

TO: ALA Executive Board

RE: Washington Office Report

ACTION REQUESTED/INFORMATION/REPORT:

No action requested

ACTION REQUESTED BY:

CONTACT PERSON:

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DRAFT OF MOTION:

DATE: October 9, 2017

BACKGROUND:

Report of activities of the Office of Government Relations and Office for Information Technology Policy

ATTACHMENTS:

- Washington Office Report

ALA WASHINGTON OFFICE REPORT

ALA Washington Office visits IMLS

Many members of the ALA Washington Office staff paid a visit on September 13 to the offices of the Institute of Museum and Library Services in Washington. The delegation met as a group with IMLS staff and then divided into specific project work groups for additional discussion. This gathering was an opportunity to promote closer relations and greater understanding, especially with the new staff at IMLS and ALA.

OFFICE OF GOVERNMENT RELATIONS (OGR)

Kathi Kromer meets with senior staff to Senate library champions

ALA Associate Executive Director Kathi Kromer has devoted significant time to meeting with the offices of several library champions (and prospective champions) in Congress. Since joining the Association in early June, Kathi has met with senior appropriations and education staff to: Senators Lamar Alexander (R-TN), Tammy Baldwin (D-WI), Roy Blunt (R-MO), Shelly Moore Capito (R-WV), Thad Cochran (R-MS), Susan Collins (R-ME), Joe Manchin (D-WV), Patty Murray (D-WA), Jack Reed (D-RI) and Marco Rubio (R-FL).

ALA working with Sen. Reed on bill to reauthorize IMLS, LSTA

Washington Office staff have been working closely with senior aides to longtime library champion Senator Jack Reed (D-RI) on draft legislation to reauthorize the Museum and Library Services Act (MLSA), which authorizes the existence of IMLS and the programs it administers, including LSTA. MLSA expired in 2016. While reauthorization is not legally required for IMLS to receive funding by Congress, such a vote sends a strong message to members of the Appropriations Committees in both chambers about how important the agency and what it enables are. Specifically, Washington staff have worked with key ALA constituencies to provide Sen. Reed with input concerning several areas in which library eligibility for funding might be expanded. These include making it possible for tribal libraries to participate in LSTA and to expand the ability of libraries to use IMLS grant funds for disaster preparation and response. Upon introduction, Sen. Reed's MLSA reauthorization bill is expected to be bipartisan with at least one Republican co-author.

ALA key participant in congressional effort to update Title 44 & FDLP program

The process, titled by the Committee on House Administration "Transforming GPO for the 21st Century and Beyond," began with a hearing last May to review and potentially rewrite Title 44 of the U.S. Code, the law governing the Federal Depository Library Program (FDLP) and Government Publishing Office (GPO). As reported in [District Dispatch](#), a second hearing was convened in July with GPO Director Davita Vance-Cooks and a third hearing featuring a panel of five expert librarians including Celina McDonald, the immediate past Chair of COL's

Government Information Subcommittee, was held on September 26. Committee chairman Rep. Gregg Harper (R-MS) described that hearing as an opportunity “to see how we can make something that we like better.” (ALA submitted written testimony for the hearing record.) On October 4, Washington Office staff participated in a Committee-organized roundtable meeting with congressional staff and other stakeholders to discuss potential FDLP modernization. At least one additional hearing is planned for October 11. At the early invitation of House Committee staff, Washington Office staff worked with COL Chair Kent Oliver to establish an informal task force of experts from all interested quarters of ALA to brainstorm and review recommended statutory changes to Title 44. The task force’s views were synthesized by Washington staff and reviewed with the COL by conference call in mid-September before being submitted to congressional Committee staff. Formal legislation to amend Title 44 has not yet been introduced, but a draft is expected to circulate later in the fall. Its prospects for near-term House passage are unclear. The Senate has not yet focused on the issue, which is not a current priority in that chamber.

