is critically important. The ALA Washington Office has experts on staff in each of the following issue areas. We would be happy to provide specific examples, targeted briefing for staff or any other assistance so you can continue to help libraries help your constituents.

Library Services and Technology Act

This simplified cornerstone of federal funding for libraries is focused on technology and outreach. The Administration requested \$173 million for FY2001. LSTA was funded in FY2000 at \$165.8 million. Most funding goes to libraries through states; 3.75% is reserved for national leadership purposes, and 1.75% for services to Native Americans. Less than 2% is used for federal administration by the Institute of Museum and Library Services.

Action needed now:

- Fund LSTA at \$173 million for state grants, competitive national leadership grants, and grants for Native American library services. Doing so will better support literacy, education, and help libraries provide jobs and consumer health information, serve small business, and improve services to the public through technology.

Library Services through Education and Literacy Programs

The new Reading Excellence Act, designed to improve reading instruction for young children and support after-school and summer reading programs, offers opportunities for school and public libraries to assist in these goals. Education programs such as ESEA title III (technology) and ESEA title VI (school innovation) are used for technology and training and student library resource materials. Librarians serving students and children are reading and technology specialists who undergird education efforts.

Action needed now:

- Fund the Reading Excellence Act at the requested level of \$286 million.
- Fund ESEA VI (school innovation) at a level of \$400 million, used by many schools for library materials (The Administration requested no funds at all.)
- Fund ESEA III and other educational technology programs at the requested \$903 million.

Elementary and Secondary Education Act Reauthorization

Congress is reviewing the Elementary and Secondary Education Act (ESEA) and related programs this year. ALA recommends that Congress ensure that students and staff are effective users of ideas and information.

The mission of the school library media program is to support and increase student performance and achievement. Federal assistance should aid in this effort by ensuring that schools have funds:

- To acquire sufficient school library materials;
- To provide qualified school library media specialists to work with students and teachers; and
- To incorporate new technologies into the curriculum and into teaching, learning, and training through school library media programs to improve student information literacy and critical thinking skills.

Research indicates that spending adequate amounts on school library materials has a positive effect on student achievement.

Action needed now:

- Include S. 1262, the school library media resources legislation in S. 2, the reauthorization of the Elementary & Secondary Education Act.
- Include H.R. 3008, the companion bill in the House reauthorization of Title III ESEA reauthorization.

Database Protection Legislation

Two database protection bills that were introduced in 1999 in the U.S. House of Representatives are the subjects of renewed consideration and lively behind-the-scenes debate in the opening session of Congress 2000. H.R. 354, "The Collections of Information Antipiracy Act," was introduced by Rep. Howard Coble (R-NC). H.R. 354 has the support of some of the major commercial database publishers and the National Association of Realtors.

Virtually every major national library and education association, the research and scientific community, and many high-technology industry groups support the other pending database protection bill: H.R. 1858, "The Consumer and Investor Access to Information Act of 1999," was introduced by House Commerce Committee Chairman Tom Bliley (R-VA), Ranking Minority Member John Dingell (D-MI), and several other Committee members.

Action needed now:

- Oppose H.R. 354. It would allow database owners to tightly control information, including downstream transformative uses, and would be at odds with a culture of building upon prior research. The bill's broad prohibitions could undermine the basic mechanisms of scientific and educational data exchange.
- Support H.R. 1858. That bill is more narrowly focused to prevent the distribution of pirated databases, which could threaten a person's investment in database creation, but it does not prevent the reuse of information for the purpose of creating new innovative databases.

(continued on next page)

Copyright and Distance Education

Copyright law allows creators and publishers to exercise exclusive rights over distribution and sale of information products, subject to limits to protect the public good. Fair use and other exceptions to proprietor rights for noncommercial and educational purposes enable libraries to lend materials and foster education and self-governance in a democracy. In the Digital Millennium Copyright Act Of 1998, Congress did not amend the Provisions dealing with distance education. Instead, Congress required the Copyright Office to conduct a six-month study of how to promote distance education, in the context of balancing the interests of owners and users, and to recommend changes in the law, if appropriate.

