

TO: ALA Executive Board

RE: Public Policy and Advocacy Office Report

ACTION REQUESTED/INFORMATION/REPORT:

No action requested

CONTACT PERSON:

Kathi Kromer, Associate Executive Director

(202) 628-8410

kkromer@alawash.org

DATE: Tuesday, January 4, 2022

BACKGROUND:

Report of activities of ALA's Public Policy and Advocacy Office

ATTACHMENTS:

Public Policy and Advocacy Report

ALA PUBLIC POLICY AND ADVOCACY (PPA) OFFICE REPORT

FEDERAL FUNDING FOR LIBRARIES

Congress punts FY 2022 funding bills into early 2022; PPA prepares to launch FY 2023 campaign

Unable to enact final fiscal year (FY) 2022 spending bills, Congress deferred consideration by passing two continuing resolutions (CRs), temporary measures that set funding at the previous year's levels until the final bills are enacted. The second CR will keep the federal government open through February 18, 2022. While this avoids, for now, a government shutdown, it also delays final action on the increases for library and education funding that were included in the House and Senate bills, thanks to the advocacy led by PPA staff and library advocates.

In July, ALA [welcomed substantial increases](#) in federal funding for libraries approved by the House. The LSTA saw an increase of \$9 million, raising a total of \$206.5 million for the nation's primary source of federal funding for libraries. The increase for LSTA, if it holds in the final bill, would be the eighth consecutive increase for libraries. IAL, designed to support effective school library literacy initiatives, saw a \$3 million increase, for a total \$31 million for the Department of Education program. While the Senate did not pass spending bills, the Senate Appropriations Committee Chairman drafted bills which included similar increases for both programs (\$6 million for LSTA and \$6 million for IAL).

PPA staff will launch the FY 2023 [library funding campaign](#) this spring around the same time Congress will be working to finalize the FY 2022 spending.

Build Back Better Act, library construction funding in question

ALA has continued to advocate for the [Build America's Libraries Act](#) or other federal legislation to dedicate funding for library construction and renovation. However, the main potential legislative vehicle remains stalled in Congress.

In August, the Senate and House passed the budget resolution for FY 2022, which set in motion the process for Congress to develop a budget reconciliation package that will provide up to \$3.5 trillion in new federal spending. ALA has urged that the package, known as the Build Back Better Act, include funding for library renovation and construction, equivalent to the \$5 billion outlined in the Build America's Libraries Act. On November 19, 2021, the U.S. House of Representatives passed a version of the Build Back Better Act that would provide a scaled-down \$1.75 trillion in new federal programs, which did not include funding for library construction.

As of December 2021, the Senate has not yet passed the Build Back Better Act amid challenging negotiations and pressure from some Senators to further reduce the scope of the package. While the fate of the Build Back Better Act remains unclear, PPA staff will continue to advocate for federal support for library construction through any potential mechanism.

Congress approves infrastructure package, including digital equity funds

On November 15, 2021, President Biden signed the [Infrastructure Investment and Jobs Act](#) into law, including digital equity programs supported by ALA. The law will provide \$2.75 billion in new federal investments, known as the Digital Equity Act, for digital inclusion projects, including efforts undertaken by libraries. The law also provides \$43 billion for broadband deployment, including provisions to

promote gigabit service to libraries. All library types will be eligible to apply for this unparalleled amount of funding for digital inclusion. ALA submitted early comments to the National Telecommunications and Information Administration (NTIA) to influence the design of the forthcoming grant programs. ALA also [published an article](#) in *American Libraries* to alert ALA members of this opportunity, for which grant application details and guidance will be available in the first half of 2022.

PUBLIC POLICY

EBOOKS

PPA supports chapter advocacy on digital book legislation efforts

Activity and advocacy efforts regarding libraries' access to digital books increased this fall. In December, the new Maryland law was challenged by the Association of American Publishers (AAP), who filed a complaint with the Federal District Court of Maryland against the Attorney General of Maryland. AAP alleges that this law is in conflict with existing copyright law and the U.S. Constitution. At the request of the Maryland Library Association, ALA is closely collaborating with the state chapter's leaders on the defense of the Maryland law. The hearing in federal court is scheduled for February 7, 2022.

