

To: ALA Council

Re: Report

Action Requested by:

Contact Person:

Ed Garcia

COL Chair

Staff Liaison Contact:

Kevin Maher

Deputy Director, Public Policy and Advocacy

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Date:

Background: COL Report to Council

**Report to Council
2023 Annual Conference
Ed Garcia, Chair - ALA Committee on Legislation (COL)**

COL Committee Members:

Ed Garcia (Chair), Kate Alderete, Tania Bardyn, Deborah Doyle, Jessica Sheara Epstein, Lori Fisher, Susan Hempstead, Dr. Maria McCauley, James G. Neal, Kent Oliver, Nicole Robinson, Jana Stevenson, Joseph Thompson, Julia Warga, Lisa L. Wells, Sara Dallas (Executive Board Liaison)

COL Charge

The ALA Council Committee on Legislation (COL) is charged with the responsibility for the association's legislative agenda. Specifically, to:

- Identify, for the Public Policy & Advocacy Office, the association's strategic priorities.
- Recommend, annually, based on consultation with the Public Policy & Advocacy Office, a legislative and public policy agenda.
- Review and advise on any policy statements and/or resolutions that have an impact on federal legislation, policy, or regulations.
- Provide a forum within ALA to share information and legislative analysis of current and impending federal laws and regulations to keep ALA units apprised of current issues affecting libraries.
- Be available to consult, collaborate and offer assistance to state and local library entities when federal legislation has implications at the state and local level.

COL Legislative Agenda

At the Fall COL retreat in mid-November 2022, COL discussed and approved the Federal Legislative and Public Policy Agenda for 2023 (attached to this report). The agenda is focused on four key areas: Funding; Digital Inclusion and Skills; Copyright, Licensing and Competition; and Government Information and Services.

COMMITTEE UPDATES

Council Actions

At the 2023 LibLearnX Conference, ALA council passed the “[Resolution on Human Rights and Freedom of Speech and Expression in Iran](#)”. The resolved clause “encourages the United States government and international organizations to support the people of Iran”. In March 2023, the PPA Office transmitted a letter with the resolution to Robert Malley, US Special Envoy to Iran at the US Department of State.

Committee Appointments

Kate Alderete was appointed to fill the unexpired term of Brooke Corso, who resigned from the committee in February. Kate is the Deputy State Librarian of New Mexico and a member of the 2019 ALA Policy Corps cohort.

Spring Executive Board meetings

COL Chair Ed Garcia and Interim PPA Associate Executive Director Alan Inouye reported to the Executive Board on April 14 about COL and PPA activities.

PPA AED Search Committee

COL Chair Ed Garcia is serving on the hiring committee for a new Associate Executive Director of the PPA office. The committee has created a job description and the position was posted in May.

FEDERAL LEGISLATION AND POLICY UPDATES

FUNDING AND SUPPORT

2023 #FundLibraries Congressional Fly-In Events

ALA members pressed their Members of Congress to support library funding during two appropriations-focused “Hill Days” meetings set up by ALA staff. These meetings were focused primarily on members of the House and Senate Appropriations Committee and Congressional leadership and provided an opportunity for library advocates across the country to present their “local stories” of the importance of federal funding of library programs and services. ALA staff participated in these meetings in addition to other meetings to support library funding. In all, advocates and staff met with over 75 congressional offices.

The #FundLibraries Congressional Fly-In took place on March 8-9, 2023, and saw 57 ALA attendees taking 63 meetings on Capitol Hill. This was the first time that ALA co-hosted the event with COSLA, which brought in 50 additional attendees taking dozens of other meetings, increasing the library community’s presence in Washington. We held an advocate briefing day at the MLK Jr. Memorial Library, which included a policy briefing, mock congressional meetings, a keynote from Congressional Management Foundation CEO Brad Fitch, and remarks from IMLS Director Crosby Kemper. The briefing day was emceed by COL Chair Ed Garcia, and in attendance were ALA President Lessa Kanani’opua Pelayo-Lozada, President-elect Emily Drabinski, PLA President Maria McCauley, Intellectual Freedom Committee Chair Lesliediana Jones, and board members Sara Dallas and Steven Yates.

