TO: ALA Executive Board

RE: *Report on Washington Office Activities*

ACTION REQUESTED/INFORMATION/REPORT:
For information purposes. No actions requested.

ACTION REQUESTED BY:
No action requested.

CONTACT PERSON:
Emily Sheketoff, Executive Director, ALA Washington Office
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DRAFT OF MOTION:
None.

DATE: *March 29, 2013*

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

Attachments: Executive Board Report on Washington Office Activities

OFFICE FOR INFORMATION TECHNOLOGY POLICY (OITP)

DCWG Releases Report on Evaluating Ebook License Terms

To help public libraries navigate through the ebook environment, ALA released "The Business Model Scorecard," a report that examines specific variables often seen in library ebook license contracts. The report, which was created by the ALA Digital Content & Libraries Working Group, can be used by librarians to weigh ebook contract variables most important to their library. The report assesses 15 ebook contract variables of importance to libraries, ranging from ebook title inclusion, to ebook pricing, to immediate patron access.
http://www.districtdispatch.org/wp-content/uploads/2013/02/Ebook_scorecard.pdf

OITP, Maureen Sullivan Release All-Member Communication on Ebooks

In a message to members of the American Library Association, President Maureen Sullivan detailed steps taken by the organization over the past year to advocate for library access to fairly priced e-book titles. In the statement, Sullivan sums up work accomplished by the ALA Digital Content Working Group, including relationship-building with publishers, increased media outreach and information resources and tools for libraries and library advocates. The communications includes a detailed text report and an accompanying highlights video.
http://americanlibrariesmagazine.org/e-content/message-all-ala-members-ala-president-maureen-sullivan

Public Libraries Critical Partner in Ad Council, Digital Literacy Campaign

Public libraries, Connect2Compete, their national partners, and the Ad Council have joined together and launched EveryoneOn on March 21, 2013. The EveryoneOn campaign mission is to empower people by giving them the tools and confidence they need to improve their lives through the Internet. Libraries and other community-based organizations are critical to the success of this national campaign in our communities across the country.

Using public libraries as critical partners, the campaign will encourage people who do not regularly use the Internet to find free training opportunities already provided by libraries (and other community-based organizations). Libraries can add information about their digital literacy programs to the zip code locator tool to help people find help more easily. People looking for free digital literacy training also can call 855-EVRY1ON (387-9166) or text CONNECT to 30364 or CONECTA to 30364 (in Spanish) to find nearby training. The campaign will teach the public about the importance of technology in developing digital skills via advertisements, public service announcements and social media activities over the next three years.
http://www.districtdispatch.org/2013/03/putting-libraries-on-the-national-stage/

OITP Report on "U.S. Public Libraries and BTOP" Shares Community Impacts

In February, the American Library Association Office for Information Technology Policy released the first national report detailing U.S. library engagement with the $4 billion Broadband Technology Opportunities Program (BTOP). The preliminary report highlights statewide library

BTOP projects and their community impacts in improving public access to technology resources, digital literacy, workforce development and stronger collaborations and integrated services. View the report at http://www.districtdispatch.org/wp-content/uploads/2013/02/ALA_BTOP_Report.pdf

FCC Chairman Addresses ALA Conference, Role of Libraries in Digital Literacy

Federal Communications Commission Chairman Julius Genachowski released a video message to more than 10,000 librarians and library advocates at the ALA Midwinter Meeting. "For millions of Americans, libraries are the only place where they can get online. For millions more, libraries are an important complement to their at-home connectivity," says Chairman Genachowski in the video. Libraries may access and share the video with other key stakeholders by visiting the ALA Washington Office's YouTube channel.

Bestselling Author to Host Copyright Workshop Tailored to School Librarians

To help school librarians and educators better understand copyright law, author Carrie Russell will host the workshop "Copyright for K-12 Librarians and Educators" on April 11, 2013. Russell is also the director of the American Library Association's Program on Public Access to Information. In the workshop, Russell will discuss her newly released book Copyright for K-12 Librarians and Educators and offer guidance on ways to legally provide materials to students by exploring common scenarios encountered by school educators and librarians.

DCWG Hosts Popular E-book Sessions at ALA Midwinter Meeting

The ALA Digital Content Working Group hosted two well-attended sessions on e-books at the Midwinter Meeting. The first e-book session—titled "Starting from Scratch: New Recipes for Ebook Models that Work"—discussed current e-book lending systems and offered perspectives on future directions. The second session, titled "E-books and Libraries: Where Do We Stand and Where Are We Going?" discussed ALA initiatives taken thus far and explored ALA e-book policy strategies for the future. The second session included a leading panel of experts and practitioners from the e-book publishing ecosystem that illuminated policy priorities for ALA going forward.

