

Fall Executive Committee Meeting  
October 26-27, 2012, Chicago

**Topic:** YALSA Advocacy & ALA Support

**Background:** Jack Martin invited Emily Sheketoff, the Director of the ALA Washington Office, to have a conversation with the Executive Committee around YALSA's advocacy goals in the strategic plan and to explore ways that YALSA and the Washington Office might work together.

**Action Required:** Discussion

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**REPORT TO YALSA BOARD**

**FROM:** EMILY SHEKETOFF

**DATE:** OCTOBER 2, 2012

**OFFICE FOR INFORMATION TECHNOLOGY POLICY (OITP)**

**ALA President Releases Open Letter to Publishers**

In September, ALA took an aggressive messaging approach by releasing an open letter from President Maureen Sullivan to America's publishers denouncing the refusal of several large trade publishers to sell ebooks to libraries. [View the open letter.](#)

**Hachette to Raise Library Ebook Prices 104%**

In September, ALA President Maureen Sullivan denounced Hachette Book Group's plans to raise the price of ebooks to the library market by 104 percent starting October 1, 2012. Sullivan said: "*We are weary of faltering half steps and even more so of publishers that refuse to sell ebook titles to libraries at all. Today I have asked the ALA's Digital Content & Libraries Working Group to develop more aggressive strategies and approaches for the nation's library community to meet these challenges.*"

**OITP to Partner with Public Library Association on New Grant for Digital Literacy Education**

The Institute of Museum and Library Services awarded the Public Library Association a \$291,000 grant to develop an online collection of digital literacy resources that will be accessible to libraries, patrons and community-based organizations. The grant will include handouts, the development of training curricula in English and Spanish and library patron skills assessments. PLA will partner with the ALA's Office for Information Technology Policy and the Chief

Officers of State Library Agencies to generate the online digital literacy resource collection. PLA will launch the online resource center at the 2012 ALA Midwinter Meeting in Seattle, and the organization plans to continue demonstrations of the resource center at ALA and PLA conferences from 2013-2014.

### **ALA Releases Ebook Business Models Report**

In August, ALA released “Ebook Business Models for Public Libraries,” a [report](#) that describes general features and attributes of the current ebook environment and outlines constraints and restrictions of current business models. Additionally, the report suggests opportunities for publishers to showcase content through public libraries. The report was created by the ALA Digital Content & Libraries Working Group (DCWG).

### **OITP Releases Backgrounder on “Libraries, Patrons, and E-books”**

As part of the ALA Office for Information Technology Policy’s work with the Digital Content and Libraries Working Group, several member leaders have requested that the ALA develop and distribute communications resources that will support local libraries around digital content issues. OITP released the first of these documents, a [backgrounder](#) that shares some highlights from the newest Pew Research Center report on “Libraries, Patrons, and E-books,” along with some possible messaging and local angles for leveraging this new research with local media and decision makers.

### **Library Copyright Alliance Files Second Amicus Brief in Authors Guild v. HathiTrust**

On July 6, 2012, members of the Library Copyright Alliance (the American Library Association, Association of Research Libraries and Association of College and Research Libraries), together with the Electronic Frontier Foundation, filed a friend of the court brief (pdf) in Authors Guild v. HathiTrust, urging a federal court to find that the fair use doctrine permitted the creation of a valuable digital library. The brief argues four main points: that the HathiTrust Digital Library (HDL) is serving the public interest, that its tremendous public benefit tilts the analysis firmly in favor of fair use, that a legislative “fix” is both unnecessary and unworkable, and that the plaintiffs helped foster public reliance on the HathiTrust project, which the public should not be deprived of now. In their lawsuit, the Authors Guild, together with a few other author groups and individual authors, propose an extremely narrow view of the rights of libraries to engage in preservation and other core library functions. In their motion for judgment on the pleadings, the plaintiffs have asked the federal court to “mothball” HDL until Congress takes action. LCA members have filed in this case to defend the rights of all libraries, as well as to highlight the extraordinary value of the HathiTrust collection. This amicus brief follows a previous (pdf) one submitted by LCA on April 20, 2012.

### **Library Associations, EFF File Friend of the Court Brief in Authors Guild v. Google, Inc.**

On August 1, 2012, members of the Library Copyright Alliance (LCA), together with the Electronic Frontier Foundation (EFF), filed a friend of the court brief (pdf) in *Authors Guild v. Google, Inc.*, a lawsuit in which authors allege that Google violated copyright by scanning books to create Google Book Search (GBS), a search tool similar to its Internet search engine. The LCA/EFF brief defends GBS as permissible under the doctrine of fair use, a flexible right that allows copying without payment or permission where the public benefit strongly outweighs the harm to individual rightsholders.

