**2017-2018 ALA CD#20\_21218\_INF**

**2018 ALA Midwinter Meeting**

**ALA Committee on Legislation**

**Report to Council**

**2018 Midwinter Meeting – Denver, CO**

**Robert Banks**

**Acting COL Chair, ALA Committee on Legislation**

**February 13, 2018**

**Committee on Legislation highlights:**

**1.** **Appropriations:** In the [White House budget proposal](https://www.whitehouse.gov/omb/budget/) for FY 2019, the administration has once again proposed elimination of federal funding for libraries. The majority of this funding is provided through the [Institute of Museum and Library Services](https://www.imls.gov/news-events/news-releases/imls-director-dr-kathryn-k-matthews-statement-presidents-proposed-fy-2019) (IMLS), an independent grantmaking agency. IMLS provides more than $183 million for libraries through the Library Services and Technology Act (LSTA) and its grants promote innovation, lifelong learning, research and access to information every single person in the United States.

The proposal also cuts $27 million in funding for the [Innovative Approaches to Literacy](https://www2.ed.gov/programs/innovapproaches-literacy/index.html) (IAL) program, which helps school libraries buy books, materials, and training focused on serving students in the most vulnerable communities across America. There were also cuts to programs like National Endowment for Humanities (NEH) and National Endowment for the Arts.(NEA). The Washington Office is currently reviewing the budget document to see what other cuts may impact libraries and will continue to provide updates throughout the FY 2019 budget cycle.

Understanding that Congress has the final say on the FY 2019 budget, the Committee on Legislation (COL) and the Washington Office is preparing for the release of the Dear Appropriator letters, which will mark the next phase of the funding cycle. We expect the letters to begin circulating in early March, but those deadlines are fluid. Councilors and ALA members are urged to take advantage of the resources on ala.org/fundlibraries throughout the campaign, and to follow DistrictDistpatch.org for substantive updates from the Washington Office.

Additionally, the Washington Office is working strategically around the reauthorization of the [Museum and Library Services Act](https://www.congress.gov/bill/115th-congress/senate-bill/2271) (MLSA) of 2017 (S. 2271). MLSA was introduced by Senators [Jack Reed (D-RI)](https://www.reed.senate.gov/news/releases/us-senators-seek-to-enhance-support-for-americas-libraries-and-museums), Susan Collins (R-ME), Thad Cochran (R-MS), Kirsten Gillibrand (D-NY) and Lisa Murkowski (R-AK). The 2017 MLSA reauthorizes the Institute of Museum and Library Services (IMLS), showing congressional support for the federal agency. If passed, MLSA would send a strong message from Congress recognizing the important role libraries play in every community across the country. The [Washington Office](http://www.districtdispatch.org/2017/12/senators-introduce-museum-library-services-act/) will continue to work with library advocates to get more co-sponsors for the bill.

**2. Net Neutrality:** The American Library Association [has always advocated](http://www.ala.org/advocacy/telecom/netneutrality) for strong net neutrality protections for our institutions and the communities they serve. The ALA has been on the front lines of this battle with the Federal Communications Commission (FCC), Congress, and the courts for more than a decade, working in coalition with [other library and higher education organizations](http://www.districtdispatch.org/wp-content/uploads/2017/03/NN-Joint-Letter-Library-and-Education_FCC-March-2017.pdf), as well as broader coalitions of [net neutrality advocates](http://www.districtdispatch.org/2017/03/ala-supports-net-neutrality/). After the change in Presidential administration, the ALA was vocal early, using every opportunity to tell the FCC and Congress that we supported strong, enforceable rules like the 2015 Open Internet Order--through letters and activities we organized, as well as meetings, briefings and other coalition activities to which we lent ALA’s voice. ALA President Julie Todaro penned [an op-ed for the Hill](http://thehill.com/blogs/congress-blog/politics/329393-net-neutrality-americas-libraries-stand-for-freedom-and-fairness) reminding Washington how critical an open internet is for access to information and the communities we serve.

But after months of saber rattling--on all sides—FCC Chairman Ajit Pai in May 2017 unveiled his proposal to severely loosen the current rules for net neutrality. Over the summer, the ALA filed comments at the FCC, along with other partners from the library community, encouraged members to tell their library’s story, and published these efforts through our District Dispatch blog, social media, columns and coverage in industry publications. In addition to [comments](https://ecfsapi.fcc.gov/file/10717218515721/AALL%20ALA%20ACRL%20COSLA%20Comments%20July%202017.pdf) and reply comments of the American Library Association, thousands of librarians and library staff from across the country filed comments on their own or via the Action Alert as part of a coordinated “Internet Day of Action” on July 12. In fact, more than 1,640 [alerts](https://cqrcengage.com/ala/app/act-on-a-regulation?0&engagementId=375253) had been sent through the action center as of the morning of July 13, and there were more than 140,000 impressions via Twitter and nearly 85,000 via Facebook for ALA and I Love Libraries social channels. Despite deep engagement by ALA and network neutrality allies, and demonstrated public support for keeping these protections, a majority of FCC commissioners voted along party lines to gut net neutrality protections limiting the power of Internet Service Providers (ISPs) to block, throttle, degrade or assign preference to some online content and services over others.