Meanwhile, similar legislation was just vetoed in New York state. On Dec. 29, 2021, [New York Governor Kathy Hochul vetoed legislation](#) that would require publishers to offer licenses for electronic books to libraries under reasonable terms (S2890B / A5837B). The bills had passed the New York state senate and assembly with overwhelming bipartisan support in June 2021. On August 13, "An Act Modernizing Library Access to Electronic Books and Digital Audiobooks" (H-4120) was filed in Massachusetts. On November 19, 2021, a hearing on H-4120 took place, which included Maria McCauley, President-Elect of PLA as a speaker. Additional bills are expected in a handful of other states, and PPA will continue to support those efforts.

COPYRIGHT

ALA advocates for library staff's rights in copyright law

ALA, along with ACRL and within the Library Copyright Alliance (LCA), [submitted comments](#) in response to the Notice of Proposed Rulemaking (NPRM) on the procedures for libraries and archives to opt out of proceedings under the Copyright Alternative in Small-Claims Enforcement ("CASE") Act. While libraries have been exempted, library staff are not, and PPA is continuing advocacy efforts to exempt library staff. The LCA also submitted comments on the Sovereign Immunity Study of the U.S. Copyright Office.

E-RATE

PPA staff praises removal of barriers for tribal libraries in E-rate program

This fall, the Federal Communications Commission (FCC) issued an NPRM to address long-standing barriers to tribal library participation in the E-rate program. ALA has been a longtime advocate on this issue, and welcomed this important milestone. ALA, in partnership with the Association of Tribal Archives, Libraries and Museums (ATALM), [filed comments](#) in this proceeding to affirm the proposed change in the definition of a tribal library, and recommend additional changes to bolster the place of tribal libraries in the E-rate program. ALA expects a final rule to be issued in early 2022 and are closely monitoring the issue.

Additionally, the FCC will be issuing an NPRM to centralize the administration of the bidding process for the E-rate program. PPA staff are concerned about this proposal, and will be submitting comments once the NPRM is formally issued, which is expected in January.

ADVOCACY OUTREACH

ALA President Patty Wong hosts Connectivity Corner Instagram Live series

As part of President Wong's broadband and connectivity-focused presidency, PPA supported the creation and production of an Instagram Live conversation series with library workers and leaders on the themes of connectivity and universal broadband. For President Wong's first 'Connectivity Corner' event, she hosted [Harris County Public Library's](#) Chris Martinez to speak about his library's Emergency Connectivity Fund application, a funding source through the FCC as passed in the American Rescue Plan Act (ARPA), for which libraries are eligible thanks to ALA's advocacy. Her second event included Alma Ramos-McDermott, a certified school librarian in [Immokalee, Florida](#), to speak about how school libraries are key to connecting students and families to digital skills and resources.

ALA publishes resource on ARPA's \$10 billion Coronavirus Capital Projects Fund

Established through ARPA, the Coronavirus Capital Projects Fund provides \$10 billion in available funding for eligible states, territories, and tribal communities to ensure individuals' access to high quality broadband, the implementation of broadband infrastructure improvements, and the enhancement of the overall quality of education, work, and telehealth as a direct response to the ongoing public health emergency. Funds will be allocated from the U.S. Department of the Treasury to states. PPA staff developed and promoted [new resources](#) through the ALA website and social media channels to assist ALA chapters and local libraries in accessing funding.

ALA's Libraries Build Business expands online community, launches peer coaching program

The [Libraries Build Business](#) initiative continues implementation of small business and entrepreneur development programs in 13 selected public libraries across the country. All projects are intended to run through November 2021. Survey data will be collected through this time to be included in PPA's final reporting and Playbook. All libraries are making plans to sustain and/or grow their work post-grant in the realm of small business and entrepreneurship. Many will continue offering their Libraries Build Business programming, while others are making adjustments or trying something new.

Beyond the day-to-day project implementation, the project team and the LBB cohort are working on big picture goals of scaling the community and developing promising practices and resources to share with the field. To further the goals of scaling the community, the LBB cohort leads a Slack discussion group that all library workers interested in small business and entrepreneurship are invited to join. This space is intended for peer learning and sharing, resource sharing, and networking.

