

**ALA Committee on Legislation
Report to Council
2011 Midwinter Meeting – San Diego, CA.**

**Charles Kratz
Chair, ALA Committee on Legislation
January 11, 2011**

At this conference, the Committee on Legislation (COL) worked with the Intellectual Freedom Committee (IFC) to review the issues associated with WikiLeaks' disclosure. After much discussion and , in collaboration with the IFC, COL determined that the best response was to focus on the larger issues of classification, whistleblowing and access to government information rather than limiting our concerns to one group. A joint working group crafted the "Resolution on Access to and Classification of Government Information," which we are please to see presented to Council for adoption as Action Item #19.1.

In addition to the joint resolution with the Intellectual Freedom Committee, we bring you the Committee on Legislation report with four additional action items for your consideration. This report also includes several important information items.

We refer you to the *ALA Washington Office Six-Month Report*, which was already emailed to Council several weeks ago by Emily Sheketoff, Executive Director of the ALA Washington Office. That report gives you more background information about ALA's federal legislative activities since Annual 2010.

One of the most important legislative successes has been the recent reauthorization of the Library Services and Technology Act (LSTA) as part of the Museum and Library Services Act (MLSA). It is a tremendous victory to have this passed in the 111th Congress that just ended. Our first resolution for your action, is a "thank you" to Congress and the President for passage of this important piece of legislation. Please see Council Document # 20.1

Resolution 20.1:

Resolution Commending the U.S. Congress and the President on the Reauthorization of the Museum and Library Services Act

RESOLVED, the American Library Association commends the leadership of Senator Jack Reed, co-sponsors Senators Thad Cochran, Richard Burr, Tom Harkin, Susan Collins, Michael Enzi, and Jon Tester and the members of the United States Senate and House of Representatives, and President Barack Obama for their efforts to sustain the federal role supporting library services, as the cornerstone of our nation's information infrastructure.

Our second resolution is about the confirmation of our colleague Susan Hildreth, as Director of the Institute of Museum and Library Services (IMLS). The Public Library Association is a cosponsor of this resolution with COL. GODORT has also been endorsed in principle. Please refer to Resolution 20.2.

Resolution 20.2

Resolution Commending President Obama and the U.S. Senate in Nominating and Confirming Susan Hildreth to be IMLS Director

RESOLVED, that the American Library Association commends President Obama for nominating Ms. Hildreth to serve as director of IMLS and the United States Senate for confirming her.

The third resolution expresses appreciation to the outgoing U.S. Public Printer, Robert Tapella. This resolution has also been endorsed by GODORT. Please refer to Council document 20.3...

Resolution 20.3

Resolution Thanking "Bob" Tapella for His Service as the 25th Public Printer of the United States

RESOLVED, that the American Library Association express gratitude to Mr. Tapella for his service as the nation's 25th Public Printer.

The final resolution for your consideration is Council Document # 20.4

Resolution 20.4

Resolution to Commend Senator Jack Reed for His Efforts to Recognize Libraries as Essential Community Organizations During Disasters

RESOLVED, that the American Library Association (ALA) commends Senator Jack Reed for his tireless efforts working to convince the Federal Emergency Management Agency (FEMA) to amend its policies to recognize libraries as essential community organizations, thus entitled to reimbursement for temporary relocation facilities.

Additionally, COL brings to you the following information items:

National Library Legislative Day (NLLD) – May 9-10, 2011 in Washington, D.C.

Following the one year hiatus from our regular May dates for NLLD in order to participate in "Library Advocacy Day" when we were all in Washington, D.C. at Annual 2010, we now return to our traditional NLLD. On May 9-10, 2011, library advocates from all 50 states will attend briefings on library issues, meet with their members of Congress and attend a Congressional reception, where they will be able to socialize with their federally elected officials and their staffs. Library advocates will return to their communities with a heightened awareness of library issues and enhanced advocacy skills.

Grassroots Subcommittee

The Grassroots Subcommittee met and discussed a 2011 grassroots strategy that included identifying new and existing resources for effective advocacy, cultivating library champions in Congress, and engaging new advocates. They also spoke about how the existing webinars could be marketed to new groups who would not normally have exposure to the ALA Washington Office webinars. Additionally, they discussed how messages from ALA members to Congress on legislative issues have increased by 19.4% in 2010 over the previous year.

Broadband and Telecommunications

The COL Subcommittee on Telecommunications continues to meet jointly with the OITP Subcommittee on Telecommunications. The joint meeting included an overview and discussion of network (net) neutrality, updates on the E-rate program and anticipated future activity, ongoing activities stemming from the National Broadband Plan (NBP) published several months ago by the Federal Communications Commission (FCC), and the pursuit of a new initiative by the Institute for Museum and Library Services (IMLS) Framework for Digital Inclusion. In addition, information was

shared on a new initiative in development on digital literacy stemming from the NPB, in conjunction with the FCC and the National Telecommunications and Information Administration (NTIA), which will likely include legislative activity at the appropriate time.