Since the FCC’s vote, the ALA’s focus has shifted from the FCC to Congress, as the library community has used ALA’s action alert center to contact their members of Congress to urge them to overturn the FCC’s latest ruling via the Congressional Review Act. ALA supports action in Congress, the courts and the states to ensure that our libraries and all citizens have access to an open, “neutral” internet. ALA staff and consultants continue to engage with coalition partners to monitor events, provide needed analysis to the library community, and to spur coordinated action at key moments.

**3.** **COL Charge:** Recognizing the many changes facing the association and the Washington Office, and recognizing that the charge of the committee has not been reviewed in many years, the Committee on Legislation has undertaken a review of the committee’s charge. A working group has been established, led by Lesliediana Jones, which will be reviewing the charge over the next few months. The committee intends to discuss the charge with Council at the appropriate time.

4. **Policy Corps:** President Jim Neal spoke to COL about the new ALA Policy Corps initiative that will cultivate and build the knowledge base of librarians who can serve as advocates for ALA at the state and national level. Neal worked with PLA, AASL, ACRL, and United for Libraries, to develop a plan, a selection process, an advocacy curriculum, and an assessment strategy for the program. Twelve librarians have been selected to be new Policy Corps advocates from a group of 70 librarians who expressed interest. If the project is successful, more librarians have an opportunity to be members of the Policy Corps. The members will be fully trained advocates, each focusing on a policy issue, such as copyright or privacy. They will be prepared and ready to represent ALA at hearings, roundtables and other policy events and will take press calls to speak for ALA. An extensive training session is scheduled in May in Washington, D.C. The members will participate in National Library Legislative Day, the Madison Award Day event, and will meet with seasoned lobbyists for training.

**5.** **Upcoming Events:** Looking ahead, the Policy Corps will be heading to Washington, D.C. for a working session. National Library Legislative Day will be held on May 7-8, 2018 in Washington, D.C. at the Liaison Hotel. The Committee on Legislation and the Washington Office would like to invite all members of Council to attend this year. More information can be found at ala.org/nlld.

**Additional Information Items:**

Resolution Commemorating the 20th Anniversary of E-Rate:

During this conference, the E-rate Task Force approved a resolution recognizing the E-rate program on its 20th Anniversary. The resolution recognizes the ways that the program has moved the country toward universal service and internet access. It also commends the FCC for its work to modernize the program and increase its funding, and calls on the FCC and Congress to commit to the continued stewardship of the program.

A Tribute Resolution Honoring Davita Vance-Cooks

The Government Information Subcommittee and GODORT's Legislation Committee both voted to endorse in principle a resolution honoring Davita Vance-Cooks as the 27th Public Printer of the United States and Director of the Government Publishing Office. The COL voted to endorse the resolution on Monday. The resolution commends Davita Vance-Cooks for her dedication to improving access to digital government information, for open communication with the Federal Depository Library community and consistent, fair consideration of input from libraries and the Depository Library Council; and for her prudent management of resources in times of budget uncertainty and rapid changes in the publishing environment.

**Subcommittee Reports:**

**Copyright**

The subcommittee met for an open discussion meeting with the OITP Copyright Education subcommittee. Their intent is to combine subcommittees, covering copyright education, advocacy, and legislation. Moving forward, the subcommittees will work together, hold three meetings at conference, man the Copyright Info desk (The Lucy Desk) at annual, staff the Copyright Advisory Network, and work on a public messaging campaign. Between Midwinter and Annual, the subcommittees will work on a new subcommittee charge.

At the regular COL copyright subcommittee meeting, the group had a very in depth discussion of two music copyright bills that are on fast track. The first is the Music Modernization Act of 2018 (S.2334) which deals primarily with establishing a digital public performance right to enable musicians and songwriters to collect royalties for streaming music services like Spotify. It is a massive bill that would create a new chapter in Title 17. SoundExchange will serve as the royalty clearinghouse. (It does much of this work now).