ALA Honors Five Libraries for Offering Cutting-edge Services

In January, ALA recognized five libraries for offering cutting-edge technologies in library services, honoring programs in Boston; New York; Tucson, Ariz.; Orlando, Fla.; and Le Roy, N.Y. The recognition, a collaboration with LITA, showcases libraries that are serving their communities using novel and innovative methods. Libraries and library service areas selected will be highlighted through various ALA publications and featured in a program at the 2013 ALA Annual Conference in Chicago. http://www.districtdispatch.org/2013/01/cutting-edge-2013

ALA Digital Literacy Task Force Releases Report on Digital Inclusion

The ALA Digital Literacy Task Force released "Digital Literacy, Libraries, and Public Policy," a comprehensive report that provides a broad overview of digital literacy in the context of school,

public, and academic libraries. The report explores the ways that various libraries support digital literacy programs for their students and patrons. In addition to this new report, the Task Force is developing a set of recommendations to the library community as well as policy makers and potential funders to continue and expand libraries' engagement and leadership to effect meaningful and sustainable change in our communities. These recommendations will be a companion piece to this report. http://www.districtdispatch.org/2013/01/on-the-front-lines-of-digital-inclusion/

Pew Study Finds Patrons Want Books and Technology

The Pew Research Center released the Internet & American Life Project report "Library Services in the Digital Age," a study that examines the role of libraries in communities and the kinds of services people would like to see from libraries. The report found that people value public libraries and librarians and believe they are important to their communities, and that libraries continue to be at the forefront of bridging the digital divide. http://www.districtdispatch.org/2013/01/pew-report-finds-librarians-want-books-and-technology/

ALA Sought Candidates for Google Policy Fellowship

OITP is participating in the Google Policy Fellowship program again this summer. OITP began its participation at the program's founding in 2008 and thus this will be our sixth year in this excellent initiative. For the summer of 2013, the selected fellow will spend 10 weeks in residence at the ALA Washington Office to learn about national policy and complete a major project. While Google pays the $7,500 stipend, ALA retains complete control over the fellow's work agenda. Applications were due by March 15 and master's and doctoral students from LIS programs were especially encouraged to apply. Applications are being reviewed.

Nominations Open for Two Copyright Recognitions

OITP now is soliciting nominations for the L. Ray Patterson, an honor that recognizes particular individuals or groups who "embody the spirit of the U.S. Copyright law as voiced by the framers of our Constitution: 'to advance the knowledge of science and useful arts.'" Last year's winner was Winston Tabb of Johns Hopkins University. In addition, OITP welcomes applications for the Robert Oakley Scholarship that supports research and advanced study in copyright-related areas for librarians in their early-to-mid-careers. Last year's recipient of the Oakley Scholarship was Eric Harbeson of the University of Colorado.
http://www.districtdispatch.org/2013/01/nomination-open-now-l-ray-patterson-award/
http://www.districtdispatch.org/2013/01/call-for-nominations-robert-l-oakley-memorial-scholarship-2/

OITP Participates in Alternative Spring Break

Claire Abraham and Jonathan Davidson, two graduate students at the School of Information at the University of Michigan, worked at the Washington Office for their 2013 Alternative Spring Break assignment. In addition to learning about ALA public policy work, they developed elevator stories about the library ebook problem.
http://www.districtdispatch.org/2013/03/from-michigan-to-the-capital/

OITP Releases E-rate Report

The E-rate program is approaching its own version of the federal budget fiscal cliff. OITP Fellow Bob Bocher explains the E-rate cliff in preparation for discussions for how to address the impending shortfall.
http://www.districtdispatch.org/2013/02/e-rates-looming-fiscal-cliff/

OFFICE OF GOVERNMENT RELATIONS (OGR)

Supreme Court Rules in Favor of Libraries, Consumer Rights

On March 19, 2013, the U.S. Supreme Court supported consumer rights and libraries in the high-profile Kirtsaeng v. Wiley & Sons, Inc. case by ruling that goods lawfully made overseas are protected by the first sale doctrine. The Kirtsaeng case focused on whether Americans and businesses had the right to sell, lend, or give away the things they own that were made overseas. The case centered on a graduate student, Supap Kirtsaeng, who bought textbooks published by John Wiley & Sons in Thailand and sold them online in the United States. Kirtsaeng was sued by the book publisher, who claimed that the right of first sale did not apply because the books were manufactured overseas.