### **ALA Washington Office Staffer Featured on The Diane Rehm Show (NPR)**

In August, ALA Office for Information Technology Policy program director Carrie Russell was invited to be a guest on the Diane Rehm Show to talk about libraries and e-books, along with Allan Adler from the Association of American Publishers, Jeremy Greenfield from Digital Book World and Vailey Oehlke, director of the Multnomah County Library (OR). Hear the show: <http://thedianerehmshow.org/audio-player?nid=16527>.

### **Copyright Law Book Available for School Librarians and Educators**

ALA Editions released *Complete Copyright for K–12 Librarians and Educators*, a copyright book specifically written for teachers and librarians. The book, written by Carrie Russell of OITP, addresses the challenges that school librarians and teachers face concerning copyright-protected print and online materials at school and outside of the traditional educational environment. The book, which includes original illustrations by Jessica Abel, explores complex situations often encountered in classrooms, such as the use of copyrighted material for school assignments, library operations, extracurricular activities and on the Web. Learn more about the book at <http://www.alastore.ala.org/detail.aspx?ID=3104>.

### **ALA Digital Content Working Group Releases Digital Rights Management Tip Sheet**

In an effort to help the library community better understand and adapt to the growth of digital content, ALA has released a [tip sheet](#) that provides background on digital rights management—systems producers, publishers and vendors use to control what users can do with electronic files, such as e-books, DVD films, and other media. The ALA Digital Content & Libraries Working Group created the tip sheet.

### **ALA Advocates for Library Broadband Funding**

The American Library Association submitted comments to the Federal Communications Commission (FCC) on its Further Notice of Proposed Rulemaking (FNPRM) on the reform of the Universal Service Fund (USF) contribution mechanism. The FNPRM is part of the Commission's effort to modernize universal service programs—including the E-rate program—so that they can efficiently bring the benefits of 21st century broadband to the public across the country. The ALA advocated for the Commission to ensure the stability of the USF as it addresses contribution reform such that the necessary reforms are not disruptive to individual programs. In particular, the E-rate program depends on the fund's stability in order for libraries

and schools to provide Internet-enabled services to the public. Demand on the fund continues to climb as libraries include more programs and services that demand high-capacity broadband connections, such as video conferencing and mobile computer labs.

## **OFFICE OF GOVERNMENT RELATIONS (OGR)**

### **House of Representative Reauthorizes FISA Amendments Act of 2012**

In September, the House of Representative reauthorized the 2008 FAA law that legalized the Bush administration's warrantless wiretapping program, which means that the American public, including our library patrons, will continue to be exposed to needless surveillance under this reauthorization. The FISA Amendments Act Reauthorization Act of 2012, H.R. 5949, would extend the provisions of the 2008 FAA to December 31, 2017, rather than letting the FISA sunset on December 31, 2012. The government is allowed to get 12-month orders from the secret FISA court to conduct "dragnet surveillance of Americans' international communications—including phone calls, emails, and internet records—for the purpose of collecting foreign intelligence." The Senate has not been able to finalize a vote on the legislation.

As we did in 2008, the American Library Association (ALA) continues to argue against the FISA Amendments Act because of the FAA's lack of transparency and the potential for abuse of the system that has been created.

### **Funding for School Libraries Included in LHHS Subcommittee's Appropriations Bill**

The American Library Association applauds the efforts of the Senate Labor, Health and Human Services (LHHS) and Education Appropriations Subcommittee on including funding for libraries in the LHHS Subcommittee's Appropriations Bill. The bill includes \$30 million for the Innovative Approaches to Literacy (IAL), which is a \$400,000 increase over FY 2012. By law, a minimum of half of the funds under this program (\$14.5 million) must go to school libraries in the neediest school districts as a competitive grant. This bill contains funding for the Institute of Museum and Library Services (IMLS) including the Library Services and Technology Act (LSTA) grants, as well as federal funding for school libraries. This bill (which has not been filed and does not yet have a bill number) was approved by the Committee on a 16-14 party line vote. Republicans opposed this bill largely over objections to the funding for the Affordable Care Act under the Department of Health and Human Services which is also contained in this bill.

### **Funding the Federal Government**

Congress recently passed a 6 month "continuing resolution" (CR) that will fund the federal government through March 27, 2013, and the President signed it September 28. This action became necessary since none of the FY 2013 Appropriations bills have cleared the Senate before Congress cleared out of DC to campaign for the election. The CR package is funded at the level agreed to for FY 2013 in the Budget Control Act. This level was set at \$1.047 trillion for FY 2013, \$4 billion over the FY 2012 enacted level of \$1.043 trillion. This means that all federal

discretionary programs will receive a small 0.612% increase. Unfortunately, since many library grants are funded after the March end-date of this CR, it is unclear how significantly this will impact libraries.