Surveillance

There were multiple discussions during the COL meetings regarding legislation pending in the 112th Congress including Section 215 of the U.S.A. PATRIOT Act, and Electronic Communications Privacy Act (ECPA), and the Computer Assisted Law Enforcement Act (CALEA.). There will be much more to report at Annual 2011 as the 112th Congress begins its work on these critical issues.

Library Services and Technology Act (LSTA)

The LSTA Subcommittee met late Sunday afternoon and discussed the recently reauthorized LSTA legislation. The subcommittee went over the major changes to LSTA and reviewed the reauthorization process. The subcommittee also shared recommendations for the next reauthorization process. At the meeting, resolutions were approved commending Congress and the President on LSTA and the nomination of Susan Hildreth to be director of the Institute of Museum and Library Services.

Status of Federal Appropriations

The 111th Congress failed to pass any of the 12 FY2011 budget bills before it adjourned sine die in December. Congress did however extend the Continuing Resolution (CR) to March 4, 2011. This CR will fund the federal government at the current FY2010 levels including LSTA at \$213.5 million and Improving Literacy Through School Libraries at \$19.1 million. It is unclear at this time what the 112th Congress will do with the FY2011 budget.

On February 14, 2011 President Obama will deliver his FY2012 budget request to Congress. The funding numbers in this budget request are not yet public and therefore are unknown.

Copyright

The COL Copyright Subcommittee continued discussion on its work to frame and develop messaging to assist ALA members to effectively communicate ALA's positions on copyright legislation and policies. Additional discussion included reviewing current and possible future copyright-related legislation and regulation during the 112th Congress. In addition, the subcommittee continues to await a decision by the U.S. Court of Appeals Second Circuit on the proposed Google Book Search settlement and discussed advocacy messaging for possible legislation that may be sparked by the court's decision. The subcommittee will hold monthly conference calls to continue its committee work.

Government Information

GIS hosted two meetings at ALA Midwinter 2011. The first meeting was held jointly with the Government Documents Round Table's (GODORT) Legislation Committee. During this meeting the members discussed suggestions to be considered in the Wikileaks resolution that the Committee on Legislation was drafting. The subcommittee heard from Ross Housewright of Ithaka S+R who presented on the current status of their Federal Depository Library Program Modeling project and had the opportunity to ask questions and provide feedback on the draft sections of Ithaka's report. The group also heard from representatives from the Government Printing Office regarding a letter from the newly appointed Public Printer, William Boarman.

At the Subcommittee's second meeting, they reviewed the joint Committee on Legislation (COL) and Intellectual Freedom Committee's Wikileak resolution and raised suggestions on language that were brought forth to the COL chair.

E-Government Services

The Subcommittee on E-Government Services held one meeting during the ALA Midwinter 2011 conference. The subcommittee looked over the E-Government Toolkit and assigned sections to committee members to update. The members discussed ideas for a program at Annual 2011 focusing on emergency response services and the role that libraries should / do play. It was decided that since the conference will be held in New Orleans, the subcommittee members would reach out to local librarians and the State Librarian of Louisiana to speak on the aftermath of Hurricane Katrina.

The Subcommittee considered what the focus of the group should be in the coming year and discussed possible cooperative efforts with the Government Document Round Table and the Public Library Association. They will continue holding monthly conference calls to discuss related legislation and possible ways to influence policy.

This ends our report at this Midwinter. Thank you for your time and consideration.

This resolution was **ADOPTED** by the ALA Council at its Council III meeting on Tuesday,
January 11, 2011, in San Diego, CA

**Resolution Commending the U.S. Congress and the President on the Reauthorization of the Museum
and Library Services Act**

Whereas the Museum and Library Services Act (MLSA) reauthorizes the Library Services and
Technology Act (LSTA);

Whereas LSTA has stimulated library innovation, digital literacy, 21st century skills, improved services
and facilities, literacy, interlibrary cooperation, resource sharing, and workforce resources and
services, and library and information science research;

Whereas LSTA enhances current training opportunities for library professionals and supports the
development of a diverse library workforce, including an authorization of the Laura Bush 21st
Century Librarian Program;

Whereas the reauthorization will update LSTA to better reflect the role that libraries play in our
nation's communities and ensure the preservation of collections;

Whereas the LSTA reauthorization received bipartisan support from Senators Jack Reed (D-RI), Thad
Cochran (R-MS), Richard Burr (R-NC), Tom Harkin (D-IA), Susan Collins (R-ME), Michael Enzi (R-WY),
and Jon Tester (D-MT);

Whereas the MLSA reauthorization was quickly passed unanimously without amendments by the
Senate Health, Education, Labor, and Pensions (HELP) Committee, the full Senate, and the House
of Representatives; and

Whereas President Barack Obama signed MLSA into law on December 22, 2010.

Resolved the American Library Association commends the leadership of Senator Jack Reed, co-
sponsors Senators Thad Cochran, Richard Burr, Tom Harkin, Susan Collins, Michael Enzi, and Jon
Tester and the members of the United States Senate and House of Representatives, and
President Barack Obama for their efforts to sustain the federal role supporting library services, as
the cornerstone of our nation's information infrastructure.

