
2017 National Library Legislative Day Priority

Support Full Funding for Critical Federal Library Programs

in the Labor, Health and Human Services, Education and Related Agencies Appropriations Bill

The American Library Association asks all Members of Congress to:

- 1) **FUND** the *Library Services and Technology Act (LSTA)* at **\$186.6 million for FY 2018** to keep library services vibrant for students, businesspersons, veterans and users of all kinds in tens of thousands of communities in every state in the nation.
- 2) **REAUTHORIZE** LSTA's bipartisan enabling statute, the *Museum and Library Services Act*, promptly upon its introduction in the 115th Congress to underscore the importance of programs administered by the Institute of Museum and Library Services (IMLS).
- 3) **APPROPRIATE** \$27 million in FY 2018, as in FY 2017 and 2016, for the *Innovative Approaches to Literacy (IAL)* program to enable school libraries and non-profits to obtain essential materials, books and supplies for the nation's neediest children.

What do these programs mean for libraries and the public?

- **LSTA** is the only federal funding program for libraries. Most of its resources flow to each state through the IMLS in the form of a population-based matching grant (see reverse for funding by state). Each state determines how best to use its own LSTA allocation. Because federal LSTA funds are matched in part by each state, libraries would lose both sources of revenue if LSTA funding were reduced or eliminated.

States previously have issued grants to libraries, for example, to: update technology services and resources; create summer reading programs; assist job seekers to build resumes and apply for jobs; and assist veterans and many others to obtain public services. Demand for such services has grown in concert with the need to apply online for jobs and government services, especially among Americans who don't have adequate or affordable broadband in their homes.

- **IAL** promotes student literacy from birth through high school by making competitive grant awards to school libraries and national not-for-profit organizations used for providing books and childhood literacy programs to children and families in high-need communities. IAL is the only source of federal funding for school library materials targeting literacy. In addition, IAL programs across the country provide books for children to keep, which often become the only books that child has in their home.

Other valuable IAL-funded programs have helped buy e-readers, expand school library access, support parents' engagement in their children's reading and replace outdated library materials. Level funding of \$27 million for IAL in FY 2018 will permit libraries to continue to serve millions of school children in every state in the nation.