Kathi Kromer and members of the OGR team met September 14 with freshman Representative Jamie Raskin (D-MD8) to generally introduce ALA and specifically discuss reform of Title 44. Both GPO and FDLP fall within the jurisdiction of the Committee on House Administration, on which Mr. Raskin sits. Rep. Raskin has a connection to ALA as his father-in-law worked with ALA’s BookList from 1969 to 1984.

ALA urges lawmakers not to take up copyright legislation to rewrite “library exceptions”

After a year of research and deliberation, the U.S. Copyright Office released a detailed “[Discussion Document](#)” in late September recommending changes to the “library exception” clause of the Copyright Act. That provision, section 108, authorizes the copying of copyrighted works without the owner’s prior approval for specific activities, including preservation, replacement and inter-library loan. While the Document rejected arguments frequently made in court and to Congress by publishers’ representatives and others seeking to limit library activities enabled by fair use, it also endorsed legislative action to modernize section 108 and provided draft legislative text for Congress’ possible use. As reported in [District Dispatch](#), Washington Office staff worked closely with staff to the other members of the [Library Copyright Alliance](#) (ARL and ACRL), to prepare and deliver an [LCA statement](#) to key congressional staff reiterating libraries’ [past joint opposition](#) to legislative action on section 108 because of the risk of successful attack on fair use in any resulting bill.

ALA active as Congress actively considers multiple major privacy/surveillance reform bills

In October ALA joined the ACLU and a host of other major national privacy advocates in [calling on the leaders](#) of the House Judiciary Committee not to reauthorize the Foreign Intelligence Surveillance Act (FISA) without adding substantial new privacy protections necessary to make the program constitutional. The fundamental flaw in section 702, as reported in [Politico’s coverage](#) of the letter from almost 60 organizations, is that it “authorizes surveillance of people who are not ‘U.S. persons’ reasonably believed to be outside U.S. borders – but it vacuums up an unknown amount of data on Americans in the process.”

In late July bipartisan legislation was introduced in the Senate to comprehensively update the 1986 Electronic Communications Privacy Act (ECPA). The “ECPA Modernization Act of 2017” was co-authored by Sens. Mike Lee (R-UT) and Patrick Leahy (D-VT). It will be referred to the Senate Judiciary Committee on which both serve. It fully incorporates and significantly expands the protections laid out in the Email Privacy Act (H.R. 387) passed by the House in February. ALA has long been a staunch supporter of comprehensive ECPA reform, which has been proposed but failed to pass in the past several Congresses. ALA President James Neal made a [public statement](#) of support when the Senate bill was introduced.

ALA opposes cuts to U.S. Geological Survey libraries

In early July, as reported in [District Dispatch](#), the Washington Office prepared a [letter](#) for ALA President Jim Neal to the leaders of the subcommittees of both the House and Senate Appropriations Committee with jurisdiction over the U.S. Geological Survey (USGS) “strongly object[ing] to the USGS’s proposal in its FY 2018 Congressional budget justification to close at least three, and potentially all four, of its library’s locations and to place its trove of information in a ‘dark archive’.” Specifically, the agency proposed to implement a 13% cut in its total budget directed by the administration by reducing its libraries’ resources by 52%, or \$3 million. The intended cuts were detailed in a technical document parsed and called to the attention of the Washington Office by expert ALA members. The fate of USGS funding remains unclear. The House Appropriations Subcommittee approved a bill cutting USGS’ FY 2018 budget by 2%, a fraction of the 13% proposed by the president, but is not specific with respect to the USGS library. The Senate subcommittee of jurisdiction has yet to release its bill or otherwise act. Washington Office staff will continue to work with other public and private sector supporters of broad ongoing public access to, and adequate funding for, the USGS’ information and libraries.

ALA participates in education briefing & budget response to Congress

OGR staff again played a lead role in preparation of the Committee for Education Funding’s annual [Budget Response Book](#) and associated July 13 briefing for congressional staff. Each year, both the Book and briefing highlight the impact of the President’s budget on education and library programs. The Budget Book includes separate chapters on LSTA and IAL, as well as a section on Education, Careers and Lifetime Learning edited by ALA.

