

ALA Executive Board  
Fall Meeting

**SUBJECT:** Addressing issues related to eBooks and Digital Content

**ACTION REQUESTED:** Discussion and approval of Working Group Charge

**DRAFT MOTION:** *The ALA Executive Board approves the charge of the Joint Working Group on eBooks and Digital Content in Libraries*

**REQUESTED BY:** Mary W. Ghikas, ALA Executive Director  
Alan Inouye, Senior Director, Public Policy and Government Relations, Public Policy and Advocacy Office

**DATE:** 17 October 2019

**BACKGROUND:**

**(1)**

At the 2019 ALA Conference Council iii, the ALA Council approved a resolution calling for establishment of a Joint Working Group on eBook and Digital Content Pricing in Libraries:

VOTED TO SUPPORT, ALA CD 53, Resolution on Digital Content Pricing for libraries

Resolved, that the American Library Association (ALA), on behalf of its members:

1. Creates a joint working group of representatives from ALA, ULC, ASGCLA, COSLA, PLA, LITA, ALCTS, RUSA, SLA and other members to be determined to address library concerns with publishers and content providers specifically:
  - a. to develop a variety of digital content license models that will allow libraries to provide content more effectively, allowing options to choose between one-at-a-time, metered, and other options to be made at point of sale;
  - b. to make all content available in print and for which digital variants have been created to make the digital content equally available to libraries without moratorium or embargo;
  - c. to explore all fair options for delivering content digitally in libraries;
  - d. to urge Congress to explore digital content pricing and licensing models to ensure democratic access to information
2. Develops an advocacy and public awareness campaign to provide accurate information about the true value of library purchasing of digital, all library materials to publishers.

2019 ALA Annual Conference, Council III

<http://www.ala.org/aboutala/sites/ala.org.aboutala/files/content/Annual%20Conference%20Actions.pdf>

**(2)**

Following Annual Conference, a draft charge was created, based on language in the Council resolution (CD 53); prior work of the earlier Digital Content Working Group, ASGCLA and PPA; and, the rapidly evolving environment.

**Board approval for the following charge is requested**

**DRAFT CHARGE**

The rise of digital content presents extraordinary opportunities for improved library services. At the same time, digital content poses some of the most formidable challenges to providing equitable services in libraries.

These challenges are multiple, but especially problematic are the high pricing associated with many digital services and the terms through which they are available. Libraries often encounter terms that are less generous than with analog information products, and sometimes digital content is not available at all to libraries.

Recent developments in the trade publishing marketplace indicate that the library community needs more concentrated efforts in addressing these issues. Accordingly, the ALA Council adopted a Resolution on Digital Content Pricing for Libraries at the 2019 ALA Annual Conference to establish a Joint Working Group on Digital Content. This Working Group is charged to:

- Advise the Association regarding opportunities and challenges related to libraries and digital content and the provision of equitable access to digital content for all.
- Explore, analyze and share information on various options for improving access to digital content for libraries and the public (e.g., via various licensing models) and for overcoming legal, technological, policy and economic barriers to equitable access.
- Suggest information and training that would be of use to library workers and supporters so that they can make informed choices, serve as advocates for digital access, and design and support digital services.
- Advise the Association on efforts to increase public awareness and understanding of issues related to access to digital content and the challenges to/role of libraries in providing equitable access to digital resources, including the contributions of libraries to the publishing ecosystem.
- Assist in the identification of strategies to influence decision makers—whether government officials, publishers, other information service providers, interest groups, and others—to effect changes that would assist libraries in better serving their communities.

Efforts of the Working Group should build on and coordinate with relevant past and current activities. The ALA Digital Content Working Group produced a large number of reports, articles, and other materials during its tenure over many years. In addition, the Association of Specialized, Government, and Cooperative Library Agencies held a summit on ebooks in 2018. In conjunction with ALA leadership. The Public Policy & Advocacy Office continues engagement within the publishing ecosystem.