The second bill is the Compensating Legacy Artists for their Songs, Service, & Important Contributions to Society (CLASSICS) Act of 2017 (H.R.3301) that would federalize pre-1972 sound recordings, but only the public performance act. The other exclusive rights are not covered so for example, making a reproduction of a public performance is not covered by this bill. Our discussion focused on the inclusion of the copyright exceptions - section 107 (fair use) and section 108 (library reproductions) - in the legislation, and whether or not those exceptions could even be exercised if the legislation only includes the public performance right. The Library Copyright Alliance -- the library copyright coalition (including ALA) that advocates on behalf of libraries in Washington, D.C. was invited to write two amendments. One would include section 110 exceptions which would directly apply to the public performance right. The other amendment deals with the term of copyright. We argue that at the time of the publication of the sound recording, the term of copyright should begin. A sound recording published in 1933 would get protection for 95 years – 1933+95 years putting the sound recording in the public domain at 2033. Subcommittee members and staff liaison, Carrie Russell, plan to participate in a conference call with the Society of American Archivists (SAA) and the Music Library Association (MLA), who are also interested in advocating for better library focused music copyright legislation immediately following Midwinter.

Moving forward, the subcommittee will be much more involved in programming, and will draft advisory position papers as recommendations to the Library Copyright Alliance among other things.

**Government Information**

The Government Information Subcommittee met jointly with the Government Documents Roundtable’s Legislation Committee.

Cindy Etkin from the Office of the Superintendent of Documents was a guest speaker. She discussed the Committee on House Administration’s discussion draft of legislation to revise Title 44 and the Federal Depository Library Program. Etkin presented the Government Publishing Office’s view of the discussion draft. ALA members asked questions and discussed various provisions of the discussion draft. ALA’s Washington Office staff have been working with GPO, other library associations (including the Association of Research Libraries and the American Association of Law Libraries), and other stakeholders in reviewing the discussion draft. ALA has been providing input to the House committee throughout the legislative process. At this time, staff believe it is the House committee’s goal to introduce the legislation in the near future, which will likely reflect revisions since the discussion draft was initially circulated. ALA looks forward to reviewing the legislation.

As mentioned above, the subcommittee discussed a draft tribute resolution for Davita Vance-Cooks, former director of GPO who left federal service last fall. The subcommittee voted to endorse the resolution in principle. The subcommittee also discussed the Committee on Legislation’s effort to revise its charge and the expectation that, at the appropriate point in the future, COL may ask its subcommittees to review their charges as well.

**Grassroots**

The Grassroots subcommittee met on Saturday, February 10th. The committee began the meeting by reviewing plans for the upcoming Fund Libraries campaign. Staff liaison Lisa Lindle gave the committee an update regarding expectations for the impending FY 2019 budget proposal from the White House. The committee reviewed the new resources put together by the Washington Office for the purpose of the campaign and how they can be used throughout the appropriations cycle. The resources can be found at ala.org/fundlibraries. The subcommittee also spent time reviewing their charge, at the request of COL. The subcommittee agreed that they would like to come up with a working definition of what “grassroots” means. Moreover, the subcommittee reviewed the draft of the revised COL charge and requests that COL consider including in their charge further clarification of how COL will direct its subcommittees. The subcommittee also requests that COL revisit the role of the chair of Grassroots, and consider making the chair a full member of COL.

The subcommittee was also joined by Marijke Visser of the Washington Office. Marijke shared about the Congressional App Challenge and how libraries have taken part over the last three years. The Challenge recognizes that computer science and STEM education are vital for the future success of our children. To address this, the Congressional App Challenge created a coding competition for U.S. high school students, hosted by the Members of Congress. This competition can be hosted by a teacher or a librarian, in a school or public library. Seeing a need to spread awareness about this competition among librarians, and the need to raise awareness about the work libraries do with regards to digital literacy, the Grassroots subcommittee has agreed to created an outreach plan over the next few months in support of the Congressional App Challenge.

**Legislation Assembly**

The Legislation Assembly met on Friday afternoon during the 2018 ALA Midwinter Meeting. At this meeting, the staff provided legislative updates to the Assembly. The Assembly also received briefings from several units. There was also an update on the two resolutions being proposed by COL. Following these updates, the meeting concluded with a general discussion on the purpose of Legislation Assembly and if it could be adjusted going forward.

**Telecommunications**

COL Telecom met on Saturday Feb. 10. The subcommittee discussed net neutrality and E-rate at length. Guest Bob Bocher provided informative perspectives from his role with OITP and as a member of the USAC Advisory Board. The subcommittee also reviewed its charge and developed draft of a new focus for the subcommittee. The subcommittee supports keeping its status but adding changes that would help support the efforts of COL and ALA. The subcommittee supports serving as the telecom contributor to the COL policy development and also serve outreach to other ALA telecom focused divisions within ALA. The subcommittee also recommends holding regular calls on telecom issues with other interested parties within ALA.