The Copyright Office released a report on its study, *Report on Copyright and Digital Distance Education*, on May 25, 1999, recommending updating of the current copyright law exemptions for distance education, but with safeguards to respond to proprietor concerns. Although the report was well received by Congress, to date there has been no action to introduce such legislation.

Action needed now:

- Congress should enact an updated exemption for use of copyrighted materials in support of distance education that promotes distance learning while meeting reasonable proprietor concerns. The Copyright Office recommendations of May 1999 provide a good model for such a balanced updating of the law

Public Access to Government Information

Congressional decisions on appropriations for the Government Printing Office and pending decisions about the proposed closing of the National Technical Information Service (NTIS) have major impact on public access to government information. Libraries in nearly every congressional district are partners with Congress in making sure their constituents have no-fee, public access to government information in print and electronic formats through the Federal Depository Library Program (FDLP) administered by the Government Printing Office. These libraries would not be able to maintain this vital service to democracy if the FDLP suffers extensive cuts.

Action needed now:

- **Maintain NTIS Functions:** Fund important functions of NTIS, lift the hiring freeze, and assure public access to scientific and technical information by expanding the FDLP-NTIS pilot project;
- **Support full funding for the Federal Depository Library Program & GPO:** Ensure public access to government information through the FDLP.

In August the U.S. Department of Commerce announced its plans to close the National Technical Information Service (NTIS) at the end of FY2000. The Administration's FY2001 budget includes a request of \$4.5 million to accomplish this end. Librarians are concerned that the functions of NTIS-archiving, document indexing, cataloging, purchasing and delivery of needed scientific and technical information be maintained and funding be allocated to support these functions.

Filtering Requirements

Several bills or proposals are pending that would impose requirements on schools and libraries to use technology to block or filter material harmful to or inappropriate for minors as a condition for receiving certain federal funds or receiving or retaining the E-rate telecommunication discounts. ESEA reauthorization legislation has been a particular target for such measures.

Action needed now:

- Resist Internet content restrictions and inappropriate requirements on eligibility for federal funds or the E-rate.
- Respect local decision making; libraries, together with their boards and with community input, are taking thoughtful and responsible approaches to these complex issues of providing Internet access.

Universal Service; Discounted Telecommunications Rates

Library supporters express their thanks to Congress for supporting universal service provisions in the Telecommunications Act of 1996 and providing discounted telecommunications rates for libraries and schools. Now in its third year of implementation, the E-rate has increased basic access to the Internet in public libraries by nearly 10%. Even more importantly, it has helped improve the quality and nature of that access for more than half the public libraries in America.

- Senators and representatives are invited to visit their public and school libraries in their district and states to see first hand how the discounts have been used to provide equitable access.

The American Library Association, founded in 1876, is the oldest and largest national library association in the world. The Association has a total of 49,000 members. Its concerns span all types of libraries: state, public, school and academic libraries; special libraries serving persons in government, commerce and industry, the arts, the armed services, hospitals, prisons, and other institutions. With a membership of libraries, librarians, library trustees, and other interested persons from every state and many countries of the world, the association is the chief advocate for the people of the United States in their search for the highest quality of library and information services. The Association maintains a close working relationship with more than 70 other library associations in the United States, Canada, and other countries, and it works closely with many other organizations concerned with education, research, cultural development, recreation, and public service.

For further information contact:
Mary Costabile (ext. 209)

1301 Pennsylvania Avenue NW, Suite 403
Washington, D.C. 20004-1701
800 941 8478 phone 202 628 8419 fax

alawash@alawash.org
www.ala.org/washoff

Appropriations FY2001

Action Needed:

- Fund the Library Services and Technology Act at \$173 million. A strong investment will connect more libraries to the Internet, support literacy for young children and adults, help libraries provide job and consumer health information, serve small business, and provide information for lifelong learning.
- School and public libraries provide not only up-to-date materials, but library professionals to teach students information-seeking skills. Fund ESEA Title VI at a level of \$400 million. Schools can use Title VI funds for school library and other instructional materials-and the need for updated materials is great.
- Support full funding for the Federal Depository Library Program and the Government Printing Office. No fee public access to government information is ensured through the operations of the Federal Depository Library Program.
- Support library and library related programs at the Administration's requested level for FY2001. (See reverse of this page).