ALA supports Perkins CTE Reauthorization

In a [June letter](#) to both the House and Senate committees of jurisdiction, ALA reiterated its longstanding support of the Carl D. Perkins Career and Technical Education Act (CTE), which is due for reauthorization by Congress. While the House of Representatives voted to reauthorize it in June, the bill remains stalled in the Senate. CTE authorizes federal support for secondary and post-secondary career and technical education programs, but does not make appropriations for them. School and public libraries play an increasingly valuable and significant role in offering many CTE-supported services.

ALA confers with senator’s office on tribal broadband bill

Telecommunications staff to Senator Martin Heinrich (D-NM) recently invited ALA to review and provide input on draft legislation he is considering introducing to expand the availability of E-rate funding administered by the FCC to tribal libraries and meeting places. Tribal communities currently suffer the lowest rate of high-speed broadband connectivity in the nation. No timetable has been established yet for introduction of a bill. Washington Office staff will continue the dialogue with Senator Heinrich's staff, and relevant parts of ALA and broader library community.

ALA talks telecommunications with bipartisan House Commerce Committee staffs

ALA Washington Office staff met separately with the Democratic and Republican staffs of the House Energy and Commerce Committee. The meetings, conducted at the invitation of Committee staff, both surfaced issues of disagreement and revealed matters of library concern on which ALA and members of the Committee may be able to collaborate to address in the future. Issues discussed included net neutrality, E-rate and broadband infrastructure.

ALA facilitates meeting with senior member of House Telecommunications Subcommittee

In close collaboration with the New Jersey Library Association (NJLA), Washington Office staff facilitated an August meeting with Rep. Frank Pallone (D-NJ6), the most senior Democrat on the House Energy and Commerce Committee. The Committee has jurisdiction over, among other issues, all telecommunications legislation. The meeting, which was held at the Long Beach Public Library in Rep. Pallone's District, provided an opportunity for NJLA Executive Director Pat Tumulty and Committee on Legislation (COL) member Eileen Palmer to discuss the critical importance of preserving the FCC's net neutrality rules and broadband access. New Jersey State Librarian Mary Chute also attended with Library Director Tonya Garcia (who wrote a [guest blog](#) about the meeting for District Dispatch) and James Keebler, director of the Piscataway Public Library.

ALA backs pair of innovative, library service-enhancing telecommunications bills

The Washington Office worked closely and by invitation with four separate Senate offices to support two bipartisan broadband-related bills upon their mid-summer introduction. The Advancing Innovation and Reinvigorating Widespread Access to Viable Electromagnetic Spectrum (AIRWAVES) Act by Senators Cory Gardner (R-CO) and Maggie Hassan (D-NH) would free unused or underused spectrum to be reallocated for the expansion of Wi-Fi and other wireless technology of potentially great benefit to libraries and their patrons. Of similar potential benefit is the Broadband Connections for Rural Opportunities Program (B-CROP) Act, authored by Senators Kristin Gillibrand (D-NY) and Shelly Moore Capito (R-WV). If enacted, it would fund increased internet connectivity in rural communities through a combination of federal grants and loans. While the prospects for action on both bills is uncertain, the Washington Office will continue to coordinate with staff to both bills' sponsors and look for opportunities to work with chapters in their home states to support the Senators' efforts to pass this useful legislation and thank them for their efforts.

Public service loan forgiveness under fire

ALA advocated successfully with a coalition in 2007 to include librarians among those public servants eligible for the federal Public Service Loan Forgiveness (PSLF) program, which the current administration proposed eliminating. The ALA Washington Office has been actively engaged in ongoing coalition efforts to defend the program. PSLF provides student loan debt relief for graduates who have worked in public service positions (including public libraries) for at least 10 years.