Working Group members will be appointed by the ALA President based on their high level of expertise and range of experience regarding libraries and digital content. Working Group members will be broadly representative of the various constituencies within the Association and library community and various types of libraries and library situations (e.g., urban, suburban, rural, tribal)—as suggested in the Council resolution and discussion. For this reason, the group is larger than most ALA committees.

Initial appointments to the Working Group will be for a two-year period. Prior to the end of this period, an assessment will be conducted regarding the need for continuation of the Working Group or a successor advisory group.

Primary staff support for the Working Group will be provided by Association of Specialized, Government, and Cooperative Library Agencies, with expertise provided by the ALA Public Policy & Advocacy Office. The ALA Executive Office and Communications & Marketing Office will also collaborate, along with the ALA Governance Office.

**NOTE:** Staff liaisons to the Working Group will be Alan Inouye (PPA) and Jeannette Smithee (ASGCLA). The framework for operation – rosters, ALA CONNECT space – were created by Council Secretariat Marsha Burgess. Many other hands have been and will continue to be involved in this work.

**(3)**

Staff worked with ALA President Wanda Brown to identify potential co-chairs and to secure their agreement to take on a substantial leadership role. Co-Chairs are Leah M. Dunn, University Librarian, The University of North Carolina at Asheville, and Kelvin Watson, Director, Broward County Libraries (FL).

Invitations from ALA President Wanda Brown were sent to over 30 ALA and external groups, seeking appointments of Working Group participants. At this point, there are 30 participants on the Working Group, 15 from ALA groups and 15 from a wide range of external groups. A complete list of current Working Group members is attached. **(Attachment A)** Note that all groups specifically mentioned in the Council resolution have appointed representatives.

**(4)**

In a parallel process, PPA, along with PLA and CMO, acted to address immediate challenges. A report prepared by Alan Inouye, PPA, is attached. **(Attachment B)**

Press reaction has been broad and positive. **(Attachment C)**

Other Related Materials:

2012-2013 ALA CD#30

2013 ALA Midwinter Meeting

Report of the Digital Content & Libraries Working Group

[http://www.ala.org/aboutala/sites/ala.org/aboutala/files/content/governance/council/council\\_agendas/2013mw\\_agendas/cd\\_30\\_digital\\_content\\_and\\_libs\\_wkg\\_group.pdf](http://www.ala.org/aboutala/sites/ala.org/aboutala/files/content/governance/council/council_agendas/2013mw_agendas/cd_30_digital_content_and_libs_wkg_group.pdf)

Report of the National Ebook Summit, June 2018 (renamed a national agenda for ebooks).

<https://poweroflibraries.org/national-agenda-for-ebooks/>

The page is open and accessible. It has the report in 4 formats, HTML pages, Word, PDF and EPUB.

## Attachment A: Joint Working Group on eBooks and Digital Content in Libraries

### Co-Chairs

**Leah M. Dunn**, University Librarian, **The University of North Carolina at Asheville/ Ramsey Library (NC)**  
**Kelvin Watson**, Director, **Broward County Libraries (FL)**

### Working Group Members

#### ALA Groups

1. **Robert Barr**, Library Director, **Juneau Public Library (AK) (ALA Committee on Legislation)**
2. **Marilyn Billings**, W.E.B. Du Bois Library, **University of Massachusetts, MA (ACRL)**
3. **Brett S. Cloyd**, Research and Government Information, **University of Iowa Libraries (GODORT)**
4. **Christine K. Dulaney**, Associate University Librarian/Director, **American University-Bender Library (LLAMA)**
5. **Anita Foster**, Electronic Resources Librarian, **The Ohio State University Libraries (ALCTS)**
6. **John Klima**, Assistant Director, **Waukesha Public Library, WI (LITA)**
7. **Richard Kong**, Director, **Skokie Public Library, IL (PLA)**
8. **Shenise McGhee**, Associate Professor/Librarian, **University of Arkansas Pine Bluff, John Brown Watson Memorial Library System (ALA Intellectual Freedom Committee)**
9. **Andrew Medlar**, Director of BookOps, **New York Public Library & Brooklyn Public Library (ALSC)**
10. **Elizabeth (Liz) Philippi**, School Program Coordinator, **Texas State Library and Archives Commission (AASL)**
11. **Veronda Pitchford**, Assistant Director, **Califa, CA (United for Libraries)**
12. **Dave Schroeder**, Executive Director, **Kenton County Public Library, KY (ALA Committee on Library Advocacy)**
13. **Stephen Spohn**, Executive Director, **Ocean State Libraries, RI (ASGCLA)**
14. **Natalia Tingle**, Business Collections & Reference Librarian, **University of Colorado Boulder (RUSA)**
15. **Jamie Watson**, Collection Development Coordinator, **Baltimore County Public Library (YALSA)**

