

2016 ALA CD#20.3-20.7\_12816\_ACT  
2016 ALA Annual Conference

ALA Committee on Legislation  
Report to Council  
2016 Annual Meeting – Orlando, FL  
Ann Ewbank  
Chair, ALA Committee on Legislation  
June 28, 2016

Committee on Legislation highlights:

1. **Senate Appropriators Reject WH LSTA Cut, Increase Funding:** The outlook for library appropriations started on a down note as the President requested a cut in funding for LSTA (\$400,000) and the Grants to States program (\$950,000). After months of intense lobbying by ALA, strong support from the ALA grassroots community, and lobbying by ALA members at National Library Legislative Day, the Senate Appropriations Committee recognized the importance of library funding and INCREASED funding for LSTA over last year's levels. The Senate committee provided an increase for LSTA of \$500,000 over FY2016 levels and an increase for Grants to States of \$400,000. The funding package was passed by the Senate Appropriations Committee but has not reached the floor. The House Appropriations Committee is expected to consider library funding in mid-July. Funding for Innovative Approaches to Literacy received a \$2 million increase in FY2016 and was recommended by the President and the Senate Appropriations Committee to receive the same level of funding.
2. **Library of Congress Subject Headings Controversy:** Proposals by the Library of Congress made in March 2016 to replace the subject headings "aliens" and "illegal aliens" with terms now in more common usage and less pejorative were met with Congressional opposition. It resulted in the inclusion of language effectively instructing the Library not implement those proposals in the Report accompanying the House's bill making appropriations for the Legislative Branch. The Washington Office, in consultation with COL, worked closely with ALCTS to provide Members of Congress with a detailed joint ALA/ALCTS letter opposing such language, which ultimately was not included in the Senate's Legislative Branch appropriations bill. The Washington Office, COL and ALCTS also collaborated closely in preparing, circulating and placing before Council the "Resolution in Support of the Professional Cataloging Processes and Determinations of the Library of Congress," approved at Council I (2016 ALA CD#36).
3. **Landmark Reform of FOIA Enacted by Congress:** Following many years of effort by ALA and many others in coalition, Congress finally enacted and sent to the President for signature the FOIA Improvement Act of 2016 in time for the 50<sup>th</sup> anniversary of the original FOI on July 4th. This important legislation strengthens the Office of Government Information Services and codifies the President's "presumption of openness" policy institutes for all federal agencies issued at the start of his administration. The FOIA Improvement Act offers greater government transparency and more timely access to government information.

4. **Proposed Resolution Concerning Creation of Deaf Culture Digital Library:** Council referred the Resolution Concerning the Creation of the Deaf Culture Digital Library (2016 ALA CD#46) to both ASCLA and COL. It was decided that given the issues surrounding the creation of such a library, there was a need for more research and discussion. Accordingly, it was concluded that it would be best for the Resolution to be taken up again at Midwinter. COL and ASCLA will spend the months prior to Midwinter doing further research on where such a library would best fit within the federal government and what examples might be learned from any state-level library.
  
5. **Council Resolution Pertaining to Gun Violence Research:** Council referred the Resolution on Gun Violence Affecting Libraries, Library Workers, and Library Patrons (2016 ALA MM#45) to the Committee on Legislation and Intellectual Freedom Committee charging them to work in cooperation with the Task Force on Equity, Diversity, and Inclusion (“EDI Task Force”) to develop, if possible, a consensus as to the language of a Resolution addressing the matters identified in the Resolution. COL discussed the Resolution and broader issues it raised extensively, ultimately voting to endorse an amended version of the Resolution revised by an informal working group of members discussed in depth in Council Forum. The Committee’s actions were presented to an informal joint meeting of representatives of COL, IFC and the EDI Task Force conducted on Monday evening. That group unanimously determined that this Resolution, and the profound and important issues it raises, would benefit from further discussion and revision after the Annual Conference concludes to be reported upon at the 2017 Midwinter meeting in Atlanta.

COL brings the following action items to Council:

The resolution is CD#20.4

**Immediate Ratification of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled**

*Resolved*, That the American Library Association, on behalf of its members and the public interest:

1. calls upon the United States Senate and its committees of jurisdiction to immediately and concurrently take every procedural step possible to both ratify the Marrakesh Treaty and approve, with no amendment whatsoever, the Marrakesh Implementation Act and its associated legislative history text;
2. urges the House of Representatives and its committee of jurisdiction to take any and all appropriate steps to immediately expedite consideration and passage of the Marrakesh Implementation Act and its associated legislative history text in unamended form; and
3. encourages the President to publicly speak out, on all appropriate occasions, in support of the foregoing expedited Congressional processes and rapid ratification of the Marrakesh Treaty.

The resolution is CD#20.5

### **Resolution of Appreciation to Congressional Champions for Support of School Libraries and School Librarians in the Every Student Succeeds Act**

*Resolved*, That the American Library Association (ALA):

1. commends Senators Lamar Alexander, Thad Cochran, Patty Murray, and Jack Reed and Representatives John Kline and Robert Scott for their recognition of the contributions of effective school library programs in the academic achievement of the nation's students; and
2. commends these School Library Champions for their efforts to include effective school library programs and school librarians in the language of the Every Student Succeeds Act.

The resolution is CD#20.6

### **Resolution on Equity for School Libraries for the Department of Education Making Rules for ESSA**

*Resolved*, That the American Library Association (ALA), on behalf of its members:

1. urges the United States Department of Education to address equity issues while developing the ESSA rules regarding funding and staffing school libraries, and
2. shares the American Association of School Librarians' position statement on an effective school library program with the United States Department of Education.

The resolution is CD#20.7

### **Resolution on Equity for All in School Libraries**

*Resolved*, that the American Library Association (ALA), on behalf of its members:

1. endorses the idea that every student have access to a well-funded, effective school library program;
2. advocates for equitable access to effective school library programs with a certified school librarian, personalized learning environments, and equitable access to resources;
3. works with ALA research committees to document the impact on students when minorities, low-income, and rural communities cut resources;
4. advocates for equitable access to well-curated, high-quality, and accessible electronic resources;

5. encourages state departments of education and coalition partners to establish and maintain funding of digital databases and shared resources to provide greater equity of access in all states and regions; and
6. continues to encourage school librarians to apply for Innovative Approaches to Literacy grants.

## Subcommittee Reports:

### Copyright

The Copyright Subcommittee met once during this Midwinter Meeting on Saturday afternoon. It reviewed significant regulatory and legislative developments of 2016. Special emphasis was placed upon multiple ongoing studies initiated by the US Copyright Office of specific sections of the Digital Millennium Copyright Act and other sections of the Copyright Act pertaining specifically to: prohibitions on the “circumvention” of “technological protection measures under Sec. 1201 of the DMCA; the secondary liability “safe harbor” provisions contained in Sec. 512 of the DMCA that make enormous quantities of internet activity possible; the transferability of software increasingly “embedded” in both consumer and commercial products, such as cars, tractors and refrigerators; and – of most direct relevance to libraries – the Copyright Office’s recently announced intention to meet with stakeholders and draft legislation to be submitted to Congress proposing amendment of Section 108 of the Copyright Act, notwithstanding the clearly expressed written and public opposition of ALA and other major library organizations to such change.