In addition to the in-person Congressional Fly-In, ALA PPA organized an additional Virtual Fly-In in May to meet with the remaining members of the Appropriations Committee and congressional leadership. 21 attendees, including incoming UFL President Deborah Doyle and IMLS Board member Ramiro Salazar, met with their members of Congress and pushed forward ALA's appropriations priorities.

ALA Pushes for Library Funding

ALA again led a successful **Dear Appropriator campaign for library funding**. After the 2022 elections, ALA needed to find new letter champions following the departures of Reps. Eddie Bernice Johnson (D-TX-30) and Peter Meijer (R-MI-03). Thanks to quick outreach, Rep. Jim McGovern (D-MA-02) and Rep. Don Bacon (R-NE-02) agreed to lead the funding letter for Innovative Approaches to Literacy, which secured 69 signatures. Rep. Don Bacon also agreed to lead the Library Services and Technology Letter with returning champion Rep. Raul Grijalva (D-AZ-07) and was able to secure 94 signatures. In the Senate, Sen. Jack Reed (D-RI) again led both letters, which secured the signatures of 44 senators on the LSTA letter and 35 on the IAL letter.

ALA submitted comments to the House and Senate Appropriations Committees calling for LSTA funding of \$232 million, IAL funding of \$50 million, and initial library facilities funding of \$20 million - a new request of Congress this year. This followed on the heels of the Dear Appropriator letters and the work of library advocates during the Fly In.

Expanding the reach of ALA by joining several coalitions, ALA joined with several hundred organizations on a letter calling on Congress to fully fund domestic discretionary programs. ALA joined with [469 organizations](#) on this letter. ALA joined the Title IV Coalition (education funding for well-rounded student support) in a Congressional Fly In for the coalition members. ALA also participated in an April briefing with House Ranking Member Rosa DeLauro (D-CT-03).

As an active member of the largest broad-based education coalition, the Coalition for Education Funding, ALA took a leading role in the coalition's annual [Budget Response Book](#). ALA wrote three chapters of the budget book, edited one section of the book, and helped coordinate a Congressional briefing upon the release of the book.

ALA supports requests for library facilities funding

ALA is supporting requests for Congress to allocate at least \$20 million for new national funding for assessment and planning of library facilities. The requests were submitted for the upcoming fiscal year 2024 appropriations bills by several Congress members, including Senators Jack Reed (D-RI), Lisa Murkowski (R-AK), Ben Ray Lujan (D-NM), Catherine Cortez Masto (D-NV), Jon Ossoff (D-GA), and Ron Wyden (D-OR), and Representatives Adriano Espaillat (D-NY-13), Emanuel Cleaver (D-MO-05), and Mike Levin (D-CA-49). The requests will be considered as Congress develops fiscal year 2024 appropriations bills in the months ahead.

FEDERAL INTELLECTUAL FREEDOM ISSUES

ALA opposes federal legislation that would foster censorship

In March, ALA urged the U.S. House of Representatives to oppose H.R. 5, the so-called "Parents Bill of Rights Act," which would open the door to more book banning in school libraries nationwide. This bill would require school libraries that receive federal funding to provide a list of available materials to parents and develop a new system to allow parents to challenge materials. ALA issued action alerts requesting advocates to contact their Congress members in opposition to the bill. ALA's opposition was repeatedly cited during Congressional debate about the bill. While the House narrowly passed the bill, the Senate Majority Leader has stated it will not be considered in the Senate.

School Library Right to Read Act Introduced

ALA along with AASL worked with Senator Jack Reed (D-RI) and Rep. Raul Grijalva (D-AZ-07) to **reintroduce the Right to Read Act**. This important legislation supports the work of certified school librarians, ensures first amendment rights and liability protections. The bills, [S. 1307](#) and [H.R. 2889](#), will ensure all students will have access to an effective school program; supports the growth, recruitment and professional development of school librarians; protects access to linguistically and developmentally appropriate instruction; expands data collection by the U.S. Department of Education of school libraries and librarians; reaffirms that first amendment rights apply to school libraries; and, provides liability protections to librarians and school staff who are providing access to reading material.