In addition to the asynchronous discussions, LBB has identified six peer coaches to offer one-to-one support to those interested. Each peer coach is working with 2-4 individuals, providing them with guidance, feedback, and review of materials. In addition, peer coaches have engaged the larger community with Community Discussions on Zoom. These Discussions are an opportunity for community members to meet one another, chat and engage in an informal way, and participate in a short conversation about a relevant topic. These discussions have been well received thus far. As part of ALA's intention to scale and sustain the community, PPA staff will continue to offer peer-facilitated discussions in the future.

- In October, three LBB peer coaches facilitated a Community Discussion: Demystifying Coaching to approximately 35 individuals.
- In December, two LBB peer coaches facilitated a Community Discussion: Outreach and Marketing for Business Programs to approximately 35 individuals.

PPA staff to publish ALA Editions Book on LBB

The Libraries Build Business initiative is working with ALA Editions to develop and publish a book, tentatively titled *26 Libraries that Build Business*. This book will share promising small business development programs in libraries for other libraries to adopt, as well as insights from the LBB project. The book will feature profiles from the Libraries Build Business cohort libraries, as well as other libraries with innovative and successful business and entrepreneur programs. Selected libraries were chosen through an application process this summer and will be featured in the book. The book manuscript was completed in December 2021 and is anticipated for release in summer 2022.

PPA staff works with partners to produce data from LBB initiative

Measurement and evaluation efforts continue to be led by ALA's partners at Cicero Group. The data collection tools, including surveys and focus group protocols, were updated this summer to reflect the feedback from the library cohort. The data collection instruments, Theory of Change, and Evaluation Framework will all be made available with the project resources at the end of the project period. In addition, the project team will partner with Project Outcome at PLA to offer some of the LBB evaluation materials through the Project Outcome platform. This is an exciting opportunity for library workers and ALA to access and use data to plan future programs and services.

Upcoming LBB playbook to be released in February

The initiative's final product, the Libraries Build Business playbook, is planned for release on February 1, 2022. This playbook, collaboratively developed by the LBB cohort and the ALA project team, is intended to be a valuable resource for those interested in starting or growing a small business/entrepreneurship program, service, or resource in their library. The playbook has practical strategies, promising models, and plenty of inspiration from the LBB initiative for others to learn from, and to preserve and maintain the mission of the program.

PPA's Project Manager, Megan Janicki and LBB cohort members have participated in a number of conference presentations and virtual events:

- Gale Impact Live: *Libraries Build Business: Promising Models for Entrepreneurship Program at Public Libraries*, September 30, 2021 – Megan Janicki, Julie Brophy (Baltimore County), and Rachael Svoboda (Laramie County)
- Wyoming Library Association: *Wyoming Library to Business*, October 7, 2021 – Megan Janicki, Rachael Svoboda (Laramie County), Stephen Boss (LCLS partner)
- Michigan Library Association: *Libraries Build Business: Promising Models for Entrepreneurship Programs at Public Libraries*, October 13, 2021 – Megan Janicki, Christopher Bourret (Providence) and Brandon West (Independence)

Instagram Live interviews:

- [Ferguson Municipal Public Library](#) – September 15, 2021
- [Topsham Public Library](#) – October 20, 2021
- [Yakama Nation Library](#) – November 17, 2021

Media and Awards:

- [Rachael Svoboda \(Laramie County Library System\)](#) was awarded the Wyoming Library Association Outstanding Librarian Award for 2021
- [Big Ideas for Small Business](#) by Claire Zulkey in *American Libraries* features Libraries Build Business, Adriana McCleer (Appleton), Sheldon Burke (Broward), and Megan Janicki

Site Visits:

Megan Janicki visited four LBB cohort libraries in the fall of 2021:

- Providence Public Library
- Gwinnett County Public Library
- Richland Library
- Spokane County Library District

ALA continues engagement with National Network

The National Network continued its monthly Key Contact calls, led by PPA's Kathi Kromer and Jill Staszewski, along with David Lusk, founder of Key Advocacy. PPA staff provided the Key Contacts with updates on any relevant legislative activities and facilitates an advocacy action for members to complete. Throughout the fall, Key Contacts were asked to contact their members of Congress in support of relevant library advocacy efforts, including the eBook legislation in New York.