The Subcommittee also reviewed and discussed the presently stalled status of the “Marrakesh Treaty” for the benefit of the print disabled and reviewed a resolution urging the Senate to rapidly ratify the treaty and Congress to pass its associated implementing legislation, both without change from the versions submitted to Congress by the President this spring. The Subcommittee unanimously recommended that COL endorse the Resolution and bring it forward to Council for its consideration with advisable technical changes identified by Subcommittee members and others in attendance.

The Subcommittee also received an update on: the status of Dr. Carla Hayden’s nomination to serve as the next Librarian of Congress; the activities of the Re:Create Coalition, of which ALA is a founding member; the status of controversy surrounding the Library of Congress’ proposals to change certain of its subject headings pertaining to “aliens;” and, from Subcommittee Co-Chair Tom Lipinski, a briefing on international copyright developments.

### E-Government Services

The Subcommittee on E-Government Services was happy to present a preconference on Thursday of Annual entitled “E-Government Services: Ideas for Conquering an Unfunded Mandate.” The preconference included sessions for librarians about citizenship and immigration, consumer finance and emergency management. They were able to learn about innovative partnerships between libraries and federal agencies, and libraries and county agencies and to hear about how their libraries could earn revenue through passport acceptance. The preconference was well received by attendees and the presenters alike.

The Subcommittee also met once during Annual 2016 and spent the bulk of the meeting discussing if their Subcommittee had fulfilled its original purpose. It was subsequently decided that in the last eight years since its inception, e-government services have become a normal part of everyday life in libraries and that perhaps there was no further need for a specific subcommittee of COL to look at this issue. The Subcommittee raised the issue with COL and they agreed that it was time to sunset the Subcommittee.

## **FLAG**

The FLAG Subcommittee met on Friday afternoon. At our last meeting, members of the FLAG committee were assigned members of relevant congressional subcommittees, with the intention that members would reach out to their contacts and find those who may have close relationships with their elected officials. Those assignments were reviewed, particularly the Appropriations committees, and new members were given new assignments. The remainder of the meeting was spent brainstorming avenues for outreach to find new advocates or new FLAG members and reviewing the process through which cadre members are contacted.

## **Government Information**

The Government Information Subcommittee (GIS) held one joint meeting with the Government Documents Round Table's (GODORT) Legislation Committee during ALA Annual 2016. Participants heard an update by Cindy Etkin from the Government Publishing Office (GPO) on the regional discard policy and discussed and sent forward to COL a tribute to Mary Alice Baish at the time of her retirement in honor of her important role as the Superintendent of Documents at the Government Publishing Office.

## **Grassroots**

The Grassroots Subcommittee met on Friday afternoon to discuss potential next steps for the committee now that the Speak Out and Spark materials have been completed. The Subcommittee has decided to identify roundtables within ALA who may not have much involvement with advocacy efforts. The committee will compile information that could be helpful for the roundtable members, including Washington Office resources, advocacy tips, and information about current legislation that may be of interest to them. The Subcommittee hopes to meet with the roundtables at Midwinter 2017. As part of this process, the Subcommittee would like to reach out to OLA and their relevant committees, to see how the Subcommittee could support work that is already being done.

## **Legislation Assembly**

The Legislation Assembly met as part of a joint meeting with COL on Friday at 1:00 pm. The first half of this meeting was dedicated to the Legislation Assembly agenda, which included legislative updates from OGR staff members and updates on upcoming legislative resolutions from the participating units in attendance. Members of both COL and Legislation Assembly agreed that the new joint meeting format, held early in the conference, allowed for both greater efficiency and more timely information sharing between COL and the unit representatives to the Assembly. Recognizing that the business of Legislation Assembly had concluded during the joint meeting, the co-chairs elected to cancel the second meeting of the Assembly, which was scheduled for Monday at 8:30 am.

## LSTA

As it does every five years, the Committee on Legislation created a Subcommittee with representatives from every part of the library community to go over possible changes to the Museum and Library Services Act (MLSA) that we might want to address any issues that have arisen and make it stronger and more effective.

The LSTA Subcommittee analyzed a discussion draft of changes to the Library Services and Technology Act piece of MLSA and voted to make recommendations to Senator Reed for his bill which he is hoping to introduce in September with bi-partisan co-sponsors. LSTA is up for Reauthorization October 1, 2016 when the Congress will be out campaigning.

## Telecommunications

The COL Telecommunications Subcommittee met Saturday at 1:00 pm and again Sunday in a joint meeting with OITP. After a general update of the Friday COL meeting, detailed updates on six telecom topics were made including Net Neutrality, Lifeline, Privacy and the FCC, Congressional App Challenge, FCC reauthorization. There was a discussion of the Rural Broadband Congressional Caucus and about issues surrounding rural broadband. The Subcommittee also discussed five questions that were poised for Sunday's joint meeting. Finally, the Subcommittee discussed growth opportunities for the committee and its interest in adding new members, particularly from outside the higher education community.

## Final Notes:

We would like to urge all Councilors who have not yet done so to sign up to receive District Dispatch blog posts in order to be fully informed on current legislative issues, and to receive legislative action alerts.

As always, COL would like to thank the staff of OGR for all of their hard work at conference and year-round! The work of COL cannot happen without their expertise and assistance.

***This resolution was adopted by the ALA Council on Tuesday, June 28, 2016***

**Resolution Urging Immediate Ratification of the Marrakesh Treaty To Facilitate Access To Published Works For Persons Who Are Blind, Visually Impaired, Or Otherwise Print Disabled**

Whereas for many decades over 10 million American -- and more than 285 million other -- blind, low-vision, and print-disabled people across the globe have suffered a “book famine” in which they have been and remain unable to obtain copies of more than 95 percent of all works published globally;

Whereas this famine is primarily a function of great disparities in copyright law among the nations of the world some of which, including the United States, provide express exceptions in law (such as our “Chafee Amendment”) to allow for the copying and distribution of previously published, nondramatic literary works in accessible formats for the blind and print disabled, while two-thirds of the world’s nations provide no such exceptions and, thus, no access to printed works;

Whereas this fragmented legal landscape precludes or severely limits the cross-border exchange of a wide range of printed works between nations, further limiting the availability of such works to the print disabled in the United States and abroad;

Whereas the World Intellectual Property Organization (WIPO), meeting in diplomatic conference in Marrakesh, Morocco in June 2013, formally adopted an international instrument of agreement, now known as the “Marrakesh Treaty,” to end the global book famine by calling upon all contracting parties to adopt copyright exceptions similar to the United States’ Chafee Amendment, thereby creating an efficient global copyright regime pursuant to which each signatory nation will permit authorized entities, including libraries, to reproduce printed works in accessible formats, distribute those works to designated beneficiaries, import accessible copies, and export such copies to other nations;