ALA led outreach to several organizations to **expand support** for the Right to Read Act. ALA was able to secure the support of American Federation of Teachers, the National Education Association, PEN America, and the National Council of Teachers of English (NCTE). In his [press release announcing the bill's introduction](#), Senator Reed included quotes from the ALA President Lessa Kanani-opua Pelayo-Lozada and AASL President Kathy Lester.

[ALA praised](#) Sen. Reed and Rep. Grijalva for their work on behalf of school librarians. The Right to Read Act was introduced during National Library Week and was spearheaded ALA grassroots advocates to call for additional cosponsors, with over 6,500 advocates taking action.

DIGITAL INCLUSION & SKILLS

ALA released an updated [“Digital Equity and America’s Libraries”](#) brief in January 2023.

ALA joined the Schools, Health, and Libraries Broadband Coalition (SHLB) to advocate to the FCC for [adding libraries and other anchor institutions to the national broadband map](#). We contributed to [research](#) about libraries on the broadband map, and organized and hosted a webinar with FCC, state library staff, and member leaders regarding the broadband map challenge process in March 2023.

In March 2023, Sen. Ben Ray Lujan (D-NM) reintroduced the Digital Equity Foundation Act ([S. 599](#)) to more sustainably address digital equity and inclusion needs beyond the current short-term infrastructure funding. A foundation would be established that would supplement the work of the National Telecommunications & Information Administration (NTIA) and the Federal Communications Commission (FCC) and support collaboration with community anchor institutions like libraries. The House companion ([H.R. 1412](#)) was led by Rep. Doris Matsui (D-CA-07). ALA supported the original bill in 2022, as well as the re-introduction. The [joint press release](#) from the senator and congresswoman included a quote of support from ALA President Lessa Kanani-opua Pelayo-Lozada.

COPYRIGHT, LICENSING & COMPETITION

ALA continues work with library and publishing ecosystem

ALA engagement with the publishing industry concerning the digital book licensing issue continued. PPA orchestrated meetings with the industry in New York and otherwise met with representatives. The meetings included significant discussions about working together against book banning and censorship.

Legislative efforts at the state level were active in five states—Connecticut, Hawaii, Massachusetts, New York, and Rhode Island. ALA provided quiet assistance and advice as well as public testimony,

modulating our engagement to be compatible with the desires and context in each state. As of this writing, one or two states have bills that could be enacted.

Contract Override symposium

The American Library Association and the Library Copyright Alliance worked with the Law School at American University to organize a symposium for library and copyright legal experts in Washington DC on May 18 to explore the concept of Contract Override. COL committee member, CLEAN Subcommittee member and ALA Senior Policy Fellow Jim Neal and Interim PPA AED Alan Inouye represented ALA. Since libraries began to acquire electronic content in the 1990s, they have signed license agreements that typically do not permit the use of the exceptions and limitations in the copyright law. Things like preservation, interlibrary loan, copies for users, support for the blind and visually handicapped, text and data mining, and fair use, for example, are not allowed by these contracts. The focus of the symposium was to hear from international attendees who have been able to pass legislation in their countries that allow copyright exceptions to selectively or more generally override limitations in contracts. The symposium was followed on May 19 by a workshop to identify strategies we might advance in the US to achieve Contract Override. Discussions explored changes in copyright law, as well as consumer law, procurement law, and competition policy. A high priority will be to educate the American library community about Contract Override.

GOVERNMENT INFORMATION & SERVICES

ALA welcomes new Archivist of the United States

On May 10, the U.S. Senate voted to confirm Dr. Colleen Shogan to serve as the next Archivist of the United States, which leads the National Archives and Records Administration. ALA supported Dr. Shogan's confirmation and welcomes her in her new role, which [she assumed on May 17](#).

SUSTAINABILITY

ALA offers webinars on new federal resources for sustainable library buildings

On Feb. 1 and 2, ALA's Public Policy and Advocacy office offered two [webinars for libraries about new federal resources for sustainable library buildings](#). Records are now available. The Feb. 1 webinar focused on "[Energy Retrofit Grants for Nonprofit Libraries](#);" applications under that program [opened on May 24](#). The Feb. 2 webinar focused on "[Clean Energy Tax Credits for Libraries](#)."