The court case ruling could have greatly affected libraries, as the first sale doctrine allows libraries to lend books and other materials to the public. With this decision, the Court upheld the rights of libraries to loan materials lawfully to their patrons regardless of where those materials have been manufactured. In anticipation of this ruling, the ALA joined the Owners Rights Initiative (ORI), a broad coalition of companies and other organizations who advocate and lobby to preserve the first sale doctrine. ALA will continue to work with ORI should any legislative action be taken against first sale under the principle that when we buy it, we can lend it.

ALA Posthumously Honors Aaron Swartz with Madison Award

ALA posthumously awarded activist Aaron Swartz the 2013 James Madison Award for his dedication to promoting and protecting public access to research and government information. ALA President, Maureen Sullivan presented the award to Swartz's family during the 15th Annual Freedom of Information Day in Washington, D.C. Before his untimely death in January, Swartz was an outspoken advocate for public participation in government and unrestricted access to peer-reviewed scholarly articles. Swartz was a co-founder of Demand Progress, an advocacy group that organizes people to take action on civil liberties and government reform issues. Swartz was also a leader in the national campaign to prevent the passing of the Stop Online Piracy Act, a bill that would have diminished critical online legal protections.

Swartz was revered as a gifted computer programmer long before he became a public activist. He helped to develop the web feed format RSS, the website framework web.py and the social news website Reddit. As a teenager, Swartz designed the code layer for the Creative Commons

licenses. The award, which is named in honor of President James Madison, honors individuals who have championed, protected and promoted public access to government information and the public's right to know national information. ALA has long been a supporter of open access policies that increase the amount of research made available to the public.

Sequestration Goes into Effect

In March, sequestration—automatic cuts to all federal discretionary programs—went into effect after Congress could not reach an agreement on a deficit reduction plan. As a result, sequestration will impact all libraries served by state library agencies. The Institute for Museum and Library Services has been cut by $12 million, which includes $7.866 million in cuts to the Library Services and Technology Act (the federal sequester will mean a 5 percent cut in the $232 million allocated to IMLS).

Overall, state programs will be cut, and each state will decide how the reduced budgets will affect the services delivered to the public, it may include the reduction of summer reading programs, database subscriptions, workforce development programs including employment skills and job searching, and services to people with disabilities. Future grant program budgets will also be slashed, though grants already awarded will not be affected by sequestration.

OGR Launches E-Government Website and Hosts Free Webinar for Public Librarians

To assist libraries in providing e-government services to patrons, OGR hosted host no-cost webinar "Libraries & E-government" on April 12, 2013. As part of the webinar, participants learned how to use www.libegov.org, an easy-to-use web tool that helps libraries serve the e-government needs of their communities. The free webinar was so popular that it sold out of space just two days after OGR publicly announced the webinar.

The website provides librarians with descriptions of online resources available from government agencies and non-governmental organizations that deal with issues, such as immigration and taxation. Additionally, the website offers a virtual Ask A Librarian feature through Government Information Online service. The website is the result of an Institute of Museum and Library Services funded national leadership grant and was developed by the Information Policy & Access Center at the University of Maryland and the American Library Association through, and is intended to foster collaboration between libraries and government agencies, as well as offer guidance on the provision of e-government services and roles to assist libraries as they continue to serve as critical community providers of e-government to a range of populations.

Open Access: FASTR is the New FRPAA

In February, the Fair Access to Science and Technology Research Act (FASTR) was introduced in both the House and Senate. Essentially, the legislation would advance and expand the National Institutes of Health Public Access Policy which requires public access to taxpayer-funded research to an additional 11 agencies. While this legislation has a new name, the language of the bill is almost identical to that of Federal Research Public Access Act (FRPAA) that was introduced in the last congress.

ALA Joins Coalition to Oppose CISPA

The ALA belongs to a coalition of Internet advocacy organizations and individuals that are launching a week of action to combat the Cyber Intelligence Sharing and Protection Act (CISPA). Viewing CISPA as one of the greatest threats to Internet users since SOPA, the coalition intends to leverage popular outrage to oppose the dangerously broad cybersecurity bill. Other members of the coalition include the Constitution Project, Demand Progress, and the Electronic Frontier Foundation. View opposition letter.