Whereas for many years the American Library Association (ALA) has stood strongly and consistently in support of those US-based advocacy organizations spearheading the multi-year effort to produce the Marrakesh Treaty, including the American Council of the Blind, the American Foundation for the Blind, and the National Federation of the Blind;

Whereas ALA, in coalition with other library organizations and many civil society organizations, played a lead role in working with the United States’ delegation to negotiate and achieve conference approval of the Marrakesh Treaty, which was signed by the United States on October 2, 2013;

Whereas U.S. signature notwithstanding, to permit United States libraries and others to participate in the global system of information sharing detailed in the agreement for the direct benefit of

millions of print disabled Americans, the Marrakesh Treaty must be ratified by a two-thirds majority of the United States Senate, and legislation deemed necessary by the administration to

**Resolution Urging Immediate Ratification of the Marrakesh Treaty To Facilitate Access To Published Works For Persons Who Are Blind, Visually Impaired, Or Otherwise Print Disabled/2**

implement the agreement also must be adopted by both chambers of Congress and signed by the President;

Whereas the President has formally transmitted the Marrakesh Treaty and such implementing legislation, the “Marrakesh Treaty Implementation Act of 2016,” to the United States Senate where both have been duly referred to appropriate committees of jurisdiction;

Whereas in February 2016, ALA issued a Joint Statement with fifteen fellow signatories calling upon Congress to both rapidly ratify the Marrakesh Treaty and approve the Marrakesh Treaty Implementation Act and its associated proposed legislative history text, if such legislation is considered necessary, without change whatsoever in order to avoid political controversy among stakeholder groups likely to further delay international implementation of the long-awaited and much-needed Marrakesh Treaty;

Whereas in its May 2016 Statement Supporting Ratification of the Marrakesh Treaty the International Federation of Library Associations and Institutions (of which ALA is a member), through its Section for Libraries Serving Persons with Print Disabilities, called upon effectively all members of government and civil society around the globe “to campaign for the ratification by your Government of this effective Treaty that will improve the lives of all the visually impaired and print disabled people in your country, leading to a more equitable and non-discriminatory society”;

Whereas no substantive objections have been raised publicly to either the Marrakesh Treaty or the Marrakesh Treaty Implementing Act;

Whereas the treaty currently has been signed by eighty countries and formally ratified by seventeen of the twenty nations required for it to become a fully operative global instrument; and

Whereas under such circumstances nothing should now be permitted to delay or derail the long sought relief from the book famine for the nearly 300 million people across the country and around the globe that the Marrakesh Treaty will provide once in force; now, therefore, be it

*Resolved*, That the American Library Association, on behalf of its members and the public interest:

1. calls upon the United States Senate and its committees of jurisdiction to immediately and concurrently take every procedural step possible to both ratify the Marrakesh Treaty and approve, with no amendment whatsoever, the Marrakesh Implementation Act and its associated legislative history text;
2. urges the House of Representatives and its committee of jurisdiction to take any and all appropriate steps to immediately expedite consideration and passage of the Marrakesh Implementation Act and its associated legislative history text in unamended form; and



**Resolution Urging Immediate Ratification of the Marrakesh Treaty To Facilitate Access To Published Works For Persons Who Are Blind, Visually Impaired, Or Otherwise Print Disabled/3**

3. encourages the President to publicly speak out, on all appropriate occasions, in support of the foregoing expedited Congressional processes and rapid ratification of the Marrakesh Treaty.

Adopted by the Council of the American Library Association  
Tuesday, June 28, 2016, in Orlando, Florida



Keith Michael Fiels  
Executive Director and Secretary of the ALA Council

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**Resolution of Appreciation to Congressional Champions for Support of School Libraries and School Librarians in the Every Student Succeeds Act**

Whereas Senators Lamar Alexander, Thad Cochran, Patty Murray, and Jack Reed and Representatives John Kline and Robert Scott as School Library Champions recognize the important contribution that effective school library programs make in improving student academic achievement and ensuring that students are adequately prepared for college and careers;

Whereas these School Library Champions worked diligently and successfully to expressly include effective school library programs and school librarians in the language of the Every Student Succeeds Act; and

Whereas their efforts will improve the education and futures of millions of school students across the nation; now, therefore, be it

*Resolved*, That the American Library Association (ALA), on behalf of its members:

1. commends Senators Lamar Alexander, Thad Cochran, Patty Murray, and Jack Reed and Representatives John Kline and Robert Scott for their recognition of the contributions of effective school library programs in the academic achievement of the nation's students; and
2. commends these School Library Champions for their efforts to include effective school library programs and school librarians in the language of the Every Student Succeeds Act.

Adopted by the Council of the American Library Association  
Tuesday, June 28, 2016, in Orlando, Florida



Keith Michael Fiels  
Executive Director and Secretary of the ALA Council

***This resolution was adopted by the ALA Council on Tuesday, June 28, 2016***

## **Resolution on Equity for School Libraries for the Department of Education Making Rules for ESSA**

Whereas equity of access is one of five key action areas adopted by the American Library Association to fulfill its mission of providing the highest quality library and information services for all people;

Whereas the American Library Association values our nation's diversity and strives to reflect that diversity by providing a full spectrum of resources and services to everyone in the communities we serve (ALA Policy 53.9 Libraries: An American Value);

Whereas school districts providing high-quality library instructional materials for students and teachers, including print and digital learning materials, textbooks, and other materials, should ensure that students have equitable access to them without regard to race, color, national origin, or disability;

Whereas more than 60 studies in two dozen states show that the "levels of library funding, staffing levels, collection size and range, and the instructional role of the librarian all have a direct impact on student achievement." (Gretes 2013, page 2);

Whereas The Every Student Succeeds Act, signed into law by President Barack Obama on December 10, 2015, includes provisions that specifically support school libraries, school librarians, and the role they play in academic achievement, literacy, and digital citizenship, and reflects our national commitment to providing educational opportunities to "every child, regardless of race, income, background, the zip code where they live"; and

Whereas this critical role of school librarians is underscored by the recent announcement from the U.S. Department of Education that half of all Innovative Approaches to Literacy grants will continue to be awarded to school libraries;

Whereas the American Association of School Librarians has adopted the position statement that an effective school library program has a certified school librarian at the helm, personalized learning environments, and equitable access to resources to ensure a well-rounded education for every student; now, therefore, be it

**Resolution on Equity for School Libraries for the Department of Education Making Rules for ESSA/2**

*Resolved*, That the American Library Association (ALA), on behalf of its members:

1. urges the United States Department of Education to address equity issues while developing the ESSA legislation rules regarding funding and staffing school libraries, and
2. shares the American Association of School Librarians' position statement on an effective school library program with the United States Department of Education.