Background:

Congress has agreed to a Budget Resolution, the document that outlines the overall government spending for FY2001. According to a leadership agreement, the House will begin consideration of appropriations bills very quickly. Among those bills to be considered early are Military Construction; Legislative Branch; Agriculture; Transportation; Defense and Labor, Health and Human Services and Education. Funding for the Government Printing Office and Library of Congress are included in the Legislative Branch appropriations and the Library Services and Technology Act is funded through the Labor, Health and Human Services and Education appropriations. The final FY2001 budget resolution calls for approximately \$600.3 billion in total discretionary appropriations, of which \$310.8 billion would be devoted to funding for defense and \$289.5 billion for non-defense programs.

On the reverse side of this appropriations sheet are the library and related programs listed with the Administration's budget request. If Congress follows the same course as that of FY2000, those appropriations bills considered early may have even tighter restrictions. For example, last year's appropriations for Agriculture and Legislative Branch were much less than appropriations bills voted on in September. This could have an impact on funding for the National Agricultural Library, the Library of Congress and the Government Printing Office, as well as other library and library related programs this year.

Appropriations FY2001

LIBRARY PROGRAMS (amounts in thousands)	FY2000 Appropriations***	FY2001 Budget Request
GPO Superintendent of Documents	29,986	34,500
Library of Congress	384,353	428,100
Library Services and Technology Act	165,809	173,000
National Agricultural Library	19,900	22,700
National Commission on Libraries & Information Science	1,300	1,495
National Library of Medicine (includes MLAA)	215,214	224,942
LIBRARY-RELATED PROGRAMS (amounts in thousands)		
Adult Education and Literacy	470,000	555,500
ESEA title I, Education for Disadvantaged	8,700,986	9,149,500
ESEA title I-B, Even Start	150,000	150,000
ESEA title II-A, Eisenhower professional development (Federal activities)	23,300	0
ESEA title II-B, Eisenhower professional development (State grants)	335,000	0
ESEA title III, Educational Technology	765,805	903,000
Technology Literacy Challenge	425,000	450,100
Star Schools - part B	50,000	0
ESEA title VI, Innovative education program strategies (State grants)	365,750	0
ESEA title X-I, 21st Century Community Learning Centers	453,377	1,000,000
Special Education (IDEA) state grants	5,754,685	6,053,252
Educational Research	84,782	(1)0
Educational Statistics	68,000	84,000
Educational Assessment	36,000	42,500
Goals 2000	491,000	(2)0
HEA title III, Institutional Development	258,500	294,500
HEA title IV-C, College Work-Study	934,000	1,011,000
HEA title VI, International Education	69,702	73,022
HEA title X-A, Postsecondary Education Improvement Fund	77,658	31,200
Inexpensive Book Distribution (RIF)	20,000	20,000
Reading Excellence Act	260,000	(3)286,000
IMLS Museum Grants	24,400	33,000
NTIA Information Infrastructure Grants (TOP)	15,500	45,000
National Archives & Records Administration	202,816	(4)209,393
National Endowment for the Arts	97,628	150,000
National Endowment for the Humanities	115,260	150,700
National Historical Publications & Records Commission	4,250	6,000
Next Generation Internet	80,000	(5)0

*** FY2000 appropriations reflect a .038 percent cut established in the final appropriations legislation.

- (1) Funded at \$198,567-one line item aligning with proposed legislation-OERI Reauthorization
(2) 33 million targeted to Parental Information Resource Center-in School Improvement Programs account
(3) Contains forward funding w/91 million to be spent in 2001 and 195 million forward funding to 2002
(4) Another 22 million was appropriated for the establishment of the Records Center Revolving Fund
(5) There are no line items in the FY2001 budget for NGI. Its authorization was only for two years, however, a bill to reauthorize the program has been introduced (H.R. 2086) and there are many similar technology initiatives in the original 6 agencies

For further information contact:
Mary Costabile (ext. 209)

1301 Pennsylvania Avenue NW, Suite 403
Washington, D.C. 20004-1701
800 941 8478 phone 202 628 8419 fax

alawash@alawash.org
www.ala.org/washoff

ESEA Reauthorization and School Library Media Resources Bills: S. 1262 and H.R. 3008

Action Needed:

- Include specific funds for school library materials in ESEA reauthorization.
- Include incentives for more school library media specialists in schools who can ensure incorporation of new technologies into the curriculum and learning.
- Support effective new technology models in schools.
- Meet the challenge of an information society and fund school libraries at the level needed to achieve the maximum benefits for students.
- Support Sen. Jack Reed's (D-RI) amendment (S. 1262) to S. 2 during debate on the bill.