LSTA GRANTS TO STATES

State	2013	2014	2015	2016	State	2013	2014	2015	2016
AL	\$2,416,705	\$2,499,013	\$2,476,238	\$2,496,884	MT	\$1,040,956	\$1,059,170	\$1,059,140	\$1,066,243
AK	\$ 941,340	\$ 955,925	\$ 952,890	\$ 956,117	NE	\$1,346,312	\$1,299,115	\$1,376,920	\$1,389,029
AZ	\$3,024,120	\$3,152,086	\$3,173,382	\$3,233,171	NV	\$1,664,773	\$1,720,752	\$1,731,619	\$1,760,954
AR	\$1,742,394	\$1,792,501	\$1,778,761	\$1,793,619	NH	\$1,156,668	\$1,178,215	\$1,171,459	\$1,177,545
CA	\$14,309,664	\$15,030,377	\$15,052,678	\$15,317,151	NJ	\$3,869,793	\$4,023,991	\$3,990,753	\$4,029,608
CO	\$2,530,270	\$2,636,913	\$2,663,845	\$2,720,339	NM	\$1,432,947	\$1,466,728	\$1,452,508	\$1,459,670
CT	\$1,974,810	\$2,034,387	\$2,012,231	\$2,022,715	NY	\$7,718,754	\$7,632,818	\$7,929,546	\$8,082,104
DE	\$1,008,026	\$1,025,955	\$1,026,557	\$1,033,707	NC	\$4,171,823	\$4,173,865	\$4,363,304	\$4,229,540
DC	\$ 903,472	\$ 918,531	\$ 924,058	\$ 931,362	ND	\$ 927,315	\$ 943,921	\$ 953,909	\$ 963,032
FL	\$7,571,343	\$7,967,170	\$8,048,596	\$8,259,897	OH	\$4,854,737	\$5,034,831	\$4,974,547	\$5,022,527
GA	\$4,229,250	\$4,422,103	\$4,420,116	\$4,499,572	OK	\$2,051,036	\$2,119,065	\$2,116,453	\$2,073,540
HI	\$1,177,141	\$1,205,222	\$1,205,813	\$1,215,308	OR	\$2,080,092	\$2,150,954	\$2,150,600	\$2,186,528
ID	\$1,253,142	\$1,281,957	\$1,285,415	\$1,298,817	PA	\$5,287,918	\$5,494,791	\$5,416,459	\$5,467,151
IL	\$5,333,615	\$5,536,935	\$5,451,043	\$5,488,648	RI	\$1,060,158	\$1,076,202	\$1,070,842	\$1,074,974
IN	\$3,036,565	\$3,146,080	\$3,123,514	\$3,155,251	SC	\$2,372,043	\$2,461,931	\$2,469,980	\$2,510,782
IA	\$1,787,353	\$1,839,676	\$1,830,898	\$1,848,098	SD	\$ 977,994	\$ 994,366	\$ 996,021	\$1,001,001
KS	\$1,718,260	\$1,768,651	\$1,755,667	\$1,768,730	TN	\$2,995,498	\$3,115,490	\$3,105,919	\$3,148,004
KY	\$2,259,990	\$2,332,425	\$2,314,771	\$2,334,644	TX	\$9,964,148	\$10,510,319	\$10,665,018	\$10,951,336
LA	\$2,334,293	\$2,415,973	\$2,117,896	\$1,907,797	UT	\$1,698,728	\$1,757,101	\$1,770,068	\$1,800,243
ME	\$1,160,282	\$1,181,411	\$1,172,672	\$1,177,066	VT	\$ 906,522	\$ 916,150	\$ 912,082	\$914,092
MD	\$2,787,551	\$2,899,835	\$2,893,697	\$2,863,959	VA	\$3,607,790	\$3,693,415	\$3,764,107	\$3,671,769
MA	\$3,062,100	\$3,114,756	\$3,178,539	\$3,220,591	WA	\$3,149,790	\$3,281,761	\$3,295,633	\$3,262,304
MI	\$4,251,300	\$4,328,074	\$4,350,678	\$4,390,280	WV	\$1,350,913	\$1,379,918	\$1,365,372	\$1,358,725
MI	\$2,612,740	\$2,709,174	\$2,701,369	\$2,732,686	WI	\$2,745,416	\$2,840,170	\$2,663,262	\$2,670,703
MS	\$1,757,051	\$1,806,004	\$1,789,025	\$1,798,902	WY	\$ 885,450	\$ 897,440	\$ 896,374	\$ 899,159
MO	\$2,853,508	\$2,951,676	\$2,925,990	\$2,954,825					

2017 National Library Legislative Day Priority

Support Public Access to Government Data and Taxpayer-Funded Information and Research

The American Library Association urges all Members of Congress to:

- 1) **ENACT** the *Open, Public, Electronic and Necessary (OPEN) Government Data Act* (S. 760/H.R. 1770) to **require all federal agencies to publish their information online** using non-proprietary, machine-readable data formats. The bill codifies and expands the 2013 government-wide “Open Data” policy (M-13-13), which has been integrated into agency policy across the federal government for the past three years.
- 2) **SUPPORT** legislation building on the *Fair Access to Science and Technology Research Act (FASTR)* as introduced in the 114th Congress (S. 779/H.R. 1477), to assure **prompt, no-fee public access to published articles and other materials based upon taxpayer-funded research.**
- 3) **EXPEDITE** adoption of the statutory changes proposed in the *Equal Access to Congressional Research Service Reports Act* as introduced in the 114th Congress (S. 2639/H.R. 4702) to provide broad and permanent **public access to taxpayer-funded reports by the Congressional Research Service** that are searchable, sortable and downloadable without charge.
- 4) **FUND** the **Government Publishing Office and the National Archives and Records Administration** at levels that permit them to provide robust public access to and preserve all forms of government information.
- 5) **ASSURE** continued public access through a single, well-funded repository to the unique information **collections currently held by the National Technical Information Service.**

What current government information access bills do libraries back and why?

- The *OPEN Government Data Act*, passed the Senate unanimously in late 2016 as S. 2852 and was reintroduced simultaneously in the Senate and House early in the 115th Congress. It will dramatically enhance public, business and scholarly access to government data by, among other means: setting an official presumption that “Government data assets made available by an agency shall be published as machine-readable data ... in an open format, and ... under open licenses;” and by requiring agencies to maintain and publish an inventory of all data assets. That inventory will help agencies and open data advocates identify key government information resources and transform them from documents and siloed databases into open data.