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## **Resolution on Equity for All in School Libraries**

Whereas equity of access is one of five key action areas adopted by the American Library Association to fulfill its mission of providing the highest quality library and information services for all people;

Whereas the American Library Association values our nation's diversity and strives to reflect that diversity by providing a full spectrum of resources and services to everyone in the communities we serve (ALA Policy 53.9 Libraries: An American Value);

Whereas the American Library Association has recognized the role of school libraries and librarians in the academic success of K-12 students in its 2012 resolution, "School Libraries and Librarians Are Critical to Educational Success";

Whereas high-quality instructional materials for students and teachers, including print and digital learning materials, textbooks, and other materials, promote rigorous engagement with the curriculum;

Whereas school districts providing these resources should ensure that students have equitable access to them without regard to race, color, socioeconomic status, gender identity, national origin, or disability;

Whereas there is an inequity of resources in school libraries with a widening of gaps between collections in affluent districts versus those in lower-income areas;

Whereas closings of libraries, and reductions in services, collections, and staffing, particularly staffing by certified librarians, occur in disproportionate numbers in areas with more African-American and other minority students, low-income populations, and in rural areas;

Whereas there is a widening of the digital divide in areas where state coalitions of digital resources are losing funding;

Whereas more than 60 studies in two dozen states show that the "levels of library funding, staffing levels, collection size and range, and the instructional role of the librarian all have a direct impact on student achievement." (Gretes 2013, page 2).

Whereas The Every Student Succeeds Act, signed into law by President Barack Obama on December 10, 2015, includes provisions that specifically support school libraries, school librarians, and the role they play in academic achievement, literacy, and digital citizenship, and reflects our national commitment to providing educational opportunities to "every child, regardless of race, income, background, the zip code where they live";

Whereas this critical role of school librarians is underscored by the recent announcement from the U.S. Department of Education that half of all Innovative Approaches to Literacy grants will continue to be awarded to school libraries;

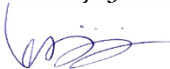
## **Resolution on Equity for All in School Libraries/2**

Whereas the American Association of School Librarians has adopted the position statement that an effective school library program has a certified school librarian at the helm, personalized learning environments, and equitable access to resources to ensure a well-rounded education for every student; now, therefore, be it

Resolved, That the American Library Association (ALA), on behalf of its members:

1. endorses the idea that every student have access to a well-funded, effective school library program;
2. advocates for equitable access to effective school library programs with a certified school librarian, personalized learning environments, and equitable access to resources;
3. works with ALA research committees to document the impact on students of minorities, low-income, and rural communities when cutting resources;
4. advocates for equitable access to well-curated, high-quality, and accessible electronic resources;
5. encourages state departments of education and coalition partners to establish and maintain funding of digital databases and shared resources to provide greater equity of access in all states and regions; and
6. continues to encourage school librarians to apply for Innovative Approaches to Literacy grants.

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We refer you to following report that gives you additional information about ALA’s federal legislative activities since Midwinter 2016.

## WASHINGTON OFFICE SIX MONTH REPORT

### ALA advocates adding broadband to Lifeline at FCC and on Hill

The FCC continues work on its proposed [modernization](#) of the 1980’s era Lifeline program, which traditionally applied to telephone service and is slated for an FCC vote on March 31. Recognizing that access to broadband is today a “must-have” service” for all Americans, the FCC is expected to rule that the \$9.25 subsidy for lower income individuals can be used to secure access to broadband in efforts to close the “homework gap” and improve job prospects for families. ALA has been actively engaged in supporting this modernization—meeting with FCC Commissioners and staff; filing public [comments](#) with the FCC; and collaborating with a [diverse coalition](#) of public interest groups on joint letters, talking points and Congressional outreach.

### Net Neutrality, E-Rate, Lifeline Programs Likely Safe from Legislative Attack in Current Congress

Congressional Republicans have expressed strong opposition to a number of regulations issued by the Federal Communications Commission (FCC) in the past year addressing network neutrality, the Lifeline and E-rate programs, and other policies. While some in the majority have called for Congressional action to nullify the FCC’s net neutrality Order or to enact funding caps on Lifeline (both strongly supported by ALA), it does not appear that Republicans will be able to gain the bipartisan support needed to pass legislation materially affecting these important FCC initiatives in either chamber of Congress.

In other broadband/communications-related news, in April ALA was invited by the newly created Congressional Rural Broadband Caucus to participate in a briefing for Congressional staff and the public on the role of libraries in providing connectivity for rural businesses and encouraging entrepreneurship. Appearing for ALA, OITP associate director Marijke Visser provided multiple illustrations of how today’s libraries are much more than book-lending facilities and places for children’s story time. As reported in [District Dispatch](#) by OGR assistant director Kevin Maher, who also attended, in response to questions from Congressional staff Marijke also detailed library service to veterans. OGR will continue to collaborate with the new Caucus to build an understanding of, and support for, library funding and programs among all Members of Congress, particularly those representing rural areas.

**Copyright Roundtables:** The first roundtables concerned the controversial “triennial rulemaking” proceeding through which exceptions to the law’s prohibition against “circumventing” a copyright protection mechanism or technology under Sec. 1201 of the Digital Millennium Copyright Act (DMCA) may be requested. A second set also were held to elicit comment on the so-called “safe harbor” provisions of the DMCA, pursuant to which online service providers are granted immunity from liability for facilitating copyright infringement by their users if they agree to “take down” allegedly infringing material from their networks upon receipt of a statutorily dictated notice from a copyright owner. A third proceeding concerns the transferability of “embedded software” like the forms increasingly incorporated in consumer goods and vehicles of every kind.

ALA and several of its partners in the [Re:Create Coalition](#) (including past PLA president Jan Sanders), as well as the group's Executive Director, participated actively in the roundtables. In all cases, ALA and its fellow Coalition members urged the Copyright Office to make its processes, and the law, substantially more fair use- and consumer-friendly to facilitate scholarship, creativity and national economic health.

**Copyright & Congress:** In Congress, the House Judiciary Committee's extensive "review" of the Copyright Act is finally nearing a close. After holding more than two dozen hearings over more than two years, the Committee is currently in the process of meeting with stakeholders who wish to make further suggestions or arguments. Committee Chairman Bob Goodlatte (R-VA6) recently announced publicly, in a [speech to the U.S. Chamber of Commerce](#), that he intends to move legislation on matters of "consensus." It is unclear to virtually all stakeholders, however, to what the Chairman may have been referring as all potential statutory changes still appear moderately to hotly contested.

In the Senate, action is similarly stalled on possible ratification of the Marrakesh Treaty. A Resolution of Council urging Congress to approve the Treaty and its associated implementing legislation is anticipated at the upcoming Annual meeting. Finally, neither chamber has yet to address modernization of the Copyright Office, or much more controversial proposals to remove it from the Library of Congress.