### **Office of Government Relations Host Webinars**

The ALA Washington Office hosted several webinars for library advocates over the past few months. In June, the Washington Office hosted the webinar “Using D.C. Insider Secrets to Save Your Library,” where participants learned 10 tactics to increase their library’s perceived value and demonstrate why libraries are one of the best investments around. In July, the Office hosted “They’ve Got to See it to Believe It: Getting Decision Makers Into Your Library.” The webinar focused on teaching participants about the secret strategies for getting decision makers in the door — and eventually agreeing with you. In September, the Washington Office will host “ALA: Making the Election Connection,” which focuses on specific steps library leaders can take to mobilize library supporters, including voter registration drives, learning about candidates, attending and hosting forums and working the polls.

### **Weinberg Foundation Unveils Program for Baltimore School Libraries**

In September, Maureen Sullivan traveled to Baltimore, Md. to attend the Weinberg Foundation’s unveiling of the first of twelve renovated and redesigned Baltimore City Public Schools. The renovations are a part of the [Baltimore Elementary and Middle School Library Project](#) initiative to build, equip and staff Baltimore City elementary and middle school libraries. The American Library Association applauded the Weinberg Foundation for recognizing the important role that school libraries can play in a child’s education and for their dedication of \$5 million to build 12 new school libraries. Additionally, AASL President Susan Ballard discussed the significance of the Weinberg Foundation dedication for school libraries in the [Baltimore Sun](#).

### **ALA Supports Vote 411**

The ALA Washington Office encouraged librarians to use their library’s website to promote Vote 411, a new tool the League of Women Voters provides that helps people register to vote, and offers information on voting requirements and state deadlines. We have also made tip sheets and other tools available for libraries to encourage voting and watching the Presidential debates. The American Library Association’s support of Vote 411 comes off the heels of the ALA Council’s unanimous passing of the resolution opposing voter suppression at the recent 2012 ALA Annual Conference. The Vote 411 tool allows users to build an online voter’s guide, view political races, compare candidate positions side-by-side and print out “ballots” that can be used to remind the public to vote on Election Day. The tool also provides visitors with helpful voting information, candidate statements and details on current issues.

### **Department of Education announced Federal School Literacy Grants**

While the filing period for the Innovative Approaches to Literacy Program (IAL) school literacy grants is now closed, the ALA encouraged school librarians to apply for the program grants, (which ranged from \$150,000–750,000) while the application window was open. At least 50 percent of the \$28.6 million is designated for school librarians. The literacy grant program is

designed to support innovative literacy programs for young children, increase student achievement by using school libraries and motivate older children to read. According to the Department of Education, the grants are to be used to “develop and improve literacy skills for children and students from birth through 12th grade within the attendance boundaries of high-need local educational agencies.”

### **U.S. House Passes Legislation to Bypass Some Confirmation for Presidential Appointments**

The U.S. House of Representatives passed S. 679 – the Presidential Appointment Efficiency and Streaming Act of 2011. The U.S. Senate previously passed the legislation on June 29, 2011, by a vote of 79-20. The purpose of this legislation is to reduce the number of presidential appointments that the Senate must confirm thereby improving the efficiency of confirming a selected 220 executive branch positions. Currently there are approximately 1,400 executive branch positions that require a Senate confirmation. Included in the 220 executive branch positions that this legislation eliminates from senate confirmation are the 20 members of the National Museum and Library Services Board. This action may affect the current 8 nominees that have already been nominated for the National Museum and Library Services Board if they are not confirmed by the time this bill goes into effect.

### **Senate Ends Cybersecurity Act of 2012 Debate**

During the week on July 30, the Washington Office launched its first “text-to-call” campaign using Mobile Commons. Mobile subscribers were sent a text message asking them to call their senators to voice concerns over the Cybersecurity Act of 2012. A “click-to-call” campaign was also set up on the District Dispatch where advocates were able to type in their cell phone number and then receive a call connecting them to their senators.

In August, the U.S. Senate took a cloture vote to end debate on S.3414, the Cybersecurity Act of 2012. The vote was recorded as 52-46 meaning there was not the 60 votes necessary to advance the bill. This vote signals that the bill will likely not be taken up this year. The fight to protect privacy is far from over though.

Thanks to our partnership with groups like the Electronic Frontier Foundation (EFF) and the American Civil Liberties Union (ACLU), our Mobile Commons account was able to generate over 300 calls into the U.S. Senate.

As of September 27, our Mobile Commons mobile list has just under 600 subscribers.

**Sign up for text alerts from the Washington Office to receive the most up to date information on advocacy alerts and events by texting “library” to 877877.**