**ALA WASHINGTON OFFICE SIX-MONTH REPORT

WASHINGTON OFFICE NEWS**

**Associate Executive Director introduces three-year strategic plan**

Washington Office Associate Executive Director Kathi Kromer presented the Office’s new 2018-2020 Strategic Plan to the Executive Board at their Fall meeting. Assembled with input from all major divisions and units, as well as feedback from the current and past ALA presidents, several committee chairs and outside stakeholders, the Plan is designed to best position ALA to achieve its strategic direction of advocacy. The Washington Office will report on its progress at the MidWinter meeting.

**ALA Committee on Legislation meets in Washington for annual retreat**
In November, members of the ALA Committee on Legislation (COL) convened in Washington, D.C., for its annual policy retreat and to help develop priorities for the Washington Office heading into the 2018 election year. For many COL Members, this was the first time for extended conversations with Associate Executive Director Kathi Kromer, who presented and led discussion on the Office’s strategic plan. Nearly all COL members were in attendance in person or by phone for the day-and-a-half meeting held at the Washington office, where they heard from Washington policy experts, a communications consultant and a former member of Congress (Bob Carr, D-Mich.).

**Washington Office, ALA President launch ALA Policy Corps**
The twelve members of the inaugural class of the recently launched ALA Policy Corps were announced on January 4. The Corps Working Group received 68 applications during the one-month application window, which ended on November 3. The Selection Subgroup, chaired by Larry Neal, and then the Working Group, chaired by ALA President Jim Neal, evaluated the applications and made the final decisions. Members of the ALA Policy Corps will meet at ALA MidWinter Meeting in Denver, then in Washington, D.C. in early March and again in May in conjunction with National Library Legislative Day.

**Washington Office hosts ALA President-elect**On October 12 President-elect Loida Garcia-Febo spent a day at the Washington Office for a briefing on WO’s strategic plan and to share her vision for her upcoming presidency. President-elect Garcia-Febo also met with representatives from the National Hispanic Media Coalition to discuss common interests and brainstorm possibilities for collaboration.

**Registration opens for National Library Legislative Day 2018**
Registration for National Library Legislative Day 2018 opened in December. The annual two-day advocacy training event will be held on May 7-8, 2018 in Washington, D.C. at the Liaison Hotel. Attendees will learn advocacy skills from staff from the Congressional Management Foundation, hear issue briefings from experts and have the opportunity to receive mentoring from the experienced advocates on ALA's Committee of Legislation.

**Washington Office celebrates L. Ray Patterson Award**

The Washington Office held a 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 more than 20 years 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.

**Libraries Ready to Code expands reach**In October, ALA and Ready to Code partner Google announced the new cohort of libraries that will spend the next year designing and implementing coding programs that promote computational thinking among youth. A selection committee with representatives from ALA’s three youth divisions and OITP reviewed more than 400 applications and selected 28 public and school libraries to receive grants of up to $25,000. The Ready to Code cohort will work together to create a national CS educational toolkit made up of resources and activities that they find most useful for youth CS programming. It will also include an implementation guide to help libraries learn how to use and customize the resources for their unique library/community. Developed by U.S. libraries, for libraries, the toolkit will be released in conjunction with National Library Week in April 2018. In addition to the grants funds, libraries will receive a travel stipend to attend Midwinter 2018 for a hands-on workshop, where they will share best practices and refine the toolkit.

**New ALA and National Center for Women & Information Technology (NCWIT) collaboration**During 2017 CS Education Week (December 4-10), the Washington Office and the National Center for Women & Information Technology’s (NCWIT) AspireIT program joined forces in a pilot project to connect young women program leaders to public libraries to design and implement coding programs for K-12 girls. The AspireIT/ALA pilot will connect a “near-peer” Program Leader (high school and college-aged) from the Aspirations in Computing community with three to five public libraries serving small rural communities to large urban centers in diverse geographic regions in the states of Alaska, Arkansas, Florida, Georgia and Maine. The pilot programs will occur in March and April 2018. Future library programs will be based on learnings and project outcomes from the pilot.

**CS Education Week 2017 highlights role of libraries**
The Washington Office participated again this year in the annual CS Education Week, highlighting the newly launched Ready to Code cohort libraries as well as the Arkansas State Library coding initiative, which uses LSTA funding to educate Arkansas public librarians about coding and empower them to facilitate coding programs in their local libraries. To launch the week of activities, CODE.org President Alice Steinglass blogged for District Dispatch. ALA also joined the CSforAll Consortium, the national hub for educators and other stakeholders to collaborate to help all K-12 students achieve computer science literacy. Originally an initiative under the Obama administration, the Consortium continues through a grant from the National Science Foundation.

**Washington Office welcomes new staff, announces changing staff roles**The Washington Office has been in the process of reorganizing since the arrival of Associate Executive Director Kathi Kromer in June 2017. Most recently, WO welcomed Megan Ortegon and Daniel Snedden, both as Managers of Public Policy. Megan will focus on government relations and advocacy outreach, while Dan’s focus is on government relations and policy research. In addition to new hires, WO also reconfigured roles for existing staff: Lisa Lindle - Manager, Grassroots and Advocacy Outreach; Shawnda Hines - Assistant Director of Communications; Emily Wagner - Assistant Director, Knowledge Management and Communications; and Marijke Visser - Associate Director and Senior Policy Advocate.