Background:

Like most federal grant programs, the Elementary and Secondary Education Act requires renewal by Congress every five or six years or the programs will sunset. The last reauthorization of the Elementary and Secondary Education Act, the Improving America's Schools Act, included, under Title III, Technology, a section to dedicate funds to school library media resources, but the section was never funded and was deleted in 1996. Some school libraries currently receive federal dollars as part of ESEA Title VI, a block grant which allows expenditure for school library and instructional materials as one of nine choices for local use of funds.

Current Congressional Status:

The House Education and the Workforce Committee has reported out a bill H.R. 4141, which includes Technology, the Title VI block grant, safe and drug free schools and several other programs. Many amendments were offered during the three day Committee markup, including H.R. 3008 (the school library media resources legislation), but Rep. Owens' amendment was voted down. It is expected that floor debate will begin on H.R. 4141 soon after the spring recess.

The Senate Health, Education, Labor and Pensions Committee has reported out S. 2, its ESEA reauthorization legislation. During debate in Committee, Sen. Jack Reed offered S. 1262, the school library media resources legislation, but it was voted down. Sen. Reed plans to offer S. 1262 as an amendment to S. 2 when the bill is debated on the Senate floor.

Both Houses have passed legislation that reauthorizes Title VI, which includes the choice of school library materials as one of the uses of the block grant, but both House and Senate bills expand the number of uses of the block grant to fifteen differing choices as opposed to the current nine. While each bill has different options, the bottom line is there is less chance for school library materials to be chosen.

Need for School Library Materials:

The average cost of a school library book is \$16.00; but the median per student expenditure by schools was about half a book a year—around \$6.73 for elementary schools; \$7.30 for middle schools; and \$6.27 for senior high schools. With the burgeoning school population, the lack of funding for library materials will place some school libraries even further behind, particularly at the elementary school level.

Need for School Library Media Specialists

The lack of trained school library media specialists will prevent the development of information retrieval skills and the guidance and stimulus for early readers to develop proficiency. Only 68 percent of schools have state certified school library media specialists according to Department of Education statistics gathered in 1993-94. Many elementary school libraries are staffed by volunteers and are open only one or two days per week.

Why Should These Needs Receive Federal Assistance Through ESEA?

Research shows the highest achieving students come from schools with good libraries. Source: Lance, Keith Curry. *The Impact of School Library Media Centers on Academic Achievement*. Office of Educational Research, U.S. Department of Education, 1994, and his second study that reviews school libraries in Alaska, Pennsylvania and Colorado to be published this year.

- Students in schools with well-equipped library media centers and professional library media specialists perform better on achievement tests for reading comprehension and basic research skills. (Source: Haycock, Ken. *What Works*, Rockland Press, 1992)
- Increased funding for school library media centers has a positive effect on teaching and learning in the school (Source: Haycock, Ken. *What Works*, Rockland Press, 1992)

For further information contact:
Miriam Nisbet (ext. 202)

1301 Pennsylvania Avenue NW, Suite 403
Washington, D.C. 20004-1701
800 941 8478 phone 202 628 8419 fax

alawash@alawash.org
www.ala.org/washoff

Database Protection Legislation

Library Supporters seek passage of H.R. 1858, the Consumer and Investor Access to Information Act, sponsored by Rep. Tomas Bliley (R-VA). Representatives are asked to SUPPORT H.R. 1858 and OPPOSE H.R. 354, the Collections of Information Antipiracy Act, sponsored by Rep. Howard Coble (R-NC).