### **ALA former E-Rate Chair Linda Lord assists in tribute to those who forged '96 Telecom Act**

ALA's Washington Office helped to coordinate logistics for former Maine state librarian Linda Lord, former chair of ALA's E-Rate task force, to travel to the Nation's Capital to accept an inaugural *Access to Opportunity* award on behalf of Senator Olympia Snowe (R-ME). The award was presented as part of an historic [20<sup>th</sup> Anniversary celebration of the landmark 1996 Telecommunications Act](#). The E-Rate Program, in particular, has helped fuel the range of services libraries are able to provide. Before 1996, only 28 percent of public libraries provided public Internet access, compared with over 99 percent who report this today. ALA invited IMLS Director Dr. Kathryn Matthew, to join Emily Sheketoff and Linda Lord for the event. Among the many luminaries who spoke were former Sen. Trent Lott (who served as emcee), Sen. Ed Markey, and Sen. Angus King, who presented Linda with Sen. Snowe's award.

### **Continuing Advocacy Efforts Pay Off**

Staff from the Washington Office have continued to look for opportunities for libraries (public and community colleges) to engage more in the nation's efforts around workforce investment activities. Emily Sheketoff did three presentations at the National Association of Workforce Boards, in a session they call "Quickshops," where you make the same presentation to a number of small groups. Her presentation was put online, along with [the handout](#), so others who couldn't get to her presentation could read what she had to say.

The senior manager of the Walmart Foundation's Career Opportunity program approached Emily and she was able to interest her in including public libraries in her \$100 million program connecting local organizations doing workforce activities. She will be meeting with the Phoenix Public Librarian April 28; Phoenix is the first pilot city for this project.



## ALA Laying Groundwork for Broad Support of Librarian of Congress Nominee

In the wake of Dr. Carla Hayden's nomination to serve as the nation's next Librarian of Congress, OGR has established active communication channels with relevant senior staff in the White House, Library of Congress and the Senate Rules Committee, which is tasked with holding confirmation hearings on her appointment. Once that hearing is held, ALA will launch a multi-front "grasstops" and grassroots campaign in support of her rapid confirmation by the full Senate. The timing of these events remains unclear. ALA, of course, has urged her earliest possible consideration by the Rules Committee.

## Dr. Hayden's Procedural Path to Confirmation Votes Clear, but Timetable Unknown

Librarian of Congress designee Dr. Carla Hayden, as [reported in District Dispatch](#), was warmly received by Members of the Senate Rules Committee in a late April confirmation hearing. Subsequently, Committee staff reports, she has responded to supplemental written questions submitted in mid-May by several Committee Senators and, OGR has learned, met just before the Memorial Day recess with long-time fair use supporter Sen. Ron Wyden (D-OR). To date, no public opposition to her nomination has surfaced in any quarter of the larger copyright community including, perhaps most significantly, from representatives of major copyright-based industries like the Motion Picture Association of America or the Association of American Publishers. At this writing, however, it remains unclear when the Rules Committee will meet to vote on whether to recommend that Dr. Hayden be confirmed by the full Senate or, if/when they do, a chamber-wide vote would occur. Absent new opposition, however, there remains a good chance that one or both such approvals could come prior to Congress' next major recess for Independence Day. OGR will continue to monitor the "state of play" closely.

## ALA Again Wages Multi-Front Campaign to Protect FY2017 LSTA, IAL Funding

As [recently reported in District Dispatch](#), continued federal funding for libraries is again a target of proposed budget cuts, including a specific Administration proposal to trim nearly \$1 million from LSTA's popular and successful "Grants to States" program. As in past years, OGR has responded with a multi-faceted campaign to place LSTA and IAL in the best possible position as Congress begins its FY 2017 appropriations cycle. Specifically, in coalition to date ALA has: participated in nearly three dozen meetings with key members of Congress and/or their staffs; co-edited the annual Committee for Education Funding Budget Response (which included two chapters written by ALA) that will be presented to Congress; joined [a letter](#) to Congress urging fair funding for education and domestic programs signed by 660 organizations; and joined with four coalitions to urge Congress to increase education funding (Early Literacy, Non-Defense Discretionary, Committee for Education Funding, and Title IV Funding).

ALA individually has submitted 13 funding requests backing LSTA and IAL to individual Members of Congress and orchestrated a multi-week grassroots effort to secure the maximum number of signatures by Members of Congress on [four annual "Dear Appropriator" letters](#) in support of LSTA and IAL (one letter for each program in each chamber). OGR's two blogs, multiple email alerts and twitter announcements, several grassroots alerts, and targeted state appeals made in conjunction with state chapters produced: more than 14,000 confirmed individual emails by ALA members and other library supporters, at least 725 tweets, and a significant volume of non-logged phone calls. These contacts resulted in: 34 and 31 signatures on the Senate LSTA and IAL letters respectively (+2 and +1 over 2015), and; 88 and 124 signatures on the House LSTA and IAL letters. (Totals are pending as the letters continue to circulate for

signature as of this writing). In sum, 529 of a total 535 Members of the Senate and House have been contacted at least once thus far by ALA's grassroots in support of FY2017 LSTA and IAL funding.

### **Fight for FY 2017 LSTA and IAL Funding Moves into High Gear; Outcome Uncertain**

House and Senate appropriators have begun to move spending bills with an eye towards finishing all 12 bills by October 1, the start of the new fiscal year. If they do, it will be the first time since 1994 that Congress has hit that mark. The odds, however, aren't helped by [Speaker Ryan's commitment](#) to House Republicans that the House would conduct its business pursuant to duress called "regular order," under which bills may be amended more often and more extensively. Lately, House Democrats have taken advantage of that promise to force the majority to take votes on amendments to appropriations bills on uncomfortable subjects, like "LGBT" anti-discrimination proposals, as the November's elections loom.

To date in the appropriations process, ALA has focused its efforts on opposing the President's recommended cuts in funding under the Library Services and Technology Act (LSTA), among them a nearly \$900,000 cut in the Grants to States program. ALA is urging lawmakers to instead fund that critical program at last year's level of \$182.9 million. The President has recommended, and ALA also is working to support, such "level funding" of \$27 million for the Innovative Approaches to Literacy program, which supports school library acquisitions for the nation's poorest children.

As always, ALA's current appropriations advocacy has taken multiple forms. In mid- and late-March, OGR issued a grassroots call-to-action (to which the grassroots responded splendidly) to urge Senators and Representatives to sign on to the [annual "Dear Appropriator" letters](#). In late March, ALA presented its funding priorities to Congressional staff at a spring Committee for Education Funding briefing coincident with the release of CEF's annual education funding [budget response book](#). Also, in April, ALA Washington Office Executive Director Emily Sheketoff submitted comments to the [House](#) and [Senate](#) Appropriations Committees' again urging at least level funding for LSTA and IAL. Supporting LSTA and IAL funding also was a priority issue at this year's National Library Legislative Day.

ALA's Washington office also participated in dozens of Congressional meetings and [other events](#) in support of funding for LSTA, IAL, and Every Student Succeeds Act Title IV programs. Funding for LSTA, IAL, Title IV and other education programs is expected to be taken up by House and Senate Appropriations Subcommittees in June. Beyond that, the timing of subsequent steps in the legislative process is unclear.

