

- Orlando, FL
Ann Ewbank
Chair, ALA Committee on Legislation
June 28, 2016

Committee on Legislation highlights:

1. Senate Appropriators Reject WH LSTA Cut, Increase Funding: **The outlook for library appropriations started on a down note as the President requested a cut in funding for LSTA (\$400,000) and the Grants to States program (\$950,000). After months of intense lobbying by ALA, strong support from the ALA grassroots community, and lobbying by ALA members at National Library Legislative Day, the Senate Appropriations Committee recognized the importance of library funding and**

2. Library of Congress Subject Headings Controversy: **Proposals by the Library of**
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Congressional opposition. It resulted in the inclusion of language
instructing the Library not implement those proposals in the Report accompanying the
+RXVH·V ELOO PDLQJ DSSURSULT The Washington Office, WKH /H
in consultation with COL, worked closely with ALCTS to provide Members o
Congress with a detailed joint ALA/ALCTS letter opposing such language, which
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Washington Office, COL and ALCTS also collaborated closely in preparing, circulating
and SODFLQJ EHIRUH &RXQFLO WKH H e e epKH P 0.7 App ð €

4. Proposed Resolution Concerning Creation of Deaf Culture Digital Library: Council referred the Resolution Concerning the Creation of the Deaf Culture Digital Library (2016 ALA CD#46) to both ASCLA and COL. It was decided that given the issues surrounding the creation of such a library there was a need for more research and discussion. Accordingly, it was concluded that it would be best for the Resolution to be taken up again at Midwinter. COL and ASCLA will spend the months prior to Midwinter doing further research on where such a library would best fit within the federal government and what examples

The resolution is CD#25.

Resolution of Appreciation to Congressional Champions for Support of School Libraries and School Librarians in the Every Student Succeeds Act

Resolved, That the American Library Association (ALA):

1. commends Senators Lamar Alexander, Thad Cochran, Patty Murray, and Jack Reed and Representatives John Kline and Robert Scott for their recognition of the contributions of
2. commends these School Library Champions for their efforts to include effective school library programs and school librarians in the language of the Every Student Succeeds Act.

The resolution is CD#206

Resolution on Equity for School Libraries for the Department of Education Making Rules for ESSA

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

1. urges the United States Department of Education to address equity issues while developing the ESSA rules regarding funding and staffing school libraries, and
2. shares the effective school library program with the United States Department of Education.

The resolution is CD#207

Resolution on Equity for All in School Libraries

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

1. endorses the idea that every student have access to funded, effective school library program;
2. advocates for equitable access to effective school library programs with a certified school librarian, personalized learning environments, and equitable access to resources;
3. works with ALA research committees to document the impact on students minorities, low-income, and rural communities;
4. advocates for equitable access to vetted, high quality, and accessible electronic resources;

5. encourage state departments of education and coalition partners to establish and maintain funding of digital databases and shared resources to provide greater equity of access in all states and regions; and
6. continue to encourage school librarians to apply for Innovative Approaches to Literacy grants.

The Subcommittee also met once during Annual 2016 and spent the bulk of the meeting discussing if their Subcommittee had fulfilled its original purpose. It was subsequently decided that in the last eight years since its inception government services have become a normal part of everyday life in libraries and that perhaps there was no further need for a specific subcommittee of COL to look at this issue. The Subcommittee raised the issue with COL and they agreed that it was time to sunset the Subcommittee.

FLAG

The FLAG Subcommittee met on Friday afternoon. At our last meeting, members of the FLAG committee were assigned members of relevant congressional subcommittees, with the intention that members would reach out to their contacts and find those who may have close relationships with their elected officials. Those assignments were reviewed, particularly the Appropriations committees, and new members were given new assignments. The remainder of the meeting was spent brainstorming avenues for outreach to find new advocates or new FLAG members and reviewing the process through which cadre members are contacted.

Government Information

The Government Information Subcommittee (GIS) held one joint meeting with the Government 'RFXPHQWV 5RXQG 7DEOH·V *2'257 /HJLVODWLRQ & RPP L W V Participants heard an update by Cindy Etkin from the Government Publishing Office (GPO) on the regional discard policy and discussed and sent forward to COL a tribute to Mary Alice Baish at the time of her retirement in honor of her important role as the Superintendent of Documents at the Government Publishing Office.