ALA welcomed removal of offensive Library of Congress subject headings

ALA continued its advocacy at the Congressional staff level to change the "illegal aliens" subject heading. On November 12, 2021, the Library of Congress approved a change to replace the terms "aliens" and "illegal aliens" with new subject headings "Noncitizens" and "Illegal immigration." ALA President Patty Wong [applauded](#) the replacement of outdated and dehumanizing terms, and acknowledged this important first step in aligning the Library of Congress's subject headings with the core values of social justice for ALA members, and respecting members of the library community from all backgrounds.

Selection underway for fourth cohort of ALA Policy Corps; third cohort completes training

In late October, ALA [invited](#) library advocates to apply to join the fourth cohort of [ALA Policy Corps members](#). The application window was extended through December 15, and review of applications is underway currently by a subcommittee of the [Policy Corps Advisory Group](#). The announcement of new members is expected by early February of 2022. Corps' goals include: developing and expanding policy expertise available to the library community, ALA, and the PPA office; creating longevity in expertise and engagement in early to mid-career library and information professionals; and positively impacting national public policy in areas key to ALA's strategic goals.

Members of the [third cohort](#) met [in person](#) in Washington, D.C., for the first time in early December after the pandemic shifted the usual in-person trainings online over the past 18 months.

ALA supports state and local advocacy

PPA is pleased to have welcomed Jazzy Celindro, Public Policy Associate, who will assist with state and local initiatives, member engagement, and communications. She will also assist with Policy Corps activities.

ALA deepens collaboration on civic engagement

ALA and nearly 200 libraries across the country participated in [National Voter Registration Day](#) on September 28, 2021.

ALA offers training and events to support state chapters

PPA staff presented at the ALISE conference in September, in coordination with members of the Committee on Library Advocacy (COLA), on the topic of advocacy internships in LIS programs. PPA staff co-presented “Sustainable Advocacy: Strengthen Your Impact” at the AASL conference in October.

Also in October, PPA staff conducted Advocacy Academy for the Maryland Association of School Librarians, and spoke with the North Carolina Library Association advocacy committee about preparing for the upcoming year in light of national, state, and local trends.

In early December, PPA staff met with the AASL Chapters Affinity group to talk about the current policy and advocacy landscape for school librarians. In addition, PPA staff participated in two joint presentations with OIF: the Freedom to Read Foundation webinar, “[Managing and Addressing Books Challenges in Your Community: Law, Policy, Advocacy](#),” and a United for Libraries Learning Live session on [library boards and core values](#).

PPA, along with the Chapter Relations Office, co-hosted two Chapter Advocacy Exchanges: in October, “[Ebooks for All: From National Advocacy to State Policy](#),” featured speakers from Maryland, New York, and Rhode Island; and in December, “[Looking Ahead: State Legislatures in 2022](#),” featured speakers from Arizona, Illinois, and New Jersey.

ALA supports state legislative activity

PPA coordinates ALA support for state legislative advocacy in collaboration with the Chapter Relations Office, Office for Intellectual Freedom, and ALA units. In addition, PPA works with state chapters on specific federal legislation that impacts state and local funding or operations, as well as national campaigns.

In collaboration with the Office for Intellectual Freedom, PPA hosted a State Legislative Summit on October 16, 2021. Follow-up is ongoing, including engagement with various ALA member groups. A summary of that event will be submitted separately.

Related to the summit: the nationally fueled campaign to censor library materials in school and public libraries is both informed by *and* informing local and state policy. Adverse legislative proposals similar to those in the previous legislative cycles—including removal of longstanding legal protections for public and/or school librarians under “harmful to minors” laws—are already being introduced or pre-filed. PPA is working in coordination with ALA offices and state partners to ensure that advocates are prepared to effectively respond to such legislation, and is conducting outreach to potential ally organizations.

