

## **The ALA Washington Office formal comments to the USTR, May 17, 2002**

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May 17, 2002

Ms. Gloria Blue  
Executive Secretary  
Trade Policy Staff Committee  
Office of the U.S. Trade Representative  
1724 F St., NW  
Fifth Floor  
Washington, D.C. 20508

Dear Ms. Blue:

The American Library Association (ALA) is responding to your request for comments on the Doha Multilateral Trade Negotiations and Agenda in the World Trade Organization, 67 Fed. Reg. 12637, March 19, 2002. We understand that although the Trade Policy Staff Committee was requesting comments by May 1, it would consider nevertheless consider comments submitted after that deadline.

### **COMMENTS OF THE AMERICAN LIBRARY ASSOCIATION REGARDING THE DOHA MULTILATERAL TRADE NEGOTIATIONS AND AGENDA IN THE WORLD TRADE ORGANIZATION CONCERNING THE WTO BUILT-IN AGENDA-SERVICES**

These comments are made on behalf of the American Library Association. They respond to the notice and request for comments published by the Office of the United States Trade Representative (USTR) in the Federal Register on March 19, 2002 (67 Fed. Reg. 12,637), seeking comment on general U.S. negotiating objectives as well as country and item-specific priorities for the negotiations and work program launched at the Fourth Ministerial for the World Trade Organization (WTO) held in Doha, Qatar, November 9-13, 2001.

The American Library Association (ALA) is the oldest and largest library association in the world with over 64,000 members, primarily school, public, academic, and special librarians, but also trustees, publishers, and friends of libraries. The Association's mission is to provide leadership for the development, promotion, and improvement of library and information services and the profession of librarianship in order to enhance learning and ensure access to information for all.

These comments of the ALA concern the WTO built-in agenda negotiations on services. Specifically, ALA seeks to ensure that the General Agreement on Trade in Services (GATS), as it stands and as it may be interpreted and developed in the future, will not interfere with the ability of public libraries to serve America's schools and communities by providing access to information in whatever forms and by whatever means technology may allow in coming years.

### **A. The Critical Role of America's Public Libraries**

America's public libraries provide extraordinarily valuable services, essential to our nation's basic social goals and to the proper functioning of our democratic and open governmental system. Through our public libraries we ensure all Americans access to the myriad sources and types of information that convey our collective knowledge, values and diversity of views. Our public libraries help educate our children. Libraries help us maintain a well-informed citizenry able to perform effectively its responsibilities as an electorate. They help us meet life's challenges at work, in our families, as entrepreneurs and business people; they help us fully realize our potential as human beings.

Today, there are over 16,000 public libraries nation-wide serving our communities. Americans on average borrow more than six books per year. Americans go to school, public and academic libraries more than twice as often as they go to the movies. Reference librarians answer more than 7 million questions each week. As technology has changed, so have the services of libraries. Today, public libraries are the number one point of online access for people without Internet access at home, school or work. Each year, federal, state and local governments reaffirm through appropriations their appreciation and support for the role of America's public libraries.

### **B. The Need to Protect the Ability of Public Libraries to Provide Core Library Services**

The principal concern of ALA is to ensure the continuing ability of America's public libraries to provide the "core" library services they currently offer to our nation's communities. The basic mission of public libraries is to provide free and unrestricted access for people of all ages to information resources. The core services libraries provide in pursuing this mission are:

- Collection, cataloguing (whether manually or computer-aided), lending and storage of information sources, including books, maps, periodicals, films, records,

- tapes, compact disks, digital video disks, electronic books, and such other information sources as may become available;
- Archiving, preserving and providing long-term access to information, including the use of current and future technologies to reformat information to facilitate storage and retrieval;
  - Providing access to information through reading, listening and viewing rooms equipped with whatever technology may be needed to access the information from the information source; and
  - Information retrieval services, whether with the assistance of professional librarians, through Internet access to databases, or by such other means as may become available.

Currently, American public libraries rely upon government assistance of various kinds to support their operations. Local and state governments provide much of this support in such forms as subsidized or free use of building space, funding of operations, and tax exemptions. Federal support also plays an important role. This support includes funding from the Department of Education, the Institute of Museum and Library Services and other agencies, tax exemption, non-profit status to receive tax-exempt contributions, special postage rates, and subsidized access to modern telecommunications and information services, including Internet services, under the Universal Service Support Mechanism. The government support that public libraries receive is essential to their ability to provide their core services.

### **C. Concerns that the GATS Might Threaten Core Library Services Must be Addressed**

ALA calls upon the United States to ensure that governmental support for core public library services does not become subject to GATS disciplines. Local, state and federal governmental bodies must continue to have the ability to provide support to enable our public libraries to offer their core services to the public without charge.

Librarians and Americans who use the public libraries consider the protection of public library services of great importance and are concerned about analyses that have identified the GATS as a potential threat to public libraries. For example, a report prepared in May 2001 for the Canadian Library Association, among other entities-An Assessment of the Impact of the General Agreement on Trade and Services on Policy, Programs and Law Concerning Public Sector Libraries-argues that many features of the GATS may be difficult to reconcile with support for public libraries, and that international trade disputes could arise having the potential to imperil core services.

While ALA remains confident that the United States has the right under the GATS to support its public libraries, we are concerned that USTR has not sought to consult with us in the past prior to taking actions that might potentially have impacted domestic policy supporting America's public libraries. Specifically, we would have expected USTR to consult with the library community regarding the listing of private libraries on the United

States Schedule of Specific Commitments, to confirm that this listing would not raise any concerns for public libraries.

**ALA now calls upon the Executive Branch to:**

- Make a public commitment to protect the ability of the public libraries to provide their core services;
- Remain sensitive to potential threats to public library services and the injuries to Americans that could follow;
- Work with ALA, keep us informed of relevant developments, and seek input from the library community as appropriate to ensure that USTR and other relevant arms of the United States government are fully informed of our needs and the interrelationships between our core services and other services that may be addressed under the GATS; and
- Take such action as may be necessary at the WTO to clarify that GATS obligations do not restrict the ability of federal, state and local governmental bodies to support the provision of core library services by our public libraries.

By taking these measures, the Executive Branch will help ensure the continued well-being of our public libraries.

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ALA appreciates the opportunity to express its concerns. We look forward to working together with the Executive Branch to promote and protect the important services provided by America's public libraries.

Sincerely,  
Emily Sheketoff  
Executive Director  
American Library Association  
Washington Office