Grassroots

The Grassroots Subcommittee met on Friday afternoon to discuss potential next steps for the committee now that the Speak Out and Spark materials have been completed. The Subcommittee has decided to identify roundtables within ALA who may not have much involvement with advocacy efforts. The committee will compile information that could be helpful for the roundtable members, including Washington Office resources, advocacy tips, information about current legislation that may be of interest to them. The Subcommittee hopes to meet with the roundtables at Midwinter 2017. As part of this process, Subcommittee would like to reach out to OLA and their relevant committees, to see how the Subcommittee could support work that is already being done.

Legislation Assembly

The Legislation Assembly met as part of a joint meeting with COL on Friday at 1:00 pm. The first half of this meeting was dedicated to the Legislation Assembly agenda, which included legislative updates from OGR staff members and updates on upcoming legislative resolutions from the participating units in attendance. Members of both COL and Legislation Assembly agreed that the new joint meeting format held early in the conference allowed for both greater efficiency and more timely information sharing between COL and the unit representatives to the Assembly. Recognizing that the business of Legislation Assembly had concluded during the joint meeting, the co-chairs elected to cancel the second meeting of the Assembly, which was scheduled for Monday at 8:30 am.

LSTA

As it does every five years, the Committee on Legislation created a subcommittee with representatives from every part of the library community to go over possible changes to the Museum and Library Services Act (MLSA) that we might want to address any issues that have arisen and make it stronger and more effective.

The LSTA Subcommittee analyzed a discussion draft of changes to the Library Services and Technology Act piece of MLSA and voted to make recommendations to Senator Reed for his bill which he is hoping to introduce in September with bipartisan cosponsors. LSTA is up for Reauthorization October 1, 2016 when the Congress will be out campaigning.

Telecommunications

The COL Telecommunications Subcommittee met Saturday at 1:00 pm and again Sunday in a joint meeting with OITP. After a general update of the Friday COL meeting, detailed updates on six telecom topics were made including Net Neutrality, Lifeline, Privacy and the FCC, Congressional App Challenge, FCC reauthorization. There was a discussion of the Rural Broadband Congressional Caucus and about issues surrounding rural broadband. The Subcommittee also discussed five questions that were poised for Sunday's joint meeting. Finally, the Subcommittee discussed growth opportunities for the committee and its interest in adding new members, particularly from outside the higher education community.

Final Notes:

We would like to urge all Councilors who have not yet done so to sign up to receive District Dispatch blog posts in order to be fully informed on current legislative issues and to receive legislative action alerts.

2016 ALA CD#20.4

millions of print disabled Americans, the Marrakesh Treaty must be ratified by a two-thirds majority of the United States Senate, and legislation deemed necessary by the administration to

implement the agreement also must be passed by both chambers of Congress and signed by the President;

Whereas the President has formally transmitted the Marrakesh Treaty and such implementing legislation to the United States Senate, where both have been duly referred to appropriate committees of jurisdiction;

Whereas in February 2016, ALA issued a Joint Statement with fifteen fellow signatories calling upon Congress to both rapidly ratify the Marrakesh Treaty and approve the Marrakesh Treaty Implementation Act and its associated proposed legislative history text, if such legislation is considered necessary, without change whatsoever in order to avoid political controversy among stakeholder groups likely to further delay international implementation of the long-awaited and much-needed Marrakesh Treaty;

Whereas in its May 2016 Statement Supporting Ratification of the Marrakesh Treaty the International Federation of Library Associations and Institutions (of which ALA is a member), through its Section for Libraries Serving Persons with Print Disabilities, called upon effectively all members of government and civil society around the globe

3. encourages the President to publicly speak out, on all appropriate occasions, in support of the foregoing expedited Congressional processes and rapid ratification of the Marrakesh Treaty.

Adopted by the Council of the American Library Association
Tuesday, June 28, 2016, in Orlando, Florida



Keith Michael Fiels
Executive Director and Secretary of the ALA Council



Whereas equity of access is one of five key action areas adopted by the American Library Association to fulfill its mission of providing the highest quality library and information services for all people;

Whereas the American Library Association values our national diversity and reflects that diversity by providing a full spectrum of resources and services to everyone in

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

1. urges the United States Department of Education to address equity issues while developing the ESSA legislation rules regarding funding and staffing school libraries, and
2. shares the ~~SPHULFDQ \$VVRFLDWLRQ~~ Position Statement / LEUD



Whereas equity of access is one of five key action areas adopted by the American Library Association to fulfill its mission of providing the highest quality library and information services for all people;