### **ALA Opposes Congressional Moves to Block LC Subject Heading Changes**

As reported recently in both [mainstream press](#) and [District Dispatch](#), the House Legislative Branch appropriations bill recently was approved by the full House Appropriations Committee on May 17 with report (non-bill) language effectively instructing the Library of Congress not to implement its proposal to change the subject headings "Aliens" and "Illegal Aliens" to less pejorative terms. The action came after an amendment (strongly [backed by ALA and ALCTS](#)) to strip the objectionable language by Rep. Debbie Wasserman Schultz (D-FL23) failed (24-25). (The [language had been inserted in the bill's report](#) at the Subcommittee level.) The amendment also was supported by a [joint letter](#), entered into the record, by the Chairs of the Hispanic, Black, and Asian Pacific American Caucuses.

The full Senate Appropriations Committee passed its version of the bill on May 19<sup>th</sup>, however, with no such language -- as also jointly requested of key Senators by the presidents of ALA and ALCTS. Consequently, even if both chambers pass their Legislative Branch appropriations bills, the matter now must be negotiated "in conference." November, post-election, is the earliest that such a scenario is likely to play out. The unprecedented "standalone" bill to preempt the Library's proposed actions, the "Stopping Partisan Policy at the Library of Congress Act" ([H.R. 4926](#)), remains unlikely to advance.

As in the past, library professionals and the public at large have been invited by the Library to comment informally through mid-July on the proposed subject heading changes. Given the volume of comments anticipated with respect to the terms "Aliens" and "Illegal aliens," the Library has for the first time turned to an [online survey form](#). It is unclear how such comments, which have not been solicited as part of a formal rulemaking proceeding, will be assessed by the Library or when it will make a final determination as to whether to proceed with its controversial proposed changes.

### **ALA Backs Bill to Repeal Cybersecurity/"Information Sharing" Statute Passed as Part of Massive Year-End Funding Package**

With [Senate passage of the Cybersecurity Information Sharing Act](#) (S. 754) or "CISA" in late October, OGR last reported in December 2015 that negotiations were then actively underway to include the [privacy-hostile legislation](#) in the massive "omnibus" funding bill that Congress was then pushing hard to pass by year's end. Sadly, over [ALA's individual public objection](#) and [objection in coalition](#) with many other diverse national groups, the renamed Cybersecurity Act of 2015 was included in the omnibus bill approved by Congress and signed by the President just after that report. In late January, ALA joined 16 other national groups from across the political spectrum in [calling upon all Members of Congress](#) to support H.R. 4350, introduced by Reps. Justin Amash (R-MI) and John Conyers (D-MI) in late January, to repeal the cybersecurity legislation. The bill's prospects of passage are low, however, in the current political environment.

### **Congress Enters Encryption "Back Door" Mandate Debate**

Fueled by the controversy and litigation arising from the FBI's recent demands of Apple ([publicly opposed by ALA](#)) in the wake of the San Bernardino attack, the debate over whether encryption systems can or must be built with "back doors" to permit authorized law enforcement access and/or surveillance has become legislative. As expected at last report, several bills addressing the issue in multiple ways already have been introduced or are anticipated imminently. Specifically: House Homeland Security Committee Chairman Michael McCaul (R-Texas) and Senate Intelligence Committee member Sen. Mark Warner (D-Va.) [introduced a bill on February 29](#) ([H.R. 4651/S. 2604](#)) proposing a [commission](#) comprised of technology, law enforcement, intelligence, privacy groups and others to thoroughly discuss how law enforcement can access encrypted communications that involve terrorism and make recommendations; at this writing, Senate Intelligence Committee co-chairs Richard Burr (R-NC) and Dianne Feinstein (D-CA) are [expected within days](#) to formally propose a bill to require that "back doors" be built into all encryption systems; and the ENCRYPT Act ([H.R. 4528](#)), sponsored by Rep. Ted Lieu (D-CA) and Rep. Blake Farenthold (R-TX), would "prevent any state or locality from mandating that a 'manufacturer, developer, seller, or provider' design or alter the security of a product so it can be decrypted or surveilled by authorities." Other legislation is expected, however, no bill is expected to have an easy or rapid path to passage.

## Encryption “Back Door” Mandate Debate Continues Unabated Post-Apple/FBI Controversy

In the wake of the Apple/FBI fight, federal legislation to [mandate a “back door” into encryption systems](#) remains a hotly debated subject in Washington. On paper, there remain two [principal competing legislative vehicles](#) for the debate: a [likely “dead” draft bill](#), the “[Compliance with Court Orders Act of 2016](#),” by Intelligence Committee Vice-Chairs [Sens. Richard Burr \(R-NC\) and Dianne Feinstein \(D-CA\)](#) that would compel companies to assist law enforcement in accessing encrypted data when so-directed by a valid court order; and the [Digital Security Commission Act \(H.R. 4651\)](#) by House Homeland Security Committee Chairman Michael McCaul (R-TX) and Sen. Mark Warner (D-VA), [summarized here, to](#) establish a national commission to address and make recommendations on the issue.

In addition to working with Congress on the matter, in mid-April ALA and its [coalition partners also continued to pressure the White House](#) to publicly oppose restrictions on robust encryption or mandates to weaken or circumvent it. Notably, positive legislation also has been introduced in the House. The “ENCRYPT Act” ([H.R. 4528](#)), sponsored by Rep. Ted Lieu (D-CA33) and Rep. Blake Farenthold (R-TX27), would “prevent any state or locality from mandating that a ‘manufacturer, developer, seller, or provider’ design or alter the security of a product so it can be decrypted or surveilled by authorities.” No bill discussed above is expected to have an easy or rapid path to passage.

### “Save Crypto” Campaign against Mandated Encryption System “Back Doors” Continues; “Save Security” Campaign Launches on Day of Argument to Support Apple’s Case in Court

Last year, ALA joined a large number of other national groups in promoting the [#SaveCrypto](#) campaign. The campaign, launched on September 30, 2015, initially was organized around a drive to encourage 100,000 individuals to sign a petition mounted on the White House’s “We the People” website calling on the President to confirm that he opposes efforts to mandate that encryption designers include a “back door” -- ostensibly for the use of law enforcement only when authorized -- in their systems. The 100,000 signature target was reached four months ago in just nine weeks. The White House, however, has yet to substantively respond as it promises on the “We the People” website to do so for all petitions that meet the 100,000 signature threshold. Coalition efforts to secure that detailed reply continue. In addition, in early January ALA and scores of other national organizations and individual technical experts [wrote to the President](#) asking him to affirmatively and publicly reject policies that would weaken encryption, and to urge other world leaders to take a similar stand. ALA and others also [wrote in early March to senior White House staff](#) at the heart of encryption policymaking to respectfully ask that civil society and human rights organizations be included in high-level discussions bearing on mandated encryption to the same extent as technology companies that participated in a recent Administration/Silicon Valley “summit” have been.