2017 National Library Legislative Day Priority

Support Real Privacy and Surveillance Law Reform

The American Library Association urges Members of Congress to:

- 1) **PASS in the Senate**, without weakening amendments, the *Email Privacy Act (H.R.387)* as adopted by voice vote in the House in February 2017. Identical legislation to amend the outdated *Electronic Communications Privacy Act of 1986 (ECPA)*, which was unanimously approved by the House (419–0) in the 114th Congress to afford full Fourth Amendment protection to emails, texts, tweets, cloud-stored files and all other modern electronic communications immediately upon their creation. Today, such communications generally may be accessed without a judicial warrant or probable cause after they are older than six months.
- 2) **REFORM** Section 702 of the *Foreign Intelligence Surveillance Act*, which will expire at the end of 2017, to: a) preclude the warrantless “backdoor” search of citizens’ phone and internet communications facilitated by the targeting of non-US citizens domestically or abroad; b) limit the so-called “incidental” collection and dissemination of such information about U.S. persons; and c) regularly disclose the true frequency and scope of Section 702’s use in an appropriate, non-classified form.
- 3) **REJECT** any legislation that would compel the designer of any encryption system or technology to engineer a “backdoor” vulnerability into that product to facilitate its circumvention or defeat.

Why are libraries fighting for privacy/surveillance law reform?

- Librarians have long defended the public’s Fourth Amendment privacy rights against government attempts to obtain patrons’ borrowing and internet browsing records without a warrant. Today, libraries and librarians remain committed to restoring the Constitutional privacy rights of library users and the civil liberties of all Americans lost to multiple overbroad and inadequately “checked and balanced” statutes, including the: *USA PATRIOT Act, Foreign Intelligence Surveillance Act, and Electronic Communications Privacy Act*. ALA is dedicated to ending ongoing mass surveillance, which continues despite important reforms made by the *USA FREEDOM Act of 2015*.

2017 National Library Legislative Day Priority **Support Strong “Net Neutrality” Protections**

The American Library Association asks all Members of Congress to:

- 1) **PRESERVE the core principles of network neutrality** articulated in the *FCC’s 2015 Open Internet Order*, which protects free speech online, education, research, and innovation (see reverse).
- 2) **ENDORSE the network neutrality framework** adopted in the *Open Internet Order* to support the needs of libraries, consumers and higher education.

Why is this issue important for libraries and for the millions of patrons they serve?

- Libraries and librarians of every kind are dedicated to providing maximum and equitable access to information of all kinds. Accordingly, we are committed to preserving the unimpeded flow of information over the Internet – society’s primary open platform for information exchange, intellectual discourse, civic engagement, creativity, innovation, teaching, research and learning – and believe that equitable access to it is critical to our nation’s social, cultural, educational and economic well-being.
- The *Open Internet Order* enables libraries to fully serve the public by legally prohibiting Internet Service Providers (ISPs) from speeding or slowing selected Internet traffic, blocking access to certain web sites or applications, or otherwise discriminating against certain Internet services for commercial reasons.
- Commercial ISPs should operate their networks in a neutral manner without interfering with the transmission or content of Internet communications. Without the framework set forth by the FCC, however, nothing would require commercial ISPs to be neutral. They could act as gatekeepers to maximize profit.
- Replacing the clear legal protections of the *Open Internet Order* with unenforceable, voluntary net neutrality “rules” would threaten the high-bandwidth applications and services that enable real-time collaboration, content creation, sharing, and learning by educational and other community institutions, including libraries, which cannot afford to pay for prioritized access.
- ALA strongly supports the *Open Internet Order* because it ensures that libraries and our millions of users will not be consigned to the “slow” lane of the Internet. We urge Congress not to alter or eliminate it.

LIBRARY AND HIGHER EDUCATION NET NEUTRALITY PRINCIPLES

Ensure Neutrality on All Public Networks: Neutrality is an essential characteristic of broadband Internet access services provided to the general public. These neutrality principles must apply to all commercial ISPs, regardless of underlying transmission technology (e.g., wireline or wireless) and regardless of local market conditions.

Prohibit Blocking: Commercial ISPs should not be permitted to block access to legal web sites, resources, applications, or Internet-based services.