In early January, PPA released a [State Legislative Toolkit](#) to support states’ work in advancing legislation in support of libraries, library workers, and the communities they serve, as well as assisting states in their response to adverse legislation. The toolkit is a product of the state legislative summit and was developed in partnership with OIF. It combines publicly available resources for advocacy with member-exclusive information around specific legislation and potential legal implications.

PPA staff hosted a booth at the National Conference of State Legislatures (NCSL) Summit in November and were joined by the president and ALA councilor from Florida Library Association in engaging with elected officials and their staff on a range of library issues, from early literacy, to workforce development, to censorship.

PPA assists with advocacy at the local level

PPA has provided consultation and support to library workers and advocates in states including Illinois, Oregon, Alaska, Wyoming, Virginia, Texas. In addition, PPA submitted letters, co-signed by ALA President Patty Wong and AASL President Jennisen Lucas, to [DC City Council](#) in support of proposed—and subsequently approved—legislation that would staff all DC Public Schools with at least one certified librarian; and to the [Connecticut State Board of Education](#), in support of the adoption of National School Library Standards.

COLA offers webinars and conference sessions on library advocacy

COLA Chair Steven Yates facilitated a session on funding and school libraries at the AASL Conference. In addition, the committee supported facilitation and follow-up to the state legislative summit. ALA's [Ecosystem Subcommittee](#) presented several webinars to state associations, LIS educators, and LIS students, as well as one to mark the anniversary of the ecosystem toolkit release and showcase best practices around implementation.

ADDITIONAL PPA STAFF SPEAKING ENGAGEMENTS:

- On September 22, 2021, PPA's Alan Inouye, Ph.D., Senior Director of Public Policy and Government Relations spoke as a moderator for "Tech Equity Panel 2," TPRC 49: The Research Conference on Communications, Information, and Information Policy"
- On October 13, 2021, Dr. Inouye also spoke as a panelist for the "E-books for All: From National Advocacy to State Policy," webinar of the ALA Chapter Advocacy Exchange

PPA COALITION LETTERS

- September 22 [Coalition Letter to the Department of Education](#) Regarding Changes to Public Service Loan Forgiveness
- September 29 EdLiNC Letter Supporting Nomination of Jessica Rosenworcel to FCC Chair
- October 3 [Letter to NY Governor Hochul](#) in Support of e-Book Legislation
- October 7 [Homework Gap Coalition Letter](#)
- October 8 [Library Copyright Alliance letter](#) to WIPO delegates urging the acceptance of Wikimedia as a WIPO observer
- November 15 [Coalition Endorsement](#) of The Access to Congressionally Mandated Reports Act
- November 15 [Coalition Letter](#) to Senate Commerce Committee leadership urging confirmation of FCC & NTIA nominees
- November 22 [Letter to DC Mayor Bowser](#) in Support of the Students' Right to Read Amendment
- November 29 [Coalition Letter](#) to policymakers urging the repair of the FCC's Universal Service Fund contribution mechanism

- November 29 [Coalition statement](#) on the US House's approval of the Build Back Better Act and Emergency Connectivity Fund provisions
- November 30 [Letter to Connecticut State Board of Education](#) in Support of National School Library Standards
- December 6 [Coalition letter](#) to FCC on draft rulemaking for the E-Rate bidding process

COMMENTS AND FILINGS

- September 30 [Library Copyright Alliance comments](#) to the US Copyright Office on proposed rules for preemptive opt-out
- October 28 Amicus Brief of ALA, ACRL, and ARL on Section 230
- November 12 [ALA Comments](#) on Tribal Libraries and E-Rate
- November 24 Library Copyright Alliance Comments on Publishers' Protection Study
- November 29 Library Copyright Alliance Comments on Proposed Rule for Compliance Review by Copyright Claims Attorney

HILL COMMUNICATIONS

- September 2 email to members of Congress not yet sponsoring BALA “We can’t build back better without libraries”
- September 14 email to House Small Business Committee members, “Celebrate Small Business Week with Your Local Library!”
- December 2 email to appropriators, “Pass Short Term CR, Continue Work on FY 2022 LHHS Spending for Libraries, Education”