### ALA Supported Coalition Pushes Landmark Privacy Protections Unanimously through House

After literally years of work by ALA and many coalition partners, a bill to finally reform the Electronic Communications Privacy Act (ECPA), [H.R. 699, passed the House](#) on April 27<sup>th</sup>. Critically, it did so by a vote of 419–0 and devoid of language that, until late in the process, threatened to weaken the bill to the point that ALA and other privacy advocates likely would have been forced to withdraw their support. ALA and its grassroots actively lobbied for passage of H.R. 699, releasing a [statement](#) by president Sari Feldman and writing in coalition to the [Senate on](#)

[May 24<sup>th</sup>](#), the [House on April 26<sup>th</sup>](#), and all [House Judiciary Committee Members on April 13<sup>th</sup>](#). (As passed by the House, HR. 699 would require law enforcement authorities to obtain a judicial warrant based on probable cause to obtain the content of personal emails, texts, electronic files, photos and virtually any other private and electronically stored data. [Under current law](#), in most cases, only a subpoena is needed to get such material after it's more than six months old.)

The bill's fate in the current Congress now rests with the Senate Judiciary Committee, which was to have "marked up" a slightly altered version of the bill on May 26<sup>th</sup> but was forced to forego action in the face of a flurry of late amendments seemingly designed to make the bill unsupportable by advocates of real reform. The Committee is now scheduled to again consider the measure and amendments to it on June 9<sup>th</sup>. It is unclear at this writing, however, whether the Committee will succeed in reporting the bill out to the full Senate and, if it does so, whether that bill will be one that contains unsupportable "poison pill" provisions. Those could include exempting certain civil agencies from the bill's strong new judicial warrant requirements, or affording law enforcement exemptions from the new warrant requirement in "emergencies" so broadly defined as to effectively nullify the bill's intended new protections.

### House Judiciary Committee to Finally Vote on Electronic Communications Privacy Act

As [previously reported](#) in District Dispatch many times over the past several years, despite enormous bi-partisan support, bills to meaningfully reform the Electronic Communications Privacy Act (ECPA) have been bottled up in the House Judiciary Committee. As last reported, the House Judiciary Committee held a long-sought and contentious hearing on the current bill, the [Email Privacy Act](#) (H.R. 699), in early December of last year at which proponents repeatedly pressed the bill's principal antagonist – Judiciary Committee Chairman Bob Goodlatte (R-VA6) -- to immediately bring it before the Committee for an "up or down" vote. The pressure worked.

Initially committing publicly to "marking up" H.R. 699 in the Judiciary Committee "in March," the Chairman now formally has set April 13, 2016 for markup of H.R. 699. Anticipating efforts by Chairman Goodlatte to weaken the bill, ALA is actively working in coalition with other public and private sector groups to move an unweakened Email Privacy Act out of the House Judiciary Committee and to a vote in both chambers of Congress before year's end. HR. 699 would require law enforcement authorities to obtain a judicial warrant based on probable cause to obtain the content of personal emails, texts, electronic files, photos and virtually any other private and electronically stored data. [Under current law](#), in most cases, only a subpoena is needed to get such material after it's more than six months old.

### ALA Backs Whistleblower Protection Bill, Protests Mischaracterization of Whistleblowers as Threat by Office of the Director of National Intelligence

Together with the ACLU, OpenTheGovernment.Org, PEN American Center, Public Citizen and more than two dozen other national groups, [ALA wrote in December](#) to Senate Judiciary Committee Chairman Charles Grassley (R-IA) and Ranking Member Patrick Leahy (D-VT) in support of their FBI [Whistleblower Protection Enhancement Act](#), S. 2390. As noted in this [Bill of Rights Defense Council blog](#), current law does not adequately shield FBI whistleblowers from professional retaliation. No near-term action on the bill is expected. ALA also joined with a similar group of organizations from across the political spectrum in a [letter to the Inspector General of the Intelligence Community](#), Charles McCullough, seeking public correction of a top national intelligence community official's public mischaracterization of whistleblowers as an "inside threat" to the government and national security. His response remains pending.

## Other Diverse ALA Pro-Privacy Coalition Work Continues Apace

During the current reporting period, ALA has helped craft and lent its name to several additional coalition communications to Congress pertaining to privacy and surveillance. Specifically, ALA has: written to the [Director of National Intelligence](#) seeking information on the number of American citizens whose communications have inadvertently been gathered in pursuit of foreign intelligence under Section 702 of the Foreign Intelligence Surveillance Act (FISA); asked the [House Committee on Oversight and Government Reform](#) to hold hearings regarding the widely reported incidence of communications by Members of Congress having been intercepted by the National Security Agency; and urged the [House Judiciary Committee](#) to redesignate a hearing on Section 702 of FISA as at least partially unclassified to allow for public attendance and participation in building a record.

## ALA Succeeds in Push for Legislation to Make CRS Reports Publicly and Freely Available

At last report, support was growing in the [private sector, press](#) and among Members of Congress for a bill that would direct the US Government Publishing Office to presumptively make almost all Congressional Research Service research reports promptly and widely available to the public without charge. Legislation to do just that, the Equal Access to Congressional Research Service Reports Act of 2016, [S. 2639](#) and [H.R. 4702](#), was introduced in early March. As noted then in [District Dispatch](#), ALA worked closely with more than 40 other organizations to reach this milestone, including particularly Demand Progress. The coalition's statement on introduction of the bill, as well as the press statements released by all four of its Senate authors, are available on the [Demand Progress website](#). Currently the public is able to get only piecemeal access to these reports as they are released at the discretion of various Congressional offices. ALA has expressed its appreciation to Senators John McCain (R-AZ) and Patrick Leahy (D-VT) who sponsored the bill in the Senate and Representatives Leonard Lance (R-NJ) and Mike Quigley (D-IL) who introduced it jointly in the House. OGR looks forward to working closely with these offices and others in Congress to bring this long overdue legislation to a vote in both chambers.

## Legislation Mandating Broad Public Access to CRS Reports Likely Stalled

As reported previously, ALA joined with a number of other groups to support the early March introduction of the "Equal Access to Congressional Research Service Reports Act of 2016," [S. 2639](#) and [H.R. 4702](#). Given the compressed congressional calendar, on April 6<sup>th</sup> ALA again teamed with our coalition partners to [urge House and Senate committees to move forward with a markup of the bill](#). While that has not yet happened, Rep. Quigley (who introduced H.R. 4702) attempted to provide access to CRS reports through another avenue, introducing two amendments during the a House Appropriations Committee markup on May 17<sup>th</sup>. Regrettably, both amendments failed.

The first amendment, as proposed in H.R. 4702, would have directed the Government Publishing Office (GPO) to establish and maintain a public website to provide searchable, sortable, and downloadable public access to Congressional Research Service (CRS) reports without charge. When that amendment failed, Rep. Quigley then offered language to the appropriations bill that merely would have required a comprehensive list of all CRS reports produced (properly confidential documents excepted as in H.R. 4702) to be made publicly available. The lack of support during the House Appropriations markup is of concern, but ALA and our partners will continue to try to move this issue forward. That effort is likely to continue in the 115<sup>th</sup> Congress, which will be constituted in early 2017.