ALA supports government information developments

The Washington Office facilitated ALA's support of several important developments in the government information access sphere. These included: reintroduction of the Fair Access to Science and Technology Research Act ([FASTR](#)); Senate passage (with the House likely to soon follow) of the [Open Government Data Act](#), which would require federal agencies to publish their information online using non-proprietary and machine-readable data formats; and passage of language in both chambers that would compel the [Congressional Research Service](#) to make almost all of their taxpayer-funded research briefs available to the public online at no charge. Washington Office staff worked with a strategic state chapter on the eve of a key Committee vote to defeat an amendment that would have reduced the strength of the directive to CRS ultimately adopted.

ALA helps kick off annual Congressional App Challenge

The annual [Congressional App Challenge](#) for 2017 launched in June and ALA is again working with the Congressional Internet Caucus to support the role of libraries in this program. The Challenge promotes STEM education by inspiring and highlighting talented young computer coders. The competition runs until November 1 and culminates in a congressional reception next spring. At that time many of the winning apps will be demonstrated for members of Congress and staff when their young designers come to Washington for several events. The ALA Washington Office continues to work with the staff of the Challenge to promote and profile the role of libraries in coding education.

OFFICE FOR INFORMATION TECHNOLOGY POLICY (OITP)

ALA amplifies libraries' voices in the net neutrality debate

On July 12, ALA participated online in a virtual [Day of Action to Save Net Neutrality](#). ALA joined close to 200 organizations, and impressions on ALA's and I Love Libraries' social channels generated nearly 85,000 visitors to our Facebook page in one day and over 142,000 visits to our Twitter feed. In the days that followed, the Washington Office [filed initial comments](#) with the Federal Communications Commission (FCC), joined by the American Association of Law Libraries and the Chief Officers of State Library Agencies. At the end of August ALA filed second round (reply) [comments](#) to the FCC to re-emphasize our points.

On the West Coast, Congresswoman Anna Eshoo (CA-18) [convened a roundtable](#) in her district to discuss the impacts of the net neutrality and the consequences of gutting it. At our suggestion, the director of the [Redwood City Public Library Derek Wolfram](#) had a seat at the table. The Congresswoman singled out anchor institutions—libraries in particular—as important voices in the current discussion because libraries are “there for everyone.” At the roundtable, Wolfram identified two reasons strong, enforceable net neutrality rules are core to libraries' public missions: preserving intellectual freedom and promoting equitable access to information.

ALA files comments on Section 706 of the Telecommunications Act

On October 6, ALA filed comments concerning the deployment of advanced telecommunications capability to all Americans. In addition to making the point that libraries should be included explicitly, ALA made the case that wireless broadband access is not a substitute for wireline access, but rather it is a complement.

Libraries Ready to Code opens grant application sponsored by Google

On June 22, OITP announced a competitive grant program sponsored by Google to fund a cohort of school and public libraries to develop resources and programs that promote computer science and computational thinking among youth, especially geared toward girls and other groups under-represented in tech education and careers. The \$500,000 grant program is part of Phase III of [Libraries Ready to Code](#), an ongoing collaboration between Google and ALA. ALA's three youth divisions (YALSA, ALSC and AASL) are working together to distribute the funds, with YALSA serving as the grant administrator. In July, ALA began accepting grant proposals of up to \$25,000, and an [informational webinar](#) was held on August 1. Approximately 400 applications were received and the selection committee is now [reviewing them](#). Grant recipients will be announced in late October.

In addition to Google's collaboration with Libraries Ready to Code, it should be noted that for the first time in many years Google purchased a booth at the Annual Conference, which they deemed to be quite successful. They also hosted a well-attended reception at the Google Chicago office for Libraries Ready to Code and hosted several sessions at the Conference.