ADVOCACY & OUTREACH

National Library Week Highlights

We had two days of grassroots action during National Library Week: Right to Read Day on Monday, which garnered over 1600 advocates taking action, and Take Action for Libraries Day on Thursday, which had over 6500 advocates asking their member of Congress to co-sponsor the Right to Read Act.

Many Members of Congress went public about libraries and National Library Week, which you can find on PPA's twitter at @LibraryPolicy. Here are a few notables:

- Video message from Sen. Shelley Moore [Capito](#) (R-WV)

- Video message from Rep. Joe [Morelle](#) (D-NY-25)
- Remarks from the House Floor by Rep. Sylvia [Garcia](#) (D-TX-29)
- Garcia remarks in the Congressional [Record](#)

On Friday, April 28th, as part of National Library Week, we held a [policy briefing](#) on Capitol Hill in Rayburn House Office Building, with the overall goal of linking library small business programs to local economic development, discussing library-led initiatives to make business ownership more accessible and equitable, and to introduce the concept of libraries as hubs for small business and workforce development to a general policy audience. Our speakers were Adriana McCleer from Appleton Public Library, Radwa Ali from Roxbury Public Library, Cori Rice from the National League of Cities, and Anna Lucas from the U.S. Small Business Administration. From the event: [Photo1](#), [Photo2](#), [Photo3](#), and [Photo4](#).

National Library Week was a very busy one on the federal Legislative front with the introduction of three bills—possibly a record for library-specific legislation in one week! Sen. Jack Reed (D-RI) and Rep. Raul Grijalva (D-AZ-07) introduced the Right to Read Act for school libraries. Rep. Emanuel Cleaver (D-MO-05) introduced the Prison Libraries Act. Rep. Sylvia Garcia (D-TX-29) introduced the More Social Workers in Libraries Act (additional details of these bills are discussed elsewhere in our report).

Also during National Library Week, on April 25, Rep. Pramila Jayapal (D-WA-07) introduced [H.Res. 324](#), a resolution recognizing National Library Week and the contributions of library workers. ALA-APA endorsed the resolution. [H.Res. 324](#) has 34 cosponsors.

ALA activates Policy Corps Cadre for Proactive Advocacy on Book Banning

ALA [launched](#) a new Policy Corps Cadre in April that will focus on proactive advocacy on book banning in coordination with the ALA Office for Intellectual Freedom. This effort is led by COL member and Senior Policy Fellow Kent Oliver and includes COL member Lori Fisher.

The initiative will boost efforts across library types and states to highlight how libraries and library workers provide essential information resources to their communities while increasing awareness about the importance of intellectual freedom and its centrality to American democracy and society. The cadre met at the ALA Washington Office on March 20-22 to develop plans for concrete action throughout the year.

In only a few months, cadre members have successfully submitted more than a dozen proposals to share key learnings with state library chapters, greatly amplified Unite Against Books Bans resources and action items among their networks via social media, participated in media interviews and placed letters to the editor and op-eds, and begun planning for expanded outreach to BIPOC organizations with a focus on the impact of censorship efforts on Black creators and readers. Learn more Saturday, June 24, at 9 a.m. at a News You Can Use [update](#).

OTHER POLICY-RELATED DEVELOPMENTS

ALA Works with Rep. Cleaver to Introduce Prison Libraries Act

The American Library Association praised the Prison Libraries Act, introduced on April 25th by Rep. Emanuel Cleaver II (D-MO-5th), along with co-leads Rep. Sheila Jackson Lee (D-TX-18th) and Rep. Shontel Brown (D-OH-11th). The bill currently has 30 cosponsors and would establish a grant program within the Department of Justice to provide library services to incarcerated individuals to advance reintegration efforts, reduce recidivism and increase educational opportunities.

The Prison Libraries Act would provide grants to prisons to update materials, hire qualified librarians and support digital literacy and career readiness training. The legislation would be authorized at \$10 million per year through 2029, focusing on creating libraries in prisons without libraries and in prisons that otherwise would not have the means to scale library services. This bill is an important, but first step towards ensuring incarcerated individuals have equitable access to information.

ALA appreciated the opportunity to work with Representative Cleaver's office from the beginning, and we look forward to continuing to partner together to obtain support for this bill.