#### External Organizations

1. **Cindy Aden**, Washington State Librarian, **Washington State Library, WA (COSLA)**
2. **Susan Benton**, President & CEO, **Urban Libraries Council, DC (ULC)**
3. **Michael Blackwell**, Director, **St. Mary's County Library, MD (Readers First)**
4. **Fannie M. Cox**, Outreach & Reference Librarian/Associate Professor, **University of Louisville-Ekstrom Library, KY (BCALA)**
5. **Sandra DeGroot**, Scholarly Communications Librarian, **University of Illinois at Chicago, IL (MLA)**
6. **Cynthia Hohl**, Director of Branch Operations, **Kansas City Public Library, MO (AILA)**
7. **Minhao Jiang**, Web Master and Software Development, **Wayne State University Library (CALA)**
8. **Jessica Krill**, Digital Content Team Librarian, **Los Angeles Public Library, CA, (REFORMA)**
9. **Clifford Lynch**, Executive Director, **Coalition for Networked Information, DC (CNI)**
10. **Tara Murray**, Librarian for Germanic and Slavic Languages and Literatures, **Penn State University, PA (SLA)**
11. **Brian F. O'Leary**, Executive Director, **Book Industry Study Group, NY (BISG)**
12. **Steve Potash**, Founder and CEO, **OverDrive, Inc.**
13. **Kevin Smith**, Dean of Libraries, **University of Kansas, KS (ARL)**
14. **Sandy Wee**, Library Services Manager, **San Mateo County Library System, CA (APALA)**
15. **Rachel Williams**, Assistant Professor, **School of Library and Information Science, Simmons University, MA (ALISE)**

## **Attachment B: Macmillan Publishers Embargo of eBooks for Library Lending**

On July 25, Macmillan Publishers announced a new policy for the library market. Beginning on November 1, libraries may purchase only one copy of new eBook releases at \$30 (under a perpetual license). Following an eight-week embargo, libraries may then purchase additional copies at \$60 for a two-year period.

In response, ALA embarked on a vigorous public campaign against this new Macmillan policy. There are three goals for the campaign:

1. Reverse the embargo decision.
2. Deter other publishers from initiating an embargo policy or other actions unfavorable to libraries.
3. Provide a broad and strong community response as a foundation for possible public policy actions.

ALA encouraged the library community to communicate their concerns directly to Macmillan CEO John Sargent as well as take a public position on the embargo. ALA provided messaging points and a customizable template for library groups to issue their own statements, press releases and letters.

On September 11 ALA launched the #eBooksForAll public campaign in a press conference at the Nashville Public Library held during the Digital Book World conference. The livestreamed event featured ALA Executive Director Mary Ghikas, along with library directors Kent Oliver (Nashville), Ramiro Salazar (San Antonio) and Pat Losinski (Columbus). The petition was unveiled at the event, which garnered both local and national media coverage, including from an Associated Press article that ran in more than 100 media outlets across the country. ALA's communications team developed a campaign website, [ebooksforall.org](http://ebooksforall.org), which included content such as social media graphics, how-to resources and a popular video, to call attention to the Macmillan embargo and encourage signatures on the petition.

An op-ed campaign was implemented with the goal of placing op-eds around the country at approximately October 1, a month out from the embargo. A number of op-eds were published in key media markets, including Seattle, Denver, San Antonio, Nashville and Columbus.