ALA holds D.C. event to celebrate 2017 recipient of the L. Ray Patterson Copyright Award

On October 2nd, ALA held a reception on Capitol Hill to recognize Jonathan Band as this year's L. Ray Patterson Copyright [Awardee](#). Band is counsel to the Library Copyright Alliance and has worked diligently for a couple decades to advocate library views on copyright. The reception was held at the Consumer Technology Association's Innovation House in partnership with the Library Copyright Alliance and the Re:Create Copyright Coalition. A broad cross-section of the D.C. policy world was in attendance.

ALA appoints new fellows

OITP appointed two [new senior fellows](#) to provide strategic advice on advancing ALA's policy work. Dr. Jon Peha, a professor at Carnegie Mellon University and former chief technology officer of the Federal Communications Commission will provide expert assistance on telecommunications policy. Sari Feldman, past president of ALA and executive director of Cuyahoga County (Ohio) Public Library, will provide expert advice on library broadband, e-books and digital content. Additionally, [Dr. Mega Subramaniam](#), an associate professor at the University of Maryland, will provide expert advice on youth and technology as an OITP Fellow.

Ten years of the Google Policy Fellow Program at [ALA](#)

This summer marked the 10th anniversary of the Google Policy Fellow Program, of which ALA is a founding [host organization](#). Since 2008, we have encouraged master's and doctoral students in library and information studies or related areas with an interest in national public policy to apply and have now amassed a decade of alumni. As the expanding role of libraries of all types evolves, the need for information professionals with Washington experience and savvy will continue to grow. OITP is privileged to have hosted 10 early-career professionals and to provide the means for them to obtain direct experience in national policymaking.

Fellow produced report on the history of the Copyright Office within the Library of Congress

In "[Lessons From History: The Copyright Office Belongs in the Library of Congress](#)," a new report from ALA's Google Policy Fellow Alisa Holahan compellingly documents that Congress repeatedly has considered the best locus for the U.S. Copyright Office (CO) and consistently reaffirmed that the Library of Congress is its most effective and efficient home. Prompted by persistent legislative and other proposals to remove the CO from the Library in both the current and most recent Congresses, Holahan's analysis comprehensively reviews the history of copyright activities from 1870 to the present day. In addition to providing a longer historical perspective, the report finds that Congress has examined this issue at roughly 20-year intervals, declining to separate the CO and Library each time. Holahan continues her involvement with ALA and OITP as a [Research Associate](#) for 2017-18.

New report explores rural library technology access

A new report from OITP focuses attention on the capacity of rural public libraries to deploy internet-enabled computing technologies and other resources to meet the needs of their residents. "[Rural Libraries in the United States: Recent Strides, Future Possibilities and Meeting Community Needs](#)" explores nuances of rurality, details challenges rural libraries face in maximizing their community impacts and describes how existing collaborative regional and statewide efforts help rural libraries and their communities. Authors Brian Real and Norman Rose combine data from the final [Digital Inclusion Survey](#) with [Public Libraries Survey](#) data from IMLS to provide one of the most detailed looks at rural library services available to date.

Marijke Visser promoted to associate director and senior policy advocate

It was announced at the OITP Advisory Committee meeting during the Annual Conference that [Marijke Visser](#) was promoted to associate director and senior policy advocate. Under Marijke's leadership, ALA's engagement and profile in libraries and coding have blossomed, and her efforts serve to strengthen our collaboration with ALA's divisions. Also, her work with the FCC led to an increase in annual E-rate funding from \$2.4 billion to \$3.9 billion. We look forward to Marijke's continued success in her new role.

Carrie Russell recognized as a distinguished alumna

In mid-[September](#) the School of Information Studies at the University of Wisconsin, Madison, recognized Carrie Russell as a distinguished alumna at their [50th Anniversary Gala](#). Carrie is among 50 distinguished graduates who "exemplify the breadth, diversity, culture, and spirit of the School of Information Studies and its research, academics, practice and community engagement" through their lives and work. We are proud of Carrie and are excited to see her enduring commitment to the library and information science field recognized by her alma mater.