**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.

WASHINGTON OFFICE ADVOCACY OUTREACH

**Associate Executive Director continues national listening tour with major ALA stakeholders**
Kathi Kromer’s listening tour of ALA continued this fall with travel to meet with major stakeholders in the library community. In October Kromer joined ALA President Jim Neal and ALA Development Office Director Sheila O’Donnell in a meeting with Overdrive CEO and President Steve Potash at the company’s headquarters in Cleveland, Ohio. The trip also included a tour of several public libraries in Cuyahoga County led by ALA Past President Sari Feldman and the Cleveland Public Library with PLA Past President Felton Thomas. Kathi provided the Washington Update to COSLA during their fall meeting in Nashville and COL Chair Kent Oliver gave her a tour of the Nashville Public Library while she was in town. During a trip to Chicago, Richard Kong, Director of the Skokie Public Library, gave Kathi and Larra Clark a tour of his library, including a visit to the bookmobile. In early November Kromer attended the AASL Conference in Phoenix, Arizona, and YALSA’s Symposium in Louisville, Kentucky, where she led an advocacy focus group. IMLS board member and Coordinator of School and Student Services at the Enoch Pratt Free Library Deborah Taylor gave Kathi and several WO team members a tour of several branches of the Pratt system in January.

**ALA President, Washington Office Policy Director keynote for TechKnowledge virtual conference**
ALA President Jim Neal and WO Public Policy Director Dr. Alan S. Inouye served as moderator and panelist respectively on the opening keynote panel “Building Equity and Access in a Challenged Net Neutrality Landscape.” Also on the panel were representatives of the Electronic Frontier Foundation and Free Press. The venue provided a valuable opportunity to reach out to technology policy advocates as well as library advocates. According to the organizers, the session attracted the largest number of participants (more than 400) among the day’s sessions.

**Dupont Summit in Washington features ALA panel on equitable access to broadband**Jon Peha, Office for Information Technology Policy (OITP) Senior Fellow and Professor, Carnegie Mellon University; Ellen Satterwhite, OITP Fellow and Vice President, Glen Echo Group; and Dr. Alan S. Inouye presented at the 10th Annual Dupont Summit on Science, Technology, and Environmental Policy. The December 1 panel session, “Opportunity for All: Equitable Access to Broadband,” included a range of topics in telecommunications policy, and net neutrality dominated the discussion. Presenting at the Summit provided an opportunity to showcase libraries in front of non-library science and technology policy advocates and researchers.

**ALA helps kick off annual Congressional App Challenge**
The annual Congressional App Challenge for 2017 launched in June and ALA again worked 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 ran until November 1, and winners were announced in December. The 2017 Challenge culminates in a congressional reception in April 2018. 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.

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

**Washington Office hosts, visits library practitioners from D.C. and beyond**In line with the WO 2018-2020 Strategic Plan, staff have invested time in the field with practitioners in order to build relationships, gain new insights into the library field and learn about the latest activities across a wide variety of libraries. Staff delegations have visited the D.C. Public Library’s newly opened West End branch, the Department of the Interior federal library and collections, the George Washington University library and law school library, three Smithsonian libraries and National Public Radio’s research and archives department. Individual staff members have visited public libraries in Maine, New York, Virginia, North Carolina and California.

In addition to these outreach efforts, the WO has begun dedicating time during regular staff meetings for guest speakers to offer staff short presentations about their work in the library profession. Guests have included: Dr. Renate Chancellor, associate professor of library and information science at Catholic University; Karen Keninger, Director of the National Library Service for the Blind and Physically Handicapped; Suzanne Isaacs, Community Manager at the National Archives; and Paul Rosenzweig, Privacy and Cybersecurity Professor at the George Washington University School of Law.

**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 policy-making.

**Washington Office blog District Dispatch gets a redesign, features new voices**
In early January, WO launched a redesigned version of District Dispatch. The new design enhances accessibility, facilitates search functionality and features a minimalist theme geared toward improving the user experience on mobile devices and tablets as well as laptops and desktop computers. The blog was last redesigned in 2013. District Dispatch, in order to elevate the advocacy work of ALA members and highlight the WO’s collaborative work with coalition partners, has also increased the number of guest contributions. The blog features posts from leaders of fellow advocacy organizations, so far including the Consortium for School Networking, Computer & Communications Industry Association, Code.org and Catholic University of America’s Library and Information Science Department. ALA member contributors this fall have included Arkansas State Library E-rate Services Coordinator Amber Gregory, McCracken County Public Library (Paducah, KY) Director Susan Baier, Homer (Alaska) Public Library Youth Services Librarian Claudia Haines and Rochester Hills (Mich.) Public Library Director Christine Lind Hage.