On October 13 we achieved 100,000 signatures on the petition, a milestone that received earned media coverage. That same week was the Frankfurt Book Fair, during which ALA ran a paid advertising campaign on social media and in the Publishers Weekly conference tabloid, *The Daily*.

In addition to the public campaign, ALA has engaged in non-public advocacy. Based on ALA publisher relationships back to 2012, ALA representatives continued to meet with publishing executives, including at Macmillan Publishers. We also explored various possibilities within the public policy ecosystem and will provide an update at the Executive Board meeting.

ALA has collaborated with many other library leaders and organizations in our #eBooksForAll campaign, especially PLA President Ramiro Salazar, who played an instrumental role in enabling and encouraging this advocacy. A number of activities taken place since July 25 were in close collaboration with PLA, which also provided significant funding for the campaign, including paying for two media consultants. We acknowledge the ALA staff in the Public Policy and Advocacy Office, Public Library Association, and Communications and Marketing Office who worked many evening and weekend hours to ensure the campaign's success.

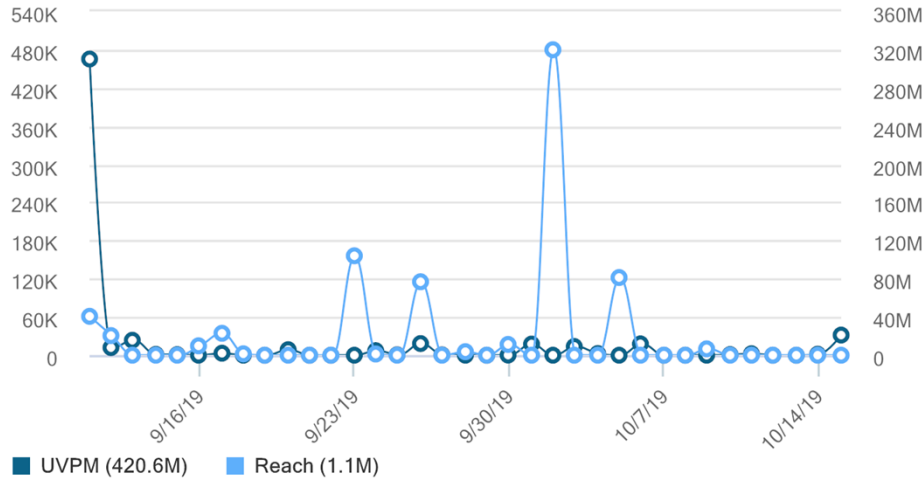
Please see the enclosed media report for details on our coverage.

Note:

- **Reach** is determined by weighing the outlet's website traffic, website link analysis, and social media conversations, along with unique visitors per month.
- **Publicity value** calculations are based on length of the story, the type of media in which it appeared, and the number of impressions for the individual article (not the site as a whole).