ALA Works with Texas Rep. to Introduce Social Worker at Libraries Bill

ALA worked with Rep. Sylvia Garcia (D-TX-29) on legislation creating a [pilot program](#) that would dispatch licensed social workers and academic social work students at local public libraries. [H.R. 3006](#) was introduced during National Library Week and strengthens public libraries as community hubs by facilitating aspiring social workers into library facilities. The pilot program would be administered by the Department of Education in cooperation with the Institute of Museum and Library Services. Grants would be directed to institutions of higher education while libraries would be eligible for subgrants.

ALA Helps Launch Senate Adult Literacy Caucus

Senator Susan Collins (R-ME) invited ALA to join the February launch of the Senate Adult Literacy Caucus, a bi-partisan caucus to help address the needs of 54% of adults struggling with low literacy skills. The Caucus will study the impacts of adult low literacy on the economy, health care, and digital skills. The work of libraries in helping meet these needs was recognized at the Caucus launch. ALA is working with outside adult literacy advocates to help revive the House Adult Literacy Caucus.

COL SUBCOMMITTEES

Copyright, Legislation, Education and Advocacy Network (CLEAN)

CLEAN members are presenting three programs at Annual in Chicago this year. The Copyright Game Show will be on Saturday June 24 from 12 to 1pm in McCormick Place, room W183b. "The Music Modernization Act and Libraries: New Opportunities for Music Collections" will be held on Monday June 26 9-10am in McCormick Place room W187a. Finally, "K-12 Copyright 101 for School Librarians" will take place on Monday June 26 1-2pm at McCormick Place room W176c.

Government Information Subcommittee (GIS)

No Report

OTHER PPA ACTIVITIES

LIBRARIES BUILD BUSINESS

An updated version of the ["One Small Business at a Time" happy brief](#) was released in April 2023.

ALA co-sponsored the [2023 ELC Pitch Competition](#), and Megan Janicki participated as a co-chair of the event. A pitch workshop, held on February 16, 2023, was open to all library workers interested in learning about pitching, communications, and outreach. Library workers from the United States and

Canada were [encouraged to submit a proposal](#). The competition, held on May 4, 2023, awarded five libraries micro-grants to implement new small business initiatives. [Read our blog post](#).

ALA released the [Libraries Build Business Communications Toolkit](#) in May 2023 with a [press release](#). LBB Community participants received training on the tools and the opportunity to provide input. The development of this toolkit was in collaboration with Co/lab Capacity. [Read our blog post](#).

COMMENTS AND AMICUS BRIEFS FILED

- ALA submitted [comments](#) in response to the FCC’s notice of proposed rulemaking on the prevention and elimination of digital discrimination in February 2023. Our comments support Congress’s charge as outlined in the IIJA to adopt rules to facilitate equal access to broadband internet service.
- ALA [responded](#) to the DOL’s request for information on digital literacy and resilience in February 2023. This was an opportunity to showcase the work libraries of all types around the country are already doing to support digital equity, literacy, and inclusion. Prior to developing our comments, we surveyed the field to gather input and examples.
- ALA filed [comments](#) and [reply comments](#) in February and March 2023 advocating to the FCC that they allow the use of E-rate funds for cybersecurity costs. ALA has long advocated in favor of expanding eligibility to include next generation firewalls and other network security services, particularly in light of increasing ransomware and similar cyber-attacks. Along with many other filers, ALA’s comments encourage the Commission to expand eligibility to include all segments of network security. ALA and other advocates met with FCC Chairwoman Jessica Rosenworcel’s staff to affirm the nearly unanimous public record calling for these changes to take effect as soon as possible for future E-rate funding years.
- ALA filed [comments](#) and [reply comments](#) responding to the FCC’s notice of proposed rulemaking on Tribal E-rate in April and May 2023. ALA continued to support simplification and streamlining of program rules, eligibility of Tribal college libraries, and expanding competitive bidding flexibility exemptions to funding amounts up to \$10,000 to ensure that more Tribal, small, and rural libraries are able to apply to E-rate.
- ALA filed [comments](#) in response to the NTIA’s Digital Equity Act of 2021 request for comments in May 2023, highlighting promising models of advancing digital equity in libraries across the country, and advocating for the inclusion of libraries in competitive grant programs and state digital equity plans.
- We reviewed and commented on NTIA’s guidance for state leaders re: [engaging libraries in Digital Equity Act planning](#).