**Washington Office contributes content for American Libraries blog**
To heighten visibility of Washington Office programs and ALA advocacy efforts overall, the Office communications staff have expanded contributions to American Libraries blog The Scoop, including posts on the Museum and Library Services Act, the Tribal Connect Act, the Federal Communications Commission’s net neutrality rollback and the 2018 Consumer Electronics Show. Staff have also facilitated guest blog posts for The Scoop by strong library advocate and Idaho State Librarian Ann Joslin as well as the executive director of the Congressional App Challenge.

FEDERAL LEGISLATION AND POLICY UPDATES

**Federal Library Funding and Programs**
By October, both chambers of Congress rejected the administration’s proposal to eliminate the Institute for Museum and Library Services and millions of dollars in federal funding dedicated to libraries, including the Library Services and Technology Act and Innovative Approaches to Literacy programs. Under pressure from a massive ALA-led grassroots campaign, House and Senate Appropriations Committees provided level funding for most programs (the Senate provided a $4 million increase for the LSTA Grants to States program). Unable to pass a final FY 2018 budget, Congress enacted a series of continuing resolutions (CR) to keep the government open past the October 1 start of the fiscal year. The current CR expires January 19, when Congress will need to return to hammer out a final budget agreement or pass another CR to avoid a federal government shutdown. Until then, federal agencies continue to operate under FY 2017 funding levels.

**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.

**Senator Reed leads introduction of Museum and Library Services Act (MLSA)**Senator Jack Reed (D-RI) led the bipartisan introduction of the Museum and Library Services Act (MLSA, S.2271) in late December that would reauthorize the Institute of Museum and Library Services (IMLS) through 2023. Cosponsoring the legislation with Sen. Reed were Senators Susan Collins (R-ME), Kirsten Gillibrand (D-NY), Thad Cochran (R-MS) and Lisa Murkowski (R-AK). ALA President Jim Neal was quoted in the press release issued by the Senators upon introduction of the bill. The MLSA is similar to the 2010 reauthorization that expired in 2016 but makes needed improvements to provide greater tribal access to grants and allowances for disaster preparation and response. Since the bill was introduced, four new cosponsors have been added to the list: Jon Tester (D-MT), Sheldon Whitehouse (D-RI), Roger Wicker (R-MS), Chris Coons (D-DE), and Tina Smith (D-MN). ALA will be active in supporting S. 2271 in 2018.

**ALA participates in education briefing & budget response to Congress**
WO policy 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 advocates to preserve Public Service Loan Forgiveness (PSLF) program**In December, the House Education and Workforce Committee approved its Higher Education Act (HEA) Reauthorization (H.R.4508) that included a sunset of the popular Public Service Loan Forgiveness (PSLF), which offers loan forgiveness to graduates who work in qualified public service positions, including libraries, and have made timely loan payments for 10 years. The bill, Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act was introduced by Committee Chair Virginia Foxx (R-NC) and passed without Democratic support. ALA continues to work to preserve the PSLF program

**ALA files comments with Department of Education**
In November ALA filed comments with the Department of Education (ED) in response to its 11 proposed priorities for discretionary grant programs. ALA called on ED to consider the many educational contributions made by libraries in schools and communities. Of particular note, ALA highlighted the role of libraries in supporting STEM education, addressing literacy needs and promoting economic opportunity. ALA called on its members to also file comments with the ED.

**Telecommunications**
ALA and its allies engaged in numerous efforts to forestall the rollback in net neutrality leading up to the Commission’s December 14 vote. ALA membership responded robustly through countless comments, phone calls and emails to the FCC and Congress. Libraries’ strongest congressional supporter, Sen. Jack Reed (D-RI), orchestrated a Senate letter to FCC Chairman Ajit Pai that focused on library-specific issues, and with the help of ALA member advocacy, 13 other senators signed on to the letter. Nevertheless, the FCC voted to roll back net neutrality. ALA has issued an action alert asking members to contact their members of Congress and urge them to support a Joint Resolution of Disapproval under the Congressional Review Act (CRA) to repeal the new FCC rule and restore the 2015 Open Internet Order protections. The CRA will be officially introduced in the Senate after the FCC’s new order is published in the Federal Register. ALA will continue to call on our members as we work with our national partners on next steps to appeal the decision in federal court and the Congress.