Action Needed

Library supporters are urged to call their representative in the House (the U.S. Capitol Switchboard number is 202-224-3121) as soon as possible with the following dual message:

1. Vote AGAINST H.R. 354, the Collections of Information Antipiracy Act

- Representatives are asked to pressure House leadership to stop or postpone a vote on H.R. 354. If it should come up for a floor vote, please vote AGAINST H.R. 354.
- The library and broader user communities DO NOT support H.R. 354, nor do recent changes to the bill meet our concerns. (According to some advocates, congressional offices were told that H.R. 354 now meets library concerns. This is NOT true!)

2. Vote FOR H.R. 1858, the Consumer and Investor Access to Information Act

- Vote FOR H.R. 1858, sponsored by Rep. Thomas Bliley (R-VA), if it should come up for a floor vote. H.R. 1858 is supported by virtually every major national library and education association, the research and scientific community and many high-technology industry groups.

Background:

Why ALA opposes H.R. 354, the Collections of Information Antipiracy Act –

H.R. 354 is a far reaching, overly broad bill that:

- would not allow “fair use” of databases comparable to that under copyright law;
- would protect facts, which copyright has never protected;
- would allow a producer or publisher unprecedented control over uses of information including downstream, transformative use of facts and government-produced data contained in a database
- could hinder the progress of science, education, and research

Why ALA supports H.R. 1858, the Consumer and Investor Access to Information Act –

H.R. 1858, the preferred database bill, would:

- preserve the fair use of information and keep factual information in the public domain;
- prevent unfair competition in the form of parasitic copying;

(over)

- promote the progress of science, education, and research;
- protect value-added publishers and their products; and
- provide safeguards against monopolistic pricing

Background:

- **Why have these bills been introduced?**

Under copyright law, basic factual information is in the public domain and is not entitled to copyright protection. However, many databases – which consist of individual pieces of information that have been organized in one collection so that the data are easier to access – are protected because of the creative way that the information in them is selected, coordinated and arranged. Databases may also be protected from copying under other laws.

Nevertheless, some commercial database producers want additional assurances of protection for their works and feel that current law does not give them the protection from piracy they need. Digital works available over the Internet are considered particularly vulnerable to unauthorized copying and dissemination.

- **What are the main differences in the bills?**

There are quite a few, but here are some of the highlights:

H.R. 354, the problematic database bill

- 1) The main concern with H.R. 354, the Collections of Information Antipiracy Act, by library, education, research and other interest groups is its basic approach. H.R. 354 uses a very broad prohibition (i.e. there are a lot of things that you CANNOT do with a database or the data it contains). The legislation then "carves-out" or makes exceptions for certain activities such as academic and scientific research. Unfortunately, these exceptions are very vague and some of them will need to be interpreted by the court system.
- 2) One consequence of the H.R. 354 approach is that it would be difficult if not impossible to make "transformative uses" of information. Transformative uses are those that involve using information, some of which may be contained in one or more existing databases, in order to make new and different databases or to present the same information in a unique or more useful manner.
- 3) H.R. 354 could hinder the progress of research. H.R. 354 is opposed by the American Association for the Advancement of Science, the Institute of Electrical and Electronics Engineers, and many universities because of the negative impact it would have on the collaborative methodology of research. For a specific academic example of the problems with H.R. 354 see <http://www.databasedata.org/hr354/endohist/endohist.html>.
- 4) H.R. 354 also appears to create a retroactive fifteen-year term of protection for databases. With an online database, a second publisher has no way of knowing what parts of the database are more than fifteen years old and thus part of the public domain. The only relief provided by H.R. 354 is disallowing damages if there is no clear indication of the "age" of the information. The

first publisher, however, can still enjoin the second publisher from publishing its directory.

5) H.R. 354 would make violators subject to both criminal and civil penalties.

H.R. 1858, the preferred database bill

- 1) H.R. 1858 has very narrow prohibitions. It prevents the distribution of pirated databases which could threaten investment in database creation, but it does not prevent the reuse of information for the purpose of creating new innovative databases.
- 2) H.R. 1858 protects "chunks" of data that may be databases themselves, and it ensures that duplicate or pirated databases cannot compete against the original database.
- 3) H.R. 1858 promotes the progress of science, education, and research by allowing researchers and educators access to and use of information and facts.
- 4) H.R. 1858 would make a violator subject to civil penalties as determined by the Federal Trade Commission.