Adopted by the Council of the American Library Association



Keith Michael Fiels
ALA Executive Director and Secretary of the ALA Council
Tuesday, January 11, 2011
In San Diego, California

This resolution was **ADOPTED** by the ALA Council at its Council III meeting on Tuesday,
January 11, 2011, in San Diego, CA

**Resolution Commending President Obama and the U.S. Senate in Nominating and Confirming Susan
Hildreth to be IMLS Director**

Whereas Susan Hildreth was nominated by President Barack Obama to serve as director of the
Institute of Museum and Library Services (IMLS);

Whereas the United States Senate confirmed Ms. Hildreth unanimously by a voice vote on
December 22, 2010;

Whereas Ms. Hildreth brings a wealth of experience with a distinguished career of over 30 years in
public libraries, including serving as the City Librarian of the Seattle Public Library, California State
Librarian, and City Librarian of the San Francisco Public Library;

Whereas as State Librarian, she oversaw the State Library's support of California libraries and cultural
institutions as they worked for the continued intellectual, technological, and cultural growth of
California's diverse populations;

Whereas she has been active in professional associations throughout her career, serving as an at-
large member of the governing Council of the American Library Association, President of the
Public Library Association, and President of the California Library Association; and

Whereas she furthered the profession by advancing bold initiatives, new ideas in professional
education, and leadership opportunities, and helped prepare public librarians to strategically
face the future;

Resolved that the American Library Association commends President Obama for nominating Ms.
Hildreth to serve as director of IMLS and the United States Senate for confirming her.

Adopted by the Council of the American Library Association



Keith Michael Fiels
ALA Executive Director and Secretary of the ALA Council
Tuesday, January 11, 2011
In San Diego, California

This resolution was **ADOPTED** by the ALA Council at its Council III meeting on Tuesday,
January 11, 2011, in San Diego, CA

Resolution Thanking Bob Tapella for His Service as the 25th Public Printer of the United States

Whereas Robert "Bob" Tapella was appointed the 25th Public Printer of the United States by President George W. Bush in 2007 and completed his tenure in December 2010;

Whereas Mr. Tapella oversaw continued modernization and improvements of the infrastructure and organizational capacity of the Government Printing Office (GPO) and the Federal Depository Library Program (FDLP);

Whereas Mr. Tapella oversaw the successful evolution of the FDLP Desktop from a static website to an interactive site allowing the FDLP community to network and share information;

Whereas Mr. Tapella took the initiative to strengthen relationships with the FDLP community by visiting libraries across the country during his tenure as Public Printer;

Whereas In his second year Mr. Tapella oversaw the public release of the Federal Digital System (FDsys), which allows enhanced searchable digital access and authentication of Federal publications;

Whereas in July 2009 *Government Computer News* named FDsys one of the "10 great Government Web sites;"

Whereas Mr. Tapella increased the availability of education and training opportunities for GPO staff, particularly in technology, and developed interactive training opportunities for the FDLP community;

Whereas Mr. Tapella implemented environmental sustainability programs throughout GPO; and

Whereas Mr. Tapella oversaw the increased use of multimedia to promote GPO, FDLP, and government information; now, therefore, be it

Resolved that the American Library Association express gratitude to Mr. Tapella for his service as the nation's 25th Public Printer.

Adopted by the Council of the American Library Association



Keith Michael Fiels
ALA Executive Director and Secretary of the ALA Council
Tuesday, January 11, 2011
In San Diego, California

This resolution was *ADOPTED* by the ALA Council at its Council III meeting on Tuesday,
January 11, 2011, in San Diego, CA

**Resolution to Commend Senator Jack Reed for His Efforts to Recognize
Libraries as Essential Community Organizations During Disasters**

Whereas libraries play an essential role in providing government and emergency response and recovery services and support for dislocated people in the aftermath of disasters, including Hurricanes Katrina and Rita;

Whereas government agencies increasingly refer the public to libraries for government services;

Whereas libraries have demonstrated their ongoing effectiveness in delivering emergency response and recovery services including providing Internet access so that those affected are able to complete online Federal Emergency Management Agency (FEMA) applications and insurance forms, reconnect with family members, locate shelters and to obtain health care services;

Whereas in the aftermath of Hurricanes Katrina and Rita, FEMA did not recognize libraries as essential community organizations, which would entitle libraries to temporary relocation facility reimbursements or provide any financial or other assistance to libraries for their work; and

Whereas Senator Jack Reed (D-RI) was instrumental in working to convince FEMA to change its policies and recognize libraries as essential community organizations; now, therefore, be it

Resolved the American Library Association (ALA) commends Senator Jack Reed for his tireless efforts working to convince the Federal Emergency Management Agency (FEMA) to amend its policies to recognize libraries as essential community organizations, thus entitled to reimbursement for temporary relocation facilities.

Adopted by the Council of the American Library Association



Keith Michael Fiels
ALA Executive Director and Secretary of the ALA Council
Tuesday, January 11, 2011
In San Diego, California