**ALA and more than 140 libraries submit comments to the FCC on E-rate**
In September, the FCC released a Public Notice asking for input on the program’s category two budget system, which ALA strongly supports. Specifically, the FCC sought input on whether libraries and schools are using their allotted budgets and if it meets their needs. ALA submitted comments highlighting the fact that libraries are assured access to critical funding for internal connections for the first time in many cases in 15 years. The Washington Office encouraged libraries to submit their own comments and created a template to assist them in doing so. In response, more than 140 libraries – including state library agencies, state chapters and local libraries – submitted comments. ALA will continue to work with the FCC as they move forward with determining how to address issues raised in comments submitted by ALA and libraries. The WO and the E-rate Task Force will be prepared to respond to any FCC action.

**Senators introduce bill to close gap in tribal broadband access, quote ALA President**Senators Martin Heinrich (D-NM) and Dean Heller (R-NV) introduced bipartisan legislation to use the FCC-managed E-rate program to help close the digital divide for tribal communities. ALA President Jim Neal was quoted in the press release issued by the Senators upon introduction of the bill in December. ALA worked with Senators Heinrich and Heller in drafting the bill, which was highlighted in a blog post by WO Associate Executive Director Kathi Kromer and Jodi Gray, director of the Office for Diversity, Literacy, and Outreach Services, for American Libraries magazine. The Tribal Connect Act (S.2205) would increase access to E-rate by opening eligibility to tribal libraries who may not currently qualify, establish an E-rate pilot program for tribal anchor institutions where no library currently exists and direct the FCC to provide additional training and performance goals for tribal broadband access.

**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 Keehbler, 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.

**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.

**ALA releases new report exploring 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.

**Copyright**
ALA, as a member of the Library Copyright Alliance (LCA), requested changes to Section 1201 of the Digital Millennium Copyright Act (DMCA), the provision which allows for circumvention of technological protection measures employed to protect access and use of copyrighted works for purposes of fair use. The decision is made by the Librarian of Congress based on recommendations from the U.S. Copyright Office and National Telecommunications and Information Administration (NTIA) following a rulemaking held every three years. For the seventh round of 1201 rulemaking, the LCA asked that the exemption to circumvent technology on motion picture and television programming to extract film clips for teaching, research and scholarship purposes be expanded to include K-12 students for class assignments. Previously, the exemption only applied to faculty, college students and teachers. The new rule also includes motion pictures in Blu-ray disc format. Similarly, the LCA requested and received an expansion of film clip excerpt rule to also apply to Massive Open Online Courses (MOOCs). These expanded exemptions are renewed for three years. The LCA also received a three-year renewal of the exemptions to circumvent video games for preservation purposes by libraries and archives and to circumvent e-books and e-readers to enable the text to speech function for people with print disabilities. The LCA also submitted requests for three new proposals with the Electronic Frontier Foundation (EFF), the ALA Video Round Table, the Software Preservation Network and others. These are expansion and simplification of the circumvention rules for audio-visual works, circumvention for software for preservation purposes, and circumvention for motion pictures to enable closed captioning and audio description for people with disabilities. After a reply and additional comment period in February and March 2018, these new proposals will be discussed at public meetings in April in Washington, D.C. and Los Angeles.

**ALA opposes the CASE Act**
LCA drafted a letter to Congressman Hakeem Jeffries and Tom Marino in opposition to the Copyright Alternative in Small-Claims Enforcement (CASE) Act of 2017 (H.R.3945), legislation that would create a small claims court in the U.S. Copyright Office to adjudicate low-cost infringement cases. The legislation aims to help individual artists with limited funds bring claims of infringement. Unfortunately, the small claims court, if created, would not be used by litigants who would have to sacrifice traditional benefits and protections of federal court litigation.

**ALA comments on North American Free Trade Agreement (NAFTA)**
ALA, as a member of the LCA, wrote a letter to the United States Trade Representative (USTR) requesting that language about balanced copyright, fair use and copyright limitations and exceptions as recognized in the U.S. Copyright Act be included in the intellectual property chapter of North American Free Tree Agreement (NAFTA). This language was included in the draft Trans Pacific Partnership (TPP) trade agreement, which the United States withdrew from in 2017. This request has been strongly opposed by legacy entertainment companies as well as publishers. Without such language and a commitment to user rights, trade agreements could supersede the U.S. copyright law. ALA also endorsed the statement issued by the Washington Principles on Copyright Balance in Trade Agreements.

**ALA monitors attempts to make the U.S. Copyright Office an independent agency**
In April, the House passed the Register of Copyrights Selection and Accountability Act of 2017 (H.R. 1695) to “modernize” the U.S. Copyright Office by making the Office independent of the Library of Congress. The legislation would shift Register appointment power from the Librarian of Congress to the President. Rights holders have been eager to eliminate such authority from the Librarian because of unfounded fears that the Librarian would appoint someone not sympathetic to rights holder interests. The LCA opposed the House legislation. The Senate proposed companion legislation stalled due to jurisdictional concerns raised by the Senate Committee on Rules and Administration, which has authority over the Library of Congress. At this time, it is unclear whether Senate legislation will proceed.