Whereas the American Library Association

Whereas the American Association of School Librarians has adopted the position statement that an effective school library program has a certified school librarian at the helm, personalized learning environments, and equitable ~~access~~ resources to ensure a ~~well~~ rounded education for every student; now, therefore, be it

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

1. endorses the idea that every student have access to ~~fund~~, effective school library program;
2. advocates for equitable access to effective school library programs with a certified school librarian, personalized learning environments, and equitable access to resources;

We refer you to following report that gives you additional information about ALA's federal legislative activities since Midwinter 2016.

signature

The full Senate Appropriations Committee passed its version of the bill on May 19, 2015, with no such language as also jointly requested of key Senators by the presidents of ALA and ALCTS. Consequently, even if both chambers pass legislative Branch appropriations bills, WKH PDWWHU QRZ PXVW EH QHJR WL D E L I O G is the Q e a r F i s Q t a t U H Q F H V X F K D V F H Q D U L R L V O L N H O \ W R S O D \ R X W 7 K H X Q S U H F H G proposed actions, K H ' 6 W R S S L Q J 3 D U W L V D Q 3 R O L F H . R . W 9 2 6 , K H / L E U D U remains unlikely to advance.

As in the past, library professionals and the public at large have been invited by the Library to comment informally through mid July on the proposed subject heading changes. Given the volume R I F R P P H Q W V D Q W L F L S D W H G Z L W K , O P W S B O W D O I R H Q K H W K W P the first time turned to an [online survey form](#) it is unclear how such comments, which have not been solicited as part of a formal rule-making proceeding, will be assessed by the Library or when it will make a final determination as to whether to proceed with its controversial proposed changes.

ALA Backs Bill to Repeal Cybersecurity/“Information Sharing” Statute Passed as Part of Massive Year-End Funding Package

With [Senate passage of the Cybersecurity Information Sharing Act](#) RU ' & , 6 \$ μ L Q O D October, OGR last reported in December 2015 that negotiations were then actively underway to include the [privacy-hostile legislation](#) L Q W K H P D V V L Y H ' R P Q L E X V μ I X Q G L Q J E W K H Q S X V K L Q J K D U G W R S D V \$ / \$. E \ L Q G U Y V H X D O S I E S O L F R Y E M U [objection in coalition](#) with many other diverse national groups, the renamed Cybersecurity Act of 2015 was included in the omnibus bill approved by Congress and signed by the President for just a that report. In late January, ALA joined 16 other national groups from across the political spectrum in [calling upon all Members of Congress](#) to support H.R. 4350, introduced by Reps. Justin Amash (RMI) and John Conyers (DMI) in late January, to repeal the cybersecurity O H J L V O D W L R Q 7 K H E L O O . V S U R V S H F W V R I S D V V D J H D U H O P

Congress Enters Encryption “Back Door” Mandate Debate

) X H O H G E \ W K H F R Q W U R Y H U V \ D Q C e n t i n e m a n d s w A p p l e a b l y L V L Q J I [opposed by ALA](#) in the wake of the San Bernardino attack, the debate over whether encryption sys

Encryption "Back Door" Mandate Debate Continues Unabated Post-Apple/FBI Controversy

In the wake of the Apple/FBI fight, federal legislation [FDQGDWH D'EDFNt@RRUμ LQV](#) systems remains a hotly debated subject in Washington. On paper, there remains [principal](#)

[May 24th](#), the [House on April 26th](#), and all [House Judiciary Committee Members on April 10th](#) (As passed by the House) H.R. 699 would require law enforcement authorities to obtain a judicial warrant based on probable cause to obtain the content of personal e-mails, electronic files, photos and virtually any other private and electronically stored [data under current law](#) in most

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action in the face of a flurry of late amendments seemingly designed to make the bill unsupportable by advocates of real reform. The Committee is now scheduled to again consider the measure and amendments to it on June 9th it is unclear at this writing, however, whether the Committee will succeed in reporting the bill out to the full Senate and, if it does so, whether that
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House Judiciary Committee to Finally Vote on Electronic Communications Privacy Act

As [previously reported](#) in District Dispatch many times over the past several years, despite enormous bipartisan support, bills to meaningfully reform the Electronic Communications Privacy Act (ECPA) have been bottled up in the House Judiciary Committee. As last reported, the House Judiciary Committee held a lengthy and contentious hearing on the current bill, the [Email Privacy Act](#) (H.R. 699), in early December of last year at which proponents repeatedly