## Seamus Kraft wins 2016 James Madison Award

On March 11<sup>th</sup>, ALA president Sari Feldman [awarded the OpenGov Foundation's Director Seamus Kraft with the James Madison award](#). Kraft has engineered a number of breakthrough initiatives aimed at opening government access and transparency to the public. Those projects include: creating America Decoded, which publishes legal codes, legislative data and existing laws in standardized data for major states and cities; launching MADISON—an open legislative data and engagement platform for writing, publishing and annotating legislation—in federal, state and local governments; being the driving force behind the recent successful bipartisan push that officially opened the House of Representatives to open-source software; and hosting four, nationwide #Hack4Congress events to catalyze progress and strengthen the open government community.

## Broad FOIA reform bill passes in the Senate

[A year after it was introduced](#), the Senate finally voted on [S. 337, the FOIA Improvement Act](#), and the bill passed unanimously. It is now time for the Senate and House negotiators to reconcile S. 337 with the House's own version of FOIA reform, [H.R. 653](#), which passed unanimously in January of this year. With an extra-long summer recess to accommodate the major parties' political conventions looming, and a legislative calendar further truncated by the 2016 elections themselves, time will be tight if Congress and the public are to avoid the sad situation we were left in at the end of the 113th Congress when [time simply ran out to enact FOIA reform in 2014!](#) Thanks to Senator John Cornyn (R-TX), Senate Judiciary Committee Chairman Charles Grassley (R-IA) and Judiciary Ranking Member Patrick Leahy (D-VT) not only for introducing and supporting S. 337 in the current Congress, but for their longstanding commitment to meaningful FOIA reform over many years and multiple Congresses. We now have forward movement!

## National Library Legislative Day Tops Grassroots Highlights List

Just over 400 participants from all but three states again attended this year's National Library Legislative Day (NLLD) in Washington. Participants reacted favorably to changes in the structure of the event, including particularly condensed issue briefings and added time for a media training panel. The event's popular "newbie" training session, traditionally offered on the Sunday before Monday's formal "Leg Day" briefings, was in particularly high demand this year. Subscription by more than 120 first-time NLLD participants necessitated the addition of a second training session for the first time in NLLD's more than 40 year history.

NLLD this year also both facilitated and showcased ALA's deepening collaboration with the [Harry Potter Alliance](#) (HPA). Pre-NLLD social media and email "challenges" inaugurating a constructive and friendly rivalry between our respective grassroots netted more than 630 contacts by HPA members, *and almost 2200 contacts by ALA activists*, to congressional offices in support of [ALA's key policy "asks"](#) on federal funding, copyright and privacy legislation. They also actively advocated for Dr. Carla Hayden's immediate confirmation as Librarian of Congress and in support of the Library of Congress' autonomy in subject heading determinations (see discussion above).

This year for the first time, we were able to live-stream the morning briefings for those who participated in NLLD virtually.

NLLD participants also were afforded a preview of the [inaugural "SPARK" video](#), jointly produced by OGR with HPA. Comprised of 3 -5 minute "shorts" designed to introduce teens and young

adults to Congress and federal advocacy, the new video series ([publically announced by ALA](#) on May 2) aims to demystify the advocacy process for young and new advocates, giving them concrete tips on calling legislators' offices, scheduling meetings and planning their own campaigns. Three of eight videos have been completed at this writing with the remainder expected to be released this summer.

Finally, OGR is pleased to report that interest in active advocacy by members and other supporters is strong. In the past year: net subscriptions to [District Dispatch](#) increased and the number of individuals who follow District Digest (the weekly Washington Office newsletter) now stands at 9,825, up 60% (from 6,000); more than 12,700 new advocates signed up to receive legislative alerts through Engage, increasing ALA's pool of recipients by more than 10%; and the Washington Office Tumblr account, [Library Advocates](#), reached the 15,000 follower milestone.

### Open Government Data Bill Introduced in both Chambers and Advances in Senate

In late April, the "OPEN Government Data Act" was introduced in both the House ([H.R. 5051](#)) and Senate ([S. 2852](#)). These identical bills would establish a comprehensive policy across the federal government to ensure that government data is accessible to the public by requiring federal agencies to publish government data in machine-readable and open formats, and to use open licenses. While the House Committee on Oversight and Government Reform has not yet acted on H.R. 5051, the Senate Committee on Homeland Security and Governmental Affairs approved S. 2852 on May 25<sup>th</sup>, making it "ripe" for potential floor consideration. In early May, ALA joined in expressing its [support for these bills](#) and OGR will continue to work to move them forward in Congress, as possible. With very few actual "legislative days" remaining in the current Congress' calendar prior to its extended summer recess and the November elections, however, their prospects for passage remain unclear.

### New Initiative Archives Key Washington Office, COL Documents in Easily Searchable Form

In close collaboration with ALA archives staff at the University of Illinois, Urbana-Champaign, the ALA Washington Office Information Manager Stephen Mayeaux has initiated a program of metadata curation for, and regular document uploads to, the [ALA Institutional Repository](#) (ALAIR). All deposits will be made available in ALAIR. This effort is part of a long-term content management strategy by the Office intended to facilitate searchable access to past and present Washington Office materials. It is also intended to ensure the long-term storage and discoverability of current, "born digital" office content on a range of federal legislative, regulatory, and library advocacy issues.

Newly archived and preserved materials include: ALA- and coalition-authored letters to federal officials and congressional committees, newsletters, publications, amicus briefs, and comments and submissions on federal rulemaking procedures, among others. To date, more than 1100 documents have been uploaded to the [ALA Washington Office](#) collection. A parallel project also is underway to build a comparable [Committee on Legislation](#) collection.

These projects represent a continuation and expansion of work that the Washington Office has undertaken since the arrival of its Information Manager to upload large quantities of older materials to the Archives that previously were unavailable in digital format elsewhere on [www.ala.org](#). A complete and fully searchable database of all ALA Council Resolutions addressed by the Committee on Legislation from 2001 forward is now complete. Select other Council Resolutions dating back as far as 1961 also are available. Regular updates of the archives will continue with the goal of making ALAIR a thorough, searchable permanent collection of Washington Office-generated content.



## ALA Briefs Congressional Caucus on Value of Broadband for Rural Libraries

At the April meeting of the bipartisan Congressional Rural Broadband Caucus, OITP Associate Director Marijke Visser and co-panelists from the public and private sectors briefed the caucus, congressional staff and a general audience at a public session entitled “Strengthening Rural Economics through Broadband Deployment.” Marijke provided examples of how libraries have helped small businesses develop business plans, conduct market research, foster employee certification, use 3D printers, and even use library software programs to design and print creative menus for a restaurant. Membership in the caucus currently stands at 34 representatives.