The objectionable provisions of CISPA include: eviscerating existing privacy laws by giving legal immunity to companies who share users' private information, including the content of communications, with the government; authorizing companies to disclose users' data directly to the NSA, a military agency that operates secretly and without public accountability; and broad definitions that allow users' sensitive personal information to be used for a range of purposes, including "national security," not just computer and network security.

The coalition believes that legislation intended to enhance our computer and network security must not sacrifice long-standing civil liberties and protections. Some examples: Contact your Congressional Representatives and ask the White House to renew its promise to veto CISPA by tweeting hashtags #CISPA, #StopCISPA and #CISPAAlert.

OGR Offers Free Advocacy Webinars

The Office of Government Relations hosted the webinar "The Fiscal Cliff, the 113th Congress and You – How Today's Economic Uncertainty Might Impact the Library Community" in early January. The webinar prepared library advocates for the new 113th Congress and an update on the sequestration situation. The webinar also focused on the policy issues most likely to be considered in 2013.

House passes the Workforce Investment Act

In March, the U.S. House of Representatives passed H.R. 803, the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act which would reauthorize the Workforce Investment Act (WIA). The ALA Washington Office has been working with Members on both sides of the aisle on this legislation and is encouraged that H.R. 803 would help to ensure greater participation of libraries in our nation's workforce investment system. In particular, H.R. 803 includes provisions that ensure the state workforce investment plan includes a description of the actions that will be taken by the state to foster communication, coordination, and partnerships with non-profit organizations – including public libraries.

Next, this legislation will move on to the U.S. Senate where it will have a monumental task at getting passed. However, we are beginning to reach out to the Senate to help ensure that their version of WIA reauthorization legislation also includes provisions that would encourage greater participation of libraries in the workforce development system.

Rep. Holt Introduces Workforce Funding Bill

In January, Representative Rush Holt (D-NJ) reintroduced H.R. 113, the Workforce Investment through Local Libraries Act (WILL) for the new 113th Congress. The WILL Act would allow libraries the access to Workforce Investment Act funds to continue to provide job search support in communities all across America. The bill also recognizes public libraries as an allowable "One-Stop" partner and authorizes new demonstration and pilot projects to establish employment resources in public libraries. This will allow library users access to workforce activities and information related to training services and employment opportunities, including but not limited to resume development, job bank web searches, literacy services, and workshops on career information. The legislation would amend the Workforce Investment Act to include library representation on state and local workforce investment boards as well as assure coordination of employment, training, and literacy services carried out by public libraries. Many parts of his bill were included in the SKILLS Act.

Library Copyright Alliance Submits Comments on Orphan Works

In January, the Library Copyright Alliance, whose members are the American Library Association, Association of Research Libraries and Association of College and Research Libraries, filed comments with the U.S. Copyright Office in response to their October 22, 2012, Notice of Inquiry about the current state of play with orphan works and mass digitization. In its comments, LCA explains that "significant changes in the copyright landscape over the past seven years convince us that libraries no longer need legislative reform in order to make appropriate uses of orphan works." If Congress does consider legislation, LCA suggests that Congress abandon the overly complex arrangement it arrived at in 2008 and instead make a simple one sentence amendment to the Copyright Act giving courts the discretion to reduce or remit statutory damages in appropriate circumstances.

ALA President, Secretary Hillary Clinton Sign "Declaration of Learning

President Maureen Sullivan joined Secretary of State Hillary Rodham Clinton, along with twelve government agencies and organizations, to sign the "Declaration of Learning," a statement that formally announces their partnership as members of the Inter-Agency Collaboration on Learning. Signed on the Treaty of Paris Desk at the Department of State Headquarters, the declaration recognizes participating institutions for their commitment to use historic artifacts in their collections to create digital learning tools for students and educators.

White House Responds to Open Access Petition

In February, John Holdren, director of the White House's Office of Science and Technology Policy, released a Memorandum for the Heads of Executive Departments and Agencies. The memo, "Increasing Access to the Results of Federally Funded Scientific Research," is the Obama Administrations response to last year's *We the People* petition that asked for a requirement for scholars and researchers to provide "free access over the Internet to scientific journal articles arising from taxpayer-funded research."

The memo demonstrated that the Obama administration has a good grasp on the needs of the public, going beyond what FASTR would mandate to include data as well as published research. The memo states that "to achieve the Administration's commitment to increase access to

federally funded, published research and digital scientific data, Federal agencies investing in research and development must have clear and coordinated policies for increasing such access". Unlike with FASTR, these new polices must be completed within six months.