**World Intellectual Property Organization’s (WIPO) copyright meetings**Jonathan Band, legal counsel for the LCA attended the World Intellectual Property Organization’s Standing Committee on Copyright and Related Rights (SCCR) assembly meetings in November. Discussion continues regarding an international copyright treaty for an exception to copyright for libraries and archives (much like the U.S. copyright exception §108) that the International Federation of Library Associations and Institutions has promoted for several years. The treaty proposal is popular with developing nations but opposed by advanced nations, who are heavily influenced by rights holder groups and who believe a “soft law” such as a resolution would be sufficient. New discussions include treaties for exceptions for museums, educational institutions and people with disabilities.

**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.

**Government Information**ALA advocates for improved public access through Federal Depository Library Program (FDLP)
The Committee on House Administration has continued its effort to modernize Title 44 of the U.S. Code, which governs the Federal Depository Library Program (FDLP) and the Government Publishing Office (GPO). ALA has consulted with Committee staff throughout the process. On Oct. 11, the Committee held the fourth in a series of hearings to examine the law and discuss future directions. On Oct. 16-18, staff from the Committee attended the Federal Depository Library Conference to discuss their effort with librarians and GPO staff; ALA staff were also in attendance. In December, drafts of the Committee’s bill began to circulate. ALA is reviewing the draft bill, in consultation with other library associations and interested stakeholders, and will provide additional feedback to the Committee. In September, ALA had submitted recommendations to the Committee for improving the library program and expanding public access to government information; many of those recommendations appear to be reflected in the draft bill. There may be additional revisions to the draft before it is introduced, which is expected in late January. The Senate has not yet engaged with the issue.

**OPEN Government Data Act**On Nov. 15, the House of Representatives passed ALA-supported legislation to improve public access to government data. The Open, Public, Electronic, and Necessary (OPEN) Government Data Act was included as part of the Foundations for Evidence-Based Policymaking Act (H.R. 4174), which the House passed by voice vote. Passage of the bill represents a victory for ALA, who has supported the legislation since it was first introduced last year. The Senate passed the OPEN Government Data Act in a different form in September. ALA is continuing to advocate for the chambers to resolve their differences and send a strong bill to the President's desk.

**Transparency in Government Act**

On Nov. 30, Rep. Mike Quigley (D-IL) introduced the Transparency in Government Act (H.R.4504), which contains a wide range of provisions to increase public access to government information. ALA President Jim Neal is quoted in Rep. Quigley’s press release about public access to Congressional Research Service reports. ALA supported a provision on that topic that was included in this year’s appropriations bills, but Congress has not yet completed work on those bills as of this writing.

**Privacy/Surveillance**
Since October, ALA has supported reforms to the Foreign Intelligence Surveillance Act (FISA), such as the USA Rights Act (S. 1997), which would close the “backdoor search loophole” by requiring that surveillance of Americans only be done with a warrant. With FISA set to expire on December 31, Congress approved and the president signed a short-term extension of Section 702 of FISA, keeping the current rules in place until January 19. This extension, however, gave the House and Senate little time to work out their differences regarding government authority to monitor American communications for foreign intelligence purposes. The House, after returning from recess, voted down any modification to the Section 702 and instead reauthorized for an additional six years warrantless surveillance of Americans in the FISA Amendments Reauthorization Act of 2017. On Jan. 19, the president signed a six-year extension of the warrantless surveillance program, continuing to allow intelligence agencies to monitor, collect and save communications between Americans and foreigners, even if there is no reason to believe that the American is a security risk. The bill does impose a limited new warrant requirement for F.B.I. agents to read any emails of an American who is already the subject of an open criminal investigation. However, that requirement is so narrowly written that it would not apply to the overwhelming majority of such searches.

**ALA files comments to Department of Homeland Security (DHS)**In mid-October 2017, the Washington Office filed comments with the Department of Homeland Security’s (DHS) Privacy Office expressing our concerns about the Department’s plans to monitor and collect social media information on all immigrants to the United States. DHS published a new rule under the Privacy Act of 1974 in the Federal Register in late September, detailing how it intends to expand the information it collects when determining a person’s immigration status to include “social media handles, aliases, associated identifiable information, and search results.” The new requirement would impact not only immigrants to the United States, but also anyone who communicates with immigrants via social media, as their conversations could be reviewed by immigration officials. This proposal is in direct opposition to an ALA resolution passed in 2007 about immigrants’ rights and the Library Bill of Rights. As reiterated in our joint comments, existing ALA policies affirm that confidentiality is crucial to freedom of inquiry and that the rights of privacy are necessary for intellectual freedom and fundamental to the ethics and practice of librarianship.