Summary of ALA Actions

In conjunction with the Digital Future Coalition (<http://www.dfc.org>), ALA has sent letters protesting action on H.R. 354 and encouraging House members to vote AGAINST the bill while, additionally, seeking support for Rep. Bliley's database bill, H.R. 1858. The ALA Council, in a resolution adopted June 30, 1999, expressed support for H.R. 1858. ALA joined 68 other library, education, research and corporate entities in an August 4, 1999 letter of support for H.R. 1858. ALA also joined more than 130 groups in a position statement detailing their desire to protect databases from piracy while ensuring access to information. ALA Executive Board Member James Neal testified on behalf of ALA and several library groups at hearings on both H.R. 1858 and H.R. 354.

Further Information

- **H.R. 354:** The text of the bill as introduced is available at <http://thomas.loc.gov/cgi-bin/query/z?c104:h.r.354>:
- **H.R. 1858:** The text of the bill, together with Chairman Bliley's remarks, plus other information about the bill, are available at a Web site maintained by a coalition dedicated to working with Congress towards balanced and narrowly tailored database protection, at <http://www.databasedata.org/Statement/statement.html>
- **ALA Testimony:** The testimony of James Neal for several library groups on both H.R. 354 and H.R. 1858 is available at <http://www.ala.org/washoff/Neal.html> and <http://www.ala.org/washoff/Neal2.html>
- **Joint Statement:** The joint statement endorsed by ALA and other library groups in support of a narrowly tailored approach such as H.R. 1858 is available at <http://www.databasedata.org/hr1858/hr1858.html>

For further information contact:
Claudette Tennant (ext. 208)

1301 Pennsylvania Avenue NW, Suite 403
Washington, D.C. 20004-1701
800 941 8478 phone 202 628 8419 fax

alawash@alawash.org
www.ala.org/washoff

Librarians Oppose Federal Internet Blocking & Filtering Mandates

The American Library Association strongly encourages local libraries to adopt and implement Internet use policies that protect public access to information and promote a positive online experience. Libraries, in conjunction with their boards and their communities, are addressing a wide range of issues raised by the introduction of advanced technology and telecommunications and access to the Internet. The question of how to provide safe and appropriate access for minors is paramount in these considerations, and is a matter best addressed at the local level.

- Federal filtering mandates disregard the decision making responsibilities and capabilities of local officials and communities and compromise the First Amendment rights of library users.
- Federal filtering mandates ignore the other ways available to assure that children have a safe experience online such as locally crafted Internet use policies, education, parental involvement, and Web sites guidance tools like ALA's 700+ Great Sites for Kids and the People Who Care About Them (www.ala.org/parentspage/greatsites/).
- A federal mandate for filters enshrines in law one technology which may be obsolete within a few years and discourages the development of more advanced technological devices.

Messages to Congress:

Oppose the filtering provision in Title III of H.R. 4141, a bill to reauthorize portions of the Elementary and Secondary Education Act. This provision bars schools from receiving Title III, "Tech for Success", funding unless they use blocking or filtering technology. Schools and school library media centers use Title III funds to make technology available for the education of their students, preparing them for the technology based economy they will face as adults. This filtering mandate was included in H.R. 4141 as it passed out of committee on April 13, 2000.

Oppose the Children's Internet Protection Act, S. 97. The Children's Internet Protection Act would require public libraries and schools to install filtering or blocking software on all of their computers in order to receive the E-rate, a vital resource helping libraries across the country to introduce or expand the Internet services offered to their communities. Introduced by Sens. John McCain (R-AZ) and Sen. Ernest Hollings (D-SC), S. 97 was adopted by the Senate Commerce Committee last summer (S. Rept. 106-141), but has not yet been brought to the Senate floor.

Consider the Internet safety approach introduced in the Neighborhood Children's Protection Act, S. 1545, by Sen. Rick Santorum (R-PA) as a possible alternative to mandatory filtering. The Neighborhood Children's Protection Act would require E-rate recipients to either install and use blocking and filtering software OR adopt Internet use policies. This approach allows for leadership from Congress while acknowledging the need for local decision-making.