Protect Against Unreasonable Discrimination: Every person in the United States should be able to access legal content, applications, and services over the Internet, without unreasonable discrimination by commercial ISPs. This will ensure that such providers do not give favorable transmission to their affiliated content providers or discriminate against particular Internet services based on the identity of the user, the content of the information, or the type of service being provided. “Unreasonable discrimination” is the standard in Title II of the Communications Act; the FCC has generally applied this standard to ensure that commercial ISPs do not treat similar customers in significantly different ways.

Prohibit Paid Prioritization: Commercial ISPs should not be permitted to sell prioritized transmission to certain content, applications, and service providers over other Internet traffic sharing the same network facilities. Prioritizing certain Internet traffic inherently disadvantages other content, applications, and service providers—including those from higher education and libraries that serve vital public interests.

Prevent Degradation: Commercial ISPs should not be permitted to degrade the transmission of Internet content, applications, or service providers, either intentionally or by failing to invest in adequate broadband capacity to accommodate reasonable traffic growth.

Enable Reasonable Network Management: Commercial ISPs should be able to engage in reasonable network management to address issues such as congestion, viruses, and spam as long as such actions are consistent with these principles. Policies and procedures should ensure that legal network traffic is managed in a content-neutral manner.

Provide Transparency: Commercial ISPs should disclose network management practices publicly and in a manner that: 1) allows users as well as content, application, and service providers to make informed choices, and 2) allows policy-makers to determine whether the practices are consistent with these network neutrality principles. This rule does not require disclosure of essential proprietary information or information that jeopardizes network security.

Continue Capacity-Based Pricing of Broadband Internet Access Connections: Commercial ISPs may continue to charge consumers and content, application, and service providers for their broadband connections to the Internet, and may receive greater compensation for greater capacity chosen by the consumer or content, application, and service provider.

Adopt Enforceable Policies: Policies and rules to enforce these principles should be clearly stated and transparent. Any commercial ISP that is found to have violated these policies or rules should be subject to penalties, after being adjudicated on a case-by-case basis.

Accommodate Public Safety: Reasonable accommodations to these principles can be made based on evidence that such accommodations are necessary for public safety, health, law enforcement, national security, or emergency situations.

Maintain the Status Quo on Private Networks: Consistent with the FCC’s long-standing principles and practices, and the 2015 Order, the Commission should decline to apply the Open Internet rules to premises operators, such as coffee shops and bookstores, and private end-user networks, such as those of libraries and universities. As the FCC has historically found, end users should be free to decide how they use the broadband services they obtain from network operators and commercial ISPs.

March 30, 2017

2017 National Library Legislative Day Priority

Bring High Speed Broadband to Every Library and Support the E-rate Program Unchanged

The American Library Association asks all Members of Congress to:

- 1) **Include high-speed broadband development in infrastructure legislation**, particularly ways to leverage libraries to digitally connect and empower every American.
- 2) **Support the FCC's E-rate Modernization Orders** of 2014 and maintain the program's funding.

Why is high speed library broadband critical for Americans, especially in rural areas?

- There are more than 120,000 libraries of all kinds in the United States. Public libraries alone are visited more than 1.4 billion times each year. That equates to 3.8 million visits per day or 2,663 per minute. These visitors are veterans seeking help transitioning to civilian life, job seekers writing their resumes and researching opportunities, entrepreneurs working to take flight and create jobs, existing businesses seeking to expand, and families participating in summer reading programs (to name just a few). With tens of thousands of locations in communities of all sizes everywhere in America, modern libraries truly are critical national infrastructure.
- No matter the size of a community, high speed library internet access in the 21st century is vital to the personal and economic welfare of all its residents, particularly the millions of Americans whose only free internet access comes through their local library. Yet, fewer than 3% of all public libraries offer users a 1 Gigabit/second internet connection speed (the national goal) and only 4% of rural libraries can provide even a tenth of that speed. Moreover, 40% of rural libraries have no practical market option to improve that service because the costs of doing so are prohibitively high, often several times the cost of upgrading in urban areas.
- The economic health of our communities, and ultimately the global competitiveness of our national economy, depends upon rapidly and dramatically enhancing access for all Americans to high speed broadband connectivity. Leveraging the location, expertise and existing facilities of libraries to expedite its deployment, particularly in rural and underserved areas often most in need, is a cost-effective and efficient means of achieving that goal.

Why are the E-rate Modernization Orders, unchanged, important for libraries and the public?