# Coverage Summary

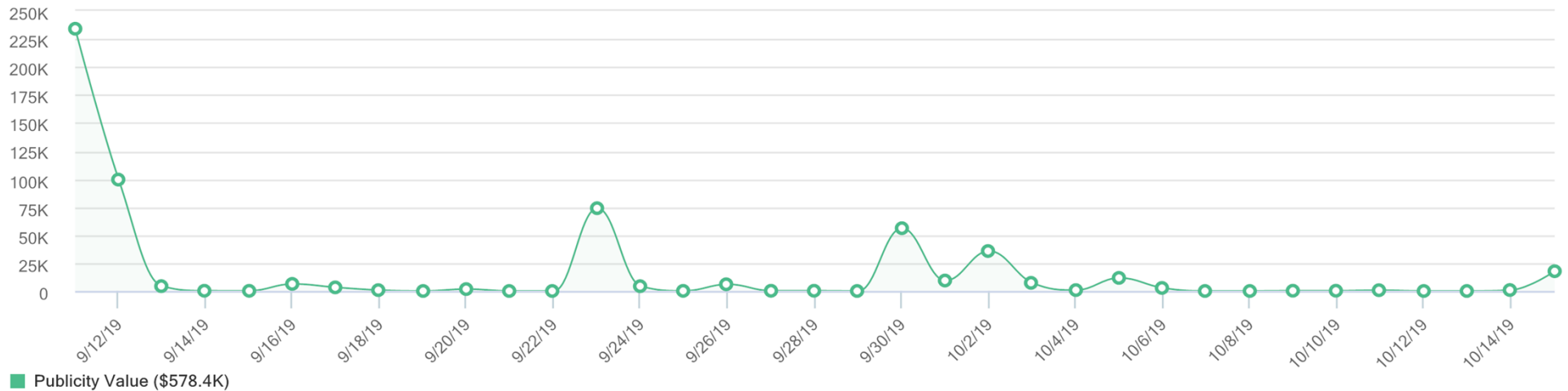
## Reach



## Top Articles

HEADLINES	OUTLET	REACH
Libraries Want Public to Angry Librarians Are Going to	New York Times Online, The	29,984,446
Libraries want public to	Slate	26,085,012
Libraries want public to	ABC News Online	24,135,774
Libraries Want Public to	SFGate	23,924,342
Libraries want public to	U.S. News & World Report	23,921,839
Macmillan Is Making Libraries	Chron.com	16,246,968
Opinion: Publishers are	Digital Trends	12,549,165
New publishing policy could	Oregonian Online, The	11,849,344
Publishers' e-book	Plain Dealer	11,504,446
Libraries want public to	Seattle Times Online, The	11,503,848
Libraries want public to	Seattle Times Online, The	11,503,848
OPINION EXCHANGE	Washington Times Online	10,821,363
Libraries want public to	Star Tribune Online	10,820,184
Libraries want public to	Star Tribune Online	10,820,184
Libraries want public to	KSL-TV Online	9,408,916
Libraries want public to	Toronto Star Online	9,377,595
Libraries want public to	St. Louis Post-Dispatch	8,948,498

## Value of Coverage



## #eBooksForAll: Op-eds by library directors, 9.11-10.15.2019

<b>Date</b>	<b>Headline</b>	<b>Publication</b>	<b>City, ST</b>	<b>Byline</b>	<b>Library</b>
10/15/2019	<a href="#">Publishers, please don't limit e-book access</a>	Star Tribune	Minneapolis-Saint Paul, MN	Metro Area Library Directors	[Multiple in Twin Cities]
10/15/2019	<a href="#">Newly released e-books could become scarce at Denver libraries with publisher embargoes</a>	Denver Post	Denver, CO	Michelle Jeske	Denver Public Library Toledo Lucas County Public Library
10/14/2019	<a href="#">Join library effort for eBook access</a>	The Blade	Toledo, OH	Jason Kucsma	Warren-Newport Public Library District
10/10/2019	<a href="#">eBook embargo unfair to library readers</a>	Lake County Journal	Grayslake, IL	Ryan Livergood	Multnomah County Library
10/5/2019	<a href="#">Publishers are blocking your access to e-books at libraries</a>	The Oregonian	Portland, OR	Vailey Oehlke	Contra Costa County Library Commission
10/3/2019	<a href="#">Opinion: Macmillan e-book embargo unfair to library readers</a>	Mercury News	San Jose, CA	Carolyn Knoll	Portsmouth Public Library
10/1/2019	<a href="#">E-book embargo unfair to New Hampshire readers</a>	Concord Monitor	Concord, NH	Christine Friese	Seattle Public Librar and King County Library System
10/1/2019	<a href="#">Publishers' e-book restrictions and pricing hurt library users</a>	Seattle Times	Seattle, WA	Marcellus Turner and Lisa Rosenblum	Columbus Metropolitan Library
10/1/2019	<a href="#">A threat to public library access: e-books no more?</a>	Columbus Dispatch	Columbus, OH	Pat Losinski	San Antonio Public Library
9/27/2019	<a href="#">Limiting library e-books a blow to literacy</a>	Express-News	San Antonio, TX	Ramiro Salazar	Nashville Public Library
9/20/2019	<a href="#">Public libraries across the country face a different type of censorship</a>	The Tennessean	Nashville, TN	Kent Oliver	