SUHVHG WKH ELOO·V SCLYRFDU\ CHAIRMAN BOB GOODLATTE (VA) --
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Chairman now formally has set April 13, 2016 for markup of H.R. 699. Supporting efforts by

Other Diverse ALA Pro-Privacy Coalition Work Continues Apace

During the current reporting period, ALA has helped craft and lent its name to several additional coalition communications to Congress pertaining to privacy and surveillance. Specifically, ALA has: written to the [Director of National Intelligence](#) seeking information on the number of American citizens whose communications have inadvertently been gathered in pursuit of foreign intelligence under Section 702 of the Foreign Intelligence Surveillance Act (FISA); asked the [House Committee on Oversight and Government Reform](#) to hold hearings regarding the widely reported incidence of communications by Members of Congress having been intercepted by the National Security Agency; and urged the [House Judiciary Committee](#) to redesignate a hearing on Section 702 of FISA as at least partially unclassified to allow public attendance and participation in building a record.

ALA Succeeds in Push for Legislation to Make CRS Reports Publicly and Freely Available

At last report, support was growing in the private sector, press, and among Members of Congress for a bill that would direct the US Government Publishing Office to presumptively make almost all Congressional Research Service research reports promptly and widely available to the public without charge. Legislation to do just that, the [Equal Access to Congressional Research Service Reports Act of 2016](#) (S. 2639 and H.R. 4702) was introduced in early March. As noted then in [District Dispatch](#), ALA worked closely with more than 40 other organizations to reach this milestone, including particularly Demand Progress. The bill, as well as the press statements released by all four of its Senate authors, are available on the [Demand Progress website](#). Currently the public is able to get only piecemeal access to these reports as they are released at the discretion of various Congressional offices. ALA has expressed its appreciation to Senators John McCain (AZ) and Patrick Leahy (VT) who sponsored the bill in the Senate and Representatives Leonard Lance (NJ) and Mike Quigley (IL) who introduced it jointly in the House. OGR looks forward to working closely with these offices and others in Congress to bring this long overdue legislation to a vote in both chambers.

Legislation Mandating Broad Public Access to CRS Reports Likely Stalled

As reported previously, ALA joined with a number of other groups to support the early March bill (S. 2639 and H.R. 4702). Given the compressed congressional calendar, on April 17th ALA again teamed with our coalition partners to [urge House and Senate committees to move forward with a markup of the bill](#). While that has not yet happened, Rep. Quigley (who introduced H.R. 4702) attempted to provide access to CRS reports through another avenue, introducing two amendments during the a House Appropriations Committee markup on May 17th. Regrettably, both amendments failed.

The first amendment, as proposed in H.R. 4702, would have directed the Government Publishing Office (GPO) to establish and maintain a public website to provide searchable, sortable, and downloadable public access to Congressional Research Service (CRS) reports without charge. When that amendment failed, Rep. Quigley then offered language to the appropriations bill that merely would have required a comprehensive list of all CRS reports produced (properly confidential documents excepted as in H.R. 4702) to be made publicly available. The lack of support during the House Appropriations markup is of concern, but ALA and our partners will continue to try to move this issue forward. That effort is likely to continue in the 115th Congress, which will be constituted in early 2017.

adults to Congress and federal advocacy, the new video series [publicly announced by ALA](#) (on May 2) aims to demystify the advocacy process for young and new advocates, giving them the tools and resources they need to succeed. [FRQFUHWH WLSV RQ FDOOLQJ OHJLVODWRUV · RIILFHV VFKI](#) campaigns. Three of eight videos have been completed at this writing with the remainder expected to be released this summer.

Finally, OGR is pleased to report that interest in active advocacy by members and other supporters is strong. In the past year: net subscriptions to [District Dispatch](#) increased and the number of individuals who follow District Digest (the weekly Washington Office newsletter) now stands at 9,825, up 60% (from 6,000); more than 12,700 new advocates signed up to receive legislative alerts. [OHUWV WKURXJK \(QJDJH LQFUHDVLQJ \\$/\\$·V SRRO RI](#) Washington Office Tumblr account [Library Advocates](#) reached the 15,000 follower milestone.

Open Government Data Bill Introduced in both Chambers and Advances in Senate

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ALA Briefs Congressional Caucus on Value of Broadband for Rural Libraries

At the April meeting of the bipartisan Congressional Rural Broadband Caucus, OITP Associate Director Marijke Visser and panelists from the public and private sectors briefed the caucus, congressional staff, and librarians. Panelists discussed how broadband access has helped small businesses develop business plans, conduct market research, foster employee