TAKE ACTION

Please sign up for the Unite Against Book Bans campaign if you or your organization has not yet done so. Many have joined but many have not. <https://uniteagainstbookbans.org/>

You can subscribe to [ALA’s advocacy alerts](#) to take targeted actions at key moments on federal policy. We only ask you to act when your advocacy is needed most. <http://ala.org/takeaction>

Also, if you want the latest library policy news and updates, please follow us on Twitter at [@LibraryPolicy](#).

American Library Association (ALA)

Committee on Legislation

Federal Legislative and Public Policy Agenda for 2023

Policymakers must ensure libraries are equipped to safely meet their communities' needs for technology access, education and learning, economic recovery and development, research, health and well-being, and civic engagement. Policies should support the contributions of libraries of all types, with emphasis on meeting the needs of underserved groups. Advancing access to information, sustainability, diversity, equity, and inclusion underpin and permeate our legislative advocacy. We will remain steadfast in our defense of intellectual freedom and library users' freedom to read.

ALA's Committee on Legislation encourages ALA members and library supporters to advocate on the following library priorities in 2023. ALA will monitor and engage on these and other [federal issues](#) that affect libraries and will join with partners and coalitions to promote strong and equitable libraries. We urge ALA members and library supporters to [sign up as advocates](#) and use [ALA's advocacy resources](#) to build effective relationships with decision makers. We will work to advance these agenda items before Congress and the Administration.

Funding and Support

[Equitable federal funding](#) for library services is essential to ensuring that every community in America has strong libraries. Key issues for 2023:

Dedicated library programs: Increase and maintain funding for the:

- Institute of Museum and Library Services, which administers the Library Services and Technology Act, with priority on services and technology for underserved communities;
- Innovative Approaches to Literacy program and support for [school libraries](#) through the Department of Education;
- Improving Library and Museum Facilities proposed program or other approaches to support library renovation and construction, sustainability, and resilience; and
- National library programs, including the Library of Congress, National Library of Medicine, National Agricultural Library, and the Federal Depository Library Program.

Library-eligible programs: Continue and enhance federal programs for which libraries are eligible recipients or partners. Recognize and support libraries' important roles in:

- K-12 and early education, including in reauthorizing the Every Student Succeeds Act;
- Higher education, including in reauthorizing the Higher Education Act;
- Economic and workforce development, including in reauthorizing the [Workforce Innovation and Opportunity Act](#); and
- Other crucial community services, including through the National Endowment for the Humanities, Community Development Block Grants, and other applicable programs.

Library workers: Support and protect library workers, including promoting safe work environments and preserving library workers' eligibility for Public Service Loan Forgiveness.

Digital Inclusion and Skills

To promote digital equity, access to technology, and enable modern library services, libraries in all parts of the country must be able to serve their users with fast and affordable [broadband](#), technology access, and digital skills training. Key issues for 2023:

E-rate: Improve outreach and technical assistance for applicants to increase library participation in the program, especially in underserved communities. Expand eligible uses.

Digital skills and economic opportunity: Expand support for libraries to deliver digital skills training and business and workforce development resources.

Content access and liability: Restore [net neutrality](#) protections. Preserve Section 230 of the Communications Decency Act liability protections for libraries.

Copyright, Licensing, and Competition

Libraries rely on balanced and flexible [copyright policy](#) to enable vital library services. ALA supports a modern copyright system with effective user rights and limitations and exceptions to copyright. Additionally, libraries rely on fair licenses and market practices in order to provide access to digital content such as [e-books](#). Key issues for 2023:

E-books and digital content: Prevent unfair and anti-competitive practices that limit libraries' ability to meet their users' reading and information needs.

Copyright Office: Maintain the Librarian of Congress' authority to manage and oversee the Copyright Office.

Government Information and Services

Libraries provide access to [government information](#) and services in communities across the country. ALA supports policies that assist libraries in providing no-fee permanent public access to government information and equitable access to government services, which includes voting. Key issues for 2023:

Federal Depository Library Program: Modernize the [Federal Depository Library Program](#).

Public access to research: Ensure public access to publicly funded research and data.