- The FCC's E-rate Modernization Orders of 2014 provided additional funds relied upon by libraries to enhance broadband and Wi-Fi service to the public (particularly in rural areas) and modified key program rules to afford flexibility in meeting patrons' needs. The Orders also made several program changes to provide participants more funding certainty and facilitate long-term planning.
- The E-rate program works well for libraries and schools and need not be changed again now. Data indicates that, while only in their second year of implementation, changes made in the 2014 Orders are bearing fruit. Although libraries and schools are still learning how to best leverage new opportunities for securing high-capacity broadband and equipment, funding for rural applicants already has risen 45% (from \$719.7 million in 2013 to \$1.04 billion in 2015). Allowing these changes to take full effect would be prudent before considering altering the program again.

2017 National Library Legislative Day Priority

Expedite Modernization of the Copyright Office and Ratification of the Marrakesh Treaty

The American Library Association urges members of Congress to:

- 1) **PRIORITIZE** efforts to modernize the Copyright Office and provide the funds needed to accomplish such long overdue reform, but **OPPOSE** any proposal either to relocate the Copyright Office within the federal government or to designate it an independent agency, including the *Copyright Office for the Digital Economy Act* (H.R. 890).
- 2) **OPPOSE** the *Register of Copyrights Selection and Accountability Act of 2017* (H.R. 1695), legislation retroactively designating the Register of Copyrights a presidentially appointed position, because of its high potential to delay and disrupt modernization of the Copyright Office and the dangers of politicizing the Register's position.
- 3) **SUPPORT** rapid approval by both the House and Senate Judiciary Committees of consensus legislation (and related report language) now backed by all stakeholders to implement the US-backed Marrakesh Treaty for the print-disabled, concurrent consideration and approval of the Treaty by the Senate Foreign Relations Committee and the fastest possible Senate ratification of the Treaty thereafter.

What is the "Marrakesh Treaty" and why is its rapid ratification important?

- This landmark 2013 accord will make critical educational and other print materials in accessible digital formats available to 4 million people in the U.S. who are blind or have other print disabilities. ALA and many others do not believe that legislation to implement the Treaty is necessary. However, to avoid further delay in its adoption (which has been more than a decade in the making) we and other major stakeholders agreed to jointly back statutory and legislative history language now before the House and Senate Judiciary Committees. We strongly oppose any changes to that consensus language and urge its immediate adoption so that the Senate Foreign Relations Committee may consider the Treaty itself and recommend its ratification by the full Senate.

What other current copyright-related bills do libraries back and why?

- H.R.905, the bipartisan *You Own Devices Act* by Reps. Blake Farenthold and Jared Polis, would remove the threat of consumer or business liability for reselling, donating or giving away any legally acquired physical items (everything from toasters to cell phones to tractors) that contain embedded software integral to their use and function.

POTENTIAL DIRECT AMERICAN MARRAKESH TREATY BENEFICIARIES*

STATE	POPULATION	STATE	POPULATION
Alabama	143,900	Montana	23,800
Alaska	13,600	Nebraska	33,600
Arizona	157,100	Nevada	81,100
Arkansas	98,100	New Hampshire	22,000
California	790,700	New Jersey	179,100
Colorado	106,600	New Mexico	71,300
Connecticut	65,300	New York	402,800
Delaware	20,800	North Carolina	252,800
District of Columbia	12,600	North Dakota	11,500
Florida	494,900	Ohio	270,900
Georgia	262,400	Oklahoma	124,400
Hawaii	25,600	Oregon	107,300
Idaho	42,700	Pennsylvania	285,300
Illinois	266,500	Rhode Island	23,700
Indiana	165,400	South Carolina	127,600
Iowa	53,100	South Dakota	18,700
Kansas	54,200	Tennessee	203,900
Kentucky	138,700	Texas	634,600
Louisiana	147,800	Utah	45,600
Maine	27,200	Vermont	13,800
Maryland	111,900	Virginia	155,100
Massachusetts	136,500	Washington	147,500
Michigan	229,400	West Virginia	72,200
Minnesota	83,500	Wisconsin	106,600
Mississippi	107,700	Wyoming	12,600
Missouri	143,900	Puerto Rico	206,400

* The number of non-institutionalized, male or female, all ages, all races, regardless of ethnicity, with all education levels in the United States reported to have a visual disability in 2013 according to the National Federation of the Blind: Blindness Statistics (<https://nfb.org/blindness-statistics>).