Additional Issues

Postal Legislation and New Rate Case

The House Postal Service Subcommittee has been developing postal reform legislation since 1995. Last session, H.R. 22 was approved by the subcommittee, chaired by Rep. John McHugh (R-NY), but no further action has been taken thus far in this congressional session. ALA will continue with its coalition to pursue reforms such as those in H.R. 22. There is no comparable postal reform process underway in the Senate at this time.

A new postal rate case was filed by the Postal Service in January and the postal service seeks to increase the library rate from the current \$2.03 for a 3-lb library rate package to \$2.10, an increase of 7 cents. ALA is again opposing the increase by participating in the rate case with a coalition of other mailers and represented by attorney David Levy, with the firm of Sidley and Austin. Mr. Levy conducted a cross-examination of a postal witness on April 11. Conclusion of rate cases usually takes around 10 months.

Tax Bills

Congress has signified its intent to formulate at least two major tax bills during this session. The movement of a major piece of tax legislation will provide an opportunity for reinstating of a deduction for charitable contributions of literary, musical, artistic or scholarly compositions. Rep. Amo Houghton (R-NY) has introduced H.R. 3249, the Artists' Contribution to American Heritage Act of 1999, and the ALA Washington Office has joined with the Association of Art Museum Directors in support of the legislation. Many library collections have been enriched through the receipt of valuable literary or other works in the past.

- Include H.R. 3249 in the major tax legislation.

School Construction

Rep. Nancy Johnson (R-CT) and Rep. Charles Rangel (D-NY) have joined forces in supporting legislation for school construction or renovation. H.R. 4094 would provide federal income tax credits to bondholders in lieu of interest payments made by communities and would ensure that any earnings on temporary investment of unexpended bond proceeds be used for school construction or renovation. Legislation for school construction has been introduced for the last several years but legislation has not passed. ALA supports legislation for school construction since school library media centers in many states need to be retrofitted for new technology.

- Vote for passage of H.R. 4094

Low Power Radio

Public libraries are eligible to apply for the new Low Power FM radio stations established by the Federal Communications Commission (FCC) on January 20, 2000. Before libraries have had the opportunity to fully explore the potential services that they could provide, such as children's story hour or community outreach literacy programs, some members of Congress are trying to squelch this new program. On April 13, the House passed H.R. 3439, a bill that would inhibit the new, Low Power FM program.

The American Library Association is a strong supporter of the principles related to increasing and improving access to information, community access to media, and variety in media, as well as community-oriented and locally-originated radio programming. Libraries have a long tradition of ensuring a diversity of voices in the marketplace of ideas.

- Work against any legislative attempt, such as H.R. 3439, to postpone or limit this vital new program.

Workforce Investment Act-Literacy Setaside

This year a literacy coalition of which ALA is a member is supporting an increase of \$27 million above the Administration's request of \$248.8 million for the Workforce Investment Act Title I National Programs. The coalition is requesting a \$25 million setaside of the increase to establish demonstration grants to increase the capacity of national networks of volunteer adult literacy programs and library literacy programs. These networks would prepare the hardest-to-reach/hardest-to-teach adults and out-of-school youth for the workforce.

- Fund Workforce Investment Act Title I National Programs at \$270 million
- Include report language sending the \$25 million setaside to the National Institute for Literacy for demonstration grants for adult literacy programs and library literacy programs.

National Agricultural Library

The American Library Association and the Association of Research Libraries are again supporting the Administration's increase for the National Agricultural Library. In a joint letter of support, the two Associations stress the heavy impact of increased costs of materials, exchange rates, and subscription costs for the magazines and journals so important to the agricultural community; the importance of sustaining AgNIC, the Agriculture Network Information Center; the archiving of digital publications; and the need for continuation of upgrading of the NAL infrastructure. The Administration's budget request for NAL for FY2001 is \$22.7 million.

- Fund the National Agricultural Library at the requested \$22.7 million level.

National Endowment for the Arts/National Endowment for the Humanities

Allocations to the Interior Appropriations Subcommittee, under the tight constraints established by the Budget Resolution, will be \$580 million less than the FY2000 level of \$15.13 billion, making it more difficult to fund NEA and NEH at the Administration's request level of \$150 million for each agency.

- Fund NEA and NEH at \$150 million each. Both agencies provide valuable